

City of Hoonah

P.O. Box 360 Hoonah, AK 99829 (907) 945-3663 Fax (907) 945-3445

February 28, 2018

Hand Delivered

Mr. Robert Starbard, Tribal Administrator  
Hoonah Indian Association  
254 Roosevelt St.  
Hoonah, AK 99829

Re: Lots 4 – 9, Hoonah Rock Quarry Subdivision  
Commercial Lot 1, Hoonah Harbor Subdivision II  
Lot 4, Hillside Subdivision

Mr. Starbard:

This letter follows the City of Hoonah's (City) letter, dated December 6, 2017, and responds to the Hoonah Indian Association's (HIA) letter, dated December 13, 2017, regarding the above-referenced real property located in Hoonah, Alaska. These letters are attached as Exhibit 1.

In November 2017, HIA submitted a rezone request to the City of Hoonah Planning & Zoning Commission (P&Z Commission) regarding real property described as Lot 4, a plat of Hillside Subdivision a fraction of Lot 3, USS 4539 (herein, "Hillside Lot 4"). The rezone request is attached as Exhibit 2.

While reviewing HIA's rezone request, the P&Z Commission questioned whether HIA held good title to Hillside Lot 4. The P&Z Commission understood that several years ago (in 2005) HIA agreed to transfer Hillside Lot 4 and Commercial Lot 1, Hoonah Harbor Subdivision II, Plat 2003-29 (herein, "Commercial Lot 1"), to the City and, in exchange, the City agreed to transfer Lots 4 – 9, Hoonah Rock Quarry Subdivision (herein, "Quarry Lots 4 – 9") to HIA. During the December 2017 P&Z Commission Meeting, the P&Z Commission decided to reserve final decision on HIA's rezone request until after the City reviewed this matter.

On December 6, 2017, the City sent HIA a letter regarding the City's claim to Hillside Lot 4 and Commercial Lot 1. On December 13, 2017, HIA sent the City two letters. The first letter disputed the City's claim and requested documents regarding the claim. The second letter was directed at the P&Z Commission regarding its decision to reserve final decision on HIA's rezone request. HIA requested that the P&Z Commission allow HIA to appeal the decision (to reserve final decision on HIA's rezone request) to the City Council (sitting as the City Board of Adjustor). This letter provides further support for the City's claim of right to Hillside Lot 4 and Commercial Lot 1 and responds to HIA's request for an appeal.

**2005 Land Exchange.** HIA requested documents regarding the City's claim of right to Hillside Lot 4 and Commercial Lot 1. The City researched past minutes from the City of Hoonah Committee of Whole, P&Z Commission, and City Council, and interviewed former and current P&Z Commissioners and HIA employees regarding this claim. This research confirms that the City and HIA agreed to a land exchange agreement. The City transferred the agreed to land to HIA under the terms and conditions of the land exchange agreement; however, HIA did not transfer the agreed to land to the City.

The attached meeting minutes – October 18, 2005 Hoonah Committee of the Whole Meeting Minutes, October 27, 2005 P&Z Commission Meeting Minutes, and November 11, 2008, Hoonah City Council Meeting Minutes – describe the terms and conditions of land exchange agreement between the City and HIA. The City agreed to rezone and transfer Quarry Lots 4 – 9 to HIA, in exchange, HIA agreed to transfer Hillside Lot 4 and Commercial Lot 1 to the City. HIA wanted Quarry Lots 4 – 9 to construct a new medical clinic. The “Quarry S.D.” or “Rock Quarry S.D.”, “Harbor property”, and “existing clinic property” references in the meeting minutes refer to Quarry Lots 4 – 9, Commercial Lot 1, and Hillside Lot 4, respectively. The meeting minutes are attached as Exhibit 3.

The October 18, 2005 Hoonah Committee of the Whole Meeting Minutes state:

1. Hoonah Health Clinic

Johanna Dybdahl and Gay Brewer answered questions from the committee and *would get back to the Administrator lots needed at the Quarry S.D.*

**Committee Recommendation:** *Exchange Harbor property and existing clinic property for property in the Rock Quarry S.D. this item will be sent to the Planning Commission for their recommendations, also a zone request. This may also include a land lease agreement.*

The October 27, 2005 P&Z Commission Meeting Minutes state:

1. Hoonah Clinic/Rock Quarry S.D.

A) Zone Change

Motion: Grant zone change and location.

M/S: K. Meserve/R. Hill

Voice Vote: All Yeah

The November 8, 2005 Hoonah City Council Meeting Minutes state:

1. Hoonah Health Clinic

**Committee Recommendation:** *Exchange Harbor property and existing clinic property for property in the Rock Quarry S.D. this item will also be sent to the Planning Commission for their recommendation, also a zone request. This may also include a land lease agreement.*

**P&Z Recommendation:** *Approve location and grant zone change.*

**M/S:** S. Brown, N. Morrison to accept P&Z and Committee recommendation

**Roll Call Vote:**

N. Morrison – Yes, A. Jack – Yes, C. Kingsland – Yes,

M. Erickson – Yes, S. Brown – Yes, N. Villarreal – Yes,

6 Yes, 0 No, Motion Carried

The Committee of the Whole Meeting Minutes describe the material terms of the land exchange agreement – “*Exchange Harbor property and existing clinic property for property in the Rock Quarry S.D.*” During the meeting, the HIA Tribal Administrator, Johanna Dybdahl, advised the Committee that she will “get back to” the City Administrator regarding the “*lots needed at the Quarry S.D.*”; proof that officials and officers of HIA and the City were negotiating the number of Quarry Lots necessary to satisfy HIA and finalize the land exchange agreement. The Committee Meeting ends with a recommendation that the City Council approve the land exchange agreement. The Committee also recommended that the P&Z Commission approve the rezone Quarry Lots 4 – 9 to allow for the construction of HIA’s new medical clinic. The material terms and conditions of the land exchange agreement.

The P&Z Commission Meeting Minutes show that the Commission approved the recommended rezone of *Rock Quarry S.D.* for construction of HIA’s new medical clinic.

The City Council Meeting Minutes show that the City Council reviewed the recommendations of the Committee of the Whole and the P&Z Commission, and unanimously approved the recommended rezone and land exchange agreement. The material terms of the land exchange agreement are again written in the City Council Meeting Minutes – *“Exchange Harbor property and existing clinic property for property in the Rock Quarry S.D.”*

In 2005, Gordon Greenwald was on the P&Z Commission, and the HIA Tribal Administrator was Johanna Dybdahl. Commissioner Greenwald was present during the above-referenced meetings. Administrator Dybdahl was also present during above-referenced meetings, represented HIA during the meetings, and, on behalf of HIA, negotiated and agreed the final terms and conditions of the land exchange agreement between HIA and the City. The affidavits of P&Z Commissioner Gordon Greenwald and Johanna Dybdahl are attached. These affidavits provide further support to the City’s claim of right to Hillside Lot 4 and Commercial Lot 1.

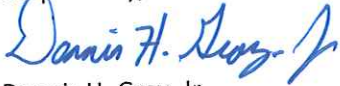
On June 1, 2007, the City executed the attached quitclaim deed (attached as Exhibit 4) transferring Quarry Lots 4 – 9 to HIA with the understanding that HIA would execute quitclaim deeds transferring Hillside Lot 4 and Commercial Lot 1 to the City shortly thereafter. This did not happen, and HIA has been unjustly enriched by receiving Quarry Lots 4 – 9 for nothing. HIA’s failure to transfer these lots puts a cloud on HIA’s title to Quarry Lots 4 – 9, Hillside Lot 4, and Commercial Lot 1. The City provides the below described offer of settlement regarding the City’s claim of right to Hillside Lot 4 and Commercial Lot 1.

**P&Z Commission Review/Decision.** The City will forward this letter and the attached exhibits and affidavits to the P&Z Commission for review and consideration regarding HIA’s 2017 rezone request of Hillside Lot 4. This will allow for an open dialogue and public comment on HIA’s rezone request. The City recommends that the P&Z Commission deny HIA’s rezone request of Hillside Lot 4 because of the City’s claim of right and cloud on title to Hillside Lot 4. The City expects the P&Z Commission to decide HIA’s rezone request at its next meeting. HIA may provide testimony to rebut the City’s recommendation at this meeting. If the P&Z Commission denies HIA’s rezone request, HIA may appeal an unfavorable decision according to the City Code and Alaska law.

