


SUBJECT: ASSEMBLY APPROVAL OF A LAND EXCHANGE BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND JOAN B. DASTOU TRUST B FOR PURPOSE OF ACQUISITION OF W. PAPOOSE TWINS ROAD RIGHT-OF-WAY AND LAND LYING NORTH OF AND ADJACENT TO THAT PORTION OF W. PAPOOSE TWINS ROAD LOCATED WITHIN DASTOU TRUST B LAND, AND AUTHORIZING THE BOROUGH MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO IMPLEMENT THE LAND EXCHANGE (MSB007875).

AGENDA OF: May 3, 2022

ASSEMBLY ACTION:

*Adopted with Assembly member
McKee opposed 5-17-22* 

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER:

MB

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>MB</i>	
	Community Development Director	<i>GP By USC</i>	
	Public Works Director		
	Finance Director	<i>OK</i>	
	Borough Attorney	<i>MS</i>	
	Borough Clerk	<i>mm 4/25/22</i>	<i>RSK</i>

ATTACHMENT (S): Fiscal Note: NO ☐ YES ☒
 Vicinity/Topography Maps: (3 pp)
 Public Comments (3 pp)
 Memorandum of Land Exchange Agreement (3 pp)
 Easement Drawings (4 pp)
 Ordinance Serial No. 22-053 (2 pp)

SUMMARY STATEMENT:

The proposed action involves a land exchange between the Matanuska-Susitna Borough (Borough) and private land owner, Joan B. Dastou Trust B (Dastou Trust B), Asbury "Butch" Moore IV, Trustee, for the purpose of acquiring public right-of-way for W. Papoose Twins Road lying within Dastou Trust B land.

The Borough land to be exchanged consists of one parcel containing 15.31 acres with Big Lake frontage on both the east and west sides. The easement area to be acquired through the exchange contains 15.37 acres and lies entirely within two Dastou Trust B parcels which is needed for road improvements lying within and adjacent to W. Papoose Twins Road right-of-way. To achieve fair market value exchange of the properties, Dastou Trust B will convey the needed easements plus pay additional compensation to the Borough in the amount of \$277,835.

ANALYSIS & DISCUSSION:

The Borough property, Government Lot 19 (GLO 19), was received from the State of Alaska in 1971. Leading up to this conveyance was a land exchange agreement initiated by the state wherein the Borough would give property in the Nancy Lake Recreation area near Red Shirt Lake to the state, and receive GLO 19 which the state had planned to include in a land sale of Burnt Point on Big Lake. The exchange was approved under MSB Resolution 69-45 and supported with the intent to retain the property for public recreation purpose; however, this premise was based on lack of access and recreation development on Big Lake in 1969. Recreational development and access has significantly progressed in the past 53 years with two state campgrounds, a Borough public boat launch, and Big Lake Marina - all with public parking and restrooms, along with access roads, and many private home sites and cabins around the lake.

Due to topographic constraints and no overland access, there would be extraordinary cost associated with development of GLO 19. The only improvements approved over the course of 53 years of ownership are two electric utility easements bisecting the property which were granted to MEA in 1981 and 1985 respectively to provide electricity to Burnt Point property owners.

An interagency property management agreement was signed in 1995 between the Borough Planning Department and Recreational Services Division to advance the purpose of public recreation on GLO 19. The 1995 internal agreement provides the Planning Department may dispose of any interest in the property by sale, lease, exchange or other means. Community Development now holds such management authority and may forward this current land exchange for Assembly consideration and approval.

Public use of W. Papoose Twins Road has been historically used for right-of-way purpose. Borough Department of Public Works provided W. Papoose Twins Road was constructed in two phases dating back to 1967 and 1986 and has been maintained by the Borough since 2000. The road follows the least path of resistance and hazards, and crosses through private property, often doing so outside of any dedicated right-of-way. Borough staff has thoroughly researched the existing right-of-way and found the portion running through the Dastou Trust B parcels does not appear to have been legally dedicated.

Acquiring the easements through the proposed land exchange would provide a dedicated public easement to include ingress, egress, roadways, rights-of-way, utilities, snow storage and maintenance, and drainage and slopes for cut and fills wholly within the easement area.

The land exchange is to be completed for fair market value based on the certified tax roll in accordance with MSB 23.10.060. The Borough Assessment Division provided relevant sale and comparable information to help determine market value of road frontage for calculation of the Dastou Trust B parcels' proposed easement area. The Borough parcel tax assessed valued is \$302,200 and the Dastou Trust B easement area is valued at \$24,365. MSB 23.05.030 requires a land exchange to be of equitable fair market value consideration; therefore, the negotiated exchange includes a cash payment of \$277,835 paid to the Borough by Dastou Trust B for the difference in value.

Several alternative options were reviewed by the Borough to include re-route and construction of a new road through the fifty foot wide section line easement within the north boundary of Dastou Trust B land and the thirty-three foot section line easement on the adjacent land to the north. A construction estimate was provided by the MSB Department of Public Works with a price tag of \$745,000; however, this estimate does not include full road design, acquisition costs for additional needed right-of-way, or other costs necessary for re-route and full construction of a new road. Another option is assertion of prescriptive rights over the physical road within Dastou Trust B land which has been in place and publicly used and maintained for many years. If prescriptive rights were asserted, eminent domain under condemnation proceedings through the Alaska court system would most likely be required for right-of-way needed outside of the physical road in order to bring the right-of-way up to Borough standards. The final option is simply to do nothing and let the current road remain unimproved and undedicated.

Based on cost, time, and needed improvements for safety and efficiency associated with the alternatives above, coupled with the exorbitant cost to taxpayers and inaccessibility to develop GLO 19 as a recreation site, the Borough's best interest is served by proceeding with the equitable land exchange agreed upon by the parties based on fair market value and terms of the exchange. Assembly approval is required for the exchange to be completed.

