

Introduced by: City Manager Foley  
Date: November 27, 2012  
Public Hearing: December 11, 2012  
Action: PASSED  
Vote: 6-0 None opposed

## *CITY OF BETHEL, ALASKA*

### **Ordinance #12-11**

#### **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR PART OF PROPERTY LOCATED ON TOWER ROAD**

**WHEREAS,** Faulker Walsh has indicated its desire to lease real property located on Tower Road commonly known as "the old asphalt plant site" in Bethel Alaska. (A formal legal description is not available as the property has not been surveyed.)

**WHEREAS,** the land has been vacant for a number of years with no other interested parties and the City desires to derive some revenue from the land;

**WHEREAS,** it is the intent of this LEASE to transfer from CITY to LESSEE the entire burden of compliance with present or future environmental regulations or controls with respect to LESSEE's operations on the leased land and facilities during the lease term;

**WHEREAS,** The Lease Term shall be from January 1, 2013 to December 31, 2013. The Lease Term shall commence on the date this LEASE is signed by CITY and that date shall be the effective date of this LEASE (the "Effective Date").

**WHEREAS,** The Leased Land commonly known as the "old asphalt plant site" is located on Tower Road in the City of Bethel, Alaska. Total land available = 294,030 square feet. However, the LESSEE will lease only a portion of the land currently defined as Two-Hundred Fifty (250) feet by Two-Hundred Fifty (250) feet and properly indicated on Exhibit A attached to the Lease.

**WHEREAS,** LESSEE shall pay, from January 1, 2013 until the end of the lease term, rent of \$450.00 per month for 250 feet by 250 feet equal to 62,500 square feet of 294,030 available land. Rent shall be paid according to the following schedule: On or before the first day of each month, in advance for the ensuing month.

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that:

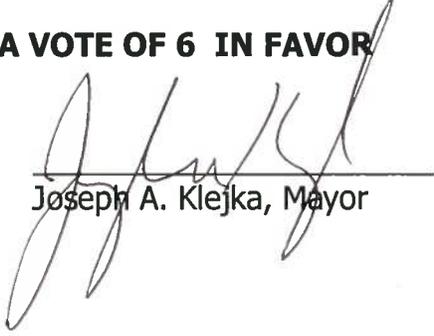
**SECTION 1. Classification.** This ordinance is not permanent in nature and shall not be placed in the Bethel Municipal Code.

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**SECTION 2. Authorization of Acquisition.** In accordance with Section 4.08.020(A) of the Bethel Municipal Code, the City Council hereby authorizes the City Manager to enter into a lease agreement for the portion of the land on Tower Road to be leased by Lessee.

**SECTION 3. Effective Date.** This ordinance shall become effective immediately upon the adoption by the Bethel City Council.

**ENACTED THIS 11th DAY OF DECEMBER 2012, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.**



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Joseph A. Klejka, Mayor

ATTEST:



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Kajena Baty, City Clerk