

PETITION

To the Local Boundary Commission
For

DETACHMENT

From

Allakaket
AN ORGANIZED CITY

And

Concurrent Annexation
to the

Second Class City
Allakaket

Using the Local Option Method

The Petitioner hereby requests the Local Boundary Commission (LBC or commission) grant this Petition for detachment and concurrent annexation pursuant to Article X of the Constitution of the State of Alaska; AS 29.06.040 – AS 29.06.060; AS 44.33.812; 3 AAC 110.090 – 3 AAC 110.150; 3 AAC 110.257 – 3 AAC 110.265; 3 AAC 110.400 – 3 AAC 110.700; and 3 AAC 110.900 – 3 AAC 110.990, and any other pertinent laws that are relevant to the detachment and annexation proposal.

All exhibits attached to this Petition are incorporated by reference.

SECTION 1. PETITIONER’S NAME. 3 AAC 110.420(b)(1).

The Petitioner is the City of Allakaket. The City is hereafter referred to as the “Petitioner” or “City.”

SECTION 2. PETITIONER’S REPRESENTATIVE 3 AAC 110.420(b)(2)

The Petitioner designates the following person to serve as its representative in all matters concerning this incorporation proposal:

Name: Charlotte Mayo

Physical Address: #4 A Street. Allakaket, AK 99720

Mailing address: PO Box 30 Allakaket, AK 99720

Phone and fax numbers: (907) 968-2424 phone, (907) 968-2233 fax

Email address: charlottem2004@yahoo.com

PETITIONER’S ALTERNATIVE REPRESENTATIVE

The Petitioner designates the following person to act as alternative representative in matters regarding the proposed incorporation, in the event the primary representative is absent, resigns, or fails to perform his or her duties:

Name: Lucy Strassburg

Physical Address: #6 A Street Allakaket, AK 999720

Mailing address: PO Box 30 Allakaket, AK 99720

Phone and fax numbers: (907) 968-2424 phone, (907) 968-2233 fax

Email address: strassburglucy@yahoo.com

SECTION 3. NAME AND CLASS. 3 AAC 110.420(b)(3).

Listed below is the name and class of the detaching and annexing City:

Name: City of Allakaket

Class: Second

SECTION 4. GENERAL DESCRIPTION OF THE NATURE OF THE PROPOSED BOUNDARY CHANGES. 3 AAC 110.420(b)(4).

This Petition, requests the LBC to approve the following concurrent boundary changes:

- a) Detachment from Allakaket of the territory generally described as the city land north of the river, bordering new Alatna. After the 1994 flood on persons live in the area selected for detachment. Detachment would be subject to approval by a majority of voters residing in the territory proposed for detachment, as authorized by AS 29.06.040(c)(1) and 3 AAC 110.265;
- b) Annexation to Allakaket encompassing the territory generally described as the land developed and selected for future development south of City limits and Northeast of the city. Annexation is proposed because this land is higher elevation, outside of the flood plain, and post flood development has occurred. Annexation is subject to approval by voters of the territory proposed for annexation, as authorized by AS 29.06.040(c)(1) and 3 AAC 110.150(3). 3 AAC 110.150(3) requires approval by both a majority of voters inside the territory, and by a majority of the voters residing in the annexing City.

This Petition proposes that detachment of the territory described here be conditioned upon voter approval of annexation by the annexing City; under this petition, detachment and annexation are dependent upon one another and cannot be separately decided.

SECTION 5. GENERAL DESCRIPTION OF THE TERRITORY PROPOSED FOR DETACHMENT AND CONCURRENT ANNEXATION. 3 AAC 110.420(b)(5)(B).

The area proposed for detachment is land across the Koyukuk River, on the north side of the river. It is now vacant, uninhabited property. The community of Alatna is on the north side of the river, although no Alatna residents are in the area proposed for detachment.

The area proposed for annexation is land on the south side for the Koyukuk River, south of the existing City limits. It includes inhabited residential homes with approximately 67 individuals. The facilities that are in the proposed area to be annexed are the Allakaket City Office, health clinic, watering point, washeteria, power plant, Allakaket Traditional Council Office, City garage, community hall, tank farm/bulk fuel, retain fuel sales, church, New Allakaket Airport and garage, baseball field, waste water lagoon, solid waste landfill, well

house, and boat landing. The proposed area will include all 14 (c) (3) selected lands. Area for annexation is Northeast of the city, on the North side of the river, it is selected to create a mostly square city limits.

SECTION 6. REASONS FOR THE PROPOSED BOUNDARY CHANGES.

3 AAC 110.420 (b)(6).

Detachment is proposed for the following reasons:

The community of Alatna desires to continue to be outside of City limits. (see The current City limits by-sect parcels of land in new Alatna, should homes be built on these parcels they would be in City limits.

Annexation is proposed for the following reasons:

So that the currently provided services will be inside of City limits.

So that City infrastructure will be inside City limits.

Selected land for future development will be inside City limits.

Individuals will be residents of Allakaket, they will be qualified voters and eligible to hold elected office.

SECTION 7. LEGAL DESCRIPTIONS, MAPS, AND PLATS. 3 AAC

110.420(b)(7).

- a) A written metes and bounds legal description of the existing City for which detachment and annexation is sought is included as **Exhibit A-1**.
- b) A written metes and bounds legal description of the territory proposed for detachment is included as **Exhibit A-2**.
- c) A written metes and bounds legal description of the territory sought for annexation current is included as **Exhibit A-3**.
- d) A written metes and bounds legal description of the City after detachment and annexation is included as **Exhibit A-4**
- e) A map showing the existing City, the territory proposed for detachment, the territory proposed for annexation, and the City after detachment and annexation (all may be put on one clear map) is included as **Exhibit A-5**.

SECTION 8. SIZE OF THE TERRITORIES PROPOSED FOR CHANGE.

3 AAC 110.420(b)(8).

- a) The present size of the detaching and annexing City is 4.9 square miles.
- b) The territory proposed for detachment is 174 acres.
- c) The territory proposed for annexation is 12.3 square miles.
- d) The size of the City after the proposed detachment and annexation will be 17 square miles.

SECTION 9. DATA ESTIMATING THE POPULATION OF THE TERRITORIES PROPOSED FOR CHANGE. 3 AAC 110.420(b)(9).

Based on 2012 Alaska Department of Labor estimates.