**Resolution.** The City believes that it is in HIA’s and the City’s best interest to resolve this land dispute amicably. The City offers to accept return of Quarry Lots 4 – 9 or, in the alternative, accept the transfer of Hillside Lot 4 and Commercial Lot 1 in accordance with the terms and conditions of the land exchange agreement. The City would prefer the return of Quarry Lots 4 – 9 because it is the City’s understanding that HIA has retained a grant to construct housing on Hillside Lot 4. Furthermore, return of Quarry Lots 4 – 9 would resolve an issue in the ongoing lawsuit called Hoonah Indian Association v. the City of Hoonah, Case No. 1JU-17-980 CI. The City has attached three quitclaim deeds to facilitate these offers and a quick resolution of this dispute. These offers will remain open until close of business on the day prior to the P&Z Commission Meeting scheduled to decide HIA’s rezone request of Hillside Lot 4. If HIA does not agree to one of these offers, the City will file a civil complaint for possession of Quarry Lots 4 – 9 or Hillside Lot 4 and Commercial Lot 1.

Please contact me directly with any questions or concerns on this matter.

Respectfully,



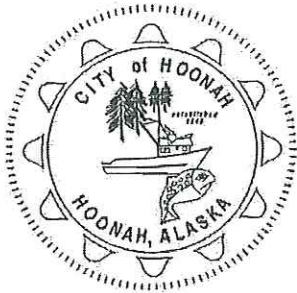
Dennis H. Gray, Jr.  
City Administrator

Cc:

City of Hoonah Honorable Mayor Gerald Byers  
City of Hoonah Planning and Zoning Commission  
City of Hoonah General Counsel Jim Sheehan

Enclosures:

Exhibit 1 – City's letter, dated December 6, 2017 and HIA's letter, dated December 13, 2017  
Exhibit 2 – HIA's Rezone Request  
Exhibit 3 - October 18, 2005 Hoonah Committee of the Whole Meeting Minutes, October 27, 2005 P&Z  
Commission Meeting Minutes, and November 11, 2008, Hoonah City Council Meeting Minutes  
Exhibit 4 - June 1, 2007 Quitclaim Deed  
Affidavit of Gordon Greenwald  
Affidavit of Johanna Dybdahl  
Draft Quitclaim Deeds for Quarry Lots 4 – 9, Hillside Lot 4, and Commercial Lot 1



City of Hoonah

P.O. Box 360 Hoonah, AK 99829 (907) 945-3663 Fax (907) 945-3445

December 6, 2017

Hand Delivered

Bob Starbard, Tribal Administrator  
Hoonah Indian Association  
P.O. Box 602  
Hoonah, AK 99829

Re: Lots 4 – 9, Hoonah Rock Quarry Subdivision and Commercial Lot 1, Hoonah Harbor Subdivision II

Mr. Starbard,

As you know, several years ago the City of Hoonah assisted the Hoonah Indian Association with taking over operation of the old Hoonah medical clinic and HIA's plan to construct a new medical clinic for the community of Hoonah. HIA's operation of the old Hoonah medical clinic stopped and HIA's plan to construct a new medical clinic never came to fruition because SEARHC ultimately constructed and now operates a new medical clinic for the community.

To assist HIA with operating the old medical clinic and HIA's plan to construct a new medical clinic, the City agreed to a land gift and several land trades. The City and HIA agreed that if the gifted land was not used by HIA to operate a medical clinic and/or the traded land was not used to construct a new medical clinic, the land would be returned to the City. The following is a summary of the gift and land trades:

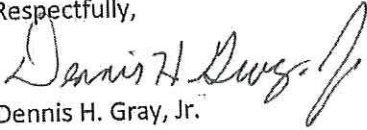
- 2002: The City gifted the old Hoonah medical clinic and land where old medical clinic is located to HIA with the understanding that should HIA cease to use land and improvements as a medical clinic or try to sell the land and improvements, the City may purchase it back from HIA for \$1.00. HIA no longer uses the old Hoonah medical clinic or land where old medical clinic is located.
- 2003/2004: The City agreed to trade its land described as Commercial Lot 1, Hoonah Harbor Subdivision II to HIA in exchange for HIA's land on Front Street described as Lot 2, USS No. 736. Around the time the lands were traded, the City approved the use of Commercial Lot 1, Hoonah Harbor Subdivision II for a new medical clinic.
- 2004: City sold Lot 2, USS No. 736 to separate third-party.
- 2004/2005: HIA advised the City that Commercial Lot 1, Hoonah Harbor Subdivision II was not large enough for construction of a new medical clinic. The City already sold Lot 2, USS No. 736; therefore, the City could not reverse the original land trade.

- 2007: The City agreed to trade its land described as Lots 4 – 9, Hoonah Rock Quarry Subdivision (the combined acreage of these lots is equal to or greater than the combined acreage of Commercial Lot 1, Hoonah Harbor Subdivision II and the land where the old medical clinic was located) in exchange for return of the land described as Commercial Lot 1, Hoonah Harbor Subdivision II and the land where the old medical clinic was located. HIA has never constructed a medical clinic on Lots 4 – 9, Hoonah Rock Quarry Subdivision. HIA did not execute documents to complete the agreed to trade of Commercial Lot 1, Hoonah Harbor Subdivision II and the land where the old medical clinic was located to the City.

The City requests that HIA honor the parties' above-described agreements. The City requests that HIA either return Lot 4 – 9, Hoonah Rock Quarry Subdivision because HIA has failed to construct a new medical facility on these lots. Or, alternatively, transfer to the City Commercial Lot 1, Hoonah Harbor Subdivision and the land where the old Hoonah medical clinic is located to complete the agreed to land trade described herein.

Thank you in advance for completing the trade as originally agreed. Please contact me directly regarding the most efficient way to remedy this matter.

Respectfully,



Dennis H. Gray, Jr.

City Administrator

907 945 3663

[cityadministrator@cityofhoonah.org](mailto:cityadministrator@cityofhoonah.org)



# Hoonah Indian Association

PO. Box 602  
Hoonah, AK 99829-0602  
Phone (907) 945-3545 Fax (907) 945-3703



December 13, 2017

Dennis Gray, Jr.; City Administrator  
City of Hoonah  
PO Box 360  
Hoonah, AK 99829

RECEIVED DEC 13 2017

Re: December 6, 2017 correspondence regarding land transfers

Mr. Gray,

Thank you for your December 6, 2017 letter in which you give voice to the nature of the "land dispute" cited in Mayor Byers November 8, 2017 letter as a reason for the City of Hoonah stepping back from partnering with or giving support to the tribe. We appreciate gaining the City of Hoonah perspective. While there are significant errors of material fact within your missive; it does serve to provide a basis for engagement between the City and the Tribe towards an improved relationship.

There appear to be, for all intents and purposes, three (3) distinct and conflated real estate transactions described in your correspondence. The properties and their current disposition, in chronological order, are:

1. **Lot 4 Hillside Subdivision, Fraction Lot 3, USS 4539, (568 Raven Drive).**

Title transferred by quitclaim deed from City of Hoonah to Hoonah Indian Association on June 11, 2002. The recorded quitclaim deed (copy attached) contains the reversion condition "*Should Hoonah Indian Association cease to need or chose to sell the property and improvements in the future, the parties agree that the City of Hoonah may purchase it back for one dollar (\$1.00)*"

The reversion condition is not presently applicable. The tribe is not now, nor at any future point, planning to sell the property. The tribe has not "ceased to need" the property as demonstrated by our submission of a Teacher, Health Professional, and Public Safety (THHP) funding application to the Alaska Housing Finance Corporation (AHFC) for a proposed \$3,500,000 mixed use residential-commercial complex. This project will result in 12 much needed residential rental units being added to the community housing inventory, with approximately half of the units being reserved for Teachers and Health Professionals. No units are reserved for Municipal Public Safety officers as the City withdraw its participation in the program on November 8, 2017.

2. **Commercial Lot 1 Hoonah Harbor Subdivision II, Plat 2003-29.**

Title transferred by Warranty Deed from City of Hoonah to Hoonah Indian Association on December 19, 2003. The recorded warranty deed (copy attached) contains no reversion.

Your communication states the City of Hoonah received title to Lot 2, US Survey 736, Presbyterian Mission Reserve from Hoonah Indian Association in trade for the subject property. Whether the warranty deed from the Tribe to the City of Hoonah on January 8, 2004 (copy attached) evidences a trade of properties, or not, is immaterial to the present

status of ownership. Furthermore, even if the transaction were a trade that contemplated the possibility of reversal, the Cities disposal of Lot 2, USS 736 on April 9, 2004 by quitclaim deed to Cliff Walker (copy attached) made any such unwinding impossible, thus securing ownership to Commercial Lot 1 with the Hoonah Indian Association until it takes some act to alienate such title.

**3. Lot 4, 5, 6, 7, 8, & 9 of Hoonah Quarry Subdivision**

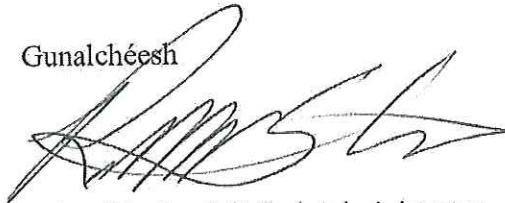
Title transferred by Quitclaim Deed from City of Hoonah to Hoonah Indian Association on May 21, 2007. The recorded quitclaim deed (copy attached) contains no reversion.

