


**SUBJECT:** APPROVAL OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY FOR THE RECLASSIFICATION OF GENERAL PURPOSE AND AGRICULTURAL LANDS AND THE GREAT LAND CHRISTIAN CHURCH TO TERMINATE ITS LESS THAN FAIR MARKET VALUE GROUND LEASE AND PURCHASE BY APPLICATION THE FEE SIMPLE ESTATE OF THE LAND ONLY, AT FAIR MARKET VALUE (MSB006744).


**AGENDA OF:** April 16, 2019

**ASSEMBLY ACTION:**

OR 19-052 - public hearing held  
Amended, Adopted w/o objection  
@5/7/19 RM 

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
	Originator	HKM	
	Community Development Director	EP	
	Planning and Land Use Director	EP	
	Finance Director	EP	
	Borough Attorney	IS	
	Borough Clerk	JRM	4/8/19 

**ATTACHMENT(S):** Fiscal Note: YES ☒ X NO ☐

Vicinity Map - Exhibit A (1 pp)  
Site Plan Map - Exhibit B (1 pp)  
Soils Report - Exhibit C (10 pp)  
Public Comments - Exhibit D (3 pp)  
Gateway to the Arctic Camp, 2018 Year in Review -  
Exhibit E (12 pp)  
Parcel Map, Area Calculations - Exhibit F (1 pp)  
Draft Declaration of Covenants Conditions and  
Restrictions - Exhibit G (5 pp)  
Agriculture Advisory Board Resolution Serial No.  
19-01 (3 pp)  
Planning Commission Resolution Serial No. 19-09  
(3 pp)  
Ordinance Serial No. 19-052 (4 pp)

## **SUMMARY STATEMENT:**

The Great Land Christian Church requests to terminate its less than fair market value ground lease and purchase by application the fee simple estate of the land at fair market value. Herein, is a Final Best Interest Finding for the Disposition of Borough-Owned Land for the subject parcel.

## **FINAL BEST INTEREST FINDING For the Classification and Disposition of Borough-owned Land**

### **I. Summary of Proposed Action**

The Matanuska-Susitna Borough (MSB), Land & Resource Management Division, has received a request from the Great Land Christian Church (GLCC) to terminate its less than fair market value ground lease and purchase by application the fee simple estate of the land only, at fair market value as determined by a third party appraisal. The lease area of the subject parcel includes three separate parcels of record.

Parcels sold by the borough require classification and assembly approval under Title 23. The subject parcel is currently classified in its entirety as Agricultural land. The proposed classification will be dual to include General Purpose land.

### **II. Property Site Factors**

- A. Location:** The subject parcel is located on the east side of S. Parks Highway, Mile 101 (EXHIBIT A).
- B. Legal Descriptions:** The portions of Lots 5, 6 and the E1/2 SW1/4 of Section 19 that lie east of and exclude the Parks Highway Right of Way and that lie west of and exclude the Alaska Railroad right of way, T24N, R04W, Seward Meridian, Alaska, Talkeetna Recording District, containing 101 acres +/-.
- C. Land Status:** The MSB received title from the State of Alaska by Patent No. 1005 in 1970 for Lot 6 & E1/2 SW1/4, and Patent No. 4676 in 1979 for Lot 5. The applicant currently leases the subject parcel and operates it as Gateway to the Arctic Camp.
- D. Restrictions:**
1. Land Classification – The subject parcel is currently classified Agricultural land, MSB Ordinance No. 00-161 placed a scenic highway buffer 150' in width along the Parks Highway corridor within the west boundary of the subject parcel.
  2. Land Use Plans – The property lies within the boundaries of the Susitna Community Comprehensive Plan.
  3. Title Restrictions - None
  4. Covenants – None
  5. Zoning – None

6. **Easements & Other Reservations** – A 50 ft. section line easement along the west boundary of Lot 5. ADL 33042, as described, is the east 30' of Lots 5 and 6 north of the Parks Highway and the west 30' of the E1/2 SW1/4. Right of way permits for an electric distribution line identified in the patents as ADL 56410 and ADL 26775 affect a strip of land that varies from 20 to 50 feet in width adjoining and located on the north and/or east side of ADL 19688 Right of Way Permit to Department of Highways. A non-exclusive utility easement grant to MEA for a remote meter pedestal approximately 20'x 20' adjoining the Parks Highway.
- E. **Current Land Use:** The subject parcel is currently leased to the GLCC, a non-profit corporation, for less than fair market value (\$1,930 annual lease rate) who operates it as a camp-based, agricultural program for youth and special needs persons that provides an educational opportunity for responsible onsite production of agricultural crops and the raising of animals.
- F. **Surrounding Land Use:** Other properties in this area are currently undeveloped larger parcels in private or agency ownership. The parcel adjoining the north boundary is an active gravel-mining pit in private ownership.
- G. **Existing Infrastructure:** Parks Highway frontage provides access to the property. Electrical power is to the parcel, improvements include three working wells, a shed that will be converted into living quarters with a proposed septic, nine guest cabins, one lodge facility with septic, and a poured concrete pad for future barn. All the improvements are located within Lot 5 with the exception of a well located on Lot 6 (EXHIBIT B).
- H. **Soils & Terrain:** The subject parcel contains a majority of Nancy silt loam soils, Map Units 171 and 174, which are class III soils classified as "farmland of local importance" according to the Natural Resources Conservation Service soils report (EXHIBIT C).
- I. **Resources:** There is no specific data on resources for this parcel nor is it identified in the Natural Resource Management Plan as a forest resource. The land is predominately covered with mature foliage consisting of birch and spruce trees.
- J. **Assessment:** The 2018 assessed value of the subject parcel is \$19,400 for the land (101 acres) and \$98,000 for improvements, for a total of \$117,400. The assessed value of the land reflects leasehold, agricultural interest only and not the fair market assessed value. *NOTE: Prior to the lease, the 2013 assessed value of the land was \$142,300 for fee simple title with no covenants or restrictions.*

### **III. Public, Board and Commission Comments & Recommendations**

Pursuant to Title 23 and the Land & Resource Management Policy and Procedures Manual, landowners within 600 feet of the proposed property have been notified of the proposed land classification and sale. Additionally, department review was completed; notices were published in the Frontiersman and on the Borough website. The Susitna Community Council, Upper Susitna Soils and Water Conservation District, Assembly member Boeve, Talkeetna Chamber of Commerce, MSB Parks, Rec and Trail Advisory Board, MSB Agriculture Advisory Board, Road Service Area Board 29, the borough manager, Fire Chief Steele, and Alaska Department of Fish and Game were also notified.

Planning Department: Recommended approval of the classification and sale, and provided recommendations for the owners to adhere to the Best Management Practices (BMP) for development around water bodies, which maintains a 75' setback, and other BMP activities for waterfront. Developed infrastructure complies with all setback requirements.

Land and Resource Management: Supports the fair market value sale with a reverter clause if the property is no longer used for the intended purpose to justify the non-competitive sale of prime MSB farmland.

*Response: When title is conveyed as fee simple estate for full market value, and not at less than fair market value, it extinguishes a need for a reversionary clause; therefore, a reverter clause is not applicable.*

Emergency Services – Station 5-1, Fire Code Official: Requires State Fire Marshal review since the property is outside Central Mat-Su Fire Service area. The Alaska State Fire Marshal contact information is 907-269-2004. However, this is not a requirement of classification or sale of the parcel and the applicant will adhere to these requirements under state code.

Public Comment: There were three written responses received, supporting the sale of the property (EXHIBIT D).