- a) The present population of the detaching and annexing City is 106.
- b) The territory proposed for detachment has a population of zero.
- c) The territory proposed for annexation has a population of 67.
- d) The population of the City after the proposed detachment and annexation will be 173.

SECTION 10. INFORMATION RELATING TO PUBLIC NOTICE AND SERVICE OF THE PETITION. 3 AAC 110.420(b)(10).

In **Exhibit B**, Petitioner should:

- List all newspapers of general circulation, if any, within the boundaries proposed for change per 3 AAC 110.450(a)(1). If there aren't any, just say so;
- List at least three prominent locations readily accessible to the public and within or near the boundaries proposed for change to post public notices per 3 AAC 110.450(a)(2)(A);
- List all municipalities within 20 miles of the proposed change per 3 AAC 110.450(a)(4) and 3 AAC 110.460(a);
- List any person who should be served notice of the filing of the petition per 3 AAC 110.450(a)(4), and who should be served the petition per 3 AAC 110.460(a);
- List all radio and TV stations serving the boundaries of the proposed change, if any, per 3 AAC 110.450(a)(5). If there aren't any, just say so;
- List locations, addresses, and hours of operation where the public can view the petition and related documents per 3 AAC 110.460(b), and;
- List any person who should be served the petition per 3 AAC 110.460(a).

SECTION 11. TAX DATA. 3 AAC 110.420(b)(12).

- a) **The assessed or estimated value of taxable property in the territories proposed for change.**

There are no taxes of any kind in the area. The City does not propose taxes either.

- b) **Projected taxable sales in the territory proposed for change.**

There are none.

c) Taxes currently levied by municipal governments within the territories proposed for detachment and annexation.

There are none.

SECTION 12. BUDGET INFORMATION. 3 AAC 110.420(b)(13)(B).

- a) Projected City revenue for the period extending one fiscal year beyond the reasonably anticipated transition date for detachment and annexation is presented in **Exhibit C-1**.
- b) Projected operating expenditures for the period extending one fiscal year beyond the reasonably anticipated transition date for detachment and annexation is presented in **Exhibit C-2**.
- c) Projected capital expenditures for the period extending one fiscal year beyond the reasonably anticipated transition date for detachment and annexation is presented in **Exhibit C-3**.
- d) For subsections a through c above, if the transition set out in 3 AAC 110.420(b)(13)(B) does not apply, then only one fiscal year is required.

SECTION 13. EXISTING LONG TERM MUNICIPAL DEBT. 3 AAC 110.420(b)(14).

Attach any information regarding existing long term municipal debt as **Exhibit D**.

SECTION 14. MUNICIPAL POWERS AND FUNCTIONS. 3 AAC 110.420(b)(15).

Exhibit E provides a list of powers and functions of:

- a) Any existing municipality for which a change is proposed, before and after the proposed annexation and detachment.
- b) Alternative service providers within the territory proposed for detachment and the territory proposed for annexation.
- c) Alternative service providers, including regional education attendance areas and other service areas within the area proposed for borough boundary change or territory proposed for city boundary change.

SECTION 15. TRANSITION PLAN. 3 AAC 110.420(b)(16).

As provided for in 3 AAC 100.900, **Exhibit F** presents a practical transition plan:

- a) Demonstrating the capability of the City to extend essential municipal services (as determined under 3 AAC 110.970) into the territory proposed

for annexation in the shortest practical time after the effective date of annexation.

- b)** Demonstrating the transition or termination of municipal services in the shortest practical time after detachment.
- c)** To assume all relevant and appropriate powers, duties, rights, and functions presently exercised by an existing borough, City, unorganized borough service area, or other appropriate entity located in the boundaries proposed for detachment, and for annexation. The plan must be prepared in consultation with the officials of each such existing municipality or entity. It must be designed to affect an orderly, efficient, and economical transfer within the shortest practical time, not to exceed two years after the effective date of the proposed change. If this requirement is not pertinent because there is no existing borough, City, unorganized borough service area, or other appropriate entity located in the boundaries proposed annexation, just say so.
- d)** To transfer and integrate all relevant and appropriate assets and liabilities of an existing borough, City, unorganized borough service area, and other entity located within the boundaries proposed for detachment, and also for annexation. The plan must be prepared in consultation with the officials of each existing municipality or entity. It must be designed to affect an orderly, efficient, and economical transfer within the shortest practical time, not to exceed two years after the proposed change takes effect. The plan must specifically address procedures ensuring that the transfer and integration occur without loss of value in assets, loss of credit reputation, or a reduced bond rating for liabilities. This would affect all assets and liabilities going to or from the City. If there are no assets or liabilities, just say so.
- e)** Stating the names and titles of all officials of each existing city, and unorganized borough service area that the Petitioner consulted. The dates on which that consultation occurred and the subject addressed during that consultation must also be listed.
- f)** Consulting with the Local Emergency Planning District.
- g)** Contacting the Local Emergency Planning Commission Association, State Emergency Response Commission if and when the petition has been approved.
- h)** If a prospective Petitioner has been unable to consult with officials of an existing City, City, or unorganized borough service area because those officials have chosen not to consult or were unavailable during reasonable times to consult with a prospective Petitioner, the prospective Petitioner may request that the commission waive the requirement to consult those

officials. The waiver request must document all attempts by the Petitioner to consult with officials of each existing City, City, and unorganized borough service area. If the commission determines that the Petitioner acted in good faith and that further efforts to consult with the officials would not be productive in a reasonable period of time, the LBC may waive the requirement to consult.

SECTION 16. CITY COUNCIL COMPOSITION AND APPORTIONMENT.

3 AAC 110.420(b)(17).

Information about the composition and apportionment of the existing City council from which detachment is proposed, and for which annexation is proposed, both before and after the proposed change is in Exhibit G.

SECTION 17. CIVIL AND POLITICAL RIGHTS INFORMATION.

3 AAC 110.420(b)(18).

Information regarding any effect of the proposed detachment and concurrent annexation upon civil and political rights for purposes of the federal Voting Rights Act of 1965 (42.U.S.C. 1971 - 1974) is provided in Exhibit H.

SECTION 18. SUPPORTING BRIEF. 3 AAC 110.420(b)(19).

