

POSSIBLE MOTION

I move to authorize the land sale process be initiated by competitive bid for an approximately 2600SF parcel on Oja Street.

OR

I move to retain the 2600 SF parcel of municipal property for the foreseeable future.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Memorandum

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

FROM: Wells Williams, Planning Director

SUBJECT: Pre Application Advice/Conceptual Review-Peter Corey Land Purchase Request

DATE: April 19, 2011

Peter Corey is requesting the ability to purchase a small municipally owned lot behind his house at 603 Etolin Street. The parcel is immediately adjacent the former Etolin Street School and is behind Market Center. The roughly 2600 square foot parcel actually fronts Oja Street. The issue was on the February 22nd Assembly for conceptual review.

The parcel provides access to Mr. Corey's garage. It appears to be a land holding that may have been used when Etolin Street School was in operation. Over the years, the small lot has been used for a variety of purposes including overflow parking and access to the back of Mr. Corey's residential lot. A revocable Parking and Access Easement was most recently granted to Mr. Corey in 2003.

Mr. Corey, through his attorney, offered to purchase the lot for \$15,000. The current Municipal Assessor has valued it at \$15,516.

The Public Works and Electrical Departments have reviewed the potential sale and indicated that there would not be any adverse impact on municipal utilities.

School Superintendent Steve Bradshaw reviewed the purchase request in January and stated in an email "I don't believe that we have ever used this lot for parking. Possibly, when the Etolin Street School was open it was used. I dislike giving up parking anywhere close to a school, but don't think this area will create a problem for us. I can support whatever you determine to be in the best interest of the community."

The Planning Commission reviewed the request and did not have any concerns about the parcel being sold. There was a consensus of the board that, if it was put up of sale, it should be sold through the competitive bid process since there may be other potential buyers.

In reviewing this request, the Planning Office utilized a land sales process that has been in effect for over 15 years. The current Assembly Pre Application Advice/Conceptual Review action item is part way through that procedure.

Providing for today...preparing for tomorrow

The current Assembly Pre Application Advice step gives the Assembly an opportunity to comment on the proposed sale before it proceeds any further. The Planning Office is notifying property owners in the immediate area prior to the April 26th Assembly meeting.

Historically, the municipality has had a practice of selling municipal land, right of ways, or tidelands only when there is an affirmative decision that the property will not be needed or used by the municipality in the future. This decision is the first threshold.

If the municipality does decide to sell a parcel, the property is sold through a competitive bid process unless there is a finding by the Assembly that competitive bidding is inappropriate.

SGC 18.12.010 E states “Sale or lease of municipal real property, including tidelands shall be by competitive bid, unless the assembly finds that competitive bidding is inappropriate, due to the size, shape, or location of the parcel, rendering it of true usefulness to only one party, or is waived by subsection C of this section. The assembly may also find that competitive bidding is inappropriate due to the nature of the property or the circumstances surrounding its disposal to include possible unjust results with regard to the existing lessee, or adjacent or neighboring property owners.”

In this case, the issue whether or not to sell property is an open question. There can be differing views on this matter and Assembly guidance is appropriate on this point.

The Planning Commission has provided guidance that, if it is sold, it be sold through the competitive bid process. Their position represents the default option and the Planning Office also feels that there may be other buyers.

Recommended Actions:

Assembly members are encouraged to:

1. Go by the property as part of their evaluation process;
2. Hear from the applicant and any nearby property owners on April 26th;
3. Decide whether or not to make the property available for sale, and;
4. If the property is made available for sale, indicate that the sale go through the competitive bid process.

In the event the Assembly decides to put the property up for sale and put it up for sale through competitive bid, an ordinance will be brought forward authorizing the sale and competitive bid process for the parcel.

404

402

501

505

601

603

SAWMILL CREEK ROAD

Peter Corey
Land Sale
603 Etolin Street/Oja Street

BARANOF
ELEMENTARY
SCHOOL

308

306

304

302

300

306

304

302A

300

606A house

606B Aptm

508

303

301

701

703

705

707

709

711

713

BIORKA ST.

MARKET
210 CENTER

608

610

612

614

616

618

211

601

OJA ST.

200

603

605

607

609

611

615

207

206

200

703

705

707

709

711

713

715

BARANOF ST.

ETOLIN ST.

604

606

106

610

612

614

700

702

706

708

712

714

608

613

701

111

110

109

106

107

104

107

105

106

105

102

MONASTERY ST.