One objection was received by phone to selling the property at this time. However, MSB 23.10.230 (1)(f) allows for this sale of the parcel by application where the assembly has determined it is in the best interest of the borough.

Agriculture Advisory Board: At the February 20, 2019, the Agriculture Advisory Board unanimously approved MSB Resolution No. 19-01.

Planning Commission: At the March 18, 2019 regularly scheduled meeting, Planning Commission Resolution No. 19-09 failed. The commissioners present at the meeting questioned the appraised value of the land, selling the property to a nonprofit organization that is tax-exempt, the nonprofit organization paying market value of the property without a reversionary clause in the deed.

*Response:*

*1) Pursuant to Title 23.10.060 Consideration (B)(1), a fair market value was established by a licensed, professional third party appraiser; and*

*2) Pursuant to AS 29.45.030 Required Exemptions, states "property used for nonprofit religious" is considered tax exempt. Federal and state codes determines the tax requirements of nonprofit organizations. Prohibiting competitive bid land sales, over the counter land sales, tax lien land sales, or application land sales to a recognized nonprofit organization has not been an applied method the borough employs in conducting land sales; and*

*3) Pursuant to Title 23.10.060 Consideration (C)(1) and adopted Land and Resource Management Policy and Procedures, Part 60-20, Subpart 7.1 states, for all disposals at less than fair market value, the borough shall retain the right to have the title revert to the borough in the event the property is no longer used for the purpose approved. As previously stated, the purchase is for the fair market value.*



#### **IV. Analysis & Discussion**

##### **Background**

On September 19, 2000, the borough assembly adopted Ordinance Serial No. 00-161, authorizing the re-classification of the subject parcel under Title 23 as Agricultural land for a future land sale. With the passage of the ordinance, the agricultural conditions, covenants and restriction that existed under former Title 13 were terminated for the purpose of inclusion in the new Title 23 agricultural land sales program. Additionally under the ordinance, a 150' scenic buffer would be imposed on the parcel. Adjacent parcels to the northwest and the southeast of the subject parcel along the Parks Highway corridor do not provide a continuous scenic buffer for this area. Imposing a non-contiguous 150' wide buffer on the subject parcel creates unusable space for the agricultural development of the property of approximately 8.4 acres. From February 2001 to present, no agricultural covenants affect the subject parcel and the 150' scenic buffer for the Parks Highway frontage was never granted.

##### **Present**

The GLCC is a 501(c)3 recognized organization that applied to lease the parcel in 2013. Assembly Ordinance Serial No. 13-074 approved the Less than Fair Market Value (LFMV) Lease for the purpose of an agricultural educational camp, known as the Gateway to the Arctic camp. The lease recorded on June 26, 2013, for a 25-year term with two (2) additional renewals for up to five (5) years each.

On October 8, 2018, Bob Ameen, Valley Appraisal and Analysis, Inc. provided an opinion of market value, for the land only, of \$193,000 (\$1,911 per acre) for the fee simple estate without agricultural covenants and \$90,000 (\$891 per acre) for the fee simple estate with agricultural covenants. The appraiser stated the Highest and Best Use for the property under both appraisal scenarios is recreation/speculation.

The current Less than Fair Market Value Lease is based on Mr. Ameen's October 2018 appraisal, and pursuant to Title 23, the lease is valued at one percent of the established value of \$193,000 for the fee simple estate without agricultural covenants for a total lease value charge of \$1,930 annually.

Brad Pickett, MSB Assessor, reviewed and concurred with Mr. Ameen's established values for for the subject parcel.

Over the last five years, the camp has developed into a fully functional agricultural camp facility. There is a hen house and large chicken pen, beehives for honey, birch tree tapping for syrup, raised garden beds for produce, gardening fields, a high tunnel (green house); nine guest cabins, a main lodge facility with restrooms, shower facilities, and commercial grade kitchen. Attached as EXHIBIT B, is the site plan showing the GPS locations of the improvements on the parcel and EXHIBIT E, 2018 Year in Review that summarizes the camps achievements.

The GLCC would like to expand its services and partner with Nadon Family Home, which is an Anchorage based for-profit group home, to provide meaningful opportunities in a rural setting for those with special needs. The GLCC plans to continue with its efforts to provide a valuable community service and collaboration with the Nadon Family Home to provide a sustainable source of income for Gateway to the Arctic camp. GLCC expressed their desire to purchase the property so the church can grow its efforts in providing these services.

### Authorization

MSB 23.05.100(1) Agricultural lands are those lands which, because of soils, location, physical or climatic features, or adjacent development, are presently or potentially valuable for the production of agricultural crops.

*NOTE: The parcel is currently classified Agricultural lands and is a reclassification, or reiteration of classification, of Lots 6 and the E1/2 SW1/4 as Agricultural lands.*

MSB 23.05.100(4) General Purpose lands are defined as “those lands which, because of physical features, adjacent development, location, or size of the area, may be suitable for a variety of uses, or which do not lend themselves to more limited classification under other land designations.

*NOTE: The lease allowed for the development of the structures on Lot 5, which in turn changes the classification from Agricultural lands to General Purpose lands.*

MSB 23.10.230 Agreements by Application. (A) The manager may, with the approval of the assembly by ordinance when required by this title, approve a sale or lease of borough-owned real property by application if one of the following conditions exists: (1) the application is: (f) for a disposal where the assembly has determined it is in the best interest of the borough to process the application based on economic development incentives or is a beneficial industrial or commercial enterprise.

The GLCC provides a public service to the communities of Alaska through its services and programs. Established partnerships with other recognized organizations over the last five years has allowed program growth and achievement of its goals. Its future is dependent upon growing into a commercial enterprise through providing sources of income to further benefit youth and young adults. The agricultural aspect of the programs offered by the GLCC are the shared goals of the MSB to promote agricultural education and training to raise and harvest crops and animals.

### **V. FINAL FINDING and DECISION**

Land and Resource Management finds that it is in the best interest of the borough to classify Lot 5 as General Purpose lands with fee simple title, and Lot 6 and the E1/2 SW1/4 as Agricultural lands (EXHIBIT F) with covenants, conditions, and restrictions imposed by Title 23 (EXHIBIT G). Staff further recommends the borough manager negotiate the purchase of Lots 5, 6 and the E1/2 SW1/4 by Great Land Christian Church based on the fair market value appraisals of the parcels as follows:

PARCEL	CLASSIFICATION	ACREAGE	\$ PER ACRE	TOTAL
LOT 5	GENERAL PURPOSE	29.51	\$ 1,911.00	\$ 56,393.61
LOT 6	AGRICULTURAL	8.01	\$ 891.00	\$ 7,136.91
E1/2SW1/4	AGRICULTURAL	63.33	\$ 891.00	\$ 56,427.03
<b>PURCHASE PRICE</b>				<b>\$ 119,957.55</b>

Furthermore, Land and Resource Management finds it is in the best interest of the borough to remove/repeal the requirement stipulated by MSB Ordinance Serial No. 00-161 for the reservation of a 150' scenic buffer easement for the Parks Highway corridor. The 150' wide buffer imposed on the subject parcel creates unusable space for the agricultural development of the property of approximately 8.4 acres that reduces the financial benefit to the borough of selling the parcel.

The 150' scenic buffer is specific to certain borough parcels per the Memorandum of Understanding (dated 8/20/1979), and Memorandum of Agreement (dated 8/4/1993) between the Borough and the State of Alaska dedicating fee title to the land for the Parks Highway. The agreements do not identify the subject parcel in those agreements. Additionally, the parcels to the northwest and the southeast of the subject parcel along the Parks Highway corridor do not provide a continuous scenic buffer for this area.