Exhibit I presents a supporting brief providing a detailed explanation of how the proposed detachment and concurrent annexation serves the best interests of the state and satisfies each constitutional, statutory, and regulatory standard set out in Article X of the Constitution of the State of Alaska; AS 29.06.040 – AS 29.06.060; 3 AAC 110.090 – 3 AAC 110.150; 3 AAC 110.257 – 3 AAC 110.265; 3 AAC 110.400 – 3 AAC 110.700; and 3 AAC 110.900 – 3 AAC 110.990.

SECTION 19. DOCUMENTATION DEMONSTRATING THAT THE PETITIONER IS AUTHORIZED TO FILE THE PETITION UNDER 3 AAC 110.410 and 3 AAC 110.420(b)(20).

A certified copy of the ordinance or resolution adopted by the City council to authorize the filing of this Petition is provided as Exhibit J.

SECTION 20. PETITIONER'S AFFIDAVIT. 3 AAC 110.420(b)(22).

Exhibit K provides an affidavit from the Petitioner's representative that, to the best of the representative's knowledge, information, and belief, formed after reasonable inquiry, the information in the Petition is true and accurate.

SECTION 21. ELECTRONIC FORMAT. 3 AAC 110.420(c).

- a) The petitioner shall provide the department with a copy of the petition and supporting materials in an electronic format, unless the department waives this requirement because the petitioner lacks a readily accessible means or the capability to provide items in an electronic format.

EXHIBIT A-1.
LEGAL DESCRIPTION OF THE BOUNDARIES OF THE EXISTING CITY
FROM WHICH DETACHMENT AND ANNEXATION IS SOUGHT.

Beginning at the NE Corner of Section 13, T20N, R24W,
Fairbanks Meridian, Alaska;

thence west to the NW Corner of Section 13, T20N, R24W,

thence north to the NE Corner of Section 11, T20N, R24W;

thence west to the NW Corner of the NE $\frac{1}{4}$ of Section 10, T20N, R24W;

thence southwesterly to a point where the east-west centerline of Section 21,
T20N, R24W intersects with the left bank of the Koyukuk River;

thence east along the left bank of the Koyukuk River to a point which intersects
with the section line common to Sections 21 and 22, T20N, R24W;

thence northeast to the southeast Corner of SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15,
T20N, R24W;

thence east to the SE Corner of Section 13, T20N, R24W;

thence north to the point of beginning containing 4.9 square miles more or less.

EXHIBIT A-2.
LEGAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY
PROPOSED FOR DETACHMENT.

All that portion of Section 16 and all that portion of Section 21 lying north of the left bank
of the Koyukuk River, T. 20 N., R. 24 W., FM, AK, included within the original Allakaket
city boundary recorded in Book 21, Page 323, Bethel Recording District, AK., containing
174 acres, more or less.

EXHIBIT A-3.
LEGAL DESCRIPTION OF BOUNDARIES OF THE TERRITORY SOUGHT
FOR ANNEXATION.

All of Sections 10, 15 and 22, T. 20 N., R. 24 W., FM, AK, excluding those portions
contained within the original Allakaket city boundary as recorded in Book 21, Page 323,

Bethel Recording District, AK., together with all those portions of Sections 21 and 28 lying south of the left bank of the Koyukuk River, together with all of Sections 23-27, T. 20 N., R. 24 W., FM, AK, together with all of Sections 7, 18, 19 and 30, T. 20 N., R. 23 W., FM, AK, containing 12.3 sq. miles, more or less.

**EXHIBIT A-4.
LEGAL DESCRIPTION OF BOUNDARIES OF THE CITY AFTER
DETACHMENT AND ANNEXATION**

Beginning at the NE Corner of Section 7, T20N, R23W, Fairbanks Meridian, Alaska;

thence west to the NW Corner of Section 10, T20N, R24W;

thence south to a point where the section line common to Sections 21 and 22, T20N, R24W intersects the left bank of the Koyukuk River;

thence west and southwesterly along the left bank of the Koyukuk River to a point which intersects the section line common to Sections 28 and 29, T20N, R24W;

thence south to the SW corner of Section 28, T20N, R24W;

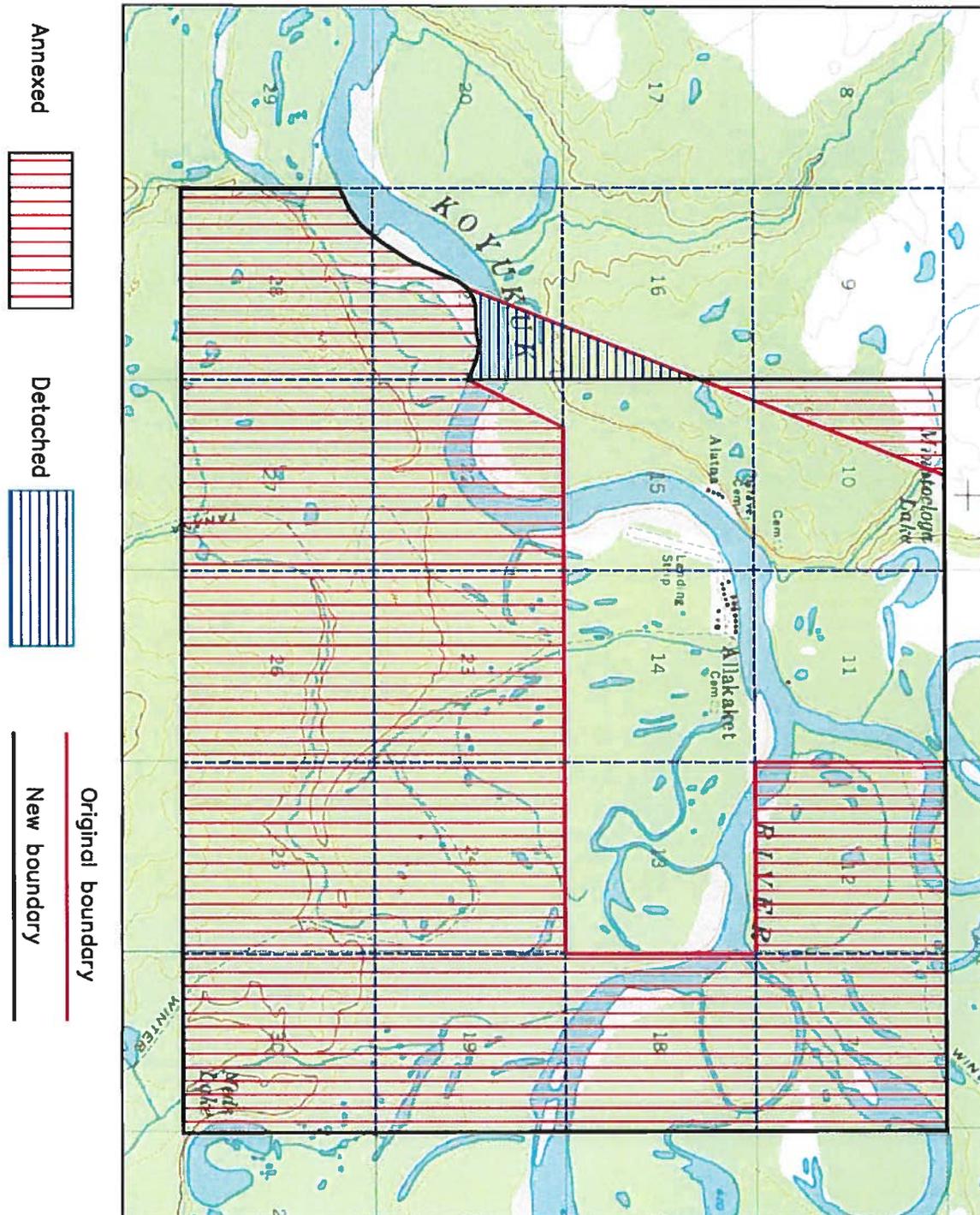
thence east to the SE corner of Section 30, T20N, R23W;

