



CITY OF BETHEL

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Sponsored by: Planning Commission

Date: September 26, 1997

Action: Adopted

Vote: Unanimous

RESOLUTION #97-45

A RESOLUTION OF THE BETHEL CITY COUNCIL TO CREDIT BETHEL NATIVE CORPORATION (BNC) FOR 381.73 ACRES OF ANCSA LAND RELINQUISHED TO THE CITY OF BETHEL (CITY) TOWARDS BNC'S ANCSA §14(C)(3) RECONVEYANCE OBLIGATION TO THE CITY AS IF IT HAD BEEN MADE UNDER ANCSA §14(C)(3)

WHEREAS, Bethel Native Corporation (BNC) is the Native Village Corporation for the village of Bethel, having incorporated and organized in accordance with Section 8 of the Alaska Native Claims Settlement Act ("ANCSA") as amended, Public Law 92-203, 85 Stat. 688, 43 U.S.C. § 1601 et. seq., and the laws of the State of Alaska; and

WHEREAS, the City of Bethel (CITY) is a general unit of local government under the laws of the State of Alaska and is the Municipal Corporation to which the BNC must convey certain lands pursuant to ANCSA Section 14(c)(3); and

WHEREAS, BNC was entitled to select 161,280 acres of land withdrawn around Bethel in accordance with ANCSA ANCSA Section 12(a)(1) and (2), and CFR 2651.4-2(b) required that BNC select, in accordance with the rules established by the Secretary of Interior, all available, unappropriated public land within T. 8 N., R. 71 W., S.M., the core township for BNC land selections, including land tentatively approved for conveyance to the State of Alaska; and

WHEREAS, BNC relinquished approximately 381.73 acres of its ANCSA entitlement within the Bethel core township in 1975 which it could have developed, or reconveyed to the CITY under ANCSA Section 14 (c)(3) to enable the CITY to receive this land from the State of Alaska as part of its municipal entitlement in response to a pressing need for land by the CITY for community expansion purposes; and

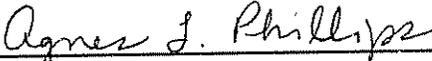
WHEREAS, BNC and the CITY signed an agreement dated December 9, 1975, as recorded March 12, 1976, Book 22, Page 643, which stipulated that BNC would agree not to select under ANCSA, approximately 400 acres (381.73 actual acres by later survey) of land the CITY had applied for as part of its municipal entitlement in 1968, in exchange for a selection of 25 acres in the same vicinity; and

WHEREAS, On August 8, 1978, BNC issued a Quitclaim Deed, recorded in Book 23, Page 733, including "any interest therein the grantor may hereafter acquire" to the CITY to honor terms of the agreement signed on December 9, 1975;

NOW, THEREFORE BE IT RESOLVED, that the CITY recognize that the 381.73 acre relinquishment of ANCSA land by BNC to the CITY was made for community expansion purposes, and shall be credited towards BNC's ANCSA Section 14(c)(3) reconveyance obligation as if it had been made under ANCSA Section 14(c)(3).

PASSED AND APPROVED THIS 26TH DAY OF SEPTEMBER, 1997.

ATTEST:



Agnes L. Phillips, Mayor



L.J. Warren, City Clerk