



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Gary Paxton and Assembly Members

From: Hugh Bevan, Interim Municipal Administrator *HB*

Date: January 3, 2020

Subject: 4951 Halibut Point Road, Potential Land Sale Work Session

Background

At the December 23, 2019 regular Assembly meeting you requested a Work Session to discuss the possibility of selling a 17-acre parcel of municipal land located at 4951 Halibut Point Road.

Our Planning Director, Amy Ainslie, will present information about this section of land which is part of a large, 801-acre parcel that is the subject of the No Name/Granite Creek Master Plan. Ainslie will also discuss the overall process for municipal land sales.

The Assessor has computed the following estimated values for the property*:

- Current zoning Residential \$0.72 per SF which totals \$ 538,197
- Change to Waterfront zone \$2.60 per SF \$1,946,191
- Change to Industrial zone \$4.89 per SF \$3,660,336

When the land was conveyed to CBS by the State of Alaska in 1988, the patent made a provision for 100-foot pedestrian easement 50 feet shoreward and 50 feet seaward of the mean high-water line. Before CBS can develop or convey the land, the State must receive proof that the access easement has been platted. Further, Alaska Statute 40.15.010 states "Before the lots or tracts of any subdivision or dedication may be sold or offered for sale, the subdivision or dedication shall be approved by the authority having jurisdiction...and shall be filed and recorded in the office of the recorder." Therefore, surveying and subdivision must take place first if CBS wishes to either develop or sell the land.

An appraisal will establish a minimum bid price for the land, so an appraisal will also need to be completed prior to offering the land for sale. The zoning of the land will be a significant driving factor for the appraised value; if rezoning is desired, it will need to be done prior to completion of the appraisal.

*Estimated values listed are based on a tax assessment. An appraisal to determine market-value will need to be completed. Market-values can differ significantly from tax-assessed value.

Possible Decision Points for an RFP

1. Attempt a change in zoning before offering the property for sale?
2. Initiate surveying for the land prior to keep/sell decision?
3. Add agenda items for January 28: 1) a budget appropriation for surveying and appraisal and 2) directing staff to prepare a sales ordinance?
4. Hold off on the sale entirely and let the Master Plan process conclude before making a keep or sell decision?

4951 HPR
AERIAL VIEW



VICINITY MAP

State of Alaska



Patent

No. 9743

Know Ye By These Presents that the GRANTOR, the State of Alaska, pursuant to A.S. 29.65.010 thru .130 and the regulations promulgated thereunder, in consideration of the sum of TEN AND NO/100 DOLLARS lawful money of the United States, and other good and valuable consideration, now paid, the receipt whereof is hereby acknowledged, hereby grants and conveys to the GRANTEE, the CITY AND BOROUGH OF SITKA, whose mailing address of record is 304 Lake Street, Sitka, Alaska 99835, Grantee's successors and assigns, all that real property situated in the Sitka Recording District, State of Alaska, and described as follows:

U.S. SURVEY NO. 3670, ALASKA

LOT 1.

ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON JULY 27, 1960.

Excluding Tracts A and B of Alaska Division of Lands Survey, containing 2.7172 acres, more or less, according to the plat filed in the Sitka Recording District on January 1, 1965 as Serial No. 65-157.

CONTAINING 801.14 ACRES, MORE OR LESS.

Subject to:

Valid existing easements and reservations.

A 55 year lease to Michael Snowden for commercial-industrial use, to expire July 28, 2018, ADL 19466.

A water right to Alaska Lumber and Pulp Company for domestic and commercial use, ADL 43828, Certificate of Appropriation No. 570.

A water right to Starrigavan Development for domestic and commercial use, ADL 43680, Certificate of Appropriation No. 569.

A right-of-way for Harbor Mountain Road, 50 feet each side of the centerline, #7576, Bureau of Land Management right-of-way A-060918.

An easement is reserved to the State of Alaska for public highways under A.S. 19.10.010, 50 feet each side of the section line.

A right-of-way for the North Sitka Highway (Halibut Point Road), 100 feet each side of the centerline, Alaska Project Nos. F-099-3(4) and F-099-3(2).

A right-of-way easement for a federal aid highway: ADLs 21680, 21681 and 25877.

A right-of-way easement for a public highway: ADLs 21682, 21643 and 25733.

An easement for fish and wildlife habitat protection 50 feet upland of the ordinary high water mark of No Name Creek.

A perpetual public access easement 50 feet shoreward and 50 feet seaward of the mean high water line of Sitka Sound.

A perpetual public access easement 50 feet upland of the ordinary high water mark of No Name Creek.

A 50 foot wide perpetual public access easement to the aforementioned public access easements along Sitka Sound and No Name Creek; said public access easement shall be identified by the Grantee and shall be subject to the covenant that no development or conveyance shall occur on the land conveyed by this patent until the Grantee has platted such easements and formally notified the Grantor of the location of such public access easements.

Management authority over the last three public access easements reserved above is transferred to the Grantee, but no such easements may be vacated, abandoned or otherwise extinguished or rendered incapable of reasonable use by the public for the purposes for which it was reserved without the approval of the Grantor, and unless an alternative means for reasonable public access is provided.

Net chargeable acreage under A.S. 29.18.201(c) is 784.9 acres.

Save and Except. those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title;

And Further. the Grantor, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to

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Sitka Recording District

itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

To Have And To Hold the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantee and Grantee's successors and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Land and Water Management, Department of Natural Resources, State of Alaska, pursuant to delegated authority, this 8th day of July, 1988.

By: Carol L. Shobe
Carol L. Shobe
For Gary G. Gustafson, Director
Division of Land and Water Management

State of Alaska

THIRD Judicial District

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) ss.
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This Is To Certify that on the 8th day of July, 1988, appeared before me CAROL L. SHOBE, the person who has been lawfully delegated the authority of Gary G. Gustafson, the Director of the Division of Land and Water Management, Department of Natural Resources, State of Alaska, to execute the foregoing document; that she executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

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

88-1279

1600

RECORDED
INDEXED
FILED

JUL 21 1 24 PM '88

REQUESTED BY SCUB

ADDRESS Sitka

Charles H. B...
Notary Public in and for the State of Alaska

My Commission Expires: 8-28-1989



PATENT No. 9743
ADL Nos. 100421 and 101063
Location Index:
T. 55 S., R. 63 E., C.R.M.
Sections 2, 3, 9, 10, 15 and 16

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RETURN TO:
Municipal Clerk
City & Borough of Sitka
304 Lake Street
Sitka, AK. 99835