

Presented by: The Manager
Introduced: 2-18-82
Drafted by: G.L.S.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 827

A RESOLUTION DECLARING APPROXIMATELY THREE-QUARTER ACRE OF LAND ADJACENT TO MERCHANTS WHARF CONSISTING OF FILLED AND UNFILLED TIDELANDS AVAILABLE FOR LEASING FOR NOT MORE THAN TWENTY YEARS TO HOWARD ROBINSON AND ROBERT GIERSDORF, A PARTNERSHIP, FOR AIR AND WATER CHARTER AND TOUR OPERATIONS, AND AUTHORIZING THE MANAGER TO ACQUIRE FROM LESSEE OR OTHERS LOT 4, BLOCK 76 TIDELANDS ADDITION TO THE CITY OF JUNEAU OR AN INTEREST THEREIN.

WHEREAS, Howard Robinson and Robert Giersdorf, a partnership, has filed an application to lease tidelands and uplands owned by the City and Borough of Juneau for air and water charter and tour uses, and

WHEREAS, the applicant is in the process of purchasing the abutting Lots 4 and 5, Block 76 Tideland Addition to the City of Juneau, and

WHEREAS, the city and borough owns a landlocked uplands parcel consisting of approximately 3,200 square feet lying southerly of and abutting Lot 4, Block 76 Tideland Addition to the City of Juneau, and

WHEREAS, the Planning Commission has previously reviewed and approved the proposed lease of these parcels under a lease application by Southeast Skyways, Inc., and

WHEREAS, the Assessor has appraised said parcels at \$93,512, based on estimated lease area, and

WHEREAS, the city and borough should acquire access to its uplands and tidelands parcel;

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

1. That approximately three-quarters acre of uplands, filled and unfilled tidelands lying southerly of Lots 4 and 5, Block 76 Tideland Addition to the City of Juneau is available for leasing to Howard Robinson and Robert Giersdorf, a partnership, for up to twenty years for use in providing air and water charter and tour service.

2. That the manager is authorized to negotiate and execute a lease and other agreements as are necessary to permit the use of such property for said purposes. Such lease and agreements shall include, in substance, the following conditions:

a. That Howard Robinson and Robert Giersdorf, a partnership, shall convey to the city and borough a perpetual easement 20 feet in width through Lot 4, Block 76 Tidelands Addition to City of Juneau for access and utility purposes unless the city and borough has already acquired such an interest. The value of the interest acquired shall be as determined by the assessor. If said easement is acquired under the lease, payment for the easement may be by offset against rent due.

b. That the lease of tidelands shall be subject to the terms and conditions set forth in CBJ 53.20.

c. That upon obtaining the necessary permits and upon the approval of the manager, the lessee may dredge and fill the lease area as required for its facilities and operations.

d. The initial annual rental shall be \$14,026 per year based on 15% of the market value of the parcel and shall be adjusted annually.

e. That the lessee shall enter into agreements with NOAA and other adjacent property owners upon terms and conditions satisfactory to the manager to enable a maximum and harmonious use of the waterfront by users adjacent to the leased parcel.

3. The manager may include in all instruments authorized under this resolution such additional terms and conditions as he believes are necessary to protect the public interest.

ADOPTED this 18th day of February, 1982.



Mayor

Attest:



Clerk