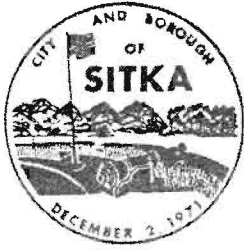


## **POSSIBLE MOTION**

**I MOVE TO approve Ordinance 2011-19 on  
second and final reading.**



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## Memorandum

TO: Jim Dinley, Municipal Administrator  
Mayor Westover and Members of the Assembly

FROM: Wells Williams, Planning Director

SUBJECT: Ordinance 2011 – 19 Peter Corey Land Sale

DATE: May 18, 2011

The ordinance authorizing the sale of the small parcel to Peter Corey is on the May 24<sup>th</sup> Assembly agenda for Second Reading.

The ordinance was prepared by the Legal Department consistent with the direction of the Assembly.

The Planning Office has not received any public comment on the proposal since the Assembly last considered the issue.

### **Recommended Action:**

Approve the ordinance.

---

Providing for today...preparing for tomorrow

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2011-19

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA  
SELLING A PORTION OF MUNICIPAL PROPERTY AT LOT 1, BLOCK 15  
LOCATED ON OJA STREET

1. **CLASSIFICATION.** This ordinance is of a permanent nature but is not intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** The purpose of this ordinance is to sell 2,586 square feet of municipal property to the adjacent lot owner, Peter Corey, based on the owner's request to buy the property for \$15,000. This property is a remnant right of way and its vacation and sale will not affect adjacent municipal properties or infrastructure.

Additionally, because of the nature of the property, meaning the limited square footage and its location, competitive bidding is found to be inappropriate. This ordinance also accepts the adjacent land owner's offer of \$15,000 for the property, although it is slightly below the municipal assessor's value of \$15,516. Based on the nature of the property, its size and location, the Assembly determines this sale price appropriate for the property.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka ("CBS") that the Assembly makes the following findings and decision:

- A. Selling a portion of Lot 1, Block 15, U.S.S. 1474, consisting of 2,586 square feet, is authorized and approved. The property shall be sold to the owner of the adjacent property at Lot 11, Block 15, U.S.S. 1474, as requested by that property owner, Peter Corey;
- B. The land is surplus to municipal needs and the right of way is not required;
- C. Competitive bidding is inappropriate due to the nature of the property and based on its size and location;
- D. The offered purchase price of \$15,000 as made by Peter Corey is reasonable due to the limited purpose of the property, its location and size, although it is \$516 lower than the Municipal Assessor's value; and

E. The Municipal Administrator is authorized to execute a Quit Claim Deed to be effective upon payment of purchase price, to be recorded by Peter Corey at his own costs.

