

CITY OF VALDEZ, ALASKA

RESOLUTION #15-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING THE NEGOTIATED LAND SALE OF LOT 2, ASLS 0098 TO BRAD AND MAUREEN KIMBERLIN

WHEREAS, The City of Valdez is the owner of the following described real property:

Lot 2, Alaska State Land Survey 0098; and

WHEREAS, Brad and Maureen Kimberlin are the owners of the adjacent real property:

Lot 19, Block 2, Zook Subdivision; and

WHEREAS, Brad Kimberlin has requested to purchase Lot 2, ASLS 0098 for the purpose of developing a boat repair facility; and

WHEREAS, Brad Kimberlins' request for land and proposed use is in conformance with the zoning for the area, the objectives of the Comprehensive Plan, and sound land use and environmental standards given certain conditions are met; and

WHEREAS, on April 8<sup>th</sup>, 2015 the Planning & Zoning Commission approved a recommendation to Council to sell this property to Brad Kimberlin for the proposed purpose of developing a boat repair facility; and

WHEREAS, on April 28<sup>th</sup>, 2015 the Ports & Harbor Commission approved a recommendation to Council to sell this property to Brad Kimberlin for the proposed purpose of developing a boat repair facility; and

WHEREAS, Chapter 4.04 of the Valdez Municipal Code provides for the sale of real property owned by the City, which is not dedicated to any public use; and

WHEREAS, Chapter 4.04 of the Valdez Municipal Code provides for the Council to sell property by negotiation when it is not in the City's best interest to offer the property at public sale; and

WHEREAS, The Planning & Zoning Commission, the Ports & Harbor Commission, and City Council have determined that it is not in the best interest of the City to offer the property at public sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that

Section 1: The City Council has found that it is not in the public interest to offer the Lot 2, ASLS 0098 at public sale.

Section 2: Lot 2, ASLS 0098 will be sold for fair market appraised value. The purchaser will be responsible for all costs associated with the sale.

Section 3: The City Manager, or his designee, is hereby authorized to negotiate with sale of said property.

Section 4: Lot 2, ASLS 0098 must be developed for a boat repair facility.

Section 5: The purchaser is required to obtain a Conditional Use Permit (CUP) for a boat repair facility, prior to the sale being effectuated. The purchaser shall have up to one year to obtain the CUP.

Section 5: The purchaser is required to complete a Wetlands Determination and if necessary an approved 404 Wetlands Development Permit. The cost of which, including all special construction development standards or mitigation shall be the sole responsibility of the applicant.

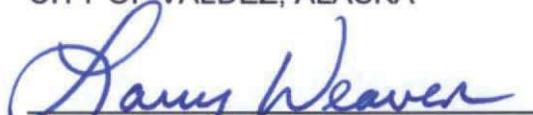
Section 6: The purchaser must submit a final development plan to the Planning & Zoning Commission and City Council for approval prior to development.

Section 7: In conformance with Section 4.04.070 of the Valdez Municipal Code the resolution shall be passed and approved by an affirmative vote of no less than six Council members, and the resolution shall be filed and published in the same manner as a resolution providing for public sale and no such negotiated sale shall be final until such resolution has been on file in the office of the city clerk for thirty days.

Section 8: In conformance with Section 4.04.080 of the Valdez Municipal Code if the sale of said property is not effectuated within one year of the date of approval the authorization to sell granted by this resolution expires.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 1<sup>st</sup> day of June, 2015.

CITY OF VALDEZ, ALASKA

  
Larry Weaver, Mayor

ATTEST:

  
Sheri L. Pierce, MMC, City Clerk

