

**CITY OF HOMER  
HOMER, ALASKA**

City Manager/  
Port Director

**RESOLUTION 25-027**

A RESOLUTION OF THE CITY COUNCIL OF HOMER ALASKA,  
APPROVING A LEASE ASSIGNMENT FROM BERTH II INC. TO HAPPY  
FACE LLC FOR THE PROPERTY ENTITLED T 7S R 13W SEC 1  
SEWARD MERIDIAN HM 0890034 HOMER SPIT AMENDED LOT 32,  
HOMER RECORDING DISTRICT, STATE OF ALASKA AND  
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE  
THE APPROPRIATE DOCUMENTS.

WHEREAS, Resolution 24-068 approved a lease assignment from Y & C, LLC to Berth II  
Inc.; and

WHEREAS, Berth II, in order to separate components of their real estate holdings into  
discrete entities, sold the buildings on the property to Happy Face, LLC, which is largely  
comprised of the same members as Berth II, Inc.; and

WHEREAS, Section 6.02 of the Lease requires that any buildings, fixtures, and  
improvement will remain the property of the Lessee; and

WHEREAS, At the direction of City staff, Happy Face, LLC, applied for an assignment for  
the duration of the term of the Lease from Berth II, Inc.; and

WHEREAS, The City finds the Tenants to otherwise be in compliance with the Lease and  
considers their planned use of the facility to be appropriate for the property's Marine  
Commercial zoning.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby  
approves the lease assignment from Berth II, Inc. to Happy Face, LLC of the Ground Lease and  
Security Agreement for the property entitled T 7S R 13W SEC 1 Seward Meridian HM 0890034  
Homer Spit Amended Lot 32, Homer Recording District, State of Alaska and authorizes the City  
Manager to negotiate and execute the appropriate documents.

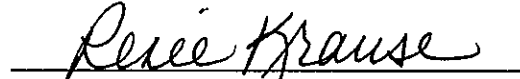
PASSED AND ADOPTED by the Homer City Council this 14th day of April, 2025.

CITY OF HOMER



RACHEL LORD, MAYOR

ATTEST:



RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note: Resolution 24-068.