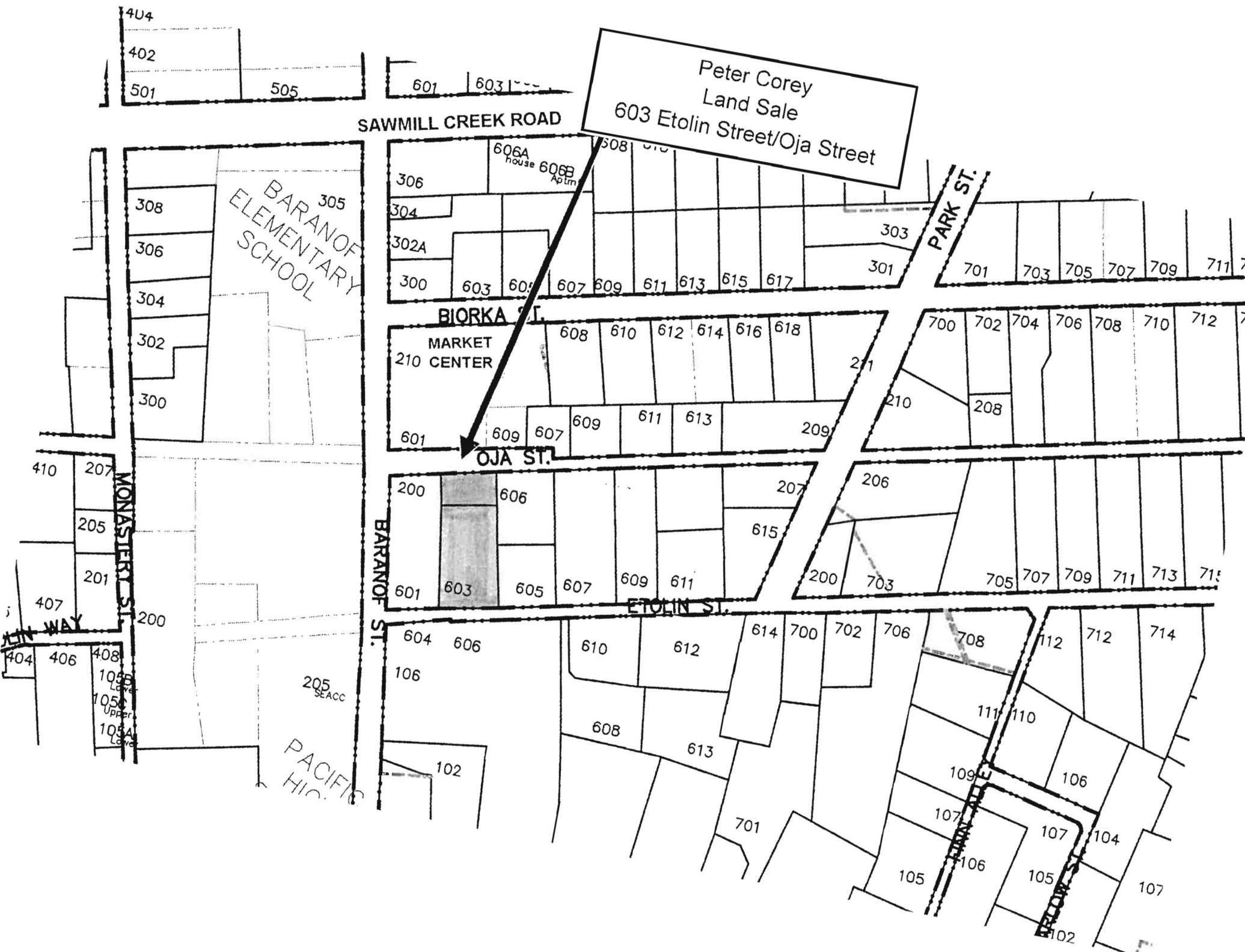
5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Cheryl Westover, Mayor

**ATTEST:**

\_\_\_\_\_  
Colleen Ingman, MMC  
Municipal Clerk



Peter Corey  
Land Sale  
603 Etolin Street/Oja Street

SAWMILL CREEK ROAD

BARANOF  
ELEMENTARY  
SCHOOL

BIORKA ST.

MARKET  
CENTER

OJA ST.

ETOLIN ST.

PARK ST.

MONASTERY ST.

MAIN WAY

SEACC

PACIFIC  
HIGH

BARANOF ST.

ETOLIN ST.

BARANOF  
SCHOOL

PLAYGROUND

BARANOF STREET

MARKET  
CENTER

Corey  
House

Peter Corey  
Land Sale  
603 Etolin Street/Oja Street

Etolin

Oja

Park

Etolin

Park

Etolin School  
TN 1



4621.2613  
5154.0601

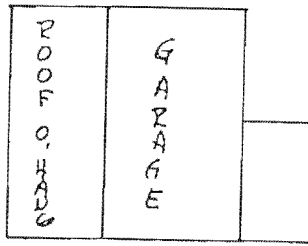
Existing Fence

Purchase Request

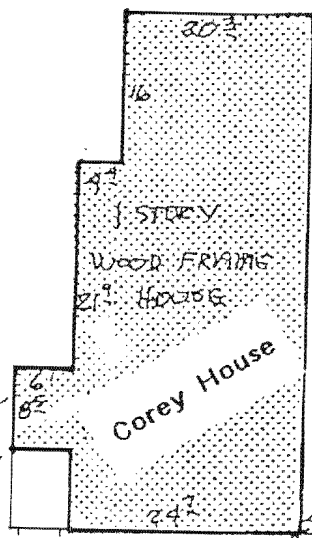
4673.3307 N  
5160.3658 E  
576°13'W 60.03

ETOLIN ST.