You assert existence of an agreement between the City of Hoonah and the Tribe that the transfer of the Hoonah Quarry Subdivision property from the City to the tribe was in exchange for the return of Commercial Lot 1, Hoonah Harbor Subdivision II & Lot 4 Hillside Subdivision, Fraction Lot 3, USS 4539 (568 Raven Drive). The purported land exchange agreement was not included with your correspondence, and we find no record either in the tribal files or in the Alaska DNR recorder's office. Please provide us with copies of any relevant documents and agreements that we can utilize to determine the veracity of your statement.

Once we have examined the written land exchange agreement for the purported land exchange, within the context of the Alaska Statute of Frauds (AS 09.25.010) which requires a claim for the transfer of real estate be made under a written instrument, we will be able to respond to your request that the trade be completed as originally agreed.

We look forward to receiving the requested documents at your earliest convenience. Please do not hesitate to contact me if you have any questions

Gunalchéesh



Robert Starbard, Tribal Administrator  
Hoonah Indian Association

Cc: Hoonah City Council  
City Mayor  
HIA Board of Directors



2002-001124-0

Recording Dist: 103 - Sitka  
6/17/2002 8:39 AM Pages: 1 of 1

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Return to:  
City of Hoonah  
P.O. Box 360  
Hoonah, Ak 99829

QUITCLAIM DEED

THE GRANTOR, City of Hoonah, of P.O. Box 360, Hoonah, Alaska, for valuable consideration conveys and quitclaims to Hoonah Indian Association, of P.O. Box 602, Hoonah, Alaska all interest in the following described real estate, situated in the State of Alaska, Sitka recording district:

Lot 4, a plat of Hillside Subdivision of fraction of Lot 3, USS 4539, Sitka Recording District, State of Alaska, together with the improvements.

Subject to all easements, rights of way, and encumbrances of record, or by law.

Should Hoonah Indian Association cease to need or choose to sell the property and improvements in the future, the parties agree that the City of Hoonah may purchase it back for one dollar (\$1.00).

DATED this 11 day of June, 2002

GRANTOR Albert W. Dick  
Albert W. Dick, Mayor

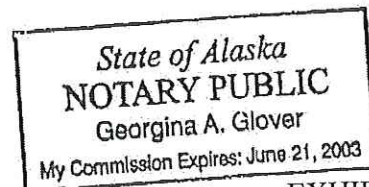
FIRST JUDICIAL DISTRICT)  
) SS  
STATE OF ALASKA)

THIS IS TO CERTIFY that on this 11 day of June 2002, personally appeared, Albert W. Dick before me, known to be the person(s) described herein and who executed the above and foregoing instrument, and acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

Georgina A. Glover

Notary Public for Alaska, My Commission expires June 21, 2003



WARRANT DEED  
(ALASKA)

The Grantors, City of Hoonah, residing at 300 Front Street, Hoonah, Alaska 99829 for and in consideration of Ten Dollars and other goods and valuable consideration in hand paid, CONVEYS and WARRANTS to the Hoonah Indian Association, residing at 254 Roosevelt Street, Hoonah, Alaska 99829, the Grantee, the following described real estate:

Description of Property

**Commercial Lot 1, Hoonah Harbor Subdivision II., Plat 2003-29**

A certain tract or parcel of land lying and being situate within Alaska Tidelands Survey No. 29, First Judicial District, City of Hoonah, State of Alaska being more particularly bounded and described as follows:

Beginning at the northwesterly most corner of this description, identical with the southerly most corner of Lot 18B, Hoonah Harbor Subdivision, from which Corner 31, U.S. Survey No. 736. Bears N9° 45'51"W - 45.62'; thence along the common boundary of hereinbefore described Lot 18B with this description N58°14'28"E - 80.34' to the northerly most corner of this description, identical with the westerly most corner of Lot 2A, Hoonah Harbor Subdivision; thence along the common boundary of said Lot 2A with this description S60°19'40"E - 127.71' to the easterly most corner of this description and being a point on the northerly limits of an unnamed 50-foot wide right-of-way; thence along said right-of-way limits the following courses; along a 75.00' radius curve to the right, through an arc of 46°10'59", an arc length of 60.45' (chord = S52°45'50" - 58.83') to a point of tangency; S75°51'19"W - 88.87' to a point of curvature; thence along a 25.00' radius curve to the right, through an arc of 90°00'00", an arc length of 39.27' (chord = N59°08'41"W - 35.36") to a point of tangency and being a point on the easterly limits of a 30' wide unnamed right-of-way; thence along said right-of-way limits N14°08'41"W - 62.95' to the true point and place of beginning.

Containing 13,397 square feet (0.31 acre), more or less.

Sitka Recording District, First Judicial District, State of Alaska

DATED, this 19 day of December 2003

Return to: City of Hoonah  
P.O. Box 360  
Hoonah, AK 99829-0360

City of Hoonah  
As Trustee

  
By: Alf R. Skaflestad, Mayor

UNITED STATES OF AMERICA, }

}

}ss.

(Individual Acknowledgement)

STATE OF ALASKA, }

}

EXHIBIT 1

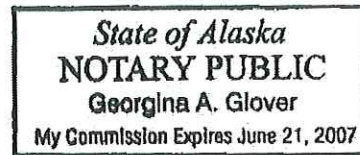
Page 6 of 11

THIS IS TO CERTIFY that on this 19 day of December, 2003, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Alf R. Skaflestad to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein mentioned

*Georgina A. Glover*

Notary Public in and for the State of Alaska residing at *Hoonah, Alaska*

My commission expires: *June 21, 2007*



### WARRANT DEED (ALASKA)

The Grantors, Hoonah Indian Association, residing at 254 Roosevelt Street, Hoonah, Alaska 99829 for and in consideration of Ten Dollars and other goods and valuable considerations in hand paid, CONVEYS and WARRANTS to the City of Hoonah, residing at 300 Front Street, Hoonah, Alaska 99829, the Grantee, the following described real estate:

#### Description of Property

All of Lot 2, of US Survey 736, Presbyterian Mission Reserve. According to the plat thereof recorded January 13, 1934, in Deed Block 6, Page 104 situated in the State of Alaska.

Except that portion of said lot conveyed to the State of Alaska by deed recorded October 15, 1987, in Book 79, Page 639, and subject to the easement to the State of Alaska concerning the above described property, by instrument re-recorded October 15, 1987 in Book 75, Page 643 and also subject to all easements and reservations of record.

Sitka Recording District, First Judicial District, State of Alaska.

DATED, this 8 day of ~~December, 2003~~ January 2004

Return to: Hoonah Indian Association  
P.O. Box 602  
Hoonah, AK 99829-0602

Hoonah Indian Association  
As Trustee

Frank Wright Jr  
By: Frank Wright, Jr., President

UNITED STATES OF AMERICA,            }  
  } ss.           (Individual Acknowledgement)  
STATE OF ALASKA,                        }

THIS IS TO CERTIFY that on this 8 day of ~~December, 2003~~ January 2004, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Frank Wright JR to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed the same freely and voluntarily for the uses and purpose therein mentioned.

WITNESS My Hand and Official Seal the day and year in this certificate first above written.

Georgina G. Flower

EXHIBIT 1  
Page 8 of 11

Notary Public in and for the State of Alaska residing at Hoonah, AK 99829

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2004-000683-0

Recording Dist: 103 - Sitka  
4/19/2004 8:35 AM Pages: 1 of 1

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When Recorded Return to:  
City of Hoonah  
P.O. Box 360  
Hoonah, AK 99829

**QUITCLAIM DEED**

THE GRANTOR, City of Hoonah, P.O. Box 360, Hoonah, Alaska, for (\$10.00) ten and no/100 dollars and other good and valuable consideration conveys and quitclaims to Cliff Walker, P.O. Box 34763, Juneau, AK 99803 all interest in the following described real estate, situated in the State of Alaska, Sitka recording district:

Lot 2A, Hoonah L. Kane Subdivision, comprising 12,308 square feet, as shown on a plat recorded in the Sitka Recording District, First Judicial District, State of Alaska, subject to all easements, right of way, and encumbrances of record by law.

