



**CITY OF THORNE BAY
RESOLUTION 22-03-15-01**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, AUTHORIZING THE CITY TO ENTER INTO AN MOA WITH SOUTHEAST ISLAND SCHOOL DISTRICT (HEREINAFTER SISD), FOR THE TRANSFER OF IMPROVEMENTS AND DISTRICT PERSONAL PROPERTY ITEMS TO CITY OF THORNE BAY

WHEREAS, the City Council is the governing body for the City of Thorne Bay; and

WHEREAS, The Southeast Island School District (SISD) is the Regional Education Enrollment Area school district responsible for providing K-12 education in many communities throughout Southeast Alaska; and

WHEREAS, SISD recently sold the floating building that was moored adjacent to the Business Loop Road, Business District subdivision in the City of Thorne Bay; and

WHEREAS, the City of Thorne Bay (City) owns the property along the waterfront across Business Loop Road from Lots 4 and 5 in the Business District subdivision where the SISD improvements and personal property items are located, and SISD has full authority to transfer improvements and personal property items which are located on City property and described herein; and

WHEREAS, the following improvements and personal property items are located at the site of the former SISD floating building, adjacent to the Business Loop Road across from Lots 4 and 5 in the Thorne Bay Business District subdivision.

- a. Metal Ramp
- b. Wood Landing at top of Metal Ramp
- c. Dock Parts affixed to metal pilings
- d. Five (5) Metal Pilings
- e. All parts of the wood breakwater

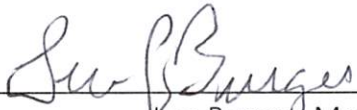
WHEREAS, all said improvements and items are being transferred free and clear of all liens, encumbrances, liabilities and adverse claims of every nature and description; and

WHEREAS, no cost to either party will be associated with the transfer of the improvements and personal property items listed in Section 1 of the MOA.

NOW, THEREFORE BE IT RESOLVED that the City Council deems it to be in the best interest of the City to acquire ownership of said improvements and personal property and authorizes the Administrator to sign the attached MOA between SISD and the City of Thorne Bay.

BE IT FURTHER RESOLVED that the ownership of the improvements and personal property items listed herein and in Section 1 of the MOA will be transferred from SISD to City on the date the Memorandum of Agreement has been executed by both parties.

PASSED AND APPROVED by the City Council of the City of Thorne Bay, Alaska this 15th day of March 2022.



Lee Burger, Mayor

ATTEST:



Teri Feibel, CMC



SOUTHEAST ISLAND SCHOOL DISTRICT

P.O. Box 19569, 1010 Sandy Beach Road, Thorne Bay, Alaska 99919

(907) 828-8254

Fax: (907) 828-8257

E-mail: sisd@sisd.org

MEMORANDUM OF AGREEMENT

Transfer of Improvements and District Personal Property Items to City of Thorne Bay by Southeast Island School District

The Southeast Island School District (SISD) is the Regional Education Enrollment Area school district responsible for providing K-12 education in many communities throughout Southeast Alaska. SISD recently sold the floating building that was moored adjacent to the Business Loop Road, Business District subdivision in the City of Thorne Bay.

City of Thorne Bay (City) owns the property along the waterfront across Business Loop Road from Lots 4 and 5 in the Business District subdivision where the SISD improvements and personal property items are located.

The terms and conditions of this agreement are outlined below.

1. **DESCRIPTION OF IMPROVEMENTS AND PROPERTY ITEMS:** The following improvements and personal property items are located at the site of the former SISD floating building, adjacent to the Business Loop Road across from Lots 4 and 5 in the Thorne Bay Business District subdivision.
 - a. Metal Ramp
 - b. Wood Landing at top of Metal Ramp
 - c. Dock Parts affixed to metal pilings
 - d. Five (5) Metal Pilings
 - e. All parts of the wood breakwater

2. **TRANSFER OF OWNERSHIP:** SISD has full authority to transfer improvements and personal property items listed in Section 1 and said improvements and items are being

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transferred free and clear of all liens, encumbrances, liabilities and adverse claims of every nature and description.

Ownership of the improvements and personal property items listed in Section 1 will be transferred from SISD to City on the date this memorandum of agreement has been executed by both parties.

- 3. **COST:** No cost to either party will be associated with the transfer of the improvements and personal property items listed in Section 1.
- 4. **MAINTENANCE AND UPKEEP:** As of the date of the transfer of ownership to City, all maintenance and upkeep of the improvements and personal property items listed in Section 1 will become the responsibility of City.
- 5. **INSURANCE:** As of the date of the transfer of ownership to City, insurance for the improvements and personal property items listed in Section 1 will become the responsibility of City and City will take on all liability for said improvements and personal property items.
- 6. **CONDITION:** SISD disclaims any implied warranty of condition, merchantability of fitness for a particular purpose. The improvements and personal property items listed in Section 1 being in the present condition "as is and where is".
- 7. **APPLICABLE LAW:** This contract shall be governed by the laws of the State of Alaska.

3. proper and by

_____ Date _____

Sherry Becker
SISD Superintendent

John Huestis 3-17-22

_____ Date _____

John Huestis
City Administrator

John will sign when cleanup is confirmed.
TF

3. proper and by
Sherry Becker