Special Conditions:

1. Cash purchase price is \$119,960 (rounded).
2. Buyer to pay all costs associated with transfer of title through a title company.
3. Buyer will be responsible for all taxes levied on the property (no tax proration).
4. MSB will pay for the title policy insuring marketable title.
5. The \$5,000 lease security deposit shall be used as the earnest money deposit to be credited to Buyer at closing.
6. Any prepayment, annual lease amount shall be credited to Buyer at closing.

# MATANUSKA-SUSITNA BOROUGH

## FISCAL NOTE

Agenda Date: April 16, 2019

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY FOR THE RECLASSIFICATION OF GENERAL PURPOSE AND AGRICULTURAL LANDS AND THE GREAT LAND CHRISTIAN CHURCH TO TERMINATE THEIR LESS THAN FAIR MARKET VALUE GROUND LEASE AND PURCHASE BY APPLICATION THE FEE SIMPLE ESTATE OF THE LAND ONLY, AT FAIR MARKET VALUE (MSB006744).

**ORIGINATOR:** TRACY K. MCDANIEL, ASSET MANAGER

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT REQUESTED: \$119,960	FUNDING SOURCE: Land Sale
FROM ACCOUNT #: 203.000.000.3XX.XXX	PROJECT #
TO ACCOUNT:	PROJECT #
VERIFIED BY: <i>Barbara Gurenger</i>	CERTIFIED BY:
DATE: 4/3/19	DATE:

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE		119.9				
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FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		119.9				
TOTAL		119.9				

POSITIONS:

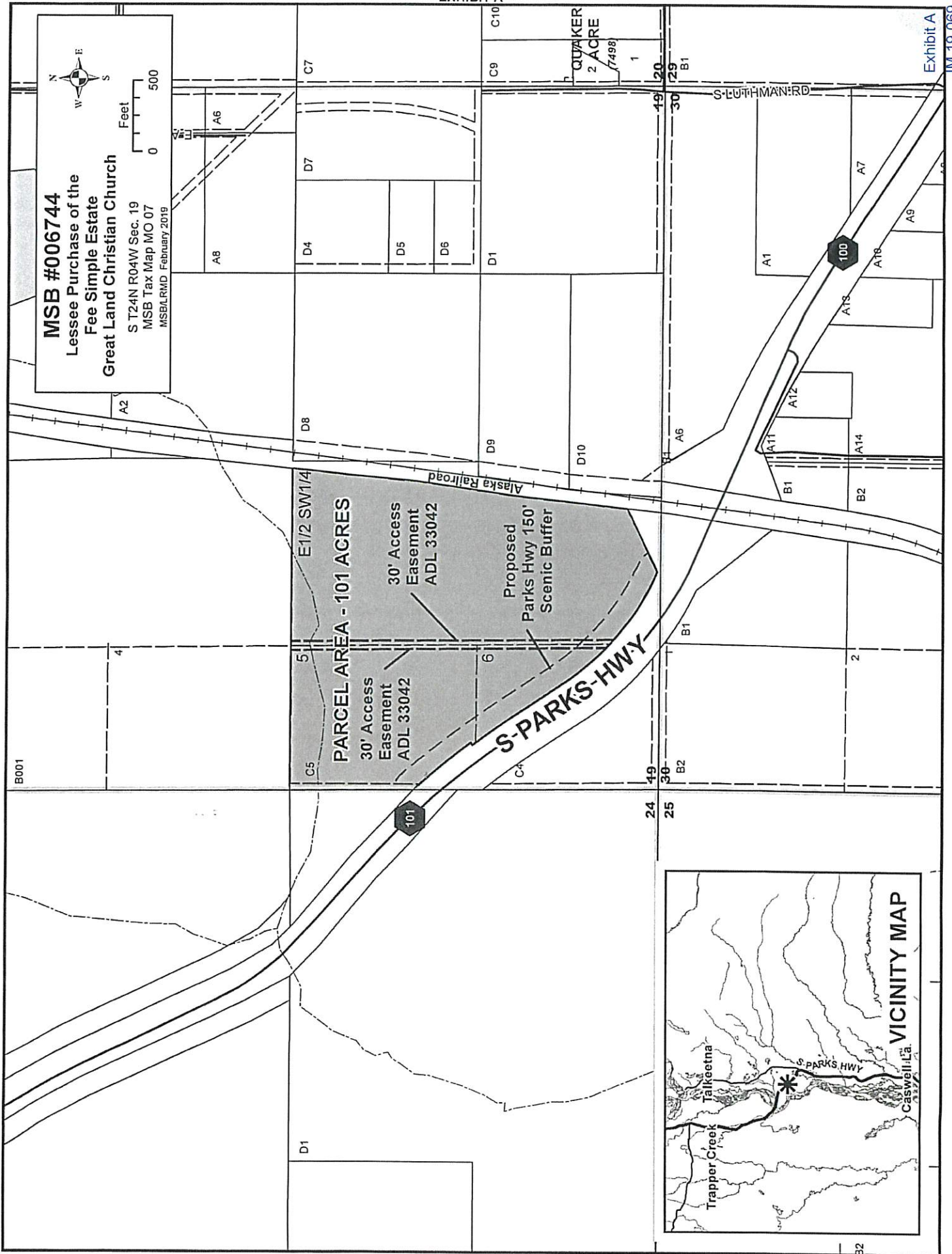
Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: *Chapman Daniel* DATE: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_ DATE: 4/3/19