Date this 9 Day of April, 2004

Grantor: CITY OF HOONAH

By: Alf R. Skaflestad  
Alf R. Skaflestad  
Hoonah City Mayor

STATE OF ALASKA            )  
  ) SS  
FIRST JUDICIAL DISTRICT    )

THIS IS TO CERTIFY that on this 9 day of April 2004, Alf R. Skaflestad, Mayor of The City of Hoonah, personally appeared before me, known to be the person(s) described herein and who executed the above and foregoing instrument, and acknowledged to me, Notary in and for the State of Alaska, that he/she/they signed the same freely and voluntarily for the uses and purposes mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

Notary Public for Alaska, My Commission expires June 21, 2007  
Georgina A. Glover

State of Alaska  
NOTARY PUBLIC  
Georgina A. Glover  
My Commission Expires June 21, 2007

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2007-000853-0

Recording Dist: 103 - Sitka  
6/1/2007 9:36 AM Pages: 1 of 2



cc: [Handwritten initials]

ALASKA ESCROW & TITLE INSURANCE AGENCY, INC. IS RECORDING THIS DOCUMENT AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EFFECT, IF ANY, ON THE TITLE OF THE ESTATE HEREIN NOR HAS AN EXAMINATION BEEN MADE AS TO STATUS OF PROPERTY DESCRIBED HEREIN.

**QUIT CLAIM DEED**

THE GRANTOR, **CITY OF HOONAH**, a municipal corporation, of P.O. Box 360, Hoonah, Alaska 99829, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, **HOONAH INDIAN ASSOCIATION**, of P.O. Box 602, Hoonah, Alaska 99829, the following described real property, to-wit:

Lots 4, 5, 6, 7, 8 and 9 of the Hoonah Rock Quarry Subdivision, according to Plat No. 2003-26, records of the Sitka Recording District, First Judicial District, State of Alaska.

DATED this 21st day of May, 2007.

**CITY OF HOONAH, a municipal corporation**


By: [Signature]  
Dennis H. Gray, Jr., Mayor

STATE OF ALASKA )  
: ss  
FIRST JUDICIAL DISTRICT )

On this 21 day of May, 2007, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Dennis H. Gray, Jr., to me known to be the Mayor of The City of Hoonah, the municipal corporation that executed the foregoing instrument, and he acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to

execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

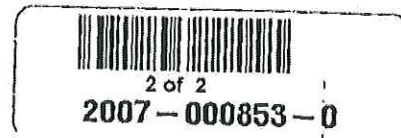
Witness my hand and official seal hereto affixed the day and year first above-written.

  
Notary Public for Alaska  
My Commission Expires: with office

After recording return to:

GRANTEE:

Hoonah Indian Association  
PO Box 602  
Hoonah, AK 99829



RECEIVED NOV 09 2017



City of Hoonah

**APPLICATION TO APPEAR  
BEFORE PLANNING AND ZONING**

Date: 11/8/2017

Name: Hoonah Indian Association

Address: PO Box 602 Hoonah, AK 99829

Phone: (907) 945-3545

I hereby request to be scheduled for the Planning & Zoning meeting the  
16th day of November, 2017.

**Purpose of Request:**

Rezoning of lot 4 of Hillside Subdivision USS 4359. It's presently  
zoned as "public", and applicant seeks to rezone to commercial use to  
facilitate the construction of mixed-use multi-family residential units.

Note: Final approval of this application is subject to all necessary paperwork submitted, as well as City code requirements being met. ***This application must be submitted no later than 4PM the Monday one week and one day prior to the regularly scheduled Thursday Planning & Zoning meeting.*** All plats, drawings and/or visual materials must also be submitted at that time.

*Dennis H. Perry*  
City Administrator

11/9/17  
Date





2002-001124-0

Recording Dist: 103 - Sitka  
6/17/2002 8:39 AM Pages: 1 of 1

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Return to:  
City of Hoonah  
P.O. Box 360  
Hoonah, Ak 99829

QUITCLAIM DEED

THE GRANTOR, City of Hoonah, of P.O. Box 360, Hoonah, Alaska, for valuable consideration conveys and quitclaims to Hoonah Indian Association, of P.O. Box 602, Hoonah, Alaska all interest in the following described real estate, situated in the State of Alaska, Sitka recording district:

Lot 4, a plat of Hillside Subdivision of fraction of Lot 3, USS 4539, Sitka Recording District, State of Alaska, together with the improvements.

Subject to all easements, rights of way, and encumbrances of record, or by law.

Should Hoonah Indian Association cease to need or choose to sell the property and improvements in the future, the parties agree that the City of Hoonah may purchase it back for one dollar (\$1.00).

DATED this 11 day of June, 2002

GRANTOR Albert W. Dick  
Albert W. Dick, Mayor

FIRST JUDICIAL DISTRICT)  
) SS  
STATE OF ALASKA)

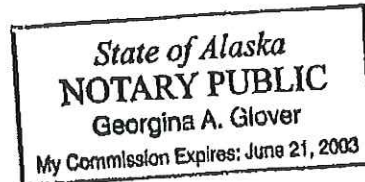
THIS IS TO CERTIFY that on this 11 day of, June 2002, personally appeared, Albert W. Dick before me, known to be the person(s) described herein and who executed the above and foregoing instrument, and acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

Georgina A. Glover

Notary Public for Alaska, My Commission expires

June 21, 2003



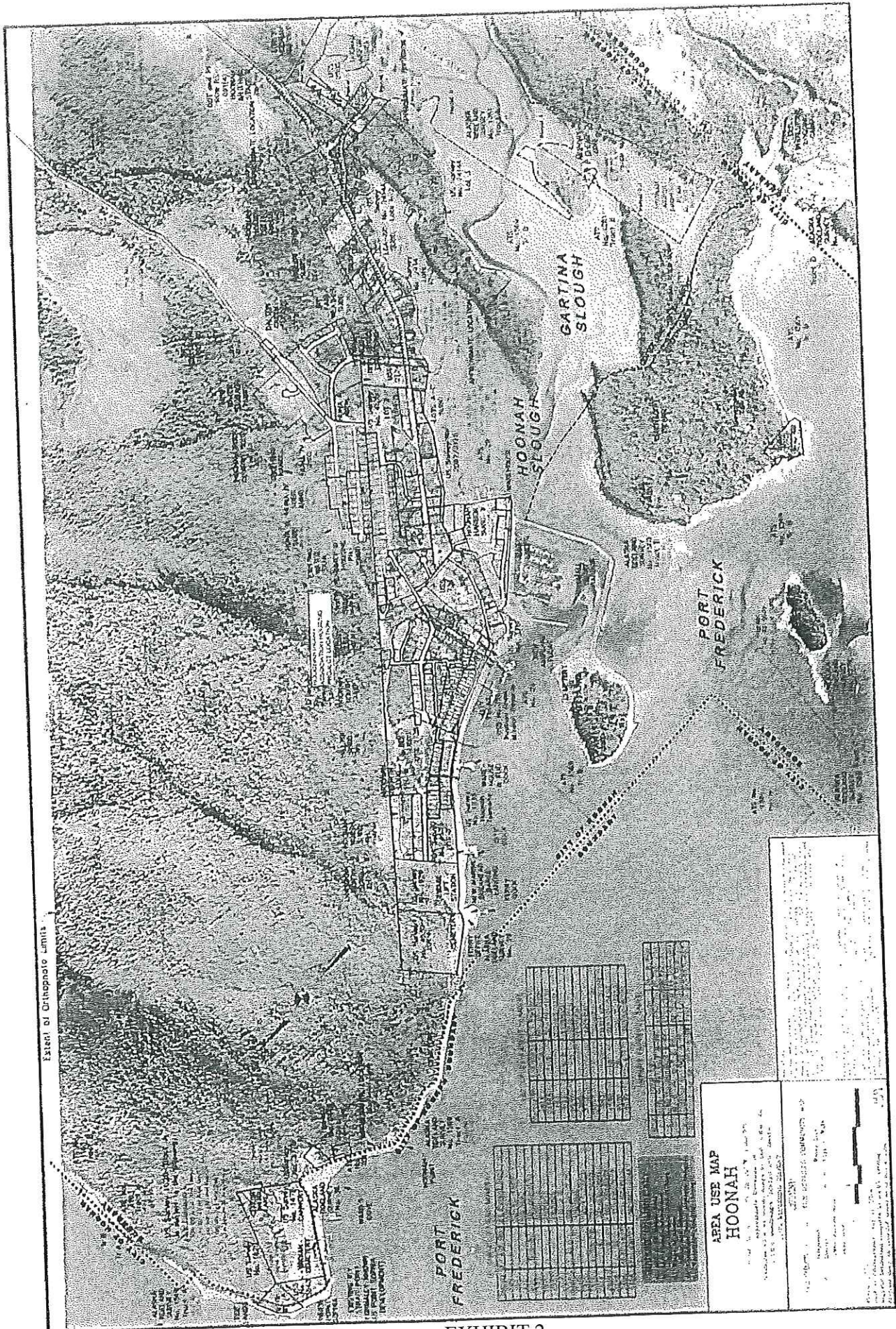
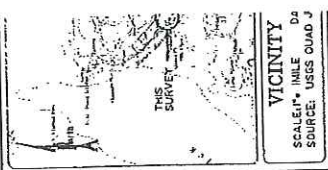