The affected parcels are legally described as:

Borough Parcel: US Government Lot 19, Section 25, Township 17 North, Range 4 West, Seward Meridian, Alaska, Palmer Recording District.

(TX ID 17N04W25A012), and

Dastou Trust B Parcels: US Government Lot 1 and Lot 2, Section 6, Township 16 North, Range 4 West, Seward Meridian, Alaska, Palmer Recording District.
(GLO 1, TX ID 16N04W06A007 & GLO 2, TX ID 16N04W06A006)

All three parcels are vacant land naturally vegetated with birch and spruce with wet lowland areas near the waterbodies respectively, and are located in the Big Lake area, Assembly District 5, Big Lake Community Council, and Big Lake Road Service Area 21. There is no fire service area. The parcels fall within the 2009 Big Lake Comprehensive Plan whose transportation goals include developing a safe and efficient road system, supporting regional development through improvements in Borough transportation infrastructure, and expanding existing road systems to provide access.

Thirty-day public notice was provided in accordance with MSB 23.05.025 to include posting on the Borough website March 31, 2022 under Public Notices which starts the public notice 30-day clock, posting at the Big Lake Library and post office, emails sent on April 4 to RSA 21 Board, Big Lake Chamber of Commerce, Big Lake Community Council, Assembly members, and Borough Administration and the Law Department, mail-outs postmarked April 4 to include 115 property owners within 600 feet of the three affected exchange parcels, and publication in the Frontiersman on April 8 and 20 with filler dates on April 13, 15, 22, 27 and 29, filler space dependent. Written public comments received from the public noticing have been provided to the Assembly, Borough Manager, Law and the Clerk with this legislative packet.

AUTHORITY:

MSB 23.05.030 OWNERSHIP AND METHOD OF DISPOSAL, (B)(4) states in part, the Borough may acquire real property in exchange for equivalent fair market value considerations; and (D) the manager may in accordance with this title and adopted procedures and with the consent of the Assembly if required may negotiate an exchange of real property with another entity where it is in the best interest of the Borough to do so, and the best interest of the Borough may include, but is not limited to, obtaining real property in a location better suited for a public facility than real property owned by the Borough; and (E)(2) Borough-owned real property or any interest in real property may be conveyed by exchange for other real property owned by a trust. (Of note, a public right-of-way crossing Borough land is a "public facility.")

MSB 23.10.020 ASSEMBLY APPROVAL OF DISPOSAL, (A) states any single disposal transaction with the fair market value in excess of \$25,000 shall be approved by the assembly.

MSB 23.10.060 CONSIDERATIONS, (B)(4)(a) with the approval of the manager, the fair market value of easements may be established by a percentage of the value assigned by the certified tax roll of the Borough.

Recommendation of Administration:

Assembly approval for the exchange of Borough-owned land identified as Government Lot 19, T17N, R4W, Sec. 25 containing 15.31 +/- acres for easements within Dastou Trust B land identified as Government Lots 1 and 2, T16N R4W, Sec 6 containing 15.37 +/- acres, plus cash fair market value differential of \$277,835 paid by Dastou Trust B to the Borough, and authorizing the manager to execute all necessary documents to implement the land exchange.

MATANUSKA-SUSITNA BOROUGH

FISCAL NOTE

Agenda Date: May 3, 2022

SUBJECT: Assembly approval of a land exchange between the Matanuska-Susitna Borough and Joan B. Dastou Trust B for purpose of acquisition of W. Papoose Twins Road right-of-way and land lying north of and adjacent to that portion of W. Papoose Twins Road located within Dastou Trust B land, and authorizing the Borough Manager to execute all necessary documents to implement the land exchange (MSB007875).

ORIGINATOR: Nancy Cameron, Land Management

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED <i>\$277,835</i>	FUNDING SOURCE <i>Land Mgmt. Revenue</i>
FROM ACCOUNT #	PROJECT
TO ACCOUNT: <i>208.00.00 3xx.000</i>	PROJECT #
VERIFIED BY: <i>Neil Nelson</i>	CERTIFIED BY:
DATE: <i>4-21-22</i>	DATE:

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE			<i>277.8</i>			
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FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other			<i>277.8</i>			
TOTAL			<i>277.8</i>			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY:

DEPARTMENT:

APPROVED BY:

Chapman Hirsch

PHONE:

DATE:

DATE:

4/21/2022

Dastou Trust B Parcels 1&2
Approx. Easement Area
(Not to Scale)

Crooked Lake

16N04W06A006

16N04W06A007

W Papoose-Twins Rd

MSB Parcel 3

Big Lake

17N04W25A012

Approximate
Project Location

VICINITY MAP

Houston

W Parks Hwy

Wasilla

Big Lake

Knik Arm

S Glenn Hwy

Point MacKenzie

Susitna River

Flat Horn Lake

Cow Lake

Willow Lake

Dasta Lake

East Papoose
Twins Lake

Bicycle
Seat Lake

Flat Lake

S Sleeping
Ladies Rd

W Robertson
Rd

Sara Lake

W Sara Lake Rd

S Call of the Wild Rd

S Belmont
Hill Cir

Never Lake

W Toko St

S Purinton Pky

S Kena
Bena Loop

S Seward
St

W Toko St

S Purinton Pky

S Seward
St

W Toko St

S Purinton Pky

S Seward
St

W Toko St

S Purinton Pky

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St

W Toko St

S Purinton Pky

S Seward
St

W Toko St

S Purinton Pky

S Seward
St

W Toko St

S Purinton Pky

MSB Parcel 3
ID: 17N04W25A012

Burston Island

Big Lake

Saddleback Island

S Big Lake Rd

W Arctic
Tem Ln

W Piper Cir

W Cessna Ln

W Marshall Dr

W S Headrick Cir

W Tomlin Cir

W Reckley Cir

W Ren Cir

W Marion Dr

W Calm Cove Cir

W S Headrick Cir

W Tomlin Cir

W Reckley Cir

W Ren Cir

W Marion Dr

W Calm Cove Cir

W S Headrick Cir

W Tomlin Cir

Dastou Trust B Parcels 1&2
ID: 16N04W06A006 & A007

OR 22-054
DM 22-096

DPW CPD393/MSB#007875

Land Exchange for Right-of-Way: Mat-Su Borough & Joan B Dastou Trust B
Dastou Trust B Parcels 1&2 16N04W06A006 & A007