IM No. 19-069  
Ordinance Serial No. 19-052







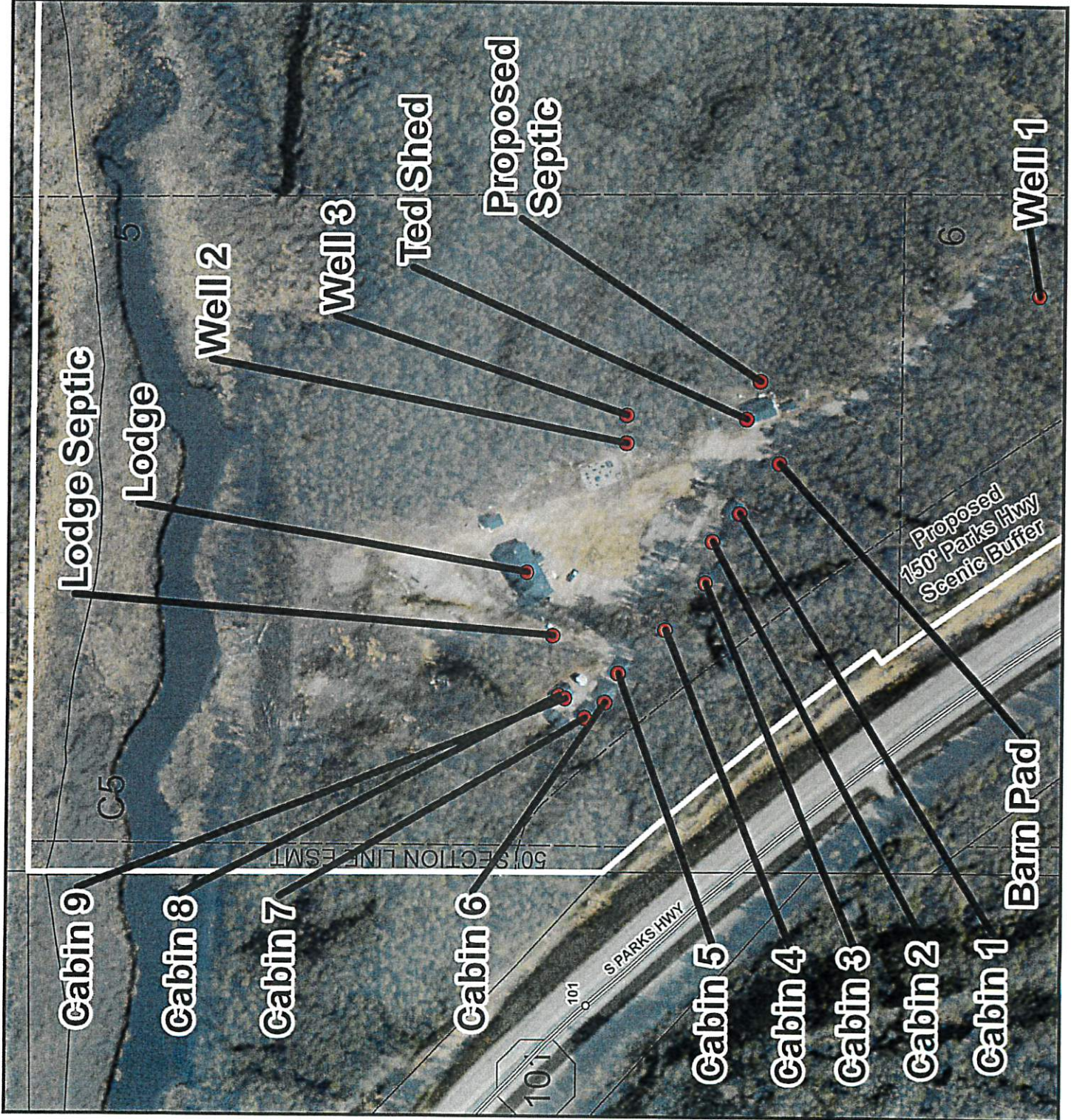
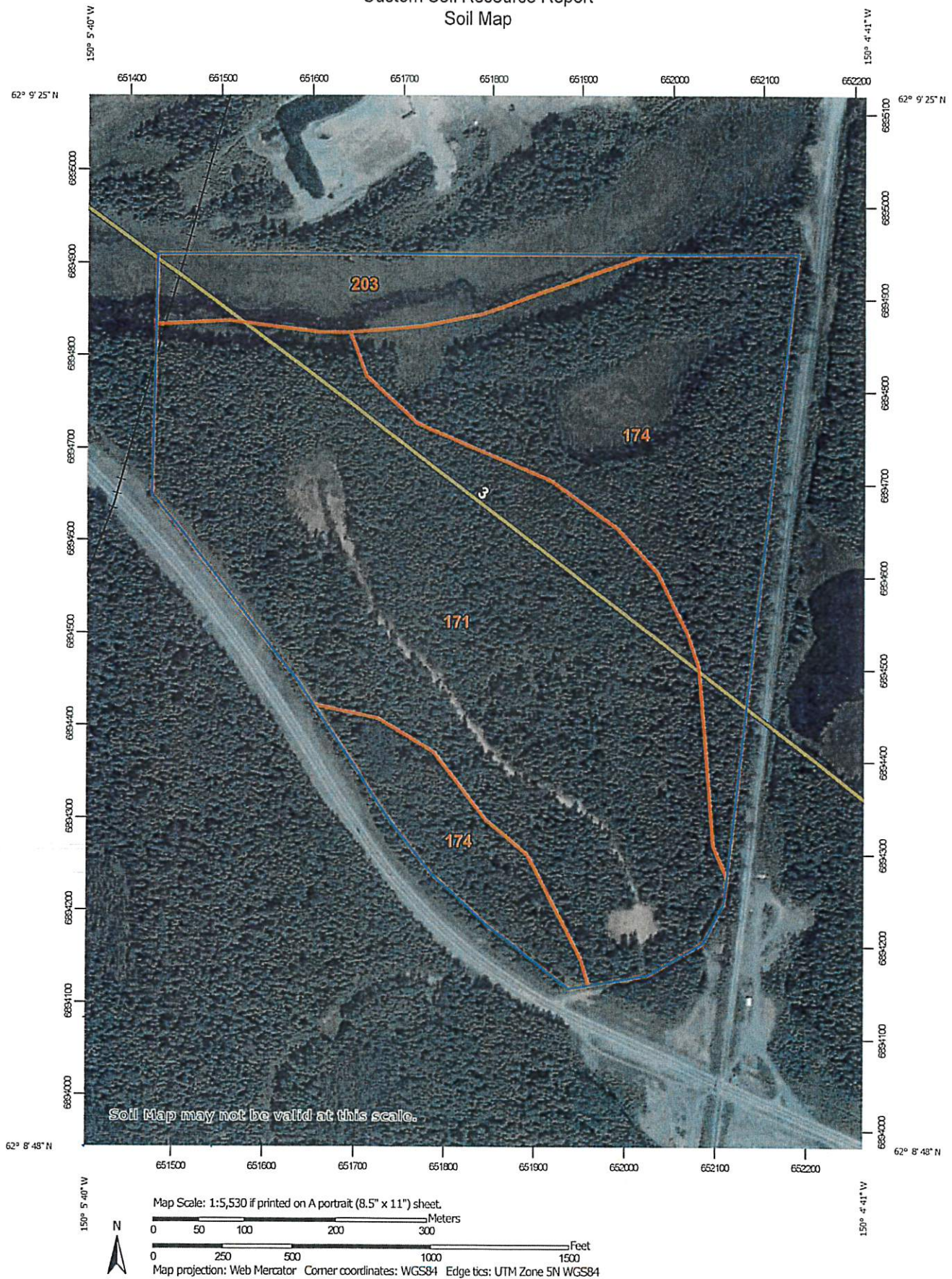




EXHIBIT C  
Custom Soil Resource Report  
Soil Map









## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
171	Nancy silt loam, 0 to 3 percent slopes	57.3	55.6%
174	Nancy silt loam, undulating	37.3	36.2%
203	Typic Cryaquents, 0 to 2 percent slopes	8.4	8.2%
<b>Totals for Area of Interest</b>		<b>103.0</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The

## Custom Soil Resource Report

delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.



## Matanuska-Susitna Valley Area, Alaska

### 171—Nancy silt loam, 0 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 1pbm  
*Elevation:* 100 to 400 feet  
*Mean annual precipitation:* 20 to 25 inches  
*Mean annual air temperature:* 34 to 36 degrees F  
*Frost-free period:* 80 to 100 days  
*Farmland classification:* Farmland of local importance

#### Map Unit Composition

*Nancy and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Nancy

##### Setting

*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Silty volcanic ash and/or silty loess over sandy and gravelly outwash

##### Typical profile

*Oi - 0 to 1 inches:* slightly decomposed plant material  
*E,Bhs - 1 to 4 inches:* silt loam  
*Bs,BC - 4 to 25 inches:* silt loam  
*2C - 25 to 60 inches:* sand and gravel

##### Properties and qualities

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.60 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.1 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* B  
*Ecological site:* Glaciofluvial deposits, 20-35 inch pz. (F224XY007AK)  
*Other vegetative classification:* Glaciofluvial deposits, 20-35 inch pz. (F170XA007AK)  
*Hydric soil rating:* No

## Custom Soil Resource Report

### Minor Components

#### **Steeper soils**

*Percent of map unit:* 3 percent  
*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### **Cryaquept soils in depressions**

*Percent of map unit:* 3 percent  
*Landform:* Depressions  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Ecological site:* Depressions (F224XY003AK)  
*Other vegetative classification:* Depressions (F170XY003AK)  
*Hydric soil rating:* Yes