EXHIBIT 2  
Page 3 of 8

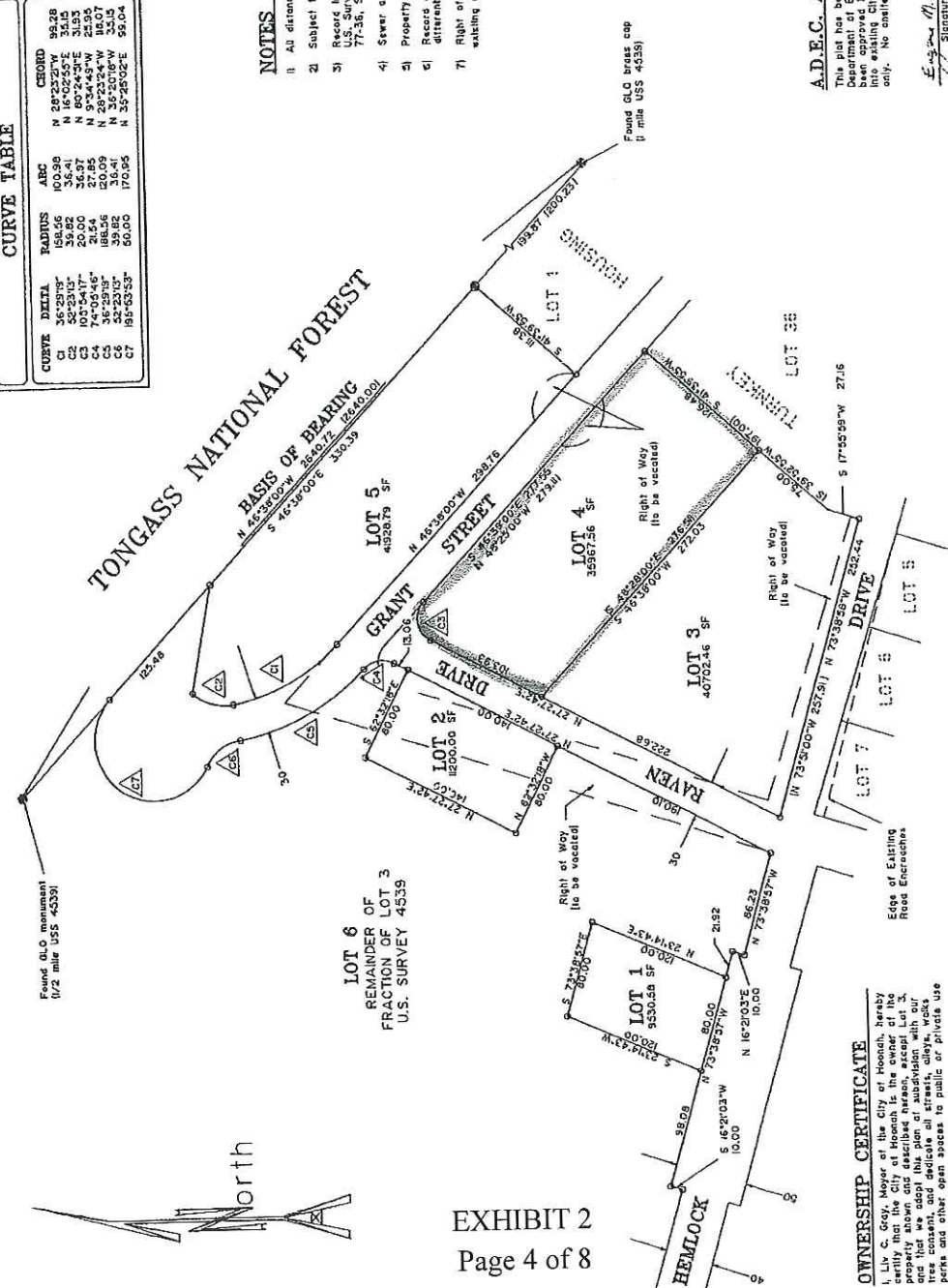


VICINITY MAP  
SCALES: 1" = 50' U.S. SURVEY  
SOURCE: USGS QUAD J

- LEGEND**
- Found original B.L.M. brass cap marked as noted
  - ⊙ Found 3" aluminum monument marked TONER & NORDLING
  - ⊙ Found monument as noted
  - ⊙ Set 3" aluminum monument marked TONER-NORDLING & ASSOC
  - Set 5/8" rebar with cap marked TAN 62623
  - Right of Way to be vacated
  - Existing property lines

**CURVE TABLE**

CURVE	DEGREE	RADIUS	ARC	CHORD
C1	28°23'27" W	100.98	100.98	95.28
C2	16°02'55" E	36.41	36.41	32.15
C3	52°23'15" S	39.82	39.82	35.87
C4	100°54'17" W	20.00	36.87	23.93
C5	74°05'45" W	188.56	50.09	182.07
C6	28°23'15" S	39.82	36.41	35.05
C7	195°53'53" S	50.00	170.95	99.04



- NOTES**
- All distances are measured in U.S. Feet.
  - Subject to easements and restrictions of record.
  - Record information obtained from official plat of U.S. Survey No. 4539, Plat No. 774 and Plat No. 77-36, Sitka Recording District.
  - Sewer and water are provided by public utilities.
  - Property lies outside a taxing district.
  - Record dimensions are shown in parentheses where different from measured or calculated.
  - Right of way changes are based on field location walking roads as constructed.

**A.D.E.C. APPROVAL**

This plat has been reviewed by the State of Alaska Department of Environmental Conservation and has been approved based on discharge of wastewater into existing City of Sitka sanitary sewer facilities only. No on-site septic will be permitted.

*[Signature]*  
Date: \_\_\_\_\_ 1990



**SURVEYOR'S CERTIFICATE**

I, Ronald D. King Sr., certify that I am a registered land surveyor in the State of Alaska, that this plat, and the data and bearings shown hereon, were prepared by me or under my direct supervision and that the data and bearings are shown correctly and the error of closure for field traverses does not exceed one part in 5,000, and that all permanent monuments, and all other markers, monuments, and all corners have been set and marked.

**PLANNING COMMISSION APPROVAL**

I hereby certify that the subdivision plat shown herein has been found to comply with the subdivision plat laws of the City of Sitka, Alaska, and that this plat has been approved by the Planning Commission by Resolution No. 283-21-90-1-1, dated 11/14/90, and that the plat shown herein has been approved for recording in the office of the District Recorder, Sitka, Alaska, on 11/14/90.

*[Signature]*  
City of Sitka  
Planning Commission

Attest:  
City Clerk  
City of Sitka

**OWNERSHIP CERTIFICATE**

I, Liv C. Gray, Mayor of the City of Hoonah, hereby certify that the person described in and who executed the above and foregoing instrument, and who acknowledged to me that he signed and put his name thereto, is the owner of the land and premises therein mentioned.

Date: \_\_\_\_\_ 1990

*[Signature]*  
City of Hoonah

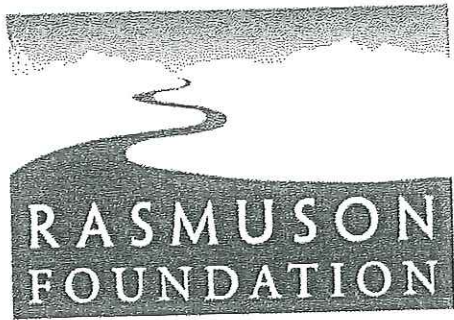
UNITED STATES OF AMERICA } 1990

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 1990, before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed and put his name thereto, and that he is the owner of the land and premises therein mentioned.