MSB Parcel 3 17N04W25A012

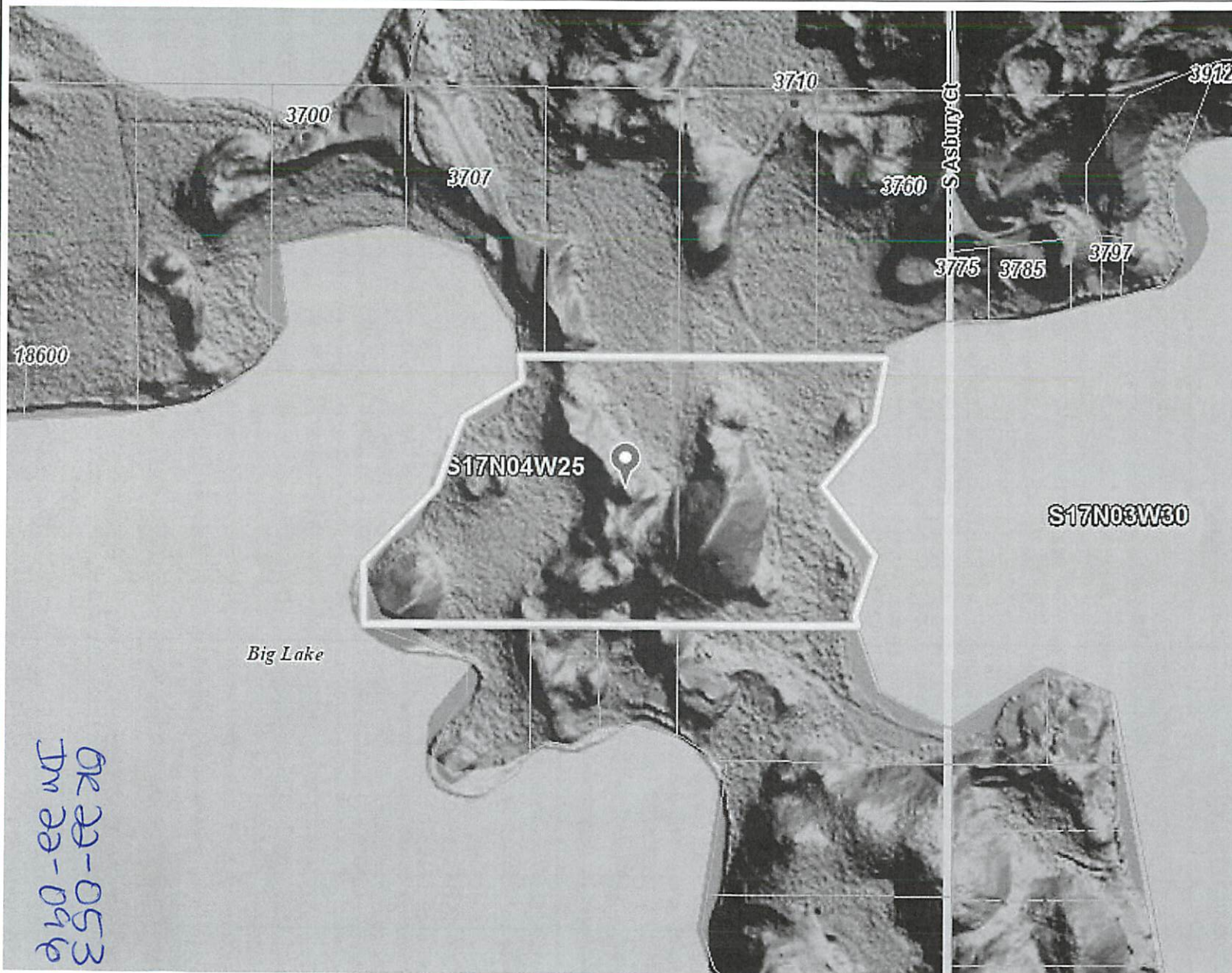
Tax Maps GB04 & LS16 MSB/LRMD March 2022



Feet
0 1,000 2,000



Matanuska-Susitna Borough



Legend

- Road Mileposts
- Roads
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - Ramp
 - Primitive Road
 - Private Road
 - Not Constructed
- + Alaska Railroad
- ▬ Mat-Su Borough Boundary
- Incorporated Cities
- Address Numbers
- Parcels
- Government Lot Lines
- ▬ Lakes and Rivers
- ▬ Streams
- ▬ 100 year Flood Zone
- Section Lines

1:9,028



0.3 0 0.14 0.28 Miles

THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS_1984_Web_Mercator_Auxiliary_Sphere
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Reported on 04/18/2022 10:58 AM