PTN 1  
N 76°13'E 65.32



LOT 11



PTN 1

123.41

LOT 10

511°34'E

I hereby certify that I have inspected the following described property LOT 11  
BLOCK 15, USS 1474 Sitka Recording District, Alaska, and that  
the improvements situated thereon are within the property lines and do not en-  
croach on the adjacent property and that no improvements on adjacent property  
encroach on the subject property and that there are no roadways, transmission  
lines or other visible easements on subject property except as noted hereon.  
It is the owner's responsibility to determine the existence of any easements,  
covenants or restrictions which do not appear on the recorded subdivision plat.  
Under no circumstances should any data shown hereon be used for construction  
or for establishment of boundary or fence lines. Dated this 5th day of MAY  
1992 Noel F. Stragier SURVEYOR

AS-BUILT PLOT PLAN

LOT 11, BLOCK 15  
USS 1474

SITKA TOWNSITE



STRAGIER  
ENGINEERING SERVICES  
502 DEGRASS ST  
SITKA, ALASKA 99835  
907-247-5832

AS-BUILT PLOT PLAN

Scale 1"=20'  
Job No. 1676  
Date 5.5.92  
Field book 91-13-14

PREPARED FOR

Corey Land Request

TOW

SITKA, ALASKA 99835







## Memorandum

TO: Wells Williams, Planning Director

FROM: Randy Hughes, Assessing Director

SUBJECT: Valuation of a 2,586 square foot parcel of land located between 603 Etolin Street and Oja Street which is a portion of U.S. Survey 1474.

DATE: December 03, 2010

The lot in question is too small to be developed and is currently encumbered by a revocable parking and access easement granted to the owner of 603 Etolin Street. I view this parcel as excess land benefiting any of the three adjoining parcels.

A comprehensive valuation of this lot performed in 2001 by Sitka Assessor Rick Anderson recommended a minimum bid of \$4.00 per square foot. The adjoining parcels have had an assessment increase of 66 percent since that study was done. If we trend the 2001 recommendation to the current assessed values the minimum bid would be \$6.64 per square foot or \$17,171 ( $2586 \times \$4.00 \times 1.66 = \$17,171$ ).

Current assessed land values of the adjoining parcels indicate a per square foot value of \$10.00. Excess land normally sells at a discounted rate. Based on typical sales of this nature, I would recommend minimum bid value of \$6.00 per square foot or \$15,516 ( $2586 \times \$6.00 = \$15,516$ ).

**PEARSON & HANSON LLC**  
**ATTORNEYS AT LAW**

*Denton J. Pearson*

*Brian E. Hanson*

November 20, 2010

Wells Williams  
Planning Director  
City & Borough of Sitka  
100 Lincoln St.  
Sitka, AK 99835

Re: Property purchase (parcel between 603 Etolin Street and Oja Street), Our File #04-81-01

Dear Wells:

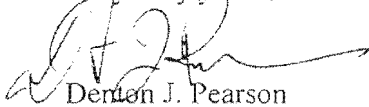
I represent Peter Corey, owner of a residence at 603 Etolin Street. Mr. Corey wishes to purchase from the City & Borough of Sitka the parcel adjacent to 603 Etolin Street which is located between the Corey residence and Oja Street. I have highlighted the parcel in question on the enclosed townsite plat photocopy. It is our belief that such parcel encompasses approximately 2,600 sq. ft.

Mr. Corey would like to purchase such property without having to participate in a competitive bidding process. As a result, he is prepared to pay as much as \$15,000.00 for the privilege of adding such parcel to his own property (the parcel in question is too small to develop as a stand-alone lot). We believe his \$15,000.00 offer would be well beyond the amount at which a competitive bidding process would start.

My belief is that Assembly approval would be required for such a purchase. I am uncertain whether such a purchase proposal would have to go before the Planning and Zoning Commission prior to having it appear on the Assembly agenda. If you would clarify, we would appreciate it. Please respond at your earliest convenience.

Thanks for your consideration. If I can provide you with any additional needed information pertaining to this matter, please let me know.

