

**Miscellaneous  
Resolution**

Grantor: City of Kivalina  
PO Box 50079  
Kivalina, AK 99750

Grantee: Department of Transportation and Public Facilities  
2301 Peger Road, MS 2553  
Fairbanks, AK 99709

Recording District: Kotzebue

Legals: Section 1, Township 27N, Range 26W, KRM  
Section 2, Township 27N, Range 26W, KRM  
Section 10, Township 27N, Range 26W, KRM  
Section 11, Township 27N, Range 26W, KRM  
Section 15, Township 27N, Range 26W, KRM  
Section 16, Township 27N, Range 26W, KRM  
Section 21, Township 27N, Range 26W, KRM  
Section 19, Township 28N, Range 25W, KRM  
Section 20, Township 28N, Range 25W, KRM  
Section 30, Township 28N, Range 25W, KRM  
Section 31, Township 28N, Range 25W, KRM  
Section 36, Township 28N, Range 26W, KRM

Description: Resolution Authorizing the State of Alaska, Department of Transportation & Public Facilities to construct a roadway from Kivalina Island to an area known as K-Hill.

# of Pages: 4

Filed for Record at the Request of and Return to: DOT&PF / Right of Way 2301 Peger Rd Fairbanks AK, 99709-5316 State Business-No Charge
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# KIVALINA CITY COUNCIL

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Kivalina, Alaska 99750

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## RESOLUTION 18-03

**A RESOLUTION BETWEEN THE CITY OF KIVALINA AND THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, FOR THE KIVALINA EVACUATION AND SCHOOL SITE ACCESS ROAD PROJECT TO KISIMIGIUQTUQ HILL**

WHEREAS, the City of Kivalina, an Alaskan Municipal Corporation (hereinafter CITY), is the municipal government for the community of Kivalina, whose mailing address is PO Box 50079, Kivalina, Alaska 99750; and

WHEREAS, The State of Alaska, Department of Transportation and Public Facilities (hereinafter STATE) intends to construct a roadway from Kivalina Island to an area near Kisimigiqtuq Hill (K-HILL) site for the benefit of the community of Kivalina, and

**WHEREAS, the road right-of-way must be dedicated to the public for the State to be able to obtain and expend federal funds for the project; and**

**WHEREAS, the City will obtain fee title to the surface estate of the lands necessary for the project under the provision of Section 14(c)(3) of the Alaska Native Claims Settlement Act (ANCSA); and**

WHEREAS, the ANCSA Section 14(c)(3) Map of Boundaries and title transfer will not be completed before the federal project begins; and

**WHEREAS, the City has entered into a Right Of Way Easement Agreement with NANA Regional Corporation, Inc. for lands located within:**

Sections 1, 2, 10, 11, & 15, Township 27 North, Range 26 West, Sections 19, 20, 30 & 31, Township 28 North, Range 25 West; and Section 36, Township 28 North, Range 26 West; Kateel River Meridian,

as shown in the document recorded August 27, 2018 (date) as Document # 2018-000585-0, Kotzebue Recording District, containing approximately 250 acres for the purpose of a public roadway; and

WHEREAS, the City authorizes the State to construct the roadway to K-Hill; and

WHEREAS, the State will provide the City with a survey and legal description when the project is completed; and



WHEREAS, the City has agreed to submit all necessary paperwork to the Borough Platting Authority to dedicate the roadway when the Deed for the lands is received, and provide a copy of the completed dedication to the State;

NOW THEREFORE BE IT RESOLVED:

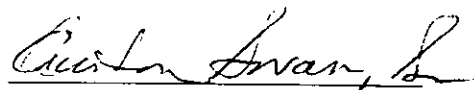
1. That the Kivalina City Council has held a meeting in accordance with its charter for the purposes of carrying out its responsibilities relative to the Kivalina Evacuation and School site Access Road land dedication;
2. That the City accepts the terms and conditions stated above, by and between the City of Kivalina and the State, for the Kivalina Evacuation and School Site Access Road project (NFHWY00162) and finds them to be in the best interest of the community of Kivalina.
3. That Austin Swan Sr., Mayor for the City of Kivalina, his successors in interest or assigns, are hereby authorized, directed and empowered on behalf of and as the free act of the city, all documents as may be necessary to provide authorization to State Department of Transportation to build the road and as required to complete the dedication of the right-of-way to the public.

ADOPTED and DATED at a meeting held at Kivalina, Alaska this 16<sup>th</sup> day of August, 2018, at which a quorum was present and voting in accordance with said bylaws of the Kivalina City Council.

(Seal)

CITY OF KIVALINA



  
Austin Swan Sr., Mayor

ATTEST:



Marilyn Swan, City Clerk



### CERTIFICATION

**PASSED and APPROVED** by a poll vote of the Kivalina City Council this 16<sup>th</sup> day of August, 2018.

*Austin Swan Sr.* Yes  No \_\_\_ Abstain \_\_\_  
Austin Swan Sr., Mayor

*Lucy S. Adams* Yes  No \_\_\_ Abstain \_\_\_  
Lucy S. Adams, Vice Mayor

\_\_\_\_ Yes \_\_\_ No \_\_\_ Abstain \_\_\_  
Kimberly Swan, Sec/Treas

*Alice A. Adams* Yes  No \_\_\_ Abstain \_\_\_  
Alice A. Adams, Member

*Leroy T. Adams Sr.* Yes  No \_\_\_ Abstain \_\_\_  
Leroy T. Adams Sr., Member

\_\_\_\_ Yes \_\_\_ No \_\_\_ Abstain \_\_\_  
Ida N. Swan, Member

\_\_\_\_ Yes \_\_\_ No \_\_\_ Abstain \_\_\_  
Rhonda Norton, Member

\_\_\_\_  
ATTEST: Marilyn Swan, City Clerk

(Seal)