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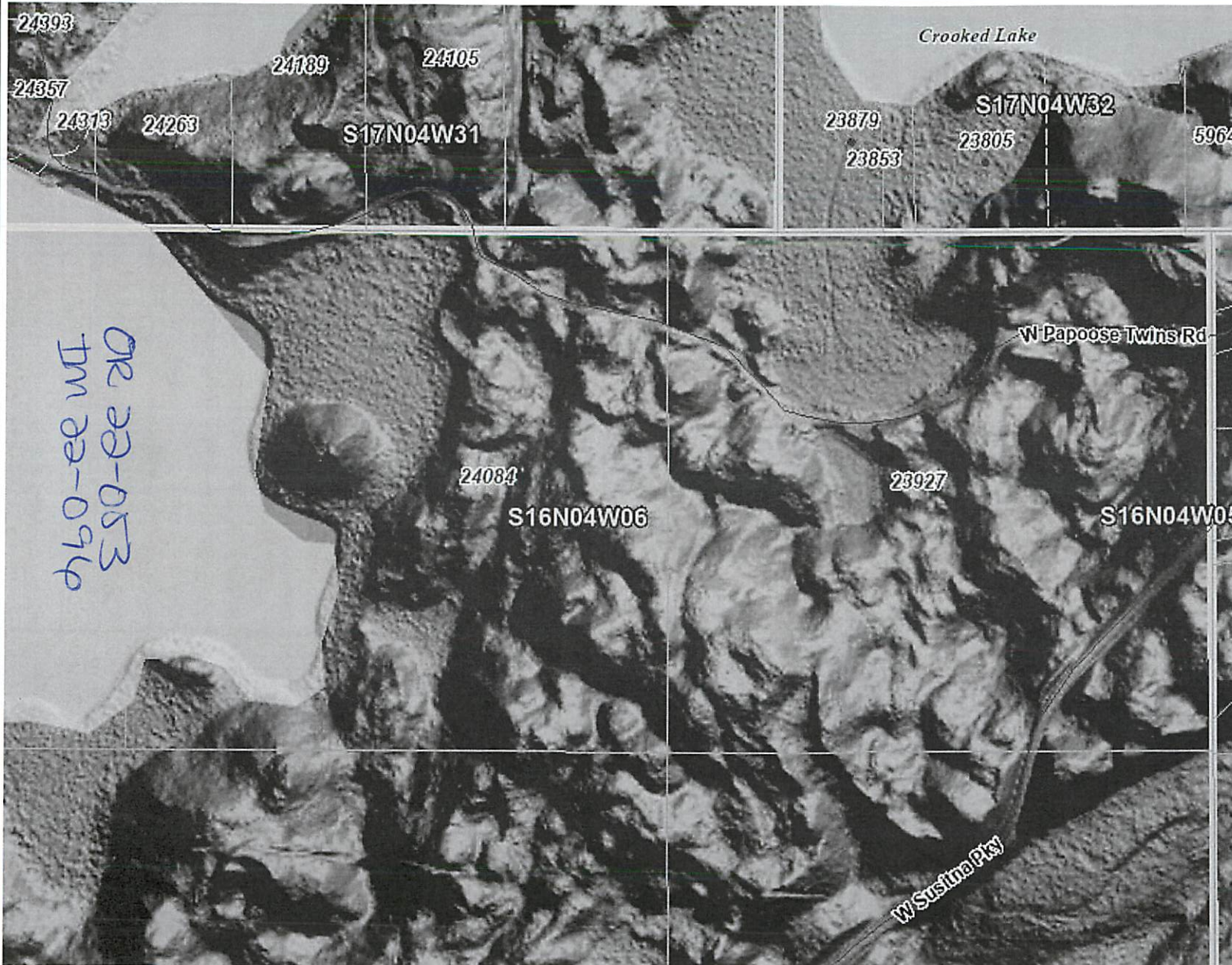
Notes

This map was automatically generated using Geocortex Essentials.

06-22-053
Jm 22-094



Matanuska-Susitna Borough



Legend

- Road Mileposts
- Roads
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - Ramp
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0.3 0 0.14 0.28 Miles

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MATANUSKA-SUSITNA BOROUGH
Community Development
Land Management Division
350 East Dahlia Avenue
Palmer, Alaska 99645

119
Pat Daniels - Big Lake RSA #21
PO Box 521655
Big Lake, AK 99652

MATANUSKA-SUSITNA BOROUGH
PUBLIC NOTICE

Type: Land Exchange (CPD#393/MSB007875)

Tax ID: 17N04W25A012,
16N04W06A006 & 16N04W06A007

The Matanuska-Susitna Borough proposes a land exchange of borough-owned land (17N04W25A02) containing a total of 15.31 acres for public easements within Joan B. Dastou Trust B land (16N04W06A006 & A007) containing 15.37 acres for purpose of right-of-way acquisition within the Dastou Trust B property. The right-of-way easement to be acquired through the land exchange will encompass that area within Dastou Trust B property south of W. Papoose Twins Road to the north boundary line of the Dastou Trust B property for purpose of ingress, egress, road right-of-way, utilities, snow storage and maintenance, and drainage and slopes for cut and fill. Legislation shall be forwarded to the Borough Assembly for approval of the land exchange and its terms.

Public comment is invited on this request. Information is available for during normal business hours at the Matanuska-Susitna Borough or under the Public Notice Section on the Borough's web page www.matsugov.us. If you have any comments or questions, please contact Sheila Armstrong at 907-861-8355 or Nancy Cameron at 907-861-7848 between 8:00-5:00 or by e-mail to: Sheila.armstrong@matsugov.us or nancy.cameron@matsugov.us. Please refer to MSB-Dastou Trust Land Exchange (CPD#393/MSB007875) when submitting comments or questions. All comments must be received no later than April 30, 2022.

Comments:

unanimously

*The Big Lake RSA 21, supports this exchange.
It will provide road right of way for
Twin Papoose, much needed.*

Signature: 

(If you need more space for comments please attach a separate sheet of paper.)
*This public notice & request for comments is in compliance with MSB Code 23.05.025

*OR 22-053
DM 22-096*

Nancy Cameron

From: Denise <drcinak@gmail.com>
Sent: Monday, April 18, 2022 10:35 AM
To: Nancy Cameron
Subject: MSB Dastou Trust Land Exchange (CPD#393/MSB007875)

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi, I have a few comments:

1. Why wasn't all of the Crooked Lake Property Owners give this public notice? Or surrounding area residents within a 5-10 mile radius?
2. Was EPA consulted?
3. How do you purpose keeping contaminants out of the water shed?
4. Who will monitor it? And how often?
5. Why can't the Burrough use any of the land on the Susitna parkway road that is only partially finished?