#### **Kichatna soils**

*Percent of map unit:* 2 percent  
*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Glaciofluvial deposits, thin surface Kichatna (F224XY009AK)  
*Other vegetative classification:* Glaciofluvial deposits, thin surface (F170XC009AK)  
*Hydric soil rating:* No

#### **Histosol soils in depressions**

*Percent of map unit:* 1 percent  
*Landform:* Depressions  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Ecological site:* Organic terrain Histosols (R224XY803AK)  
*Other vegetative classification:* Organic terrain (R170XY803AK)  
*Hydric soil rating:* Yes

#### **Delyndia soils**

*Percent of map unit:* 1 percent  
*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Glaciofluvial deposits, 15-25 inch pz. (F224XY006AK)  
*Other vegetative classification:* Glaciofluvial deposits, 15-25 inch pz. (F170XY006AK)  
*Hydric soil rating:* No



## 174—Nancy silt loam, undulating

### Map Unit Setting

*National map unit symbol:* 1pbq  
*Elevation:* 100 to 600 feet  
*Mean annual precipitation:* 20 to 25 inches  
*Mean annual air temperature:* 34 to 36 degrees F  
*Frost-free period:* 80 to 100 days  
*Farmland classification:* Farmland of local importance

### Map Unit Composition

*Nancy and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Nancy

#### Setting

*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Silty volcanic ash and/or silty loess over sandy and gravelly outwash

#### Typical profile

*O<sub>i</sub> - 0 to 1 inches:* slightly decomposed plant material  
*E, B<sub>hs</sub> - 1 to 4 inches:* silt loam  
*B<sub>s</sub>, B<sub>C</sub> - 4 to 25 inches:* silt loam  
*2C - 25 to 60 inches:* sand and gravel

#### Properties and qualities

*Slope:* 0 to 10 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Medium  
*Capacity of the most limiting layer to transmit water (K<sub>sat</sub>):* Moderately high to high (0.60 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.1 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* B  
*Ecological site:* Glaciofluvial deposits, 20-35 inch pz. (F224XY007AK)  
*Other vegetative classification:* Glaciofluvial deposits, 20-35 inch pz. (F170XA007AK)  
*Hydric soil rating:* No

**Minor Components**

**Steeper soils**

*Percent of map unit:* 3 percent  
*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

**Kichatna soils**

*Percent of map unit:* 2 percent  
*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Glaciofluvial deposits, thin surface Kichatna (F224XY009AK)  
*Other vegetative classification:* Glaciofluvial deposits, thin surface  
(F170XC009AK)  
*Hydric soil rating:* No

**Cryaquept soils in depressions**

*Percent of map unit:* 2 percent  
*Landform:* Depressions  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Ecological site:* Depressions (F224XY003AK)  
*Other vegetative classification:* Depressions (F170XY003AK)  
*Hydric soil rating:* Yes

**Histosol soils in depressions**

*Percent of map unit:* 2 percent  
*Landform:* Depressions  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Ecological site:* Organic terrain Histosols (R224XY803AK)  
*Other vegetative classification:* Organic terrain (R170XY803AK)  
*Hydric soil rating:* Yes

**Delyndia soils**

*Percent of map unit:* 1 percent  
*Landform:* Outwash plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Glaciofluvial deposits, 15-25 inch pz. (F224XY006AK)  
*Other vegetative classification:* Glaciofluvial deposits, 15-25 inch pz.  
(F170XY006AK)  
*Hydric soil rating:* No

## 203—Typic Cryaquents, 0 to 2 percent slopes

### Map Unit Setting

*National map unit symbol:* 1pcp  
*Elevation:* 50 to 1,800 feet  
*Mean annual precipitation:* 15 to 25 inches  
*Mean annual air temperature:* 34 to 36 degrees F  
*Frost-free period:* 80 to 110 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Typic cryaquents and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Typic Cryaquents

#### Setting

*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Sandy and silty alluvium

#### Typical profile

*Oi - 0 to 4 inches:* slightly decomposed plant material  
*A - 4 to 12 inches:* cobbly fine sandy loam  
*Cg - 12 to 60 inches:* variable

#### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Very poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.20 to 2.00 in/hr)  
*Depth to water table:* About 0 to 18 inches  
*Frequency of flooding:* Occasional  
*Frequency of ponding:* None  
*Available water storage in profile:* Low (about 3.2 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 7w  
*Hydrologic Soil Group:* D  
*Ecological site:* Alluvial terrain, wet Typic Cryaquents (R224XY802AK)  
*Other vegetative classification:* Alluvial terrain, wet (R170XY802AK)  
*Hydric soil rating:* Yes

## Custom Soil Resource Report

### Minor Components

#### **Well drained soils**

*Percent of map unit:* 5 percent

*Landform:* Terraces

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Hydric soil rating:* No

#### **Nonflooded soils**

*Percent of map unit:* 5 percent

*Landform:* Flood plains

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Hydric soil rating:* No



EXHIBIT D

**Tracy McDaniel**

---

**From:** Jill Irsik  
**Sent:** Monday, January 21, 2019 10:40 AM  
**To:** Tracy McDaniel  
**Subject:** FW: MSB006744 Comment

---

**From:** Jenn Bozard  
**Sent:** Monday, January 21, 2019 10:08 AM  
**To:** Land Management <Land.Management@matsugov.us>  
**Subject:** MSB006744 Comment

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]  
Our comment in reference to MSB006744:

We moved to Alaska April 2018. Within our first month living in Alaska, we learned about the camp Gateway To The Arctic. We instantly fell in love with the camp and its programs for the vulnerable adults and under privileged children. Throughout the last nine months, we have continued to volunteer our time and donate to this camp and its programs. We believe deeply that purchasing the land and expanding the programs will only increase the positive impact Gateway To The Arctic is already having in the community.

Thank you.

--

Jenn Bozard, M.A.

Senior Business Analyst

Coastal Corrugated, Inc.



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

224N04W19C005 3  
GREAT LAND CHRISTIAN CHURCH  
PO BOX 80312  
FAIRBANKS AK 99708-0312

FIRST CLASS

## PUBLIC NOTICE

### MATANUSKA-SUSITNA BOROUGH PUBLIC NOTICE

Type: Classification as "General Purpose Lands" and Sale  
(MSB006744)

Tax ID: 24N04W19C005

The Matanuska-Susitna Borough (MSB), Land & Resource Management Division, has received a request from the Great Land Christian Church, Lessee, to terminate its less than fair market value lease (non-profit) and purchase the fee simple estate at fair market value as determined by an appraisal.

The current lease "use and occupancy" is for a youth camp-based, agricultural program that provides educational opportunities for youth and special needs youth and adults and provides an educational opportunity for production of agricultural crops and the raising animals.

The growth of the programs and services offered has increased significantly since 2013 and the church desires to expand their services and work in partnership with the Nadon Family Home for a two-bed group home (for profit) for employees to live and work year-round as staff and overseeing the daily activities.

The parcel is currently classified Agricultural land. The proposed classification for the sale is General Purpose land.

Supporting material is available for public inspection during normal business hours on the 2<sup>nd</sup> floor of the Matanuska-Susitna Borough building in the Land Management Division or visit the Public Notice Section on the borough's web page [www.matsugov.us](http://www.matsugov.us). If you have any comments please mail or deliver them to the borough offices at the address indicated above, no later than January 21, 2019. If you have questions about this request, please call Tracy McDaniel at 861-7864 between 7:00-4:00; or, submit your comments or questions via e-mail: [LMB@matsugov.us](mailto:LMB@matsugov.us) (PLEASE REFER TO MSB006744 WHEN SUBMITTING COMMENTS).