thence north to the point of beginning, containing 17.3 sq. miles, more or less.

Description based on USGS Quads Bettles (C-6), revised 1970.

EXHIBIT A-5.

MAP SHOWING THE EXISTING CITY, THE TERRITORY PROPOSED FOR DETACHMENT, THE TERRITORY PROPOSED FOR ANNEXATION, AND THE CITY AFTER DETACHMENT AND ANNEXATION



**EXHIBIT B.
INFORMATION RELATING TO PUBLIC NOTICE AND SERVICE OF THE
PETITION.**

This exhibit provides information relevant to public notice of this detachment and annexation proceeding. The information includes specifics about local media; adjacent municipal governments; places recommended to post notices; location(s) where the Petition may be viewed; and parties who, because of their interest in this matter, may warrant individual notice of the detachment and annexation proceedings.

LOCAL MEDIA

The following lists the principal news media serving the existing City and the post-petition City

Newspaper(s)

No newspaper in the area.

Radio station(s)

No radio station in the area.

Television station(s)

No television station in the area.

ADJACENT MUNICIPAL GOVERNMENTS

The following lists all municipalities whose boundaries extend within twenty miles of the boundaries proposed for change.

There are no municipalities in the area.

**PLACES RECOMMENDED TO POST OFFICIAL NOTICES RELATING TO
THE DETACHMENT AND ANNEXATION PETITION**

The following three or more public and prominent places within or near the boundaries proposed for change are recommended to post notices concerning this detachment and annexation proposal.

Allakaket City office, Allakaket Tribal office, Alatna Tribal office, Allakaket Post Office.

LOCATION(S) WHERE THE PETITION MATERIALS WILL BE AVAILABLE FOR PUBLIC REVIEW

The Petitioner proposes to comply with 3 AAC 110.460(b) by providing a full set of Petition documents for public review at the central and convenient location(s) listed below which are open to the public on the days and times listed below.

Location(s) for Public Review	Days and Times Open to the Public
Allakaket City office	Monday-Friday 9:00 a.m. to 2:00 p.m.
Allakaket Tribal office	Monday-Friday 9:00 a.m. to 5:00 p.m.
Alatna Tribal office	Monday-Friday 9:00 a.m. to 2:00 p.m.

INDIVIDUALS AND ORGANIZATIONS THAT MAY WARRANT INDIVIDUAL NOTICE OF THE FILING OF THE DETACHMENT AND ANNEXATION PETITION

The following is a list of names and addresses of individuals and organizations whose potential interest in the detachment and annexation proceedings may warrant individual notice of the filing of the Petition.

Harold David Sr., 1st Chief, Allakaket Traditional Council, PO Box 50, Allakaket, AK 99720

Altana Chief, Alatna Traditional Council, PO Box 70, Allakaket, AK 99720

Edwin Bifelt, Shareholder Relations and Land Manager, K’oyitl’ots’ina, Limited, 1603 College Rd., Fairbanks, AK 99709 edwin.bifelt@koyitlotsina.com

Kerry Boyd, Superintendent, Yukon-Koyukuk School District, 4762 Old Airport Way, Fairbanks, AK 99709 kboyd@yksd.com

Alaska Power Company, PO Box 3222, Port Townsend, WA 98568 <http://www.aptalaska.com/>

James S. "Steve" Titus P.E., Northern Regional Director, Aviation Programs,
State of Alaska Department of Transportation and Public Facilities, 2301 Peger
Road, Fairbanks, AK 99709 steve.titus@alaska.gov