LASTLY

6. This is a BAD idea for the purpose of use as it butts up to a vital salmon and trout fishing habitat that drains into a creek that feeds into the little Susitna river.

BAD BAD idea I contest this land exchange!

Kind Regards,
Denise Cottrell

OK 22-053
IM 22-096

Nancy Cameron

From: Jim Mobile <jcmktg@gmail.com>
Sent: Saturday, April 16, 2022 9:52 AM
To: shelia.armstrong@matsugov.us
Cc: Nancy Cameron
Subject: MSB-Dastou Trust land exchange

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

I am strongly opposed to this proposal. CPD#393/MSB007875 Dastou Trust Land Exchange

The property is on Papoose road across from a small lake that feeds into Crooked Lake and has an outlet that drains to the little Su River the. To the big su.

Using this for a snow dump or drainage as proposed will pollute the lake. This is also next to property with a cabin on Crooked lake and I will be sure they also protest this. This is a community of cabins and homes.

There is a road that runs roughly parallel to Papoose. It has thousands of acres of unoccupied land and already has gravel pits on or adjacent to it. This was a road that was supposed to go to the river but just dead ends. This is where you should look for snow dumps and drainage.

I will advise EPA and any other environmental agencies of your plan. Also mailing this notification with only 2 weeks to respond is not enough notice.

I am asking for at least a 30 day extension on this to May 30 Thank you Jim Cottrell Crooked Lake and Papoose property owner

906 244-6638

Jcmktg@gmail.com

Sent from my iPhone

OR 22-053
Im 22-096



**MATANUSKA-SUSITNA BOROUGH
PUBLIC WORKS DEPARTMENT**

**MEMORANDUM OF
LAND EXCHANGE
AGREEMENT**

**PROJECT NAME: W. PAPOOSE TWINS ROAD
LAND EXCHANGE**

MSB/LMD FILE #: MSB007875

MSB/PWD FILE #: CPD 393

**PARCEL #: 1 & 2 – JOAN B. DASTOU TRUST B
TAX ACCT #S: 16N04W06A006 & 16N04W06A007**

**PARCEL #: 3 - MATANUSKA-SUSITNA BOROUGH
TAX ACCOUNT #: 17N04W25A012**

THIS EXCHANGE AGREEMENT has been reached this 25th day of March, 2022, between JOAN B. DASTOU TRUST B and the MATANUSKA-SUSITNA BOROUGH, herein called the parties, for the land exchange of parcels described as follows:

Parcels 1 and 2: Those portions of U.S. Government Lots 1 and 2, Section 6, Township 16 North, Range 4 West, Seward Meridian, located in the Palmer Recording District, Third Judicial District, State of Alaska, as set forth and depicted on Exhibits "A" attached hereto.

Parcel 3: U.S. Government Lot 19, Section 25, Township 17 North, Range 4 West, Seward Meridian, located in the Palmer Recording District, Third Judicial District, State of Alaska, in its entirety.

The amount to be paid, and other considerations to be given in full satisfaction of this Land Exchange Agreement, are as follows:

Exchange Value and Compensation:

Parcel 3: 15.31 acres +/- \$302,200

Parcels 1 and 2: 669,583 sq. ft. +/- / 15.37 acres +/- \$ 24,365

Cost Differential of Fair Market Value \$277,835

NOTE: Cost Differential To Be Paid By Joan B. Dastou Trust B to the Matanuska-Susitna Borough.

In consideration of the land exchange of Matanuska-Susitna Borough Parcel 3 for a portion of Joan B. Dastou Trust B Parcels 1 and 2:

Terms and Conditions:

1. Upon Borough Assembly approval, the Matanuska-Susitna Borough (Borough) and convey Parcel 3 in its entirety by Quitclaim Deed to Joan B. Dastou Trust B (Dastou Trust B) in exchange for easements within those portions of Dastou Trust B Parcels 1 and 2 as depicted on Exhibits "A" attached hereto. Closing shall occur within 60 days of Assembly approval unless otherwise agreed by both Parties.
2. The Dastou Trust B agrees to sign and grant, and the Borough agrees to accept, Public Use Easements over those portions of Parcels 1 and 2 of the land exchange as shown on the Exhibits "A", attached hereto. Those Public Use Easements shall be recorded by Stewart Title at time of closing and copies will be provided to Dastou Trust B. Rebar will be set after ground thaw occurs and coordinates will be provided.
3. The Dastou Trust B agrees to pay to the Borough as compensation the Cost Differential of Fair Market Value for Parcel 3 in the amount of \$277,835.00 at closing.
4. Closing and recording shall be carried out at Stewart Title Company by Raye Krueger in Wasilla, Alaska. The Borough shall convey Parcel 3 in as-is/where-is condition by Quitclaim deed, and Dastou Trust B Parcels 1 & 2 shall be conveyed by Public Use Easement.
5. Title shall be delivered free and clear of any and all Deeds of Trust, outstanding liens, and any other obligations relating to Parcels 1, 2, and 3 prior to the land exchange between the Borough and Dastou Trust B. In the event title is not clear on the Dastou Trust B parcels, Dastou Trust B will pay all title and policy fees for Parcels 1 and 2, and in the event Dastou Trust B cannot provide clear insurable title at the time of closing, this Land Exchange Agreement will become null and void.
6. The Borough shall pay for: preliminary title reports for all three parcels which will be delivered to both Parties no less than 10 days prior to closing, title insurance policies for all three parcels with exception to #5 above, closing costs, easement costs, investigative reports, 30-day public notice costs, and taxes due and/or payable pro-rated based on the MSB 2022 Certified Tax Roll to date of closing for the respective easement areas on Parcels 1 and 2, containing a total of 15.37 acres +/- (669,583 sq. ft. +/-). Payment of taxes and special assessments on Parcel 3 shall be the responsibility of Dastou Trust B starting January 1, 2023.
7. Dastou Trust B shall pay for: cost differential of fair market value as shown above, Taxes and Special Assessments due and/or payable pro-rated to date of closing, and any advisement professional or otherwise sought or received by Dastou Trust B regarding this transaction. In the event environmental hazards, if any, are found through investigation performed by the Borough on Parcels 1 and 2, the parties have the right to be released from this Agreement or extend this Agreement by amendment for a mutually agreed period.
8. Dastou Trust B shall donate all trees and resources within the easement areas and intends that the fair market value of such resources shall be a contribution to the Borough. The Borough will remove trees and vegetation from the easement area as needed for right-of-way purposes, and remove offsite any trees greater than 6-8 inches DBH (diameter breast height) to a location away from easement area and/or Dastou Trust B property. All three parcels will be conveyed and transferred on the recording date in substantially the same condition as of the date and execution of this Land Exchange Agreement.
9. The Borough shall not reserve any additional easements nor allow additional encumbrances beyond what is of record on Parcel 3 as of the date of this Land Exchange Agreement.

