

RESOLUTION NO. 16-11

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH, ALASKA, AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A LONG-TERM LEASE WITH APICDA JOINT VENTURES.

WHEREAS, AS 29.35.010(8) grants the Aleutians East Borough the authority to “acquire, manage, control, use, and dispose of real and personal property, whether the property is situated inside or outside the municipal boundaries”; and,

WHEREAS, the State of Alaska, Department of Natural Resources granted Lease ADL No. 218167 to Melvin B. Gillis on June 9, 1989; and,

WHEREAS, the State of Alaska, Department of Natural Resources granted Lease ADL No. 228276 to Melvin B. Gillis on August 16, 2004; and,

WHEREAS, the Aleutians East Borough selected the parcels that are the subjects of these leases as part of its General Land Grant Entitlement (Municipal Entitlements) pursuant to A.S. 29.65 et seq., was subsequently transferred title to those parcels by the State of Alaska, and thus acquired as part of that transfer Lease ADL No. 218167 and Lease ADL No. 228276; and,

WHEREAS, the leases permitted Mr. Gillis to assign his rights and obligations under these leases to a third party, subject to the Borough’s approval; and,

WHEREAS, an Agreement was approved by the Aleutians East Borough Assembly on September 10, 2014 assigning Mr. Gillis’s interests under the leases to APICDA Joint Ventures; and,

WHEREAS, APICDA Joint Ventures has purchased from Mr. Gillis all the improvements located on the properties that are subject to the leases, for the purpose of expanding its recreational business activities in the Borough; and,

WHEREAS, APICDA Joint Ventures has requested that the Borough grant it a long-term lease in the properties that are the subjects of Lease ADL No. 218167 and Lease No. 228276 and to increase the lease acres; and,

WHEREAS, on September 10, 2014 the Aleutians East Borough Assembly approved amendments to the leases extending them to June 30, 2015; and,

WHEREAS, the Aleutians East Borough Assembly has concluded that it would be in the Borough's best interests to negotiate a long-term lease with APICDA Joint Ventures; and

WHEREAS, in order to conduct a land survey to expand the leases and negotiate the new lease, the Aleutians East Borough Assembly approved a lease extension to December 31, 2015 on May 28, 2015;

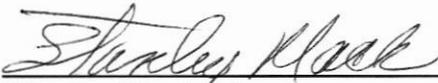
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH, ALASKA, that:

Section 1. The Aleutians East Borough Assembly hereby authorizes the Mayor to negotiate and enter into a long-term lease with APICDA Joint Ventures within the parameters of the draft lease attached to the Resolution. Said lease, once executed, will be presented to the Assembly as an informational item at the next Regular Assembly meeting.

Section 2. Effective Date. This Resolution shall take effect immediately.

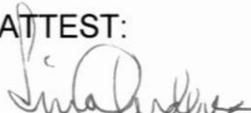
ADOPTED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH, on this 10th day of December, 2015.

ALEUTIANS EAST BOROUGH, ALASKA



Stanley Mack, Mayor

ATTEST:



Tina Anderson, Borough Clerk