

**ORDINANCE SERIAL NO. 24-08**

**AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE THE ASSIGNMENT, ASSUMPTION AND CONSENT OF THE OUTFALL TIDELANDS LEASE FOR IKATAN BAY INVESTMENTS, LLC TO ASSUME THE TIDELANDS LEASE BETWEEN FALSE PASS SEAFOODS, LLC AND ALEUTIANS EAST BOROUGH**

**WHEREAS**, Aleutians East Borough ("Borough") is the owner of that certain tidelands described in the Tidelands Lease associated with the outfall line located in False Pass, Alaska between the Borough and False Pass Seafoods, LLC ("FPS") dated June 1, 2018, a copy of which is attached hereto has Exhibit A (the "Tidelands Lease"); and

**WHEREAS**, FPS desire to execute the Outfall Line Tidelands Lease Assignment, Assumption and Consent Agreement (the "Agreement") whereby FPS assigns all right, title and interest in and to the Tidelands Lease to Ikatan Bay Investments ("IBI") and IBI assumes all the rights, duties, interests, liabilities and obligations in, to, and under the Tidelands Lease.

NOW THEREFORE:

**BE IT ORDAINED BY THE MAYOR:**

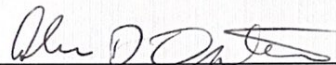
**SECTION 1. Classification.** This is a non-code ordinance.

**SECTION 2. Authorization to Assignment of Lease.** The Mayor, or his/her designee, is hereby authorized to execute the attached Outfall Tidelands Lease Assignment, Assumption and Consent Agreement transferring all obligations and


liabilities under the Agreement from FPS to IBI. A copy of the Agreement is set out in Exhibit B of this Ordinance.<sup>1</sup>

**SECTION 3. Effectiveness.** This Ordinance shall take effect upon adoption by the Aleutians East Borough Assembly.

Passed and adopted by the Aleutians East Borough Assembly this 19<sup>th</sup> day of June, 2024.

  
\_\_\_\_\_  
Alvin Osterback, Mayor

ATTEST:

  
\_\_\_\_\_  
Beverly Rosete, Borough Clerk

(SEAL)



<sup>1</sup> Exhibit A and B provide a historical record of the Tidelands Lease.