

**OFFICE OF THE MANAGER**

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February 23, 2011

Mr. A. C. McDole  
1003 1<sup>st</sup> Street  
Douglas, Alaska 99824

Dear Mr. McDole:

This letter is to follow up on your meeting of Friday, February 11, 2011 in which Mayor Botelho requested that I reconsider your request to have CBJ convey two parcels of city-owned tidelands property to you. The two parcels of interest are waterfront Lots 2 and 3, Block 45 in Douglas.

As you are aware, this issue has been brought before the Assembly Lands Committee and discussed on several previous occasions. At a Lands Committee meeting on July 24, 2006 the committee members voted to table the issue indefinitely. Six months later, at the request of Assemblymember Wanamaker the Lands Committee entertained a request to reconsider the matter. Upon reconsideration, your request was again voted down by the Lands Committee.

Although we currently do not have any buried utilities in the adjacent tidelands, or any plans to do so in the future, the upland lots provide unrestricted CBJ and public access to public tidelands. I believe it would be shortsighted on our part to relinquish access to these tidelands in the event of future need or development opportunities. There are many other homeowners who also maintain lawn or landscaping adjacent to their property but on city right-of-way or city-owned property. For reasons of future access or expansion, we have not conveyed property rights to those individuals, even though many have made similar requests as you. Finally, nothing has changed since this issue was first brought before the Assembly Lands Committee and denied five years ago; therefore, I find no basis on which to make a different decision today.

I will be providing a copy of my findings to the Mayor and members of the Lands Committee for their consideration at the March 14, 2011 meeting of the Lands Committee.

Sincerely,



Rod Swope  
City & Borough Manager

cc: Mayor and Assembly  
Heather Marlow, Lands and Resources Manager

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