Comments: *The Great Land Christian Church is excited to continue serving the Mat-Su Borough through the donation of thousands of pounds of fresh produce while also providing meaningful and unique work and living opportunities for the special needs community. We believe that the Park at Gateway to the Arctic is truly making a difference in Alaskan lives, and by allowing this purchase we will be able to do even more.*

Signature: *[Signature]* Phone: \_\_\_\_\_

(If you need more space for comments, please attach a separate sheet of paper.)  
For assistance with your property location, tax or assessment matters please call 861-7801.

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

IAN 16 2019

Received



\*This public notice & request for comments is in compliance with MSB Code 23.05.025  
PLEASE TAPE CLOSED ON BOTTOM AND RIGHT OF STAMP

Exhibit D  
IM 19-069  
OR 19-052





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

35  
Jon Olson, AGAB 10  
2205 S. Austin Cir  
Palmer, AK 99645

FIRST CLASS

## PUBLIC NOTICE

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Comments:

*ALTHOUGH THIS IS CLASSED AS GEN. PURPOSE, I'M SURE*

*AGRICULTURE TEACHING AND WORK WILL BE ACCOMPLISHED  
I AGREE WITH THE SALE*

Signature:

*Jon Olson*

Phone:

(If you need more space for comments, please attach a separate sheet of paper.)

For assistance with your property location, tax or assessment matters please call 861-7801.

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

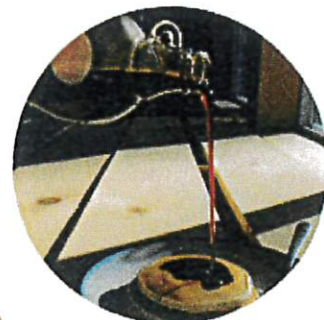
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# YEAR IN REVIEW

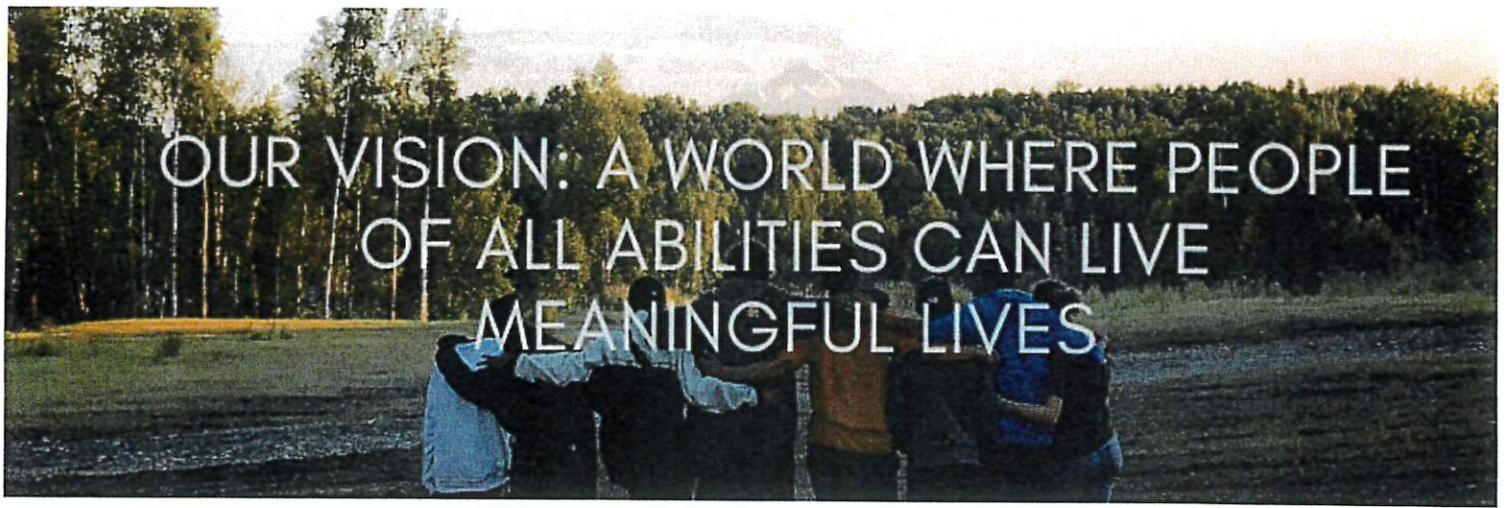
2018



GATEWAY TO THE ARCTIC  
**CAMP**







## About Gateway to the Arctic Camp

Gateway to the Arctic Camp was established in the summer of 2013 on 101 acres of leased Matanuska-Susitna Borough property at Mile 100.5 of the Parks Highway. Since then, the land has been developed into a fully functional agricultural camp facility including approximately three acres of gardening fields, a large high-tunnel, nine cabins, a main lodge facility, restrooms, showering facilities, a kitchen, and more. The grand majority of this construction was completed by hundreds of volunteers donating tens of thousands of hours of their time to see our vision come to reality.

Gateway to the Arctic Camp provides a variety of programming, including sessions for individuals who experience disabilities. All campers receive agricultural training and become equipped with the knowledge necessary to raise and harvest crops and animals. The resulting produce from the farm is donated to those in need or sold, with the proceeds directly benefiting programs that support the underprivileged of Alaska. As our campers learn about agriculture, they also learn about themselves and their potential to make a difference in the lives of others.

## Mission

Our mission is to create meaningful employment opportunities and summer camp programs that promote cognitive, social, emotional, and motor skill development.



## 2018 at a Glance

<b>AMOUNT RAISED</b>	<b>VOLUNTEERS</b>	<b>VOLUNTEER HOURS</b>
\$40,742.97	101	7,737.5

<b>YOUTH SERVED</b>	<b>PRODUCE DONATED</b>
121	More than 500 lbs.



Exhibit E  
IM 19-069  
OR 19-052



## Our Sponsors

We at Gateway to the Arctic Camp would like to extend a huge thank-you to our sponsors, many of whom have been investing in the camp for years. This year, Nadon Family Home has made significant financial contributions for the development of the camp, and Arctic Terra has again contributed a large amount of landscaping and land development. The success of the camp is a team effort, and we truly could not do it without the support of our sponsors. Thank you!





## Volunteers

This year, 101 volunteers from the HOPE Volunteer Corps, HOPE Adventure Corps, the Alaska chapter of HOPE *worldwide*, and the Great Land Christian Church gave more than 7,500 hours of service to continue building G2A. In addition to our volunteer groups, eight individuals from North America spent three months serving as interns at the camp. They were the heart of our camp operations. These individuals grew in their character as they took ownership of various construction and maintenance projects while building relationships with our workers with special abilities and other volunteers.



101

Volunteers



Exhibit 1  
N2 19-059  
OR 19-052



## Our Camps

Since its start, Gateway to the Arctic Camp has been committed to serving disadvantaged youth and people who experience disabilities. We hosted four camps this summer, including two inclusive camps, a Fortnite-themed kids camp for Great Land Christian Church, and a camp for the Boys & Girls Club of Fairbanks. We started the 2018 with a goal of serving 100 youth, and finished out the year having served 121!