EXHIBIT C-1 and C-2.
PROJECTED CITY REVENUE AND EXPENDITURES

	FY11	FY12	FY13	FY14	FY15
	Budget	Budget	Budget	Proposed Budget	Proposed Budget
	Ord. 11-01	Ord. 12-01	Ord. 12-02	After annexation	After annexation
Expenditures					
PERSONAL SERVICES					
Salaries	\$ 35,000.00	\$ 60,000.00	\$ 60,000.00	\$ 60,000.00	\$ 75,000.00
Payroll Taxes	\$ 3,500.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 7,500.00
Meeting fees		\$ 3,800.00	\$ 3,800.00	\$ 1,200.00	\$ 3,800.00
Other-casual labor	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
SUBTOTAL	\$ 39,000.00	\$ 79,300.00	\$ 79,300.00	\$ 76,700.00	\$ 86,800.00
TRAVEL					
Airfare	\$ 900.00	\$ 1,500.00	\$ 1,500.00	\$ 0.00	\$ 1,500.00
Per Diem	\$ 300.00	\$ 1,500.00	\$ 1,500.00	\$ 0.00	\$ 1,500.00
Training fees	\$ 200.00	\$ 1,000.00	\$ 1,000.00	\$ 0.00	\$ 1,000.00
Other	\$ -	\$ -	\$ -	\$ -	\$ -
SUBTOTAL	\$ 1,400.00	\$ 4,000.00	\$ 4,000.00	\$ 0.00	\$ 4,000.00
FACILITY					
Telephone/ fax	\$ 1,500.00	\$ 3,500.00	\$ 3,500.00	\$ 1,800.00	\$ 3,500.00
Electricity	\$ 26,400.00	\$ 26,400.00	\$ 26,400.00	\$ 21,500.00	\$ 27,000.00
Fuel Oil					\$ 15,000.00
Maintenance	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 4,000.00
Internet GCI	\$ 800.00	\$ 800.00	\$ 800.00	\$ 960.00	\$ 800.00
SUBTOTAL	\$ 29,700.00	\$ 34,700.00	\$ 34,700.00	\$ 50,300.00	\$ 50,300.00
SUPPLIES					
Office & Clerical	\$ 1,500.00	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 4,000.00
Postage	\$ 60.00	\$ 440.00	\$ 440.00	\$ 200.00	\$ 500.00
Freight	\$ 300.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00
Fuel Oil for resale	\$ 245,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 310,000.00
SUBTOTAL	\$ 246,860.00	\$ 308,640.00	\$ 308,640.00	\$ 305,400.00	\$ 318,700.00
Other Operating Expenses					
Dues, fees, leases	\$ 1,500.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Misc	\$ 500.00	\$ 1,500.00	\$ 1,500.00	\$ 35,000.00	\$ 1,500.00
SUBTOTAL	\$ 2,000.00	\$ 6,500.00	\$ 6,500.00	\$ 40,000.00	\$ 6,500.00
TOTAL Expenditures	\$ 318,960.00	\$ 433,140.00	\$ 433,140.00	\$ 447,360.00	\$ 466,300.00

Revenue					
Clinic lease	\$ 23,919.48	\$ 23,919.48	\$ 23,919.48	\$ 23,919.48	\$ 23,919.48
Post office lease	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00
Counsel center lease	\$ -	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
Residential leases	\$ -	\$ 2,400.00	\$ 2,400.00	\$ 2,400.00	\$ 2,400.00
fuel sales	\$ 285,000.00	\$ 360,000.00	\$ 360,000.00	\$ 360,000.00	\$ 370,000.00
Comm. Rev Sharing	\$ 101,069.00	\$ 101,183.00	\$ 101,183.00	\$ 101,183.00	\$ 104,179.00
PILT	\$ 15,000.00	\$ 42,601.00	\$ 42,606.00	\$ 42,606.00	\$ 0.00
SUBTOTAL	\$ 433,988.48	\$ 542,103.48	\$ 542,108.48	\$ 542,108.48	\$ 552,688.48
Rev over/under Exp	\$ 115,028.48	\$ 108,963.48	\$ 108,968.48	\$ 94,748.48	\$ 46,198.48

Revenue Sharing and PILT estimates based on data from DCRA.
PILT is anticipated to go away in FY15

**EXHIBIT C-3.
PROJECTED CITY CAPITAL EXPENDITURES.**

There are none

**EXHIBIT D.
EXISTING LONG TERM MUNICIPAL DEBT.**

The following lists any existing long term municipal debt in the City.

The City does not have any long term debt.

**EXHIBIT E.
MUNICIPAL POWERS AND FUNCTIONS.**

A. Municipal Powers and Functions of the Existing City

As a second class City, Alaska Statutes Title 29 does not require the City to exercise certain powers and functions. The City does exercise health and safety powers necessary to the community that promote maximum, local-self government. The health and safety laws govern the solid waste (dump), the washateria including the wastewater lagoon, and flood damage prevention. The City owns and operates a retail fuel store.

Allakaket is in the unorganized borough, the Alaska State Legislature is technically the borough assembly. Public education is provided by the State of Alaska. A Village Public Safety Officer is located in the community (paid for by the Tanana Chiefs Conference) the Alaska State Troops are on site as needed.

B. Municipal Powers and Functions of the Post-petition City

There will not be any changes to the level of services. The area proposed for annexation will have the same services provided, as they are already being provided. The area proposed for detachment will not see a change to the level of services since no one lives in that area. The washateria/water and sewer, fuel store, and solid waste (city dump) are available to every person.

C. Municipal Powers and Functions of Any Existing Municipality, Service Area, or Alternative Service Providers, Within the Territories Proposed for Detachment and Annexation

Pre-Detachment

The area that is considered for pre-detachment is currently part of the city so the same health and safety powers which includes solid waste and water/sewer services.

Post-Detachment

The area that is considered after detachment will not be part of the city limits and no powers will extend to that area. No services will be in the post-detachment area. The detached area does not have anyone living there. Potential service providers could be the Alakna Native Village,

private business, or the State of Alaska. The community of Alatna does not have any homes in the area proposed for detachment; Alatna homes are close to the current city limit but are actually outside.

Pre-Annexation

The city has health and safety powers which include solid waste and water/sewer.

Post-Annexation

No change, the city has health and safety powers (solid waste, and water and sewer, for example).

**EXHIBIT F.
TRANSITION PLAN.**

This exhibit presents the transition plan as required under 3 AAC 110.900.

The City may work with the Department of Commerce, Community, and Economic Development, Local Government Specialist staff to prepare and submit a preclearance request to the federal Department of Justice. This was required to comply with the Voting Rights Act but due to a Supreme Court decision this no longer applies but the petitioner is ready to address this if the situation changes. Thirty days after the annexation is certified residents in the area proposed for annexation will be eligible voters. The City has been working with the State of Alaska, Local Government Specialist staff continually during the detachment and annexation process. To ensure that 3 AAC 110.970(c)(1-3) are addressed please consider firstly, that, yes, services are reasonably necessary to the community. The city is already providing the services to the community and no new services or service areas are being considered. Secondly, the services do promote maximum, local self government because the city wants to extend corporate limits so that more community members, who used to live in the city before the flood but relocated to higher ground, can be eligible council members. Thirdly, services cannot be provided more effectively and more efficiently by the creation or modification of some other political subdivision of the state. The city is already providing services to the area proposed for annexation and it would be silly and irresponsible to try and duplicate services providers.

- a) Demonstrating the capability of the City to extend essential municipal services (as determined under 3 AAC 110.970) into the territory proposed

for annexation in the shortest practical time after the effective date of annexation.

