

PENDING

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**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-078**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO CLASSIFY BOROUGH LAND AS GENERAL PURPOSE LANDS AND ENTER INTO A LEASE OF BOROUGH-OWNED REAL PROPERTY TO CONSTRUCT, INSTALL, MAINTAIN, REPAIR, OPERATE, AND MANAGE A COMMUNICATION SITE. (MSB007139)

WHEREAS, the Matanuska Telephone Association has applied for a lease of property from Matanuska-Susitna Borough; and

WHEREAS, Pursuant to MSB 23.10.080 Application, all applications for purchase or use of borough-owned real property shall be filed with the manager according to the procedures adopted by assembly resolution.

WHEREAS, MSB 23.05.030(G) requires that a Best Interest Finding shall be completed when otherwise conveying an interest in real property at less than fair market value; and

WHEREAS, MSB 23.10.030(B) requires the property be classified by ordinance prior to leasing; and

WHEREAS, MSB 23.10.030(C) requires Assembly approval by Ordinance of any lease greater than 10 years in length.

THEREFORE BE IT ENACTED:

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

Section 2. Land Classification. The Matanuska-Susitna Borough Assembly does hereby approve the land classification of "general purpose lands" for borough-owned land, as follows:

Parcel 1 25N04W19B007
Township 25 North, Range 4 West, Seward Meridian
Section 19: SE1/4SE1/4NW1/4, SW1/4SW1/4NE1/4.
Containing 20 acres, more or less,
According to the official U.S. Survey Plat of a portion of Township 25 North, Range 4 West, Seward Meridian, examined and approved by the U.S. Surveyor General's Office in Juneau, Alaska on January 15, 1919.

Parcel 2 25N04W19A006
Township 25 North, Range 4 West, Seward Meridian
Section 19: SW1/4SW1/4NE1/4
Containing 10 acres, more or less,
According to the official U.S. Survey Plat of a portion of Township 25 North, Range 4 West, Seward Meridian, examined and approved by the U.S. Surveyor General's Office in Juneau, Alaska on January 15, 1919.

Section 3. Acceptance and Authorization. Subject to conditions and stipulations outlined in the Lease Agreement between Matanuska Susitna Borough and MTA Communications, LLC the Assembly authorizes the Borough Manager to finalize and enter into the lease agreement for a period not to exceed twenty (20) years with options for two renewals of five years each.

Section 4. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this ___ day of _____, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)