Notary Public for Alaska  
My commission expires: \_\_\_\_\_



SITKA PLAT 90-21



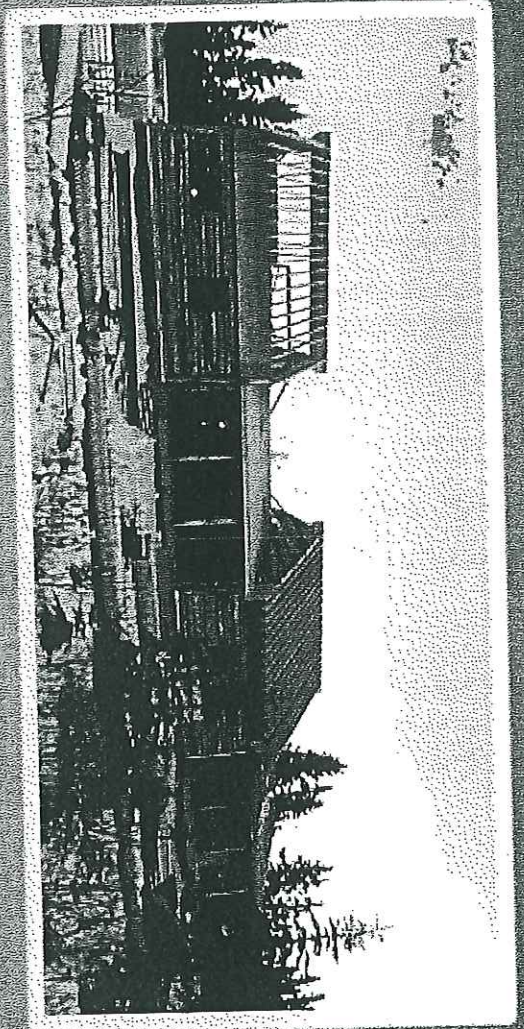
# **Teacher, Health Professional, and Public Safety (THHP) Housing Grant Program**

## **Program Policies and Procedures**

**August 2017**

For More Information Contact:

Derrick Chan  
Alaska Housing Finance Corporation  
P.O. Box 101020  
Anchorage, Alaska 99510-1020  
907-330-8235  
[dchan@ahfc.us](mailto:dchan@ahfc.us)



The Teacher, Health Professional, and  
Public Safety Housing Grant Program:  
*A Decade of Transformation*

# Situation

## The Challenge of Public Service Professionals in Small Communities

Small communities throughout Alaska face challenging circumstances which makes it tough to recruit and retain teachers, health, and public safety professionals. A lack of adequate, safe, affordable, and energy efficient housing has often been cited as a reason for turnover. Furthermore, organizations are having a difficult time accommodating the personnel they hire. Some personnel are expected to find their own rental housing, where a significant portion of their salary is used. Others are not able to house their family due to limited stock and size.

EXHIBIT 2  
Page 7 of 8

An inadequate public service labor force negatively impacts a community's potential, health, and resilience. For example, an inadequate number of health care workers may result in delays in the delivery of life-saving medical care. A low number of public safety personnel may delay response and prevention for crime or disaster. The frequent turnover of teachers impacts the fabric of a community where trust is never given an opportunity to thrive nor do students receive continuity. Schools have an average graduation rate of only 50%.

Financially, turnover in staff incurs significant costs to organizations due to expending resources in the search and selection of new personnel. An estimated cost of nearly \$8 million is spent each year to recruit teachers alone. Each additional year these professionals remain in small communities will drastically reduce the resources needed for recruitment. It is also shown that a professional is more likely to stay long term once after the first three years of their employment.

# Mission

## The THHP Program



The THHP Program provides {local governments, tribal councils, non-profits, school districts, health corporations, native corporations, regional housing authorities, and other various state, public, and non-profit organizations} funding for development of housing units to address housing concerns surrounding recruitment and retention of public service personnel located in small communities. The program also creates opportunities of access and placement of professionals in areas where regular services are not currently provided.

The end state is to produce safe, quality, and affordable housing that encourages needed professionals to locate or remain in a small community environment.

**Meeting  
Committee as a Whole  
City Chambers  
October 18, 2005**

Meeting called to order at 5:0 p.m. by Acting Chair Nadine Morrison

Present: Nadine Morrison, Nino Villarreal, Angela Jack , Charles Kingsland  
Stevan Brown, Mary Erickson (absent/excused)

Dennis Gray Jr., Jerry Medina, Ashley Royal, Hugh Miller, Bill Miller, Gay Brewer,  
Johanna Dybdahl, Jon Kveum, Tina Dinzel-Pederson, Georgina Glover

**Agenda:**

1. Hoonah Health Clinic

Johanna Dybdahl, and Gay Brewer answered questions from the committee and would get back to the Administrator lots needed at the Quarry S.D.

**Committee Recommendation:** Exchange Harbor property and existing clinic property for property in the Rock Quarry S.D. this item will also be sent to the Planning Commission for their recommendation, also a zone request. This may also include a land lease agreement.

2. Sales Tax Audit

This item will stay in committee. Committee did not have time to review written proposal with facts and figures from A. Royal to determine if this project is worth doing. \*\*\*

3. Part Board Recommendations

**Committee Recommendation:** The list the committee went through has also been sent to the planning commission to get their recommendation. 1. park land review/ boundaries/layout 2. trailer haul out storage area, 3. road width, 4. parking spaces both boats & cars, 5. lights/water/sewer, 6. fill/soil/drainage, 7. skate board location/greenbelt usage, procedure when building begins. Porta potties would wait until spring and have the City Administrator check with Mr. Thompson regarding lease and what arrangements have been set to use that area for the Christmas tree.

4. Walker Zoning Change/Airport Area

**Committee Recommendation:** Zoning map needs to be updated.

5. Mayor's Salary Review

Tabled

6. Employee's Salary Step Grade

Tables but evaluation will be done.

7. Review HMC Section 9.04.210 and 9.04.220 Firearms

This item will stay in Committee, Administrator & Chief will draft up an ordinance.

\*\*\*

8. Amending 13.12.110 Construction Costs for Water/Sewer Hookups

This item will stay in Committee, Administrator & Chief will draft up an ordinance.

\*\*\*



9. Request land use for nature trails/J.Poor

**Committee Recommendation:** This request is not approved, city land used for nature trails must be available everyone in town.

10. Request to purchase property/R. Blough

**Committee Recommendation:** This property is not for sale. The only property for sale at this time is Dalton Creek S.D. It was also suggested the city may have to start looking for the next area where land will be developed for sale.

11. Walker Zoning Change/Wark Property

**Committee Recommendation:** Appeal has been denied and committee agrees with Planning Commission's recommendation.

12. Boat Haul-Out

City Administrator wanted to update information on this item total cost for this project is 7.3 mil., not 4.7 mil., like was thought, the Council has approved a priority change that the haul out facility will be build first.

### **Strategic, Long-Term Planning**

#### **Committee Comments**

#### **Adjournment**

**6:47:11 p.m.**

\*\*\* items staying in committee.

**HOONAH**  
**PLANNING & ZONING MEETING**  
October 27, 2005

**A) Call to Order:**

**Present:** Gordon Greenwald, Bill Miller, Jon Kveum, Royal Hill, Edna Skaflestad & Ken Meserve  
**Others:** Minnie B. Dalton-P&Z Secretary; Jerry Medina-City Administrator; Tina Dinzl-Pederson, Johanna Dybdahl, Aiza Paulson via Phone

**B) Approval of Minutes September 22, 2005:**

**Motion:** Accept Minutes

**M/S:** B. Miller/J. Kveum

**Voice Vote:** All Yeah

**C) Agenda**

1. Hoonah Clinic/Rock Quarry S.D.

A) Zone Change

**Motion:** Grant zone change and location.

**M/S:** K. Meserve/R. Hill

**Voice Vote:** All Yeah

2. Park Board: Land review/boundaries/layout

A) Trailer haul-out storage area

**Motion:** Grant the Parks & Recreation the haul-out storage area to utilize the land with NO permanent structures built.

**M/S:** R. Hill/J. Kveum

**Voice Vote:** All Yeah

B) Road width

**DETERMINED BY EXISTING PLAT**

C) Parking spaces both boats & cars

**DETERMINED BY EXISTING PLAT**

D) Lights/water & sewer

**“NO ACTION”**

Commission Comments: Informed the Park Board the water/sewer line follows the street by Jerry's & Toast N Roast.

When the lights are put in the Commission requests the lights be put underground rather than over ground on poles.

E) Fill/soil/drainage

**“NO ACTION”**

Commission Comments: No permit needed at this time for fill unless, putting a structure on the property.

F) Skateboard location/&/or greenbelt usage

**“NO ACTION”**

Commission Comments: Commission does NOT want any of the greenbelt properties used for the skateboard park. Suggested was next to the water treatment plant.

G) Procedure when building begins

**“NO ACTION”**

Commission Comments: Complete a building permit for structures.

3. Land Use Development Fees & Permits-**PUT ON NEXT P&Z AGENDA**

**“NO ACTION”**

Commission Comments: Go over permits & fee charges.

4. Change Property (near airport) from Residential to Industrial/C. Walker

**“NO ACTION”** Already zoned industrial.

**D) Commission Comments:** Chairman-G. Greenwald informed Commission that a seat on the Board was vacant due to C. Kingsland being appointed to the City Council.

Next Meeting on 12/15/05 will combine November & December meetings.

**E) Adjournment:** @ 9:30pm

**City Council Meeting  
November 8, 2005  
City Chambers**

---

**A) CALL MEETING TO ORDER**

Meeting called to order by Mayor Dennis H. Gray Jr. 7:03 p.m.

