

NON-CODE ORDINANCE

Sponsored By: Borough Manager  
Introduced: 03/01/16  
Public Hearing: 03/15/16  
Adopted: 03/15/16

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 16-024**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING TITLE TO THE BODENBURG BUTTE SUMMIT (MSB TAX PARCEL 17N02E23C001), AND AUTHORIZING THE MANAGER TO ENTER INTO A CONSERVATION EASEMENT AGREEMENT WITH GREAT LAND TRUST, INC. FOR THE PURPOSE OF CONSERVING THE SUMMIT IN PERPETUITY (MSB007003).

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WHEREAS, the Matanuska-Susitna Borough has an opportunity to receive the 40-acre Bodenbug Butte summit (identified as MSB Tax Parcel 17N02E23C001) from Great Land Trust, Inc.; and

WHEREAS, a requirement of receiving the property is to place a conservation easement over the entire parcel in perpetuity for purpose of protecting the features and values of the property; and

WHEREAS, the Borough made application to the Alaska State Mental Health Trust Land Office for a trail easement over and across the summit however, the Alaska State Mental Health Trust Land Office decided a disposal of the property would be preferred; and

WHEREAS, Great Land Trust, Inc. purchased the property and agreed to donate the parcel and transfer title directly to the Borough to manage the property while retaining a conservation easement over the property to ensure public access and resource protection in perpetuity; and

WHEREAS, Great Land Trust, Inc. took out a loan to pay \$296,726 for the property and has raised all but \$10,000 to pay off the loan; and

WHEREAS, the Borough wishes to provide the remaining amount owed by Great Land Trust, Inc. to pay off the loan; and

WHEREAS, acquisition and conservation of the summit will achieve several objectives outlined in the Matanuska-Susitna Borough Park, Recreation, and Open Space Plan (adopted 2001) through preserving and protecting visual corridors and areas of unique scenic value, providing connectivity to identified open space corridors, and placing protected easement or rights-of-way within designated use areas; and

WHEREAS, MSB 23.05.030 allows the Borough to acquire real property by donation or partial donation if the donation benefits the Borough and is accepted by the Assembly or Manager; and

WHEREAS, purchasing the summit and entering into an agreement with Great Land Trust, Inc. will ensure conservation of high-value recreational land utilized by every sector of the community and provide great benefit to the public at large.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Authorization. The Assembly authorizes the Manager to accept by donation the 40-acre summit of Bodenbug Butte (identified as MSB Tax Parcel 17N02E23C001) from Great Land Trust, Inc., enter into a conservation agreement with Great Land Trust, Inc., and pay the remaining \$10,000 loan amount owed by Great Land Trust, Inc. for the land acquisition.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 15 day of March, 2016.

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Sykes, Beck, Colligan, Mayfield, Doty, and Kowalke