OR 22-053
DM 22-096

10. This Memorandum embodies the whole Land Exchange Agreement between the parties hereto as it pertains to the real estate, and there are no promises, terms, conditions or obligations referring to the subject matter hereof, other than as contained herein.

11. The Dastou Trust B hereby agrees that the terms of the Land Exchange Agreement herein provided includes full payment for their interest and the interests of their life tenants, remaindermen, reversioners, liens and lessees, and any and all other legal and equitable interests that are or may be outstanding and said vendor or vendors agree to discharge the same.

THIS LAND EXCHANGE AGREEMENT shall be deemed a CONTRACT extending to and binding upon the parties hereto and upon the respective heirs, devisees, executors, administrators, legal representative, successors and assigns of the parties, only when the same shall have been approved by the MATANUSKA-SUSITNA BOROUGH ASSEMBLY and executed by the BOROUGH MANAGER on behalf of the Matanuska-Susitna Borough.

Of the total amount of compensation hereinabove agreed upon, the sum of \$ 277,835.00 shall be paid by Joan B. Dastou Trust B to the Matanuska-Susitna Borough upon execution and delivery of a good and sufficient: ☒ Quitclaim Deed to Dastou Trust B and ☒ Public Use Easements to the Borough, and shall be paid under compliance with the Terms and Conditions herein.

Each of the provisions of this Land Exchange Agreement is integrated with and integral to the whole and shall not be severable from the remainder of the Land Exchange Agreement. The terms of this Land Exchange Agreement are understood and assented to by the parties named herein and payment is to be made in accordance with the above.

JOAN B. DASTOU TRUST B



3/25/22

ASBURY C. MOORE IV, Trustee

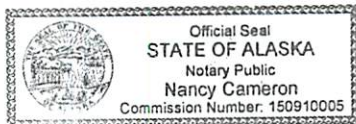
Date


ACKNOWLEDGMENT

STATE OF ALASKA)
) ss.
Third Judicial District)

On this 25 day of March, 2022, Asbury C. Moore IV, Trustee for Joan B. Dastou Trust B, personally appeared before me, a Notary Public in and of Alaska, and he acknowledged that he signed the foregoing instrument as a free and voluntary act on behalf of the Trust, with full knowledge of its contents, for the uses and purposes therein mentioned.

(SEAL)




NOTARY PUBLIC in and for the state of Alaska
My Commission Expires: 9-10-23

OR 22-053
Im 22-096

MATANUSKA-SUSITNA BOROUGH

WNB

3/25/22

MICHAEL BROWN, Borough Manager

Date

ACKNOWLEDGMENT

STATE OF ALASKA

)

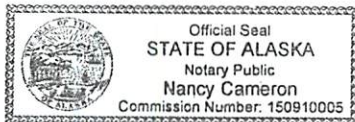
) ss.

Third Judicial District

)

THIS IS TO CERTIFY, that on this 25 day of March, 2022, before me, the undersigned, a Notary Public in and for the state of Alaska, duly commissioned and sworn, personally appeared Michael Brown, to me known to be the individual described in and who executed the foregoing as Manager of the Matanuska-Susitna Borough, a municipal corporation, and he acknowledged to me that he signed the same for and on behalf of said corporation, freely and voluntarily and by authority of its Assembly for the use and purposes therein mentioned.