410

207

205

201

407

200

404

406

408

103B

105A

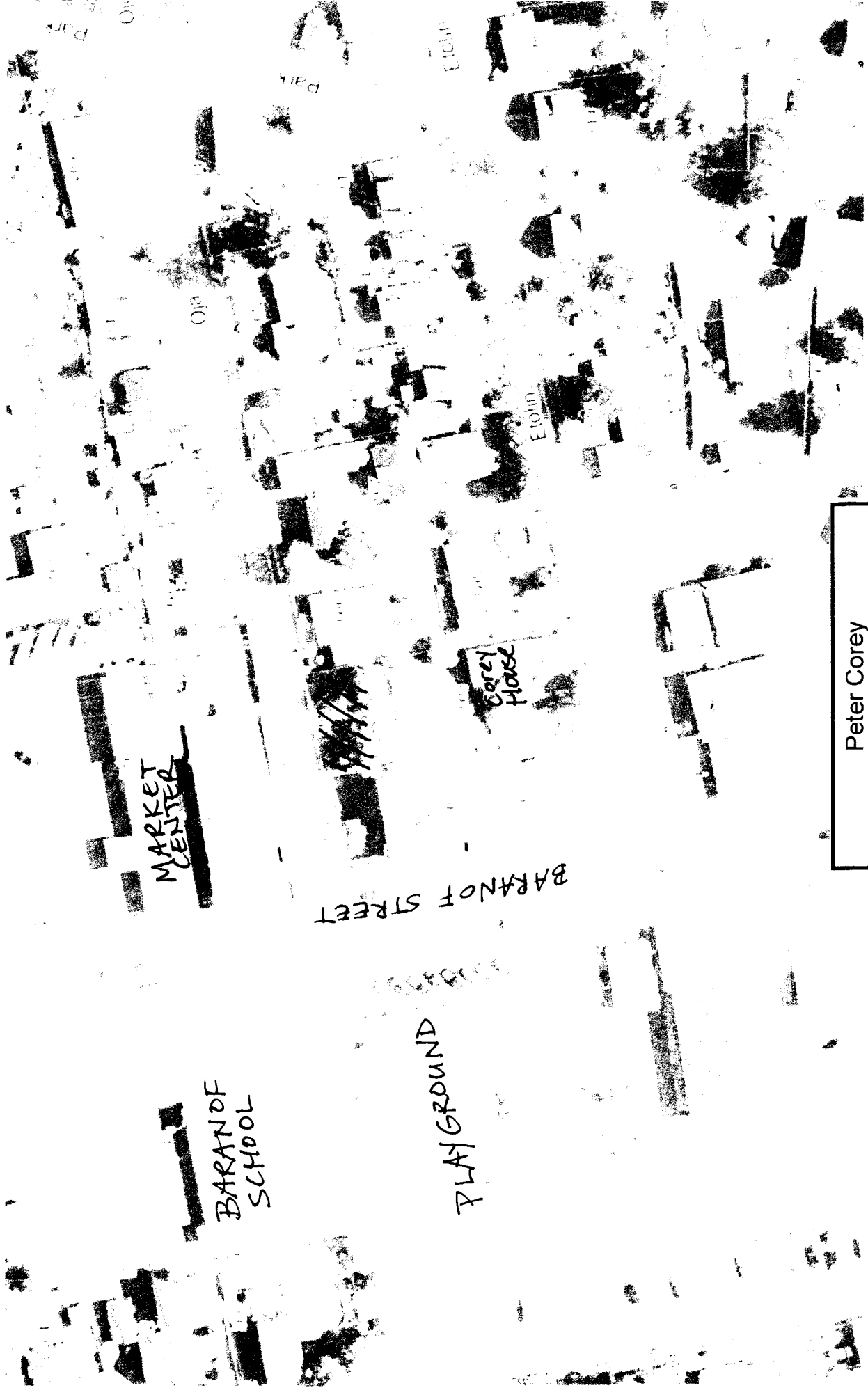
Upper

105A

Lower

205 SEACC

PACIFIC
HIG.



Peter Corey
Land Sale
603 Etolin Street/Oja Street

Etolin School



Existing Fence

Purchase Request



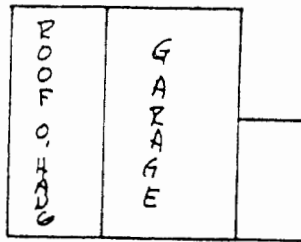
4621.2613
5154.0601

4673.3307 N
5160.3658 E

576°13'W 60.03

ETOLIN ST.