The City is already providing essential services into the area for annexation and no changes to services are proposed. The City has the capacity to continue to provide services to the area.

- b)** Demonstrating the transition or termination of municipal services in the shortest practical time after detachment.

There are no services to the area for detachment; there are no persons who live in the area.

- c)** To assume all relevant and appropriate powers, duties, rights, and functions presently exercised by an existing borough, city, unorganized borough service area, or other appropriate entity located in the boundaries proposed for detachment, and for annexation. The plan must be prepared in consultation with the officials of each such existing municipality or entity. It must be designed to affect an orderly, efficient, and economical transfer within the shortest practical time, not to exceed two years after the effective date of the proposed change. If this requirement is not pertinent because there is no existing borough, city, unorganized borough service area, or other appropriate entity located in the boundaries proposed annexation, just say so.

This requirement is not pertinent.

- d)** To transfer and integrate all relevant and appropriate assets and liabilities of an existing borough, city, unorganized borough service area, and other entity located within the boundaries proposed for detachment, and also for annexation. The plan must be prepared in consultation with the officials of each existing municipality or entity. It must be designed to affect an orderly, efficient, and economical transfer within the shortest practical time, not to exceed two years after the proposed change takes effect. The plan must specifically address procedures ensuring that the transfer and integration occur without loss of value in assets, loss of credit reputation, or a reduced bond rating for liabilities. This would affect all assets and liabilities going to or from the City. If there are no assets or liabilities, just say so.

This is not pertinent, there are no assets or liabilities.

- e)** Stating the names and titles of all officials of each existing city and unorganized borough service area that the Petitioner consulted. The dates on which that consultation occurred and the subject addressed during that consultation must also be listed.

The City of Allakaket is the petitioner, there are no other neighboring cities or unorganized borough service area providers to consult with.

f) Consulting with the Local Emergency Planning District Committee.

There is no Local Emergency Planning District Committee to consult with. The City was informed from the State Emergency Response Commission website that the local, Yukon-Koyukuk Emergency Planning Committee is inactive.

g) Contacting the Local Emergency Planning Commission Association, State Emergency Response Commission if and when the petition has been approved.

The City will contact the State Emergency Response Commission at www.ready.alaska.gov/serc or 907-428-7000 if or when this petition is approved.

h) If a prospective Petitioner has been unable to consult with officials of an existing city or unorganized borough service area because those officials have chosen not to consult or were unavailable during reasonable times to consult with a prospective Petitioner, the prospective Petitioner may request that the commission waive the requirement to consult those officials. The waiver request must document all attempts by the Petitioner to consult with officials of each existing city and unorganized borough service area. If the commission determines that the Petitioner acted in good faith and that further efforts to consult with the officials would not be productive in a reasonable period of time, the LBC may waive the requirement to consult.

EXHIBIT G.
COMPOSITION AND APPORTIONMENT OF THE CITY COUNCIL.

This exhibit presents information about the number and apportionment of the existing council of the City from which detachment and annexation is proposed, both before and after the proposed change.

Allakaket is a second class City. The City council is comprised of seven members elected at-large for three-year terms, the mayor is selected amongst the seven council members.

The detachment and annexation will not cause a change to the composition and apportionment of the City Council.

EXHIBIT H.
CIVIL AND POLITICAL RIGHTS INFORMATION

Information regarding any effects of the proposed detachment and concurrent annexation upon civil and political rights for purposes of the federal Voting Rights Act of 1965 is provided in this exhibit. The information includes the following:

- A. Purpose and effect of detachment and annexation as it pertains to voting.
No one lives in the area proposed of detachment; there will not be any changes as detachment pertains to voting. After the annexation more individuals will be eligible voters and qualify as candidates for elected office because the area proposed for annexation has approximately 48 persons over the age of 18.

- B. Extent to which the proposed detachment and annexation excludes minorities while including other similarly situated persons.
No one lives in the area proposed of detachment; there will not be any changes as it pertains to voting. According to the 2010 census data, 98.51 percent of the persons living in the area proposed for annexation are American Indian and Alaska Native, there is one person who is classified as white. Annexation will allow the opportunity for every person to vote.

- C. Extent to which the proposed detachment and annexation affects the proportion of the existing minority population both in the City, and in the territories proposed for detachment and annexation.

No one lives in the area proposed of detachment; there will not be any changes as it pertains to voting. This will not change; the entire community of Allakaket is predominately Alaska Native. The annexation area is 98.51 percent Alaska Native and the current City limits is 95.24 percent Alaska Native.

- D. Whether the electoral system of the City fails to fairly reflect minority voting strength.

The proposed annexation will allow for fair elections.

- E. Participation by minorities in developing the detachment and annexation proposals.

The petitioner's representative, Charlotte Mayo, and alternate representative, Lucy Strassburg, are both Alaska Native.

- F. Designation of an Alaska Native as a U.S. Department of Justice contact regarding the proposed detachment and annexation.

The petitioner's representative, Charlotte Mayo, and alternate representative, Lucy Strassburg, are both Alaska Native.

- G. Statement concerning the understanding of English in written and spoken forms among minority residents of the City from which detachment is proposed, the territory proposed for detachment, and the territory proposed for annexation.

English is widely spoken, written, and understood in the City and the area proposed for annexation; no one lives in the area proposed for detachment.

**EXHIBIT I.
SUPPORTING BRIEF.**

This exhibit consists of a supporting brief that provides a detailed explanation of how the proposed detachment satisfies each constitutional, statutory, and regulatory standard that is relevant to the proposed detachment and annexation. The brief demonstrates with detailed facts and analysis including that:

- A. The territory proposed for annexation exhibits a reasonable need for City government.

After a devastating flood in 1994 homes and infrastructure were built on higher ground, which is located outside of the current City limits. Essential City services, such as the City office, water treatment facility and Laundromat, wastewater lagoon, clinic, airport, and privately owned power plant were rebuilt in the area proposed for annexation.

- B. Services determined to be essential City services under 3 AAC 110.970 can be provided more efficiently and more effectively by the City (Petitioner) than by another existing City or by an organized borough on an areawide basis or non-areawide basis, or through an existing borough service area.

There City of Allakaket is in the best position to provide services, the City is already providing the services outside of City limits. There are no viable alternative service providers, the City is located in the unorganized borough and there are not immediate neighboring cities

- C. The territory proposed for annexation is compatible in character with the annexing City.