Very truly yours,



Denton J. Pearson

/djp

enclosure

cc: Peter Corey

COD\WWL1.wpd.c:\coreyp

## REVOCABLE PARKING AND ACCESS EASEMENT

Grantor, **CITY AND BOROUGH OF SITKA**, of 100 Lincoln Street, Sitka, Alaska 99835  
for and in consideration of the sum of Ten Dollars and other valuable consideration, hereby grants  
to Grantee, **PETER L. COREY**, of 603 Etolin Street, Sitka, Alaska 99835 and all future owners of  
a parcel known as Lot 11, Block 15, U.S.S. 1474 a revocable easement for purposes of parking and  
access upon the parcel of property described below:

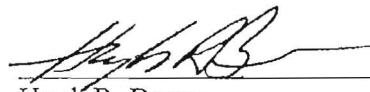
**A portion of Lot 1, Block 15, U.S.S. 1474, Tract A more particularly described  
as follows:**

Beginning at the Northeast corner of another Ptn of Lot 1, Block 15, U.S.S. 1474  
Tract A on which sits the former Etolin St. School; thence N 76°12' E, 67.50 ft. along  
the Southerly right-of-way of Oja St. to a point that is the Northwest corner and is the  
point of beginning of this described parcel; thence N 76°12' E, 66.97 ft. along the  
Southerly right-of-way of Oja St. to a point that is the Northeast corner of this  
described parcel; thence S 11°34' E, 39.08 ft. to a point that is the Southeast corner  
of this described parcel; thence S 76°08' W, 65.32 ft. to a point that is the Southwest  
corner of this described parcel; thence N 14°01' W, 39.13 ft. to the point of  
beginning. The above-described parcel contains 2,586 square feet.

### **SUBJECT TO THE FOLLOWING RESTRICTIONS:**

1. A restriction that the property described above shall only be used by the  
Grantee, or his guests, or Grantee's successors in interest to allow  
parking and to allow access to landlocked garage on Lot 11, Block 15,  
U.S.S. 1474 owned by Grantee.
2. This easement is revocable by Grantor upon Grantor giving notice of  
such revocation in a writing provided to Grantee or Grantee's successors  
in interest no less than one year before the effective date of such  
revocation.

DATED this 26<sup>th</sup> day of June, 2003 at Sitka, Alaska.

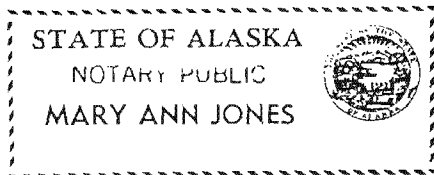


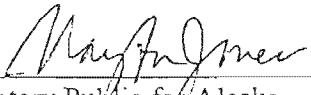
Hugh R. Bevan  
Administrator

STATE OF ALASKA                    )  
                                              )ss.  
FIRST JUDICIAL DISTRICT        )

THIS CERTIFIES that on this 26<sup>th</sup> day of June, 2003 before me, a Notary Public in and for the State of Alaska, personally appeared **Hugh R. Bevan** to me known and known to me to be the person whose name is subscribed to the foregoing deed, and after being first duly sworn according to law, he stated to me under oath that he is the **Administrator** of the City and Borough of Sitka, Alaska, a corporation organized under the laws of the State of Alaska, that he has been authorized by said corporation to execute the foregoing easement on its behalf and he executed the same freely and voluntarily as the free act and deed of said corporation.

WITNESS my hand and official seal the day and year in this certificate first above written.



  
\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: 10/14/2006

Pete/Linda Jones  
4118 Halibut Point Road  
Sitka, AK 99835

Sitka School District  
Steve Bradshaw  
300 Kostrometinoff Street  
Sitka, AK 99835

William/Florencia Paden  
610 Etolin Street  
Sitka, AK 99835

Richard Curran  
PO Box 1336  
Sitka, AK 99835

Corp of the Catholic Bishop  
PO Box 495  
Sitka, AK 99835

RJ McClintock/Dixie  
102 Baranof Street  
Sitka, AK 99835

Hames Corporation  
1867 Halibut Point Road  
Sitka, AK 99835

Duane Kauffman  
607 Oja Street  
Sitka, AK 99835

Robert Edenso Jr.  
608 Biorka Street  
Sitka, AK 99835

Isabelle Brady  
PO Box 904  
Sitka, AK 99835

Patrick Glaab/Todd, Chris  
609 Oja Street  
Sitka, AK 99835

Charles/Melody Hazel  
609 Etolin Street  
Sitka, AK 99835

Forrest Dodson/Holzman  
607 Etolin Street  
Sitka, AK 99835

Judith Brown  
607 Oja Street  
Sitka, AK 99835

Kayli Green  
PO Box 865  
Sitka, AK 99835

Hackett Family Trust, Mark  
500 Lincoln Street B4  
Sitka, AK 99835

Peter Corey  
603 Etolin Street  
Sitka, AK 99835