PTN 1
N76°13'E 65.32



LOT 11



123.41
511°34'E

PTN 1

LOT 10

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 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. David T. Stragier SURVEYOR

AS-BUILT PLOT PLAN

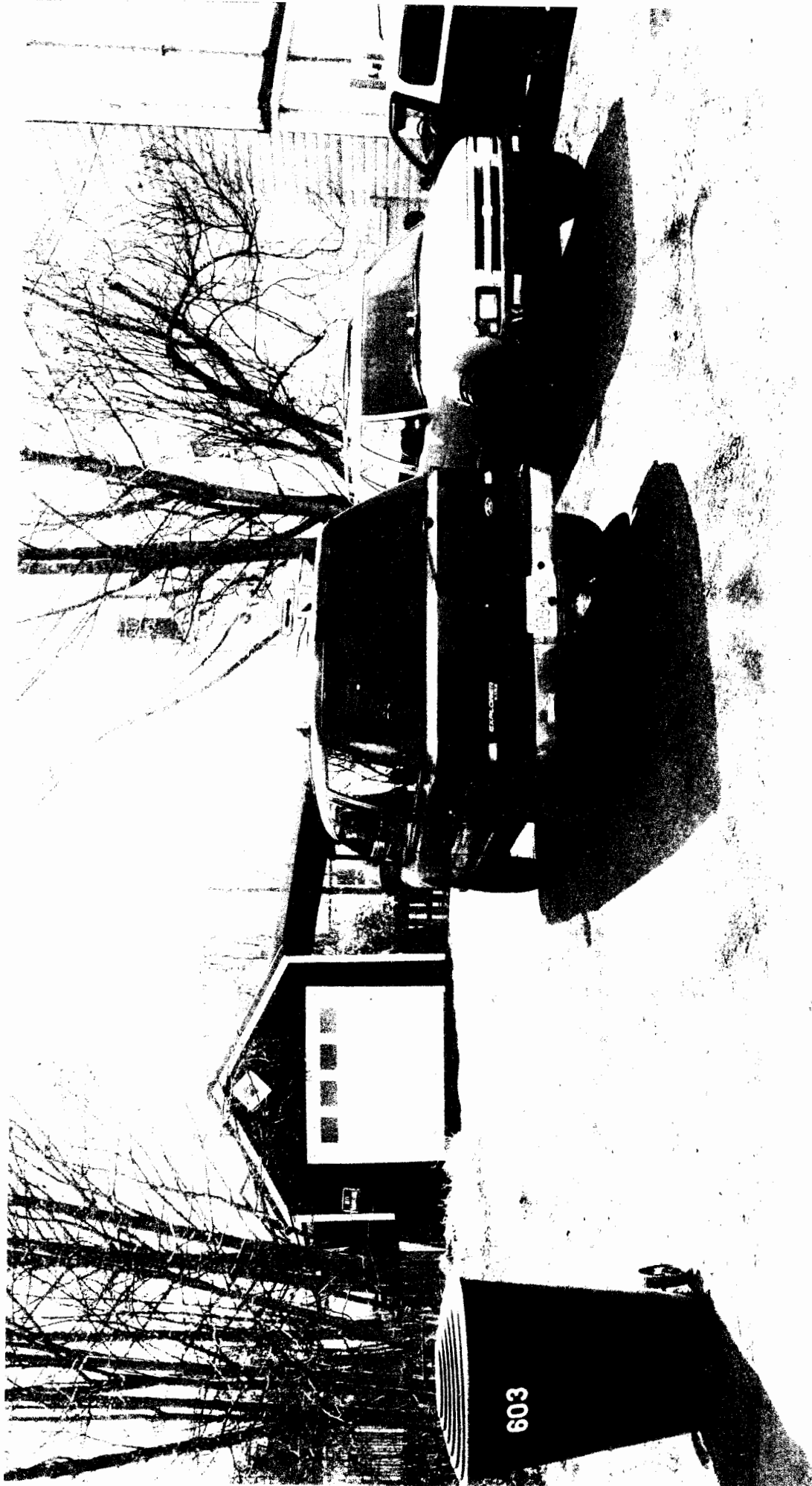
LOT 11, BLOCK 15
USS 1474
SITKA TOWNSITE