The individuals who reside in the area proposed for annexation are connected deeply with the annexing City, many of the residents outside of City limit used to live in City limits before the flood, as new homes were constructed on higher elevation displaced residents began to occupy the newly developed area which happened to be out of the City limits. The school, post office, and store are in City limits, from a community perspective the area proposed for annexation is already considered part of Allakaket.

- D. The economy within the proposed expanded boundaries of the City include the human and financial resources necessary to provide services

determined to be essential municipal services under 3 AAC 110.970 on an efficient, cost-effective level.

The human and financial resources are already providing services, the services have been provided for the last 19 years, since the flood of 1994, this is prima facie evidence that services can continue to be provided. The annexing City budget is provided in Exhibits C-1 and C-2, the City has sufficient revenue. The human resources are stable, even after the flood. Census data shows that the population in the City of Allakaket has been stable or growing, there was an obvious drop in population between the 1990 and 2000 census due to the 1994 flood, but that was because individuals moved to higher elevation and out of the City limits and census area. A new census area was created, called New Allakaket, which is the area proposed for annexation; the population of New Allakaket is growing.

- E. The population within the proposed expanded boundaries of the City is sufficiently large and stable to support the extension of City government.

This statement has already been addressed above.

- F. The proposed expanded boundaries of the City include all land and water necessary to provide the development of services determined to be essential municipal services under 3 AAC 110.970 on an efficient, cost-effective level.

The proposed annexed area includes not only the currently developed land but also the City selected property designated for future growth. The residential tract, solid waste site, and grave site are encompassed in the proposed annexed area. Two employees with the State of Alaska, Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs were consulted for advice and assistance when determining the proposed boundary changes.

- G. The territory proposed for annexation is contiguous to the existing boundaries of the City and would not create enclaves in the expanded City.

The proposal uses the Koyukuk River as the northern boundary and follows township and range section lines which create an easy to understand City limit.

- H. The proposed expanded boundaries of the City are on a scale suitable for City government and include only that territory comprising an existing local community, plus reasonably predictable growth, development, and public

safety needs during the 10 years following the effective date of annexation.

The section of land selected for future residential growth, which is in the area proposed for annexation, is anticipated to meet the needs for growth. The proposed annexation will satisfy the needs of the community for many years.

- I. The proposed expanded boundaries of the City do not include entire geographical regions or large unpopulated areas, except where justified by the application of the standards in 3 AAC 110.090 - 3 AAC 110.135.

The proposed boundaries are within reasonable limits for a City government and population for the community of Allakaket. A person may argue that sections 19 and 30 are unnecessary for annexation. They were selected because the City has a small grave site which a portion of extends into section 30 and with the advice of Division of Community and Regional Affairs employees the legal description would be easiest to create and publically understood if those sections were included.

- J. Annexation to the City is in the best interests of the state under AS 29.06.040(a) and 3 AAC 110.135.

The City believes that the proposed annexation and detachment is in the best interest of the state. The proposal promotes maximum local self-government by including the whole community population into the service area, it will allow for a great voter and candidate pool, and it will extend local government to a population of the unorganized borough.

- K. Detachment from the City meets applicable standards under Alaska's constitution, and under 3 AAC 110.257 – 3 AAC 110.260 and 3 AAC 110.900 – 3 AAC 110.979, and is in the best interests of the state.

The City believes that detachment is in the best interest of the state because it allows the Alatna Native Village the ability to determine the best use of resources in the area immediate to the settlement. While the City does not currently exercise land use regulations, detachment will return that section of land back to the state should the City exercise land use regulations in the future. Detachment also releases unpopulated areas of land, which are unlikely for future growth or need from City limits as item I, above, requires.

- L. Absent a specific and persuasive showing to the contrary, the commission will presume that territory proposed for detachment that would create

noncontiguous parts of the City or enclaves within the City does not meet the detachment standards as required under 3 AAC 110.260(c).

Detachment will establish City limits which are entirely on one side of the Koyukuk River, where the community of Allakaket currently resides. It will be an entire contiguous section. See Exhibits A for legal descriptions and maps.

- M. Per 3 AAC 110.260(d), absent a specific and persuasive showing to the contrary, the commission will presume that territory proposed for detachment from a City in the unorganized borough is a diminution of maximum local self-government and does not meet the detachment standards.

The proposed detachment is not a diminution of maximum local self-government, it is the epitome of local self-government because the detachment is releasing land which is completely unoccupied and unnecessary for future growth. The detachment is of land that is in the flood plain. It is in the best interest of the state to approve the detachment which will reduce the likelihood of future development; development is encouraged on land of higher elevation. The state will not likely be placed in a position to declare an emergency when another flood occurs.

- N. In accordance with 3 AAC 110.910, the proposed detachment and concurrent annexation will not deny any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin.

Since the area proposed for detachment is unoccupied no person will be affected.

- O. The Petitioner has prepared a proper 3 AAC 110.900 transition plan.

Yes, we have prepared a proper transition plan, please see Exhibit F which starts on page 19.

- P. The petition meets the standards of the maximum local self-government clause and the minimum of local government units clause of article X of the Constitution of the State of Alaska, and of 3 AAC 110.981(7)(10) and 3 AAC 110.982(7)(9).

The petition will allow the current City to extend its boundary and continue to provide services; it will allow the residents in the annexing area to be qualified voters and candidates for elected office. It prevents

the need of a new City government to form, which would be a maximum of local government unites.

During the technical review, Local Boundary Commission Staff stated that the petitioners need to flesh out 3 AAC 110.981(7)(10) and 110.982(7)(9).

3 AAC 110.981(7): For city annexation in the unorganized borough, whether the proposal would extend local government to territory and population of the unorganized borough where no local government exists. The answer to this questions, which is in the form of a statement, is yes.

3 AAC 110.981(10): For city detachment in the unorganized borough, whether the

(A) proposal would

(i) diminish the provision of local government to the territory and population being detached?

The answer here is no.

OR

(ii) detrimentally affect the capacity of the remnant city to provide local government services?

The answer is no, the proposed remnant city is void of persons.

AND

(B) Can local government needs of the detached territory and population can be adequately met by another existing local government?

The answer to this question is again, no.

3 AAC 110.982(7): For city annexation, whether the jurisdictional boundaries of an existing city are being enlarged rather than promoting the incorporation of a new city, or creation of a new borough service area.

