

NON-CODE ORDINANCE

Sponsored By: Assemblymember Mayfield
Introduced: 05/16/17
Public Hearing: 06/06/17
Adopted: 06/06/17

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 17-060**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE ACQUISITION OF GOVERNMENT LOT 16 (MSB TAX #17N04W27C020) IN THE AMOUNT OF \$71,300, WHICH IS THE BOROUGH ASSESSED VALUE, TO BE RETAINED IN PERPETUITY FOR PUBLIC USE AND RIGHT-OF-WAY CONNECTIVITY; AND APPROVING A SUPPLEMENTAL APPROPRIATION FOR THE COST OF ACQUISITION FROM THE LAND MANAGEMENT PERMANENT FUND, FUND 203, TO THE FISCAL YEAR 2017 LAND MANAGEMENT OPERATING BUDGET (MSB007257).

WHEREAS, the Mental Health Trust Land Office announced its notice of decision to dispose of trust parcels through a statewide land sale program under the provisions of Alaska Statute 38.05.801 and one of the properties to be included for sale in 2018 is Government Lot 16 located in Big Lake; and

WHEREAS, this particular parcel has been utilized for years as the ice road connector between Flat Lake and Mirror Lake along the Big Lake trail system and winter road system, which provides access to many residents living in the area; and

WHEREAS, the channel between these two water bodies rarely freezes and numerous motorized vehicles have broken through the ice over the years therefore, unauthorized traffic has gravitated onto the uplands owned by the Mental Health Trust Land Office (Government Lot 16, MSB Tax ID#17N04W27C020) for safer travel; and

WHEREAS, there is no recorded easement or agreement for use by the public within this parcel and if the parcel were sold to an

individual or entity unwilling to retain similar public use of the parcel, safe connectivity of the ice road, water bodies, and trail system could cease forever; and

WHEREAS, the Borough recognizes the vast public use of this parcel for residential and recreational purposes; and

WHEREAS, the Land and Resource Management Division has requested to forego the Mental Health Land Trust Office competitive process in order to purchase the parcel by application for the Borough assessed value of \$71,300; and

WHEREAS, the Mental Health Trust Land Office has indicated their support of the Borough's request; and

WHEREAS, the Borough will retain the parcel in perpetuity to ensure that public safety, health and welfare is maintained through a safe connecting corridor; and

WHEREAS, public notice was conducted pursuant to MSB 23.05.025 with no objections received and overwhelming public support to purchase and retain the parcel; and

WHEREAS, in accordance with MSB 23.10.275 and the policy and procedures adopted by Assembly resolution, the Manager may through solicitation or negotiation acquire land or interest when for public purpose, and acquisition of Lot 16 comports with Borough code, policy and procedure.

BE IT ENACTED:

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

Section 2. Authorization. The Assembly authorizes the Manager to purchase by application Government Lot 16, Section 27, Township 17 North, Range 4 West, Seward Meridian, Alaska (MSB Tax ID#17N04W27C020) from The Mental Health Trust Land Office for the purpose of overland public access in perpetuity.

Section 3. Supplemental Appropriation. There is hereby appropriated by the Assembly an amount of \$71,300 from the Land Management Permanent fund, fund 203, to the Land Management Fiscal Year 2017 Operating Budget for the acquisition of Government Lot 16, (MSB Tax ID#17N04W27C020).

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

ADOPTED by the Matanuska-Susitna Borough Assembly this
6 day of June, 2017.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



YES: Sykes, Colligan, Mayfield, and Kowalke

NO: McKee