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

AS-BUILT PLOT PLAN

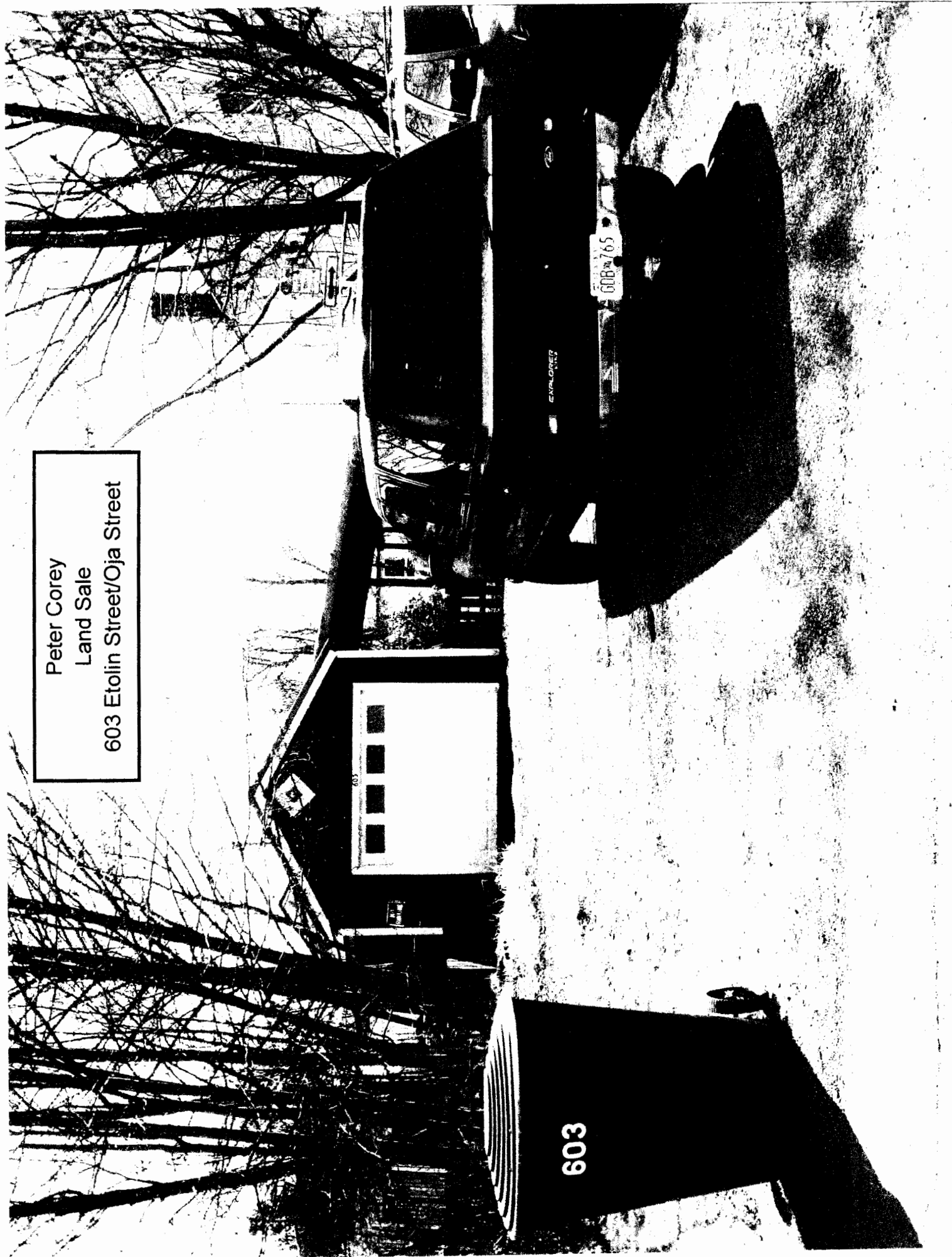
Scale 1"=20'
Job No. 1676
Date 5.5.92
Field Book 91-13-14