The city limits are being enlarged.

3 AAC 110.982(9): For city detachment, whether the detached area, by itself, is likely to be incorporated as a new city.

This is extremely unlikely to happen.

EXHIBIT J.

DOCUMENTATION DEMONSTRATING THAT THE PETITIONER IS
AUTHORIZED TO FILE THE PETITION UNDER 3 AAC 110.410.

The second class City of Allakaket is a political division of the state, and is so authorized to initiate a local boundary change petition under 3 AAC 110.410(a)(4).

RESOLUTION NO. 13-01 AUTHORIZING A PROPOSAL FOR
DETACHMENT FROM AND ANNEXATION TO THE CITY OF ALLAKAKET.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
ALLAKAKET, as follows:

Section 1. Authorization. That the mayor is authorized to file a petition for annexation and detachment by local action with the Local Boundary Commission. The petition shall propose the detachment of the territory generally described as the City land north of the river, and propose the annexation of the territory generally described as the land developed and selected for future development south of City limits.

Section 2. Petitioner's Representative. That Charlotte Mayo is designated as the City's representative, and Lucy Strassburg as the alternate representative, for all matters relating to the detachment and annexation proceedings.

Section 3. Effective Date. That this resolution shall become effective immediately.

Adopted by the Council of the City of Allakaket this 25th day of
June, 2013.

Marion M. Reber
Mayor

ATTEST:
Hensire R Williams 6-25-13

EXHIBIT K
AFFIDAVIT OF PETITIONER'S REPRESENTATIVE CONCERNING
ACCURACY OF INFORMATION.

STATE OF ALASKA)
) ss.
4th JUDICIAL DISTRICT)

I, Charlotte Mayo, representative of the Petitioner seeking detachment and concurrent annexation, being sworn, state that the following:

To the best of my knowledge, information, and belief, formed after reasonable inquiry, the information in the Petition is true and accurate.

Charlotte S. Mayo
Petitioner's Representative

SUBSCRIBED AND SWORN TO before me on
June 21, 2013.

[notary seal]

Wendie C. Mead

Notary Public in and for Alaska

My Commission expires: N/A



**EXHIBIT L.
RESOLUTIONS FROM ALATNA TRIBAL COUNCIL SUPPORTING
ALLAKAKET CITY LIMITS TO EXCLUDE ALATNA.**

Alatna Tribal Council
P.O. Box 70
Allakaket, Ak 99720

(Ph) 907-968-2261
(Fx) 907-968-2233
(email) alatnatribe@yahoo.com

RESOLUTION 2013-11
(Replace Resolution 98-13)

WAIVER OF ANCSA 14©3 RECONVEYANCE RIGHTS

WHEREAS, the Alatna Tribal Council is the governing body for the native village of Alatna, and;

WHEREAS, Koyitlotsina, Limited, as successor in interest to Alatna Endeavors, inc and Aala Kaa Kka, inc for the native villages of Alatna and Allakaket respectively, (hereinafter called the "Corporation"), whose address is 1603 College Road, Fairbanks, Alaska 99709, and;

WHEREAS, in response to the Koyukuk River Flood of 1994, the Corporation quitclaim deeded over 1175.1 acres to the Alatna Tribal Council all surface estate interest as described in Attachment A, and;

WHEREAS, this land transfer was carried out as a corporate donation and separate from any 14©3 land claims which the Municipality of Allakaket had or may have in the future, and;

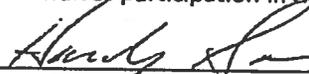
WHEREAS, the Municipality of Allakaket intends to change their city boundaries to include only certain lands and which exclude the Native Village of Alatna, and;

WHEREAS, the Alatna Tribal Council also desires to be removed from these municipal boundaries in the future, and;

WHEREAS, Allakaket's 14©3 agreement with the Corporation is in the final stages of completion, and;

WHEREAS, Allakaket was not gifted over land from the Corporation in response to the flood disaster, and;

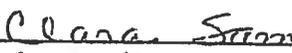
NOW THEREFORE BE IT RESOLVED, the Alatna Tribal Council hereby waives all past, present, and future rights to select lands within the Municipality of Allakaket's 14©3 corporate reconveyance land claims and waives participation in the 14©3 negotiations.



Harding Sam, First Chief

5-15-13

Date



Clara Sam, Secretary/Treasurer

Alatna Tribal Council
P O Box 70
Allakaket, AK 99720

RESOLUTION NO. 98- 13

WAIVER OF ANCSA 14©(3) RECONVEYANCE RIGHTS

WHEREAS, the Alatna Tribal Council is the governing body for the native village of Alatna, and

WHEREAS, K'oyitl'ots'ina, Limited, as successor in interest to ALATNA ENDEAVORS, INC. and AALA KAA KK'A, INC. for the Native Villages of Alatna and Allakaket respectively, (hereinafter: CORPORATION), whose address is 1603 College Road, Fairbanks, Alaska 99709; and

WHEREAS, the CORPORATION has certain obligations to reconvey lands to the Municipality of Allakaket, a second-class Alaskan City, which, at present time, contains the Native Village of Alatna, pursuant to Section 14©(3) of the Alaska Native Claims Settlement Act (ANCSA), as amended; and

WHEREAS, in response to the disastrous Koyukuk River Flood of 1994, the CORPORATION quitclaim deeded over 1175.1 acres to the Alatna Tribal Council all surface estate interest as described in Attachment A; and

WHEREAS, this land transfer was carried out as a corporate donation and separate from any 14©(3) land claims which the Municipality of Allakaket had or may have in the future; and

WHEREAS, the Municipality of Allakaket intends to change their city boundaries to include only certain lands and which exclude the Native Village of Alatna; and

WHEREAS, the Alatna Tribal Council also desires to be removed from these municipal boundaries in the future; and

WHEREAS, Allakaket's 14©(3) agreement with the CORPORATION is in the final stages of completion; and

WHEREAS, Allakaket was not gifted over land from the CORPORATION in response to the flood disaster; and

THEREFORE BE IT RESOLVED, the Alatna Tribal Council hereby waives all past, present and future rights to select lands within the Municipality of Allakaket's 14©(3) corporate reconveyance land claims and waives participation in the 14©(3) negotiations.

Larry Edwards
Larry Edwards, Chief

9-8-95
Date

Clara Sam
Clara Sam, Secretary