



FAILED
lack of a motion

ORDINANCE SERIAL NO. 22-02

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE ALEUTIANS EAST BOROUGH

WHEREAS, the legislative power of the Aleutians East Borough (“Borough”) is vested in its Borough Assembly under Alaska State Statute Sec. 29.20.050; and

WHEREAS, the disposal of real property owned by the Borough is governed by Chapter 50.10 of the Borough Code and generally requires that the sale be authorized by Ordinance; and

WHEREAS, the Borough Code provides that the disposal may be conducted, among other methods, by negotiation; and

WHEREAS, Gould Construction LLC submitted a proposal to acquire the Cold Bay School from the Borough to be used for office space, classroom space for homeschooled children, emergency shelter for airline passengers during emergency landings, additional community uses such as physical activities utilizing the gym, as well as temporary lodging for special events to support the community, which may include community and governmental events; and

WHEREAS, the Assembly believes disposal of the property in question is in the best interest of the Borough.

NOW, THEREFORE, LET IT BE ORDAINED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH AS FOLLOWS:

Section 1. Assembly Approval.

(1) The Borough Assembly approves the sale of:

The Cold Bay School building and appurtenances located at Lot 1A, Block 10 in Cold Bay, Alaska, consisting of approximately 11,000 square feet and including the school building, garage, shop building, and cold storage and its contents and appurtenances.

(2) The Borough Assembly determines that the above described property is no longer required for a public purpose and that it is in the best interest of the Borough to dispose of the property.

(3) This property will be conveyed by Bill of Sale to Gould Construction LLC.

(4) This property is to be conveyed subject to approval of a lease lot transfer by the State of Alaska to Gould Construction LLC.

(5) The fair market value of the school building and appurtenances is undetermined.

(6) The property will be disposed of for less than fair market value.

(7) The method of disposal used will be by negotiation.

(8) The Assembly has determined that disposal of this property for less than fair market value provides a public benefit that is equal or exceeds the reduction in value of the consideration to be received by the Borough.

Section 2. Classification. This is a non-code Ordinance.

Section 3. Severability. If any provision of this Ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall become effective upon adoption.

Passed and adopted by the Aleutians East Borough Assembly this _____ day of _____, 2021.

Date Introduced: July 8, 2021

Date Adopted: _____

Alvin D. Osterback, Mayor

ATTEST:

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Alvin D. Osterback, Mayor

ATTEST:

Tina Anderson, Borough Clerk

(SEAL)