

By: Public Works
Adopted: June 25, 2018
Yes: Burney, Dryden, Graham, Harvey, Ledford, O'Barr
No: None
Absent: None

**City of Wasilla
Resolution Serial No. 18-17**

A Resolution Of The Wasilla City Council Authorizing A 30-Year Lease At The Wasilla Airport For Lease Lot 13 To Merrill Field Instruments.

WHEREAS, on December 1, 2017, Merrill Field Instruments executed an Assignment of Lease for Lease Lot 13 with a 10-year term; and

WHEREAS, Merrill Field Instruments sought a lease at the Wasilla Airport to expand their business to Wasilla; and

WHEREAS, Merrill Field Instruments is seeking financing to construct a new building on Lease Lot 13 for their business; and

WHEREAS, Alaska USA Federal Credit Union is requiring a 30-year lease term as a condition of financing the new building; and

WHEREAS, WMC 5.32.120, requires review and recommendation from the Wasilla Planning Commission and approval from the Wasilla City Council of airport leases when the proposed lease term is longer than a 10-year period; and

WHEREAS, the Wasilla Planning Commission provided a recommendation of approval on June 12, 2018, through Planning Commission Resolution Serial No. 18-05 for the 30-year lease term.

NOW, THEREFORE, BE IT RESOLVED the Wasilla City Council authorizes a 30-year lease at the Wasilla Airport for Lease Lot 13 to Merrill Field Instruments.

ADOPTED by the Wasilla City Council on June 25, 2018.


BERT L. COTTLE, Mayor

ATTEST:


JAMIE NEWMAN, MMC, City Clerk

[SEAL]


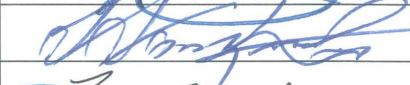

CITY COUNCIL LEGISLATION STAFF REPORT

Resolution Serial No. 18-17: Authoring A 30 Year Lease At The Wasilla Airport For Lease Lot 13 To Merrill Field Instruments.

Originator: Public Works Director

Date: June 13, 2018

Agenda of: June 25, 2018

Route to:	Department Head	Signature	Date
X	Public Works Director		6/13/18
X	Finance Director		6.14.18
X	Deputy Administrator		6/14/18
X	City Clerk		6/18/18

Reviewed by Mayor Bert L. Cottle:

 6/18/2018Fiscal Impact: yes no**Account name/number:****Attachments:** Resolution Serial No. 18-17 (2 page)

Supporting documentation (6 pages)

Summary Statement: Merrill Field Instruments is seeking to expand their business to Wasilla and they have a current 10 year lease at the airport. Their business plan is to construct a new facility at the Wasilla Airport and they are seeking funding for this project from the Alaska USA Federal Credit Union. The Credit Union is requiring a 30 year lease term as a condition of financing the project.

WMC 5.32.120 requires review and recommendation from the Wasilla Planning Commission and approval from the Wasilla City Council of airport leases when the proposed lease term is longer than a 10 year period. The Wasilla Planning Commission provided a recommendation of approval on June 12, 2018, through Planning Commission Resolution Serial No. 18-05 for the 30 year lease term.

Recommended Action: Adopt resolution.

Requested by: Applicant
Prepared by: Planning Staff
Meeting date: June 12, 2018
Vote:

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 18-05**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING
APPROVAL OF A 30 YEAR AIRPORT LEASE OF LEASE LOT 13 FOR MERRILL
FIELD INSTRUMENTS.**

WHEREAS, Merrill Field Instruments is currently leasing Lease Lot 13 at the Wasilla Airport under a 10-year term; and

WHEREAS, the Merrill Field Instruments is seeking financing to construct a new facility on the lease lot; and

WHEREAS, Alaska USA Federal Credit Union is requiring a 30-year lease as a condition of financing the new facility; and

WHEREAS, Wasilla Municipal Code 5.32.120 allows for airport leases longer than 10 years subject to recommendation of approval by the Planning Commission and approval of the City Council.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission recommends approval to the City Council of a 30-year lease to Merrill Field Instruments for Lease Lot 13 in accordance with Wasilla Municipal Code 5.32.120.

ADOPTED by the Wasilla Planning Commission on June 12, 2018.

APPROVED:

Jessica Dean, Chairman

ATTEST:

Tina Crawford, City Planner

cc

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2018-000761-0

Recording District 311 Palmer

01/11/2018 08:35 AM

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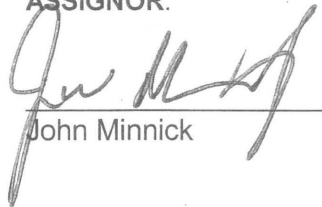
ASSIGNMENT OF LEASE AGREEMENT

John Minnick an individual, **Assignor**, whose address is PO Box 874154, Wasilla Alaska 99687, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by Merrill Field Instruments, Inc. an Alaskan corporation, **Assignee**, whose address is 940 Merrill Field Drive, Anchorage Alaska 99501, does hereby assign, transfer and set over to the Assignee all of the Assignor's right, title, and interest in and to that certain lease agreement dated April 27, 2015 between John Minnick, as Tenant, and the City of Wasilla, as Lessor, for the term of 10 years commencing April 1, 2015 and ending March 31, 2025, recorded April 28, 2015 as Reception No. 2015-008217-0, and any amendments thereto, as it affects the following described real property:

Lot 13, unrecorded Plat of New Wasilla Airport Lease Lots, located in the Palmer Recording District, Third Judicial District, State of Alaska.

The Assignment effective date is December 1, 2017.

ASSIGNOR:

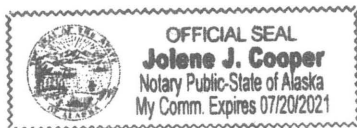


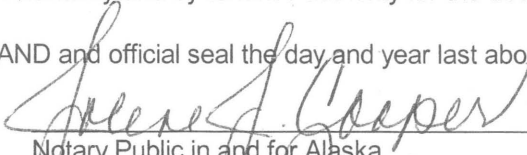
John Minnick

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 14th day of November, 2017, before the undersigned Notary Public for the State of Alaska, duly commissioned and sworn, personally appeared John Minnick, known to me to be the individual described in and who executed the within and foregoing Lease on behalf of tenant and acknowledged to me that he signed the same in the name of and for and on behalf of the tenant, freely and voluntarily and by tenant's authority for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.





Notary Public in and for Alaska
My Commission Expires: July 20, 2021

RETURN TO: JOLENE COOPER, CITY OF WASILLA
290 E HERNING AVENUE
WASILLA, AK 99654-7091

ACCEPTANCE OF ASSIGNMENT

ASSIGNEE:

[Signature]
Merrill Field Instruments, Inc.

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 15th day of November, 2017, before the undersigned Notary Public for the State of Alaska, duly commissioned and sworn, personally appeared Brian Marcinek, known to me to be the individual described in and who executed the within and foregoing Lease on behalf of tenant and acknowledged to me that he signed the same in the name of and for and on behalf of the tenant, freely and voluntarily and by tenant's authority for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.



[Signature]
Notary Public in and for Alaska
My Commission Expires: July 20, 2021

CONSENT TO ASSIGNMENT OF LEASE

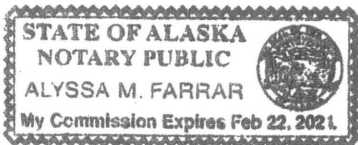
LESSOR:

[Signature]
Mayor Bert L. Cottle

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 17th day of November, 2017, before the undersigned Notary Public for the State of Alaska, duly commissioned and sworn, personally appeared Bert L. Cottle, known to me to be the individual described in and who executed the within and foregoing Lease on behalf of tenant and acknowledged to me that he signed the same in the name of and for and on behalf of the tenant, freely and voluntarily and by tenant's authority for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.



[Signature]
Notary Public in and for Alaska
My Commission Expires: 02/22/2021





November 1, 2017

Archie Giddings
Director of Public Works
290 E. Herning Avenue
Wasilla, Alaska 99654-7091
agiddings@ci.wasilla.ak.us

Dear Mr. Giddings;

Our proposal for Lease lot #13 is to construct a hanger that is roughly 80x80, with a height of 21-25ft. We would be adding a 70ft door to allow for the accommodation of larger aircraft that we work on. We plan to move our Avionics shop to this location in the future to promote future growth and expansion of our current business. We feel that there is great potential for avionics installation/support in the Mat Su valley, and we plan to pursue financing and construction as soon as possible.

Thank you,

Brian Marcinek
President
Merrill Field Instruments

AlaskaUSA

Federal Credit Union®

May 18, 2018

Attn: Merrill Field Instruments
940B Merrill Field Dr
Anchorage, AK 99501

Re: Wasilla Airport Ground Lease

Dear Mr. Marcinek,

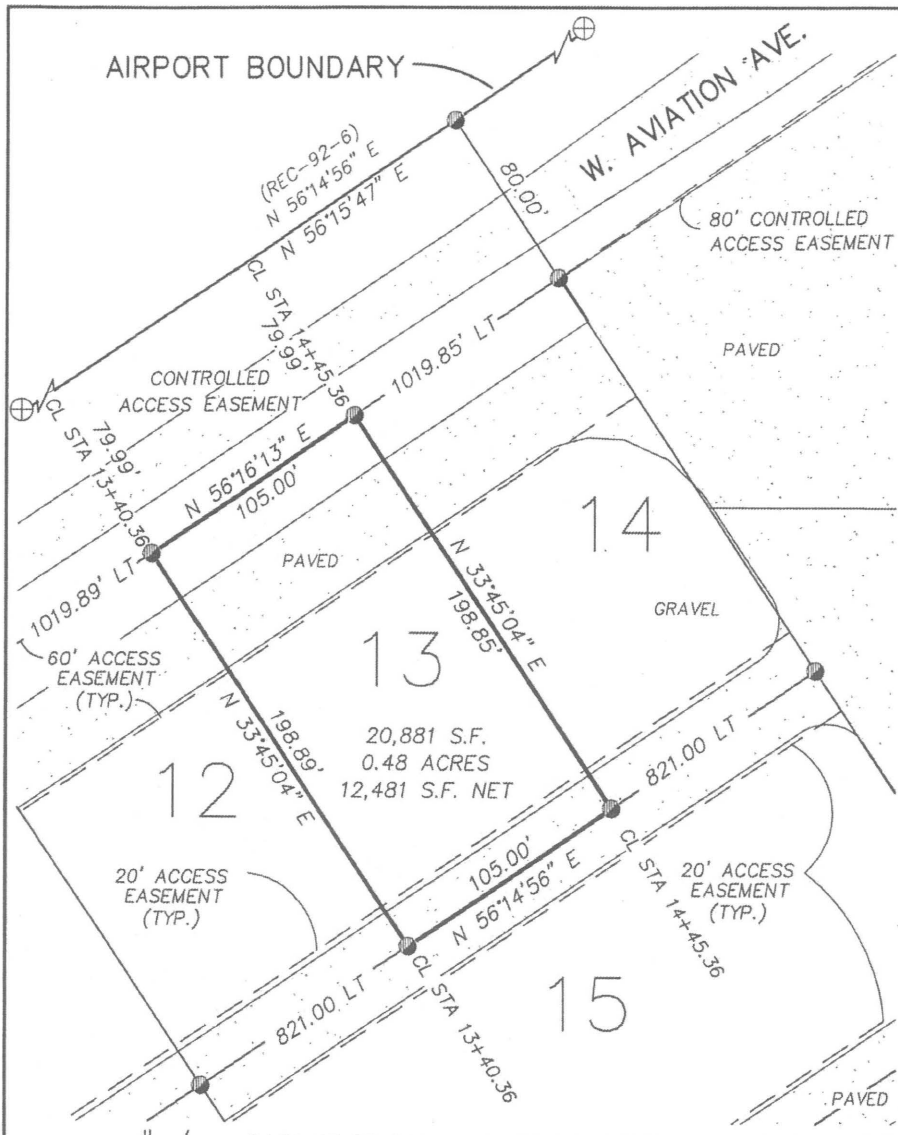
Alaska USA Federal Credit Union is looking to provide long term construction financing to Merrill Field Instruments, in order to construct a new facility located on the Wasilla Airport grounds. The amortization you are requesting is 300 months or 25 years. The current lease at 10 years or 120 months does not cover the term Merrill Field Instruments is requesting, we require 5 additional years past the amortization. In order for us to provide a loan with a term of that length, we will require you to have a ground lease in place with a term of at least 30 years.


If you have any questions regarding this request, please feel free to contact me at (907) 646-6428 or c.swenor@alaskausa.org.

Sincerely,







Colby Swenor
Commercial Loan Officer

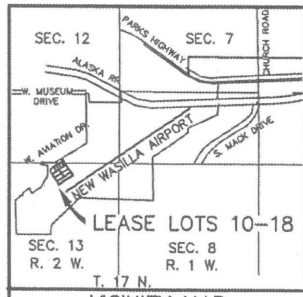
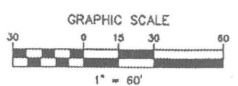



 New Wasilla Airport
 PLAT 92-6 P.R.D.
 Magnetic Declination 21'08" E
 Mar. 2005- NGS

BASIS OF BEARING & STATIONING
 THE BASIS OF BEARING OF THIS PLAT OF THE NEW WASILLA AIRPORT LEASE LOTS IS THE RECORD AND MEASURED BEARING BETWEEN THE FOUND PRIMARY MONUMENTS MARKING THE CENTERLINE OF THE RUNWAY. DUE TO THE SUPERIOR STABILITY OF THE MONUMENT LOCATED AT STATION 66+00.40, THAT POSITION WAS HELD AS THE BASIS OF STATIONS. THAT CORRESPONDS TO A MEASURED STATIONING OF 10+00.34 AT THE CENTERLINE MONUMENT STAMPED AND PLATTED AS STATION 10+00.08. THE RECORD AND MEASURED BEARING OF THE RUNWAY CENTERLINE IS N 56°14'56" E, THE MEASURED DISTANCE IS 5600.08' (5600.32'-RECORD PLAT 92-6)

LEGEND

-  FOUND PRIMARY MONUMENT RUNWAY CENTERLINE
-  FOUND PRIMARY MONUMENT AIRPORT BOUNDARY
-  FOUND REBAR AND ALCAP PROPERTY CORNER
-  SET 5/8"x30" REBAR AND ALCAP AIRPORT LEASE TRACT CORNER



VICINITY MAP
 1" = 1 MILE
 Surveyed for: Hottenburg, Dilley & Linnell, 3335 Arctic #105, Anchorage AK 99507
 Surveyed by: McClintock Land Assoc., 11940 Business Blvd. #205, Eagle River AK 99577

EXHIBIT "A"
NEW WASILLA AIRPORT
LEASE LOT
No. 13
 Within Secs. 12 & 13 T. 17 N., R. 2 W., S.M., AK.

DMN	SWS	DATE	11/22/2005	SCALE	1" = 60'
CHK	SWS	DWG	05-223 WAS LEASE	SHEET	2 of 2

