

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY AUTHORIZING THE BOROUGH MANAGER TO ACQUIRE, IN THE BEST INTERESTS OF THE COMMUNITY, THE EMERSON FIELD PROPERTY LEGALLY DESCRIBED AS TRACT "A", GOVERNMENT LOT 5, SEC. 26, T28S. R. 55E CRM.

WHEREAS, The property commonly known as Emerson Field, and legally described as Tract "A", Government Lot 5, Sec. 26, T28S. R. 55E CRM is identified as consisting of 5.34 acres; and

WHEREAS, on May 13, 2010, the Planning Commission recommended to the Haines Borough Assembly that the Emerson Field property be acquired in the best interests of the public; and,

WHEREAS, the Haines Borough Assembly, at its May 25, 2010 meeting, concurred with the Planning Commission and authorized the Haines Borough Manager to negotiate with the seller of the Emerson Field property with the terms to be brought to the assembly for approval; and

WHEREAS, the property has been exempt for community purpose since April, 1997, but was assessed at \$45,650.00 in 1996 and nearby properties increased in value an average of 46% since that time and applying that percentage increase to this property would value the property at \$66,649; and

WHEREAS, the property has been exempt for community purpose since April, 1997, but was assessed at \$45,650.00 in 1996 and nearby properties increased in value an average of 46% since that time and applying that percentage increase to this property would value the property at \$66,649; and

WHEREAS, Klehini Land Company, through one of its principal owners, Bill Ruddy, has agreed to sell the described real estate property to the Haines Borough for a total sum of fifty thousand dollars (\$50,000.00) cash and with an earnest money payment of zero (\$0) dollars, in addition to any closing fees, to be paid at closing; and,

WHEREAS, the property is to be conveyed by a good and sufficient Statutory Warranty Deed, free and clear of all liens and encumbrances, except conditions, restrictions, reservations, easements and covenants of record, which are acceptable to the Haines Borough and do not affect marketability of title; and,

WHEREAS, the closing of this transaction is subject to, and dependent upon, the Haines Borough Assembly's appropriation of funds in the amount required for closing this transaction; and,

WHEREAS, Haines Borough Code Section 14.04.030 states that "[o]nly upon a specific resolution of the assembly, the manager may act on its behalf in the acquisition of real property when the property to be acquired is for a valuable consideration."

NOW, THEREFORE, BE IT RESOLVED that the Borough Assembly hereby authorizes the Borough Manager to acquire the real estate property as described above, from Klehini Land Company for the price and terms hereinabove mentioned.

ADOPTED by a duly constituted quorum of the Haines Borough Assembly this 8th day of June, 2010.

Janice Hill

Janice Hill, Mayor

ATTEST:

Jamie Heinz

Jamie Heinz, Deputy Clerk