**B) ROLL CALL**

Stevan Brown – Present, Nino Villarreal – Present, Nadine Morrison – Present,  
Mary Erickson – Present, Charles Kingsland – Present, Angela Jack – Present,

Quorum Present

Others Present: Jerry Medina, Chief Miller, Tina Dinzi-Peterson, Gay Brewer, Johanna Dybdahl, Gene Howell, Eric Williams, Jim Norris

**C) AGENDA REVISIONS**

**D) CONSENT AGENDA**

M/S A. Jack, S. Brown, to accept consent agenda.  
Voice Vote 6 Ayes, 0 No Motion Carried

**E) REPORTS**

1. Mayors Report

Mayor Dennis Gray Jr. covered with the council highlights of his report that was included in the packets.

2. Administrators Report- overview of report in packet.

3. Treasurers Report- Not at meeting, no report in packet.

4. Committee As A Whole Report –Council Member Morrison

5. Planning & Zoning – Report Administrator J. Medina

6. Harbor Board Report

7. Park Board Report

**F) COMMUNICATIONS/ PUBLIC**

**G) ORDINANCES/RESOLUTIONS**

**Resolution No. 05-11-28** A Resolution adopting an alternative allocation method for the FY06 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in the Northern Southeast area.

M/S: S. Brown, N. Morrison to adopt Resolution No. 5-11-28

**Roll Call Vote:**

S. Brown – Yes, N. Morrison – Yes, M. Erickson – Yes,

A. Jack – Yes, N. Villarreal – Yes, C. Kingsland - Yes

6 Yes, 0 No, Motion Carried

**Resolution No. 05-11-29** A Resolution prioritizing projects for the Water & Sewer Department. This project list is for grant eligibility in upcoming funding cycles with Federal and State agencies.

M/S: S. Brown, N. Morrison to adopt Resolution No. 5-11-28, with the change of wording from prioritizing to listing in resolution.

City Council Meeting  
November 8, 2005

**Roll Call Vote:**

C. Kingsland – Yes, N. Villarreal – Yes, M. Erickson – Yes,  
S. Brown – Yes, N. Morrison – Yes, A. Jack – Yes,  
6 Yes, 0 No, Motion Carried

**H) UNFINISHED BUSINESS**

1. Hoonah Health Clinic

**Committee Recommendation:** Exchange Harbor property and existing clinic property for property in the Rock Quarry S.D. this item will also be sent to the Planning Commission for their recommendation, also a zone request. This may also include a land lease agreement.

**P&Z Recommendation:** Approve location and grant zone change.

**M/S:** S. Brown, N. Morrison to accept P & Z and Committee recommendation

**Roll Call Vote:**

N. Morrison – Yes, A. Jack – Yes, C. Kingsland – Yes,  
M. Erickson – Yes, S. Brown – Yes, N. Villarreal – Yes,  
6 Yes, 0 No, Motion Carried

2. Down Town Harbor Expansion Float Project

J. Norris moved to forward the recommendation for Council Approval of the combined project as presented in printed format with project number 67837 by the State Harbor Design Engineer. Mr. Peterson Seconded.

**M/S:** S. Brown, A. Jack to accept Harbor Board recommendation.

**Roll Call Vote:**

N. Villarreal – Yes, C. Kingsland – Yes, A. Jack – Yes,  
S. Brown – Yes, N. Morrison – Yes, M. Erickson – Yes,  
6 Yes, 0 No, Motion Carried

3. Walker Zoning Change/Airport Area

**Committee Recommendation:** Zoning map needs to be updated.

**P&Z Recommendation:** No Action already zoned industrial.

**This is informational as an on going project updating map.**

4. Request land use for nature trails/J.Poor

**Committee Recommendation:** This request is not approved, city land used for nature trails must be available to everyone in town.

**M/S:** S. Brown, A. Jack to accept Committee as a Whole recommendation.

**Roll Call Vote:**

S. Brown – Yes, N. Morrison – Yes, C. Kingsland – Yes,  
M. Erickson – Yes, A. Jack – Yes, N. Villarreal – Yes,  
6 Yes, 0 No, Motion Carried

5. Request to purchase property/R. Blough

**Committee Recommendation:** This property is not for sale. The only property for sale at this time is Dalton Creek S.D. It was also suggested the city may have to start looking for the next area where land will be developed for sale.

**M/S:** N. Morrison, A. Jack to accept Committee as a Whole recommendation.

**Roll Call Vote:**

N. Morrison – Yes, S. Brown – Yes, N. Villarreal – Yes,  
A. Jack – Yes, C. Kingsland – Yes, M. Erickson – Yes

City Council Meeting  
November 8, 2005

6 Yes, 0 No, Motion Carried

6. Walker Zoning Change/Wark Property

**Committee Recommendation:** Appeal has been denied and committee agrees with Planning Commission's recommendation.

**M/S:** N. Morrison, N. Villarreal to accept Committee as a Whole recommendation.

**Roll Call Vote:**

A. Jack – Yes, M. Erickson – Yes, N. Villarreal – Yes,  
C. Kingsland – Yes, N. Morrison – Yes, S. Brown – Yes,  
6 Yes, 0 No, Motion Carried

7. Park Board/Land review/boundaries/layout

a) Trailer haul-out storage area.

**P&Z Recommendation:** Grant the haul-out storage area to utilize the land with NO permanent structures built.

**M/S:** S. Brown, N. Morrison to accept P & Z recommendation

**Roll Call Vote:**

C. Kingsland – Yes, M. Erickson – Yes, N. Villarreal – Yes,  
A. Jack – Yes, S. Brown – Yes, N. Morrison – Yes,  
6 Yes, 0 No, Motion Carried

b) Road With

c) Parking spaces both boats & cars

**THIS IS DETERMINED BY EXISTING PLAT**

d) Lights/water & sewer

**P&Z comments:** The water/sewer line follows the street by Jerry's and Toast N Roast. To install lights underground rather than above ground on poles.

e) Fill/soil/drainage

**P&Z comments:** No permit needed unless building a structure.

f) Skateboard location/&/or greenbelt usage

**P&Z comments:** Do not use any of the greenbelt properties, suggest next to water treatment plant.

g) Procedure when building begins.

**P&Z comments:** Complete a building permit for structures.

**No Action taken on d,e,f,g.**

This is informational only.

**I) NEW BUSINESS**

1. Liquor Board Financial Request/Hoonah City Schools Varsity Boys Basketball
2. Liquor Board Financial Request/Hoonah City Schools Varsity Wrestling
3. Liquor Board Financial Request/Hoonah City Schools Varsity Volleyball
4. Liquor Board Financial Request/Hoonah City Schools Varsity Girls Basketball
5. Liquor Board Financial Request/Even Start

**M/S:** N. Morrison, N Villarreal, to send items 1, 2, 3, 4, 5 to the Liquor Board

Voice Vote All Yes Motion Passed

6. Liquor Board Procedures

**M/S:** N. Morrison, S. Brown, send to Committee as a Whole.

Voice Vote All Yes Motion Passed

7. Permission to dig a ditch across city land/Hoonah.Net

**M/S:** N. Morrison, S. Brown, have Administrator Medina work with G. Howell on details to develop a lease for this project.

Voice Vote All Yes Motion Passed

City Council Meeting  
November 8, 2005

8. Suggestions on utilization of conceptual State Ferry plan/Marine Transportation Advisory Board

**M/S:** N. Morrison, A. Jack, send to Committee as a Whole.

Voice Vote All Yes Motion Passed

9. Request to purchase property/J. Norris

**M/S:** N. Morrison, S. Brown, send to Committee as a Whole.

Voice Vote All Yes Motion Passed

10. Improve Park Roads/Park Advisory Board

**M/S:** N. Morrison, N Villarreal, send to Committee as a Whole

Voice Vote All Yes Motion Passed

11. Spasski Bay Road Road intertie/New Funding Concept

**M/S:** N. Morrison, N Villarreal, send to Committee as a Whole

Voice Vote All Yes Motion Passed

12. Additional Land Entitlements

**M/S:** N. Morrison, A. Jack, send to Committee as a Whole.

Voice Vote All Yes Motion Passed

13. Potential Timber Sale

**M/S:** N Villarreal, N. Morrison send to Committee as a Whole

Voice Vote All Yes Motion Passed

#### **J) COUNCIL COMMENTS**

Council Member Morrison requested the city look for another grant writer/parks & rec. planner or put the funds back in the budget. Mayor Gray said he would look into this and see where it stands.

Council Member Jack asked about changing Park Board name so it could include other ideas such as addressing cemetery maintenance and road access to Pitt Island. This would be under new business at the next council meeting. Mayor Gray said he would find out who owns the land on Pitt Island.

Council Member Villarreal asked if money for Harbor maintenance was all in the General budget or if it was an item line. He stated it was important to have funds separate for the harbor since the city could no longer go to the State for help.

#### **K) ADJOURNMENT**

Meeting adjourned at 8:13 p.m.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.**

\_\_\_\_\_  
Dennis H. Gray Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Georgina A. Glover, City Clerk

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L  
A  
S  
K  
A

2007-000853-0

Recording Dist: 103 - Sitka  
6/1/2007 9:36 AM Pages: 1 of 2



CC

ALASKA ESCROW & TITLE INSURANCE AGENCY, INC. IS RECORDING THIS DOCUMENT AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EFFECT, IF ANY, ON THE TITLE OF THE ESTATE HEREIN NOR HAS AN EXAMINATION BEEN MADE AS TO STATUS OF PROPERTY DESCRIBED HEREIN.

**QUIT CLAIM DEED**

THE GRANTOR, CITY OF HOONAH, a municipal corporation, of P.O. Box 360, Hoonah, Alaska 99829, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, HOONAH INDIAN ASSOCIATION, of P.O. Box 602, Hoonah, Alaska 99829, the following described real property, to-wit:

Lots 4, 5, 6, 7, 8 and 9 of the Hoonah Rock Quarry Subdivision, according to Plat No. 2003-26, records of the Sitka Recording District, First Judicial District, State of Alaska.

DATED this 21st day of May, 2007.

**CITY OF HOONAH, a municipal corporation**

By: Dennis H. Gray, Jr.  
Dennis H. Gray, Jr., Mayor


STATE OF ALASKA )  
: ss  
FIRST JUDICIAL DISTRICT )

On this 21 day of May, 2007, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Dennis H. Gray, Jr., to me known to be the Mayor of The City of Hoonah, the municipal corporation that executed the foregoing instrument, and he acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to



execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above-written.

  
Notary Public for Alaska  
My Commission Expires: with office

After recording return to:

GRANTEE:

Hoonah Indian Association  
PO Box 602  
Hoonah, AK 99829



2 of 2

2007-000853-0



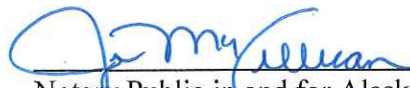
Further your affiant sayeth naught.

Affidavit of Gordon Greenwald signed and sworn to this 28 day of February,  
2018, at Hoonah, Alaska.

  
Gordon Greenwald

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of February, 2018.

NOTARY PUBLIC  
Jennifer McKillican  
STATE OF ALASKA  
My Commission Expires Oct. 23, 2019

  
Notary Public in and for Alaska  
My commission expires 10/23/19



7. In late 2005, on behalf of HIA, I negotiated a new land exchange agreement with the City for land large enough to construct a new medical clinic. The new land exchange agreement entailed the City's agreement to rezone and transfer Lots 4 – 9, Hoonah Rock Quarry Subdivision (herein, "Quarry Lots 4 – 9") to HIA and, in exchange, HIA's agreement to return Hillside Lot 4 and Commercial Lot 1 to the City. HIA and the City agreed to this land exchange agreement because Hillside Lot 4 and Commercial Lot 1 together are comparable in size to Quarry Lots 4 – 9, and the land exchange agreement would facilitate the return of Hillside Lot 4 and Commercial Lot 1 to the City. I appeared at City of Hoonah Committee of the Whole Meetings, Planning and Zoning Commission (P&Z Commission) Meetings, and City Council Meetings to facilitate this land exchange agreement.

8. On October 18, 2005, on behalf of HIA, I was present for and testified at the Committee of the Whole Meeting. The land exchange agreement to rezone and transfer the Quarry Lots in exchange for transfer of Hillside Lot 4 and Commercial Lot 1 was reviewed and discussed by the Committee. The City Administrator and I advised the Committee that we would negotiate the number of Quarry Lots necessary to satisfy HIA and finalize the agreement. The Committee recommended the rezone and transfer of the Quarry Lots in exchange for the transfer of Hillside Lot 4 and Commercial Lot 1, and forwarded this recommendation to the P&Z Commission and City Council.

9. On October 27, 2005, on behalf of HIA, I was present for and testified at the P&Z Commission Meeting. The rezone of the Quarry Lots for construction of a new medical clinic, a condition of the land exchange agreement, was unanimously approved by the Commission at this meeting.

10. On November 8, 2005, on behalf of HIA, I was present for and testified at the City Council Meeting. During this meeting this City Council unanimously approved the rezone and land exchange agreement. The City Council discussed the material terms of the land exchange agreement on the record during the meeting. The City Council approved the rezone and transfer Quarry Lots 4 – 9 to HIA and, in exchange, HIA's agreement to return Hillside Lot 4 and Commercial Lot 1 to the City.

11. Prior to and during the time period of the above-referenced meetings, on behalf of HIA, I negotiated and agreed to the final terms and conditions of the land exchange agreement between HIA and the City.

Further your affiant sayeth naught.

Affidavit of Johanna Dybdahl signed and sworn to this 28 day of February,  
2018, at Hoonah, Alaska.

Johanna Dybdahl  
Johanna Dybdahl

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of Feb, 2018.

NOTARY PUBLIC  
DOANIA HARRISON  
STATE OF ALASKA  
My Commission Expires April 18, 2021

Doania Harrison  
Notary Public in and for Alaska  
My commission expires 4-18-2021



RECORD IN THE SITKA RECORDING DISTRICT

After Recording Return to:

City of Hoonah  
P.O. Box 360  
Hoonah, AK 99829

QUITCLAIM DEED

Grantor, Hoonah Indian Association, of P.O. Box 602, Hoonah, Alaska 99829, for good and valuable consideration in hand paid, conveys and quitclaims to City of Hoonah, of P.O. Box 360, Hoonah, Alaska 99829, all of Grantor's right, title and interests whatsoever in the following described real property, without warranty:

Lots 4, 5, 6, 7, 8, and 9 of the Hoonah Rock Quarry Subdivision, according to Plat No. 2003-26, records of the Sitka Recording District, First Judicial District, State of Alaska, together with improvements.

Subject to all easements, rights of way, and encumbrances of record, or by law.

HOONAH INDIAN ASSOCIATION

Date: \_\_\_\_\_, 2018

\_\_\_\_\_  
Robert Starbard, Tribal Administrator

STATE OF ALASKA                    )  
  ) ss:  
FIRST JUDICIAL DISTRICT        )

Before me, the undersigned Notary Public, personally appeared Robert Starbard, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed it as authorized representative of Hoonah Indian Association.

WITNESS my hand and official seal this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission Expires: \_\_\_\_\_

RECORD IN THE SITKA RECORDING DISTRICT

After Recording Return to:

City of Hoonah  
P.O. Box 360  
Hoonah, AK 99829

QUITCLAIM DEED

Grantor, Hoonah Indian Association, of P.O. Box 602, Hoonah, Alaska 99829, for good and valuable consideration in hand paid, conveys and quitclaims to City of Hoonah, of P.O. Box 360, Hoonah, Alaska 99829, all of Grantor's right, title and interests whatsoever in the following described real property, without warranty:

Lot 4, a plat of Hillside Subdivision of fraction of Lot 3, USS 4539, Sitka Recording District, First Judicial District, State of Alaska, together with improvements.

Subject to all easements, rights of way, and encumbrances of record, or by law.

HOONAH INDIAN ASSOCIATION

Date: \_\_\_\_\_, 2018

\_\_\_\_\_  
Robert Starbard, Tribal Administrator

STATE OF ALASKA                    )  
  ) ss:  
FIRST JUDICIAL DISTRICT        )

Before me, the undersigned Notary Public, personally appeared Robert Starbard, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed it as authorized representative of Hoonah Indian Association.

WITNESS my hand and official seal this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission Expires: \_\_\_\_\_



RECORD IN THE SITKA RECORDING DISTRICT

After Recording Return to:

City of Hoonah  
P.O. Box 360  
Hoonah, AK 99829

QUITCLAIM DEED

Grantor, Hoonah Indian Association, of P.O. Box 602, Hoonah, Alaska 99829, for good and valuable consideration in hand paid, conveys and quitclaims to City of Hoonah, of P.O. Box 360, Hoonah, Alaska 99829, all of Grantor's right, title and interests whatsoever in the following described real property, without warranty:

Commercial Lot 1, Hoonah Harbor Subdivision II, according to the official plat thereof recorded November 3, 2003 as Plat 2003-29, Sitka Recording District, First Judicial District, State of Alaska, together with improvements.

Subject to all easements, rights of way, and encumbrances of record, or by law.

HOONAH INDIAN ASSOCIATION

Date: \_\_\_\_\_, 2018

\_\_\_\_\_  
Robert Starbard, Tribal Administrator

STATE OF ALASKA                    )  
  ) ss:  
FIRST JUDICIAL DISTRICT        )

Before me, the undersigned Notary Public, personally appeared Robert Starbard, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed it as authorized representative of Hoonah Indian Association.

WITNESS my hand and official seal this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public, State of Alaska  
My commission Expires: \_\_\_\_\_