



ORDINANCE SERIAL NO. 18-07

AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE THE ASSIGNMENT, ASSUMPTION AND CONSENT OF TIDELANDS LEASE FOR FALSE PASS SEAFOODS, LLC TO ASSUME THE TIDELANDS LEASE BETWEEN BERING PACIFIC SEAFOODS, LLC AND ALEUTIANS EAST BOROUGH.

WHEREAS, Aleutians East Borough (“Borough”) is the owner of that certain tidelands described in the Tidelands Lease associated with the dock located in False Pass, Alaska between the Borough and Bering Pacific Seafoods, LLC (“BPS”) dated June 1, 2013, a copy of which is attached hereto as Exhibit A (the “Tidelands Lease”); and

WHEREAS, Borough is the owner of the tidelands as shown in Exhibit B hereto, described as: Section 27, T.61 S., R 94W, Seward Meridian and Section 28, T. 61 S., R. 94W., Seward Meridian, located in False Pass, Alaska; and

WHEREAS, BPS desire to execute the Dock Tidelands Lease Assignment, Assumption and Consent Agreement (the “Agreement”) whereby BPS assigns all right, title and interest in and to the Tidelands Lease to False Pass Seafoods, LLC (“FPS”) and FPS assumes all the rights, duties, interests, liabilities and obligations in, to, and under the Tidelands Lease; NOW THEREFORE:

BE IT ORDAINED BY THE MAYOR:

SECTION 1. Classification. This is a non-code ordinance.

SECTION 2. Authorization to Assignment of Lease. The Mayor, or his/her designee, is hereby authorized to execute the attached Dock Tidelands Lease Assignment, Assumption and Consent Agreement transferring all obligations and liabilities under the Agreement from BPS to FPS. A copy of the Agreement is set out in Exhibit C of this Ordinance.

SECTION 3. Effectiveness. This Ordinance shall take effect upon adoption by the Aleutians East Borough Assembly.

Passed and adopted by the Aleutians East Borough Assembly this 8th day of MARCH, 2018.



Alvin Osterback, Mayor

ATTEST:



Tina Anderson, Borough Clerk