CITY OF CORDOVA
ORDINANCE 1175

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, (I) DECLARING THAT TAX-FORECLOSED PROPERTY COMMONLY KNOWN AS THE CORDOVA HOTEL, LOCATED AT 604 1ST ST, CORDOVA, AK 99574 AND LEGALLY DESCRIBED AS LOTS THREE (3) AND FOUR (4), BLOCK SIX (6), ORIGINAL TOWNSITE OF CORDOVA, ALASKA, RECORDS OF THE CORDOVA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA (PARCEL NO. 02-173-503), FORMERLY OWNED BY DORENE WICKHAM AND DEEDED TO THE CITY BY CLERK'S DEED, IS NOT REQUIRED FOR A PUBLIC PURPOSE AND (II) AUTHORIZING AND DIRECTING ITS SALE AND CONVEYANCE TO THE CORDOVA TELEPHONE COOPERATIVE, INC. D/B/A CORDOVA TELECOM COOPERATIVE FOR $52,000

WHEREAS, the City of Cordova (the "City") received a deed (the "Deed") from the Clerk of the Court deeding to the City the Property defined and described below, which Property was formerly owned by Dorene Wickham ("Wickham"); and

WHEREAS, on September 24, 2018, the City recorded the Deed in the real property records of the Cordova Recording District as Document Number 2018-000301-0; and

WHEREAS, the City does not have an immediate public use for the Property; and

WHEREAS, the Property will not be needed or used by the City for a public purpose in the future and therefore is considered surplus to the needs of the City; and

WHERAS, the City previously acted in accordance with Chapter 5.22 of the Cordova Municipal Code to issue a Request for Proposals (RFP) for Lots 3 & 4, Block 6, Original Townsite (COHO Buildings and Lots) (the "RFP") for the sale and development of the Property; and

WHEREAS, upon a review of all responses to the RFP and after due deliberation and consideration, and after consideration of the City of Cordova Planning Commission's (the "Planning Commission") recommendation, the City Council has determined it is in the City's best interest to sell and convey to the Property to the Cordova Telephone Cooperative, Inc. d/b/a Cordova Telecom Cooperative ("CTC") for the use specified by CTC in its proposal in response to the RFP; and

WHEREAS, the draft Purchase and Sale Agreement and Quitclaim Deed by and between the City and CTC are attached hereto; and

WHEREAS, the City Clerk has provided notice to Wickham of each reading of and the public hearing on this ordinance by certified mail as required by AS 29.45.460(c).

BE IT ORDAINED by the City Council of the City of Cordova, Alaska that:

Section 1. Form: This is a non-code ordinance.

Section 2. The City-owned tax foreclosed property commonly known as the Cordova Hotel, located at 604 1st St, Cordova, AK 99574 and legally described as

Lots Three (3) and Four (4), Block Six (6), Original Townsite of Cordova, Alaska, records of the Cordova Recording District, Third Judicial District, State of Alaska (Parcel No. 02-173-503) (the "Property")

is declared surplus, and not required for a public purpose.

Section 3. The City Manager is authorized and directed to enter into and perform under the Purchase and Sale Agreement, and to convey the Property to CTC under and pursuant to the Quitclaim Deed. The form and content of the Purchase and Sale Agreement and Quitclaim Deed now before this meeting hereby are in all respects authorized, approved and confirmed, and the City Manager hereby is authorized, empowered and directed to execute and deliver such documents on behalf of the City, in substantially the form and content now before this meeting but with such changes, modifications, additions and deletions therein as he shall deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions or deletions therein from the form and content of said documents now before this meeting. From and after the execution and delivery of said documents, the City Manager hereby is authorized, empowered and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the documents as executed.

Section 4. The disposal of the Property authorized by this ordinance is subject to the requirements of City Charter Section 5-17; therefore, if one or more referendum petitions with signatures are properly filed within one month after the passage and publication of this ordinance, this ordinance shall not go into effect until the petition or petitions are finally found to be illegal and/or insufficient, or, if any such petition is found legal and sufficient, until the ordinance is approved at an election by a majority of the qualified voters voting on the question. If no referendum petition with signatures is filed, this ordinance shall go into effect one month after its passage and publication.

1st reading: June 26, 2019,
2nd reading and public hearing: July 3, 2019

PASSED AND APPROVED THIS 3rd DAY OF JULY 2019

CITY OF CORDOVA CORPORATE SEAL JULY 8, 1909 ALASKA

Clay R. Koplin, Mayor

ATTEST:

Susan Bourgeois, CMC, City Clerk