

Presented by: The Manager
Introduced: 06-03-76
Referred to:

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 372

A RESOLUTION DECLARING AVAILABLE FOR LEASING SO MUCH OF LAST CHANCE PLACER CLAIM 160, 161, 162; S. MILLSITE, MINERAL SURVEY 1027-B; BEAR NO. 4, MINERAL SURVEY 1027-A; BEAR-NO. 3, MINERAL SURVEY 1027-A; AND THE EASTERN FRACTION OF EAST PARK PLAT OF JUNEAU TOWNSITE, AS ARE REQUIRED FOR THE CONSTRUCTION AND OPERATION OF AN AERIAL TRAMWAY TO MT. JUNEAU.

WHEREAS, CBJ 53.20.020 provides that land owned by the city and borough of Juneau may be leased, providing that at least thirty (30) days prior to such lease the assembly has declared by resolution that the land is available for lease; and

WHEREAS, applications have been made in accordance with chapter 53.20 of the city and borough code, for lease of land and air rights as are required for the construction and operation of an aerial tramway to Mr. Juneau located in the First Judicial District, Juneau Recording District, State of Alaska as follows:

All or a fraction of one or more of the following: Last Chance placer claim 160, 161, 162; S. Millsite, Mineral Survey 1027-B; Bear No. 4, Mineral Survey 1027-A; Bear No. 3, Mineral Survey 1027-A and the eastern fraction of East Park, Juneau Townsite, known as Survey No. 7 as surveyed February 26, 1894,

and

WHEREAS, the planning commission at its May 10, 1976 meeting unanimously recommended approval of the leasing of both parcels with the condition that the work tram and staging area does not conflict with the city and borough water system, and that the work tram and staging area lease be for a period of five (5) years only; and

WHEREAS, it is in the best interest of the city and borough that such that such land be leased;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

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1. That the land and air rights above the land are hereby declared available for lease with the minimum approved annual rental to be at fair market rental value, upon terms and conditions as provided by ordinance, and the annual rental rates to be adjusted every three years.

2. That the manager is hereby authorized to take such steps as are necessary to lease the above-described land to the highest bidder utilizing sealed bids under the following terms and conditions:

A. Work-Tram and Staging Area.

- (1) The lease shall be for a period of five years.
- (2) That the lessee does not conflict with the city and borough water system and the lessee shall be held liable for any damage to the water system, and shall provide the city and borough access to the water system at all times.
- (3) All terms and conditions which the manager deems appropriate to this lease.
- (4) The air rights over city and borough owned land from an elevation of 520 feet above sea level at the most southerly boundary of the property and rising on a plane to a maximum of 35 degrees from the horizontal to the most northerly boundary of the Last Chance Placer Claims in a corridor of a maximum width of 200 feet on either side of the boundary line between Last Chance Placer Claims 161 and 162.

B. Mid-Point Tower Area.

- (1) The lease shall be for a period of fifty-five years with an option to renew for fifty-five (55) years.
- (2) The air rights from the most southerly boundary of East Park, Juneau Townsite and proceeding north in a corridor 50 feet on either side of the proposed route of the tram way to the northwesterly side of the boundary of Bear No. 4,

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Mineral Survey 1027-A and to a maximum of 1,000 feet above sea level.

- (3) All other terms and conditions which the manager deems appropriate to this lease.

3. That the passage of this resolution declaring certain lands available for leasing applies only to the leasing of the above-described property and is not to be construed to grant approval or acceptance of any further action required by the city and borough for this project.

Adopted this day of 1976.



Mayor

Attest:



Clerk