*121 Youth  
Served*

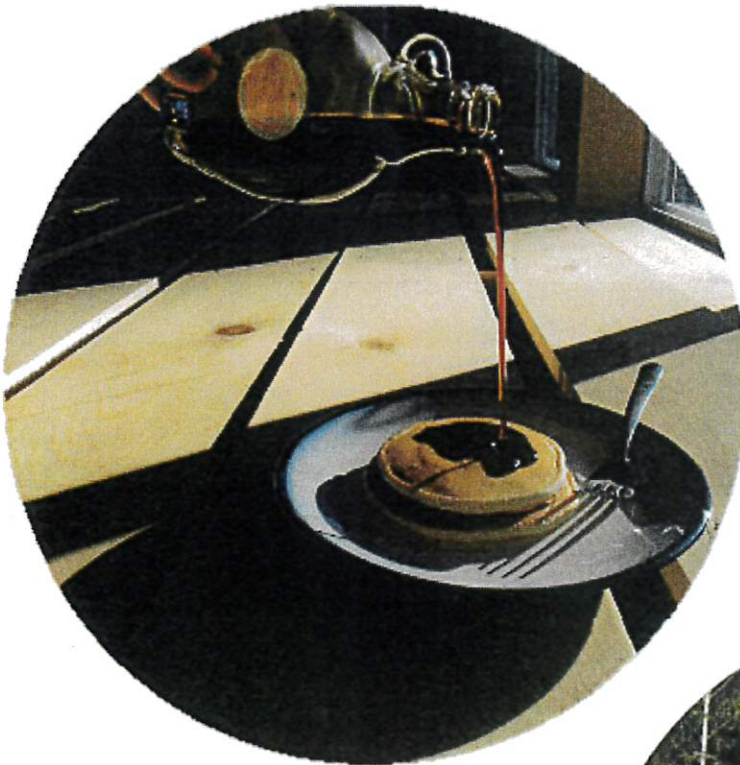




## Our Farm

### Birch Tapping

This was our second year tapping the birch trees at the camp. We tapped 200 birch trees and finished with over 10 gallons of birch syrup. It was a great educational opportunity for our G2A employees, who were instrumental in making the syrup.



### Honey Bees

This spring, we introduced a beehive to the camp (with over 300 honeybees!). We spent the summer helping the bees build their honeycombs, and next year we hope to begin harvesting fresh honey.



*More than 10  
Gallons of Birch  
Syrup*



## Chickens

In May, we introduced meat chickens to the camp. This was a great educational experience for participants. They had the opportunity to learn first-hand where their sources of food come from. They had a glimpse of what it takes to grow and care for the meat chickens as well as the process of butchering them. The chickens were then sold at our inaugural chicken auction to raise funds to buy more chickens for next summer.



## Our Garden

In 2018, more than 500 pounds of organic produce were harvested and donated to a local food bank! Volunteers built 63 garden boxes to plant in next year, and the camp recently established a partnership with Kaladi Brothers Coffee in which they'll give us used coffee grounds to turn into compost for the camp. Arctic Terra cleared a 4-acre field to be used for agriculture next summer. In addition, we received a \$2,000 grant from TOTE Maritime to further develop our agricultural program that will be used to build an additional high tunnel.

*More than 500 Lbs  
of produce*



Exhibit E  
IM 19-069  
OR 19-052



## What's new?

### Supported Employment Program

Our Supported Employment program has been by far one of the most powerful and successful additions to the camp. In partnership with Nadon Family Home, Gateway to the Arctic Camp hired five people this year through our inclusive Supported Employment Program. Through this program, we provide meaningful work experiences for individuals who experience disabilities. Working alongside Nadon Family Home job coaches and other Gateway to the Arctic Camp staff and interns, our special needs employees have reach far beyond their perceived limits. They have learned valuable construction skills, helped grow organic produce for families in need, and have grown tremendously in their social interactions with one another. They work hard and continue to demonstrate incredible social and emotional growth by building friendships with the volunteers. Most importantly, they simply love being at the camp.

## New Employees



Max



Andrew



Alex



Isaiah





## Meet Max

Max is one of Gateway to the Arctic Camp's hardworking employees. He was hired to work at the beginning of 2018 through the camp's supported employment program. One of Max's focuses has been carpentry, and he said that since he started working at Gateway to the Arctic Camp, he's learned how to use new kinds of tools and how to work together with others. Working at the camp has helped Max develop his leadership skills, and now, he helps new volunteers learn how to do tasks around the camp such as watering and weeding the garden.

“

While working with the volunteers, I liked everything about it: meeting new people, working together, understanding what other people think,’ Max said. “It’s a great experience. And personally, I want others to experience that too

”



## New Additions

Every year since it was established in 2013, G2A has expanded and grown tremendously. One of our major accomplishments this year was getting electricity in the Keystone Lodge (later, generator!). We've also been converting Ted's Shed into a home so people can begin living at the camp full-time in 2019. Our interns spent a good portion of the summer dry walling, and in recent months Ted's Shed got electricity, a well, a wood-burning stove, and even a fresh coat of paint on the walls.

In addition to these major projects, the summer interns built a henhouse and a fence around the lodge, and the foundation was laid for a barn that's going to be built in April of 2019.



## Warehouse

Gateway to the Arctic Camp began leasing a warehouse in Anchorage that enables our employees to work on camp-related projects during the winter months. The past couple of months, they've been learning carpentry skills and how to build furniture such as dining room tables, beds, and picnic tables.



Exhibit E  
IM 19-069  
OR 19-052



# Our Future

## Supported Employment Program

This year, Gateway to the Arctic Camp and Job Corps formed a partnership to help more individuals develop useful and marketable skills within the special needs community. This partnership will match graduates from Job Corps to our Supported Employment Program. We believe that Supported Employment at the camp is a much-needed service for our special needs population; therefore, we will continue to work with other members in the community to build our program.

## Expanding the garden

As in past years, Gateway to the Arctic Camp is constantly expanding in order to give more healthy and tasty produce back to the community. Next year, an additional 4-acre cleared field will be used for agriculture. With the goal of long-term sustainability in mind, an additional high tunnel and square foot garden boxes will be built.