PREPARED FOR
Corey Land Request TON
SITKA, ALASKA 99835

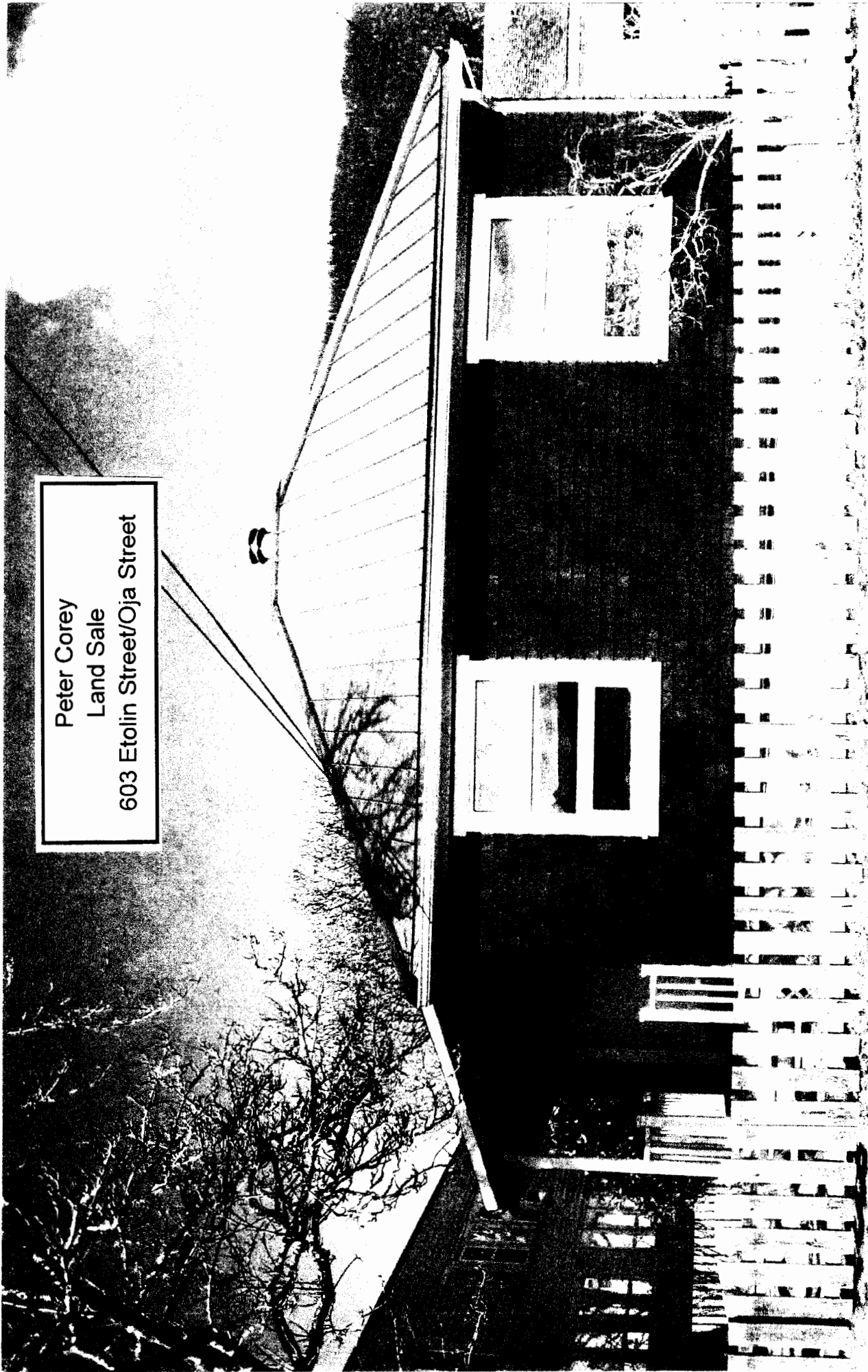


Peter Corey
Land Sale
603 Etolin Street/Oja Street

Peter Corey
Land Sale
603 Etolin Street/Oja Street



Peter Corey
Land Sale
603 Etolin Street/Oja Street



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:

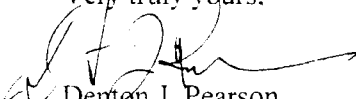
I represent Peter Corey, owner of a residence at 603 Etolin Street. Mr. Corey wishes to purchase from the City & Borough of Sitka the parcel adjacent to 603 Etolin Street which is located between the Corey residence and Oja Street. I have highlighted the parcel in question on the enclosed townsite plat 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\WWL\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:

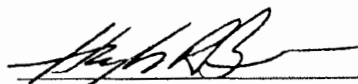
A portion of Lot 1, Block 15, U.S.S. 1474, Tract A more particularly described as follows:

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 26th day of June, 2003 at Sitka, Alaska.

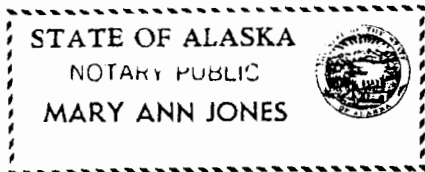


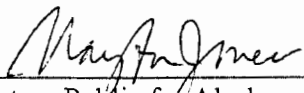
Hugh R. Bevan
Administrator

STATE OF ALASKA)
)ss.
FIRST JUDICIAL DISTRICT)

THIS CERTIFIES that on this 26th 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