

**NORTHWEST ARCTIC BOROUGH ASSEMBLY  
RESOLUTION 22-64**

**A RESOLUTION OF THE NORTHWEST ARCTIC  
BOROUGH ASSEMBLY APPROVING AN AMENDMENT  
AND PARTIAL RELINQUISHMENT TO THE KIVALINA  
SCHOOL LEASE WITH NANA REGIONAL CORPORATION,  
AND FOR RELATED PURPOSES.**

**WHEREAS:** the Northwest Arctic Borough has been working with the Northwest Arctic Borough School District (School District) and NANA Regional Corporation (“NANA”) to plan, fund, and construct a new school for Kivalina; and

**WHEREAS:** the Borough executed a ground lease agreement with NANA and the School District for the new Kivalina school, pursuant to NAB Assembly Resolution 20-19, as recorded in the Kotzebue Recording District under document number 2020-00031-09 (the “ground lease”); and

**WHEREAS:** the Borough received a request from OTZ Telephone Cooperative, Inc. (“OTZ”) and NANA to amend the ground lease to address additional work needed for power and telecommunication services at the new school site, as well as for future community expansion; and

**WHEREAS:** in accordance with section 6 of the ground lease, NANA, as the lessor, has authorized and recommends the current lease be amended to allow OTZ to sublease a portion of the leased premises to accommodate a telecommunications site operated by OTZ; and

**WHEREAS:** the Borough seeks to amend the ground lease to allow a partial relinquishment of land through a partial sublease to OTZ for the necessary power and telecommunications work needed for the new school and for future community expansion; and

**WHEREAS:** pursuant to NABC Section 2.48.040(A), the lease has been approved as to form by the Borough Attorney; and

**WHEREAS:** approving this ground lease amendment, partial relinquishment, and sublease to OTZ is in the best interest of the Borough.

**NOW THEREFORE BE IT RESOLVED:** the Northwest Arctic Borough Assembly approves the execution of an amendment and partial relinquishment of the ground lease agreement with NANA Regional Corporation in order to allow a

partial sublease with OTZ for necessary power and telecommunications work in substantially the same form as accompanies this resolution.

**PASSED AND ADOPTED THIS 25th DAY OF OCTOBER, 2022.**



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**Nathan Hadley, Jr., Assembly President**

**PASSED AND APPROVED THIS 25th DAY OF OCTOBER, 2022.**



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**Dickie Moto, Sr., Mayor**

**SIGNED AND ATTESTED TO THIS 25th DAY OF OCTOBER, 2022.**



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**Helena Hildreth, Borough Clerk**

**ATTEST:**