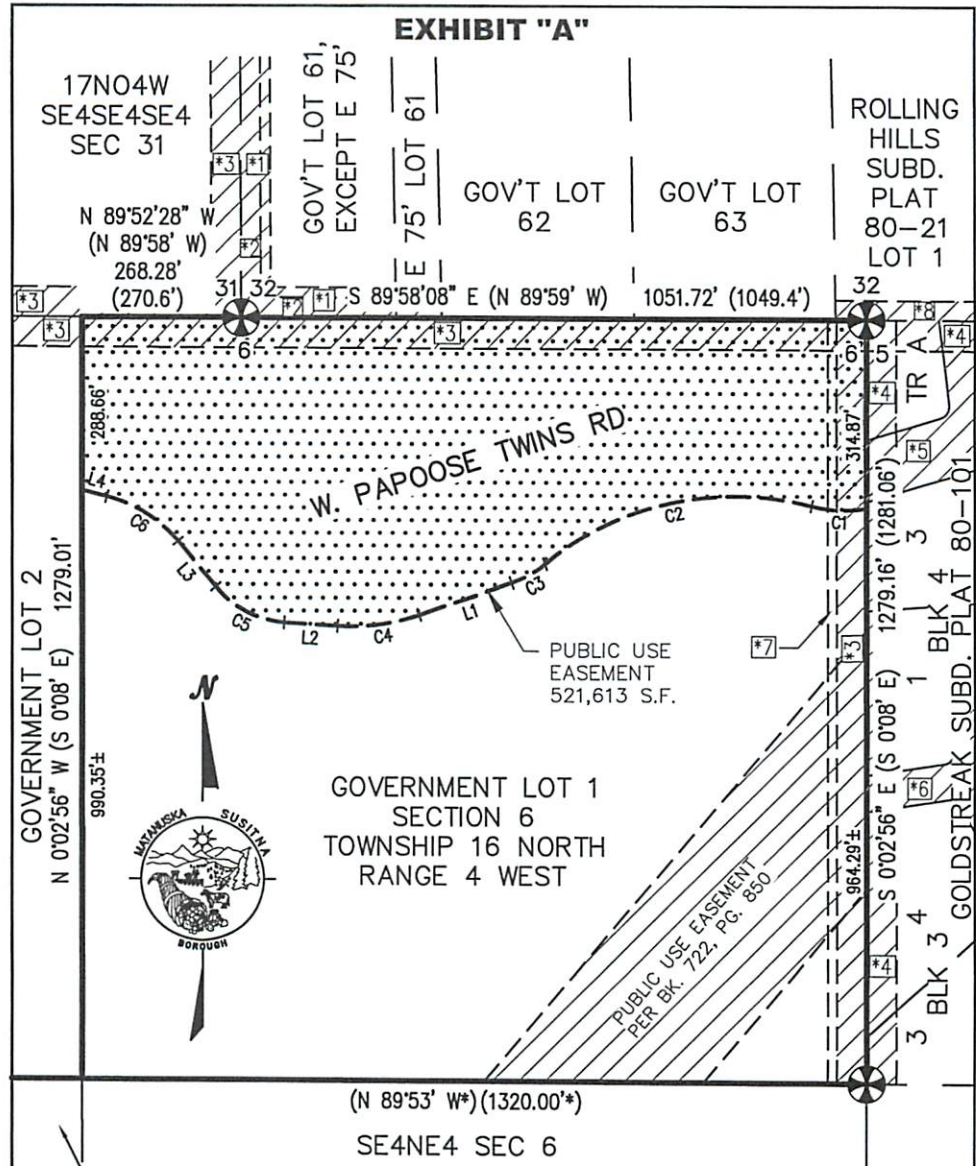
SEAL)



Nancy Cameron
NOTARY PUBLIC in and for the state of Alaska
My Commission Expires: 9-10-23

*OR 22-053
IM 22-096*

EXHIBIT "A"



**MATANUSKA-SUSITNA BOROUGH
OPERATIONS & MAINTENANCE DIV.**

PUBLIC USE EASEMENT REQUIRED FOR:
**GOVERNMENT LOT 1, TOWNSHIP 16
NORTH, RANGE 4 WEST, SECTION 6,
SEWARD MERIDIAN,**
PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT
STATE OF ALASKA



PAGE 1 OF 2	DATE: 3/24/22
DRAWN BY: DR	ESMT AREA: 521,613 S.F.
CHECKED BY: SA	LOT1-PUE4.dwg

OK 22-053
Dm 22-094

EXHIBIT "A"**NOTES:**

1. () RECORD DATA PER ORIGINAL BLM PLAT, ACCEPTED ON MAY 7, 1964.
2. (*) COMPUTED RECORD PER ORIGINAL BLM PLAT, ACCEPTED ON MAY 7, 1964.
3. BASIS OF BEARING IS NAD 83(2011) ALASKA STATE PLANE, ZONE 4. DISTANCES ARE GRID DISTANCES.

Curve Table						
Curve	Length	Radius	Delta	Chord Bearing	Chord Length	Tangent
C1	92.76'	212.42'	25°01'09"	N 87°49'20" W	92.02'	47.13'
C2	474.79'	500.00'	54°24'24"	S 77°29'02" W	457.15'	257.00'
C3	64.87'	178.33'	20°50'29"	S 60°42'05" W	64.51'	32.80'
C4	140.90'	360.00'	22°25'28"	S 82°22'45" W	140.00'	71.36'
C5	133.09'	165.00'	46°12'58"	N 63°18'03" W	129.51'	70.41'
C6	143.61'	235.00'	35°00'47"	N 57°41'57" W	141.38'	74.12'

Line Table		
Line #	Direction	Length
L1	S 71°10'01" W	164.15'
L2	N 86°24'32" W	90.45'
L3	N 40°11'34" W	98.88'
L4	N 75°12'21" W	43.54'

RIGHT-OF-WAY LEGEND:

- *1 - 50' PER US PATENT NO. 1231657
- *2 - 33' SECTION LINE EASEMENT PER CH 35, SLA 1953
- *3 - 50' SECTION LINE EASEMENT PER AS 19.10.010
- *4 - 50' WIDE ROAD WAY EASEMENT PER AS 19.10.010 PER PLAT 80-101
- *5 - 100' DEDICATED RIGHT-OF-WAY PER PLAT 80-101
~ W PAPOOSE TWINS RD.
- *6 - 60' DEDICATED RIGHT-OF-WAY PER PLAT 80-101
~ FORTY-NINER DR.
- *7 - 15' PUBLIC UTILITY EASEMENT RESERVED AT BK. 196, PG. 447.
- *8 - 33' SECTION LINE EASEMENT PER PLAT 80-21.