## Building a barn

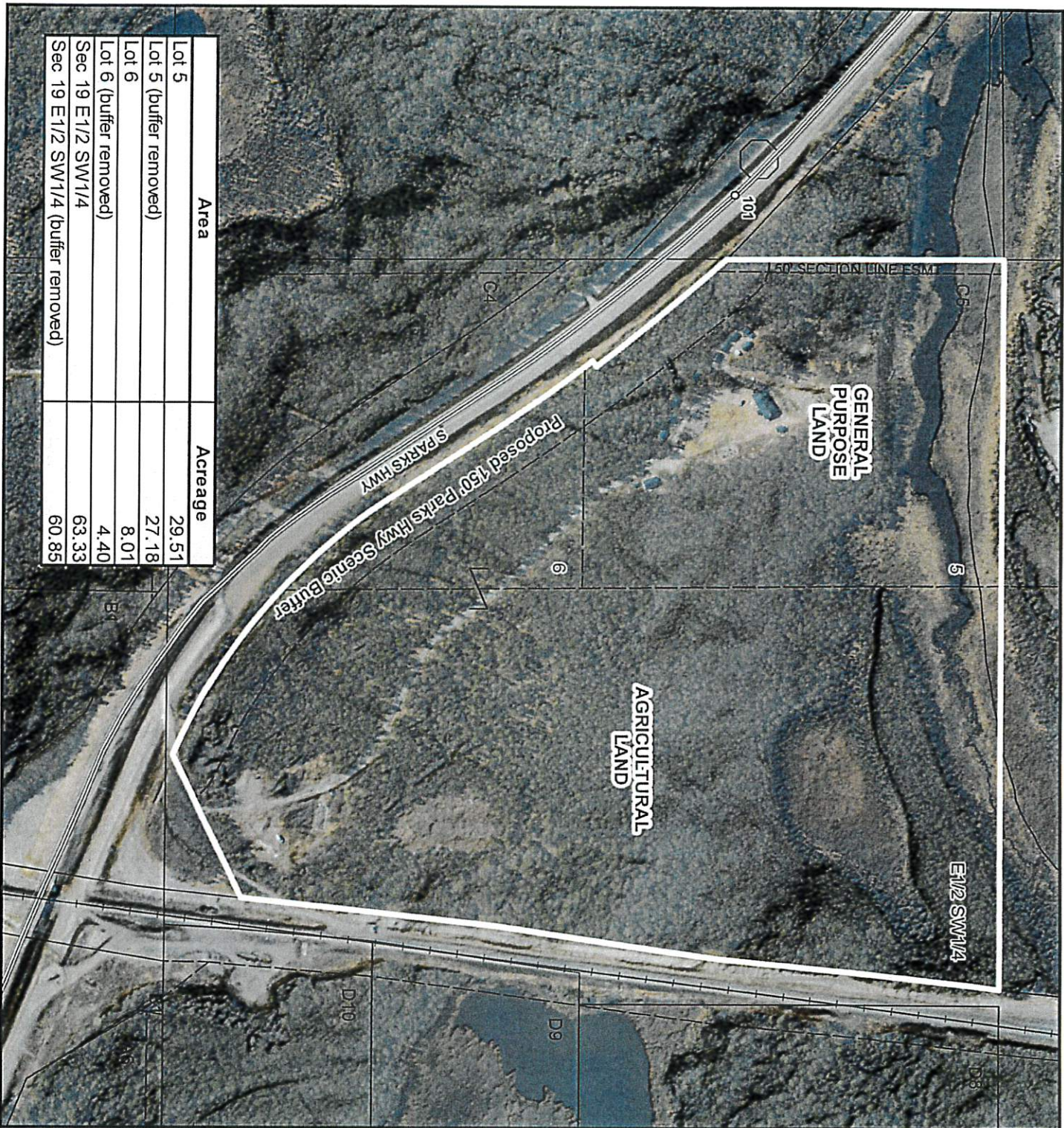
We look forward to this summer, when the barn will be completed. Our multipurpose barn will be used as an agricultural classroom, a woodshop, and as storage for tools and equipment.

## Ted shed completion

The goal for the beginning of 2019 is the completion of the Ted Shed, which will be used as an assisted living home. Through the partnership between Gateway to the Arctic Camp and Nadon Family Home, this will become a home for individuals with special abilities who prefer a more rural and rustic environment over a group home in a larger city.







Area	Acreage
Lot 5	29.51
Lot 5 (buffer removed)	27.18
Lot 6	8.01
Lot 6 (buffer removed)	4.40
Sec 19 E1/2 SW1/4	63.33
Sec 19 E1/2 SW1/4 (buffer removed)	60.85

Matanuska - Susitna Borough  
Land and Resource  
Management Division



Great Land Church  
Area Calculations  
and Classification

MSB006744  
24N04W19C005



DNV February 2018  
Project: NAD 83 57N12E24W  
Area: 0.011362



## EXHIBIT G

### DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS

The Matanuska-Susitna Borough, a municipal corporation organized and existing under the laws of the state of Alaska (hereinafter "Declarant"), as owner of real property classified as "Agricultural lands" by adoption on \_\_\_\_\_ of Matanuska-Susitna Borough Ordinance Serial Number \_\_\_\_\_, does hereby declare and impose these covenants, conditions, and restrictions on the real property described in "Exhibit A" attached hereto, in order to promote the agricultural use and development of the subject real property. This declaration of covenants, conditions and restrictions so declared are perpetual and shall run with the land and be binding on all parties coming under them hereafter, including all successors and assigns.

#### DEFINITIONS

**Farm Unit:** The individual parcels described in this declaration, each to be conveyed as a single farm unit.

**Farm Sub-Units:** The parcels later created within the boundary of a Farm Unit.

**Improvement Sites:** The areas within a Farm Unit, or subsequent Farm Sub-Unit, that must be designated as the location for all real property improvements and the non-agricultural development permitted by this declaration.

**Primary Improvement Site:** The one (1) designated improvement site within a Farm Unit, or subsequent Farm Sub-Unit, in which the farm headquarters, residential use, and home-based business use, including associated well and septic systems, shall be located.

**Real Property Improvements:** Any structural improvement that is built or located upon the land in a fixed, permanent, or immovable state. For the purposes of this declaration, farm fencing, irrigation wells and systems, utility service lines (aerial or buried), farm field roads, and public infrastructure located in public use easements or right-of-ways are not considered as real property improvements that must be located within the designated Improvement Sites.

**Agricultural Development:** The development of the land for Agricultural Purposes.

**Agricultural Purposes:** The production and harvest, for commercial or personal use, of plants, animals, birds, fish, bees, and other organisms by humans to provide food, fuel, fiber, shelter, clothing, energy and aesthetics, and including:

Real property improvements used in the care, housing, processing, and storage of the agricultural assets, EXCEPT that kennels and catteries are not considered an agricultural purpose;

Other land improvements that are reasonably required for or related to agricultural development; and

The personal use of gravel resources located within the Farm Unit for development within the Farm Unit boundary; and

The removal and disposition of timber located within the Farm Unit in order to bring the land into agricultural production.

**Residential Use:** Any Real Property Improvement that is used as living quarters by the landowner(s) or farm laborers employed on the Farm Unit, and including members of their immediate family residing with them.

**Home-Based Business Use:** A business activity carried out on the same Improvement Site as a Residential Use, being located in a residential structure or a detached appurtenance, that is clearly incidental and subordinate to the agricultural development. Examples of such a use may include professional service businesses, bed and breakfast or farm-stay businesses, and kennel and cattery businesses for boarding or breeding.

## **LAND USE RESTRICTIONS**

1. The farm headquarters, residential use, and home-based business use, including associated well and septic systems, shall be located within one (1) Improvement Site that is identified as the Primary Improvement Site. Additional Improvement Sites may be indicated within the Farm Unit but are strictly limited to facilities necessary to the agricultural development of the Farm Unit and shall not include residential or home-based business uses as defined herein. The aggregate area of all Improvement Sites may not exceed five (5) acres, unless specifically authorized by the Matanuska-Susitna Borough Manager.
2. The Borough Manager may authorize designated Improvement Sites in an aggregate area larger than five (5) acres when the additional area is needed for unusual or larger scale real property improvements necessary for agricultural development of the parcel.

The designated Improvement Site(s) must be identified prior to construction of the real property improvement(s) by the Farm Unit purchaser/owner submitting location map(s) on a form, approved by the borough manager that is acceptable for recording. The location and size of each designated Improvement Site, including the Primary Improvement Site, shall be indicated on the map. A "Notice of Designated Improvement Sites" that includes a copy of the location map(s) as approved by the Borough Manager shall be recorded in the office of the district recorder at the expense of the Farm Unit purchaser/owner. The Notice of Designated Improvement Sites, most recently accepted by the Borough Manager and recorded, may be used as a basis for enforcing the covenants, conditions and restrictions herein. The size and location of the Improvement Sites may be amended prior to construction of improvements within designated Improvement Sites. An "Amended Notice" shall be recorded in the same manner as the original "Notice".

3. Requests to amend or enlarge the designated Improvement Sites, including the fees to process such a request shall be submitted to the Matanuska-Susitna Borough, Land Management Division. The Borough Manager may impose such conditions of use on the additional acreage authorized as deemed prudent