

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2019-04

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AUTHORIZING
THE VACATION AND SALE OF A 1,660 SQUARE FOOT PORTION OF THE RIGHT-OF-WAY
ADJACENT TO 1318 SAWMILL CREEK ROAD**

1. CLASSIFICATION. This ordinance is not of a permanent nature and is not intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. To vacate and sell a portion of the Eagle Way right-of-way, not needed by the City and Borough of Sitka, to the adjacent property owners, Adam and Kris Chinalski, with the only realistic benefit of ownership.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka:

A. The vacation and sale of a 1,660 square foot portion of right-of-way adjacent to 1318 Sawmill Creek Road, generally described as a portion of Lot 1, US Survey 2355, and Lot 21, US Survey 3695 (the "parcel"), to Adam and Kris Chinalski, husband and wife, is hereby authorized.

B. The sales price of the parcel, as established by the Municipal Assessor, shall be \$22,100.

C. The Assembly finds that the vacated parcel is in excess of municipal needs.

D. The Assembly finds that competitive bidding is inappropriate and unnecessary due to the nature of the property since it can only realistically be used by the adjacent property owners, the Chinalskis.

E. The sale is conditional to the recording of the subdivision plat.

F. The transfer shall be by quitclaim deed.

G. The Chinalskis shall grant a utility easement to the City and Borough of Sitka upon the parcel for the purpose of operating, maintaining, repairing, and improving municipal utility infrastructure.

5. EFFECTIVE DATE. This ordinance shall become effective the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of
Sitka, Alaska, this 26th day of February, 2019.

Gary L. Paxton, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading 2/12/19

2nd reading 2/26/19

Sponsor: Administrator