CITY OF BETHEL, ALASKA

ORDINANCE NO. 53

An ordinance providing for the disposition of land in the City Subdivision to residents of the AVCP Region and ratifying the agreement between the City of Bethel and the Association of Village Council Presidents.

WHEREAS, approximately three years ago the City Council and the Association of Village Council Presidents entered into an agreement whereby the AVCP released claim to a portion of land now known as the City Subdivision adjacent to the State Highway and behind the Braund Complex, and

WHEREAS, one of the stipulations agreed to by both parties was that the land would be made available to the public on a need basis for the cost of survey, improvements and title transfer, and

WHEREAS, difficulty of road construction, selection criteria, and other delays resulted in a time lag in land dispersal during which Alaska Statutes Title 29 (Municipal Code) was amended, and

WHEREAS, the Municipal Code provides that a second class city will provide, by ordinance, the procedure to dispose of city owned land, but A.S. 29.48.260 is inconsistent with the initial agreement between the City of Bethel and the AVCP to dispose of land to persons who need it most, so the city will ratify the agreement by ordinance, therefore,

THE CITY OF BETHEL, ALASKA, ORDAINS:

1. That the selection and sale of all lots in the City Subdivision be done in accordance with the 1970 agreement between the City and the Association of Village Council Presidents, which agreement is ratified in its entirety.

2. That the general requirements for such land disposal be:

(a) That buildings on each lot be limited to residential use; and

(b) That each lot contain not more than one residential building with up to two single family units in the one building, and that this be written into each individual deed; and

(c) That a two year building stipulation be written into each deed and that the two year building period begin effective October 1, 1973, for lots dispersed prior to that date; and

(d) That if the selected family on each lot has not completed construction and is not living in the unit within the above time period, he may be required, subject to Council action, to forfeit the land with his initial investment being returned plus the fair market value of any improvements actually made by the selected family; and

(e) That if the City finds it necessary to repossess any of these lots, the land on an individual basis will be put up for disposal under the conditions of the Alaska Statutes Municipal Code then in effect; and

(f) That a restriction be written into each deed allowing the City to exercise first option to buy any lots and improvements should be originally selected family vacate the family unit within five years of the date of title transfer. Should the City exercise this first option to buy, the City will repurchase the land at the original selling price plus fair market value for any improvements.

3. That the general criteria used for selecting families for purchasing lots be as follows:

(a) Those families that presently own property in the flood plain;

(b) Those families that must be replaced as a result of the Brown Slough Development Project;

(c) Length or residency in the AVCP region;

(d) Tenure, i.e., anticipated length of stay in the AVCP region; and

(e) Those families that cannot afford the prevailing market rate for land and seriously need permanent housing.

PASSED AND APPROVED THIS 7th DAY OF May, 1973.

Margaret Nick Cooke
Mayor, City of Bethel

ATTEST:

Carrie Kashatok
City Clerk for City of Bethel