**MATANUSKA-SUSITNA BOROUGH
OPERATIONS & MAINTENANCE DIV.**

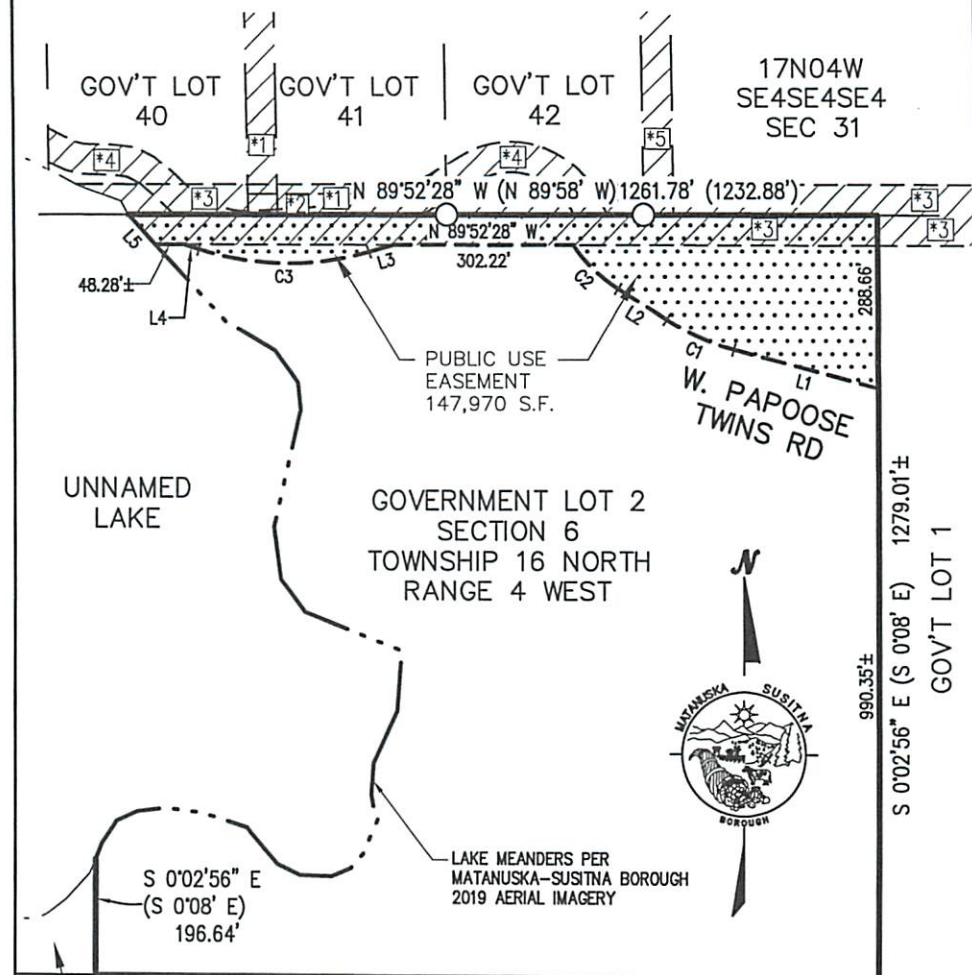
PUBLIC USE EASEMENT REQUIRED FOR:
**GOVERNMENT LOT 1, TOWNSHIP 16
 NORTH, RANGE 4 WEST, SECTION 6,
 SEWARD MERIDIAN,**
 PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT
 STATE OF ALASKA



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LEGEND

- FOUND REBAR
- #1 RIGHT-OF-WAY IDENTIFIER SEE LEGEND PG 2
- EXISTING RIGHT-OF-WAY
- EASEMENT REQUIRED
- U.S. SURVEY FEET

SEE PAGE 2 FOR NOTES, LINE AND CURVE TABLES.

MATANUSKA-SUSITNA BOROUGH OPERATIONS & MAINTENANCE DIV.

PUBLIC USE EASEMENT REQUIRED FOR:
GOVERNMENT LOT 2, TOWNSHIP 16 NORTH, RANGE 4 WEST, SECTION 6, SEWARD MERIDIAN
 PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT
 STATE OF ALASKA



PAGE 1 OF 2	DATE: 03/24/22
DRAWN BY: DR	ESMT AREA: 147,970 S.F.
CHECKED BY: SA	LOT2-PUE4.dwg

OR 22-053
 DM 22-096

EXHIBIT "A"

NOTES:

1. () RECORD DATA PER ORIGINAL BLM PLAT, ACCEPTED ON MAY 7, 1964.
2. (*) COMPUTED RECORD DATA PER ORIGINAL BLM PLAT, ACCEPTED ON MAY 7, 1964.
3. BASIS OF BEARING IS NAD 83(2011) ALASKA STATE PLANE, ZONE 4. DISTANCES ARE GRID DISTANCES.

Curve Table

Curve	Length	Radius	Delta	Chord Bearing	Chord Length	Tangent
C1	123.19'	390.00'	18°05'53"	N 66°09'24" W	122.68'	62.11'
C2	105.30'	250.00'	24°07'58"	N 45°02'29" W	104.52'	53.44'
C3	294.41'	500.00'	33°44'12"	N 89°05'18" W	290.17'	151.61'

Line Table

Line #	Direction	Length
L1	N 75°12'21" W	250.50'
L2	N 57°06'28" W	96.44'
L3	S 74°02'36" W	43.28'
L4	N 72°13'12" W	26.40'
L5	N 42°07'00" W	67.54'

RIGHT-OF-WAY LEGEND:

- *1 - 50' PER US PATENT NO.1222775
- *2 - 33' SECTION LINE EASEMENT PER RS-2477 GOV'T LOT 41 ONLY
- *3 - 50' SECTION LINE EASEMENT PER AS 19.10.010
- *4 - 50' RIGHT-OF-WAY ADL 27810 PER SERIAL NO. 2019-000128-0 ~ W. PAPOOSE TWINS ROAD
- *5 - 50' PUBLIC USE EASEMENT PER 2008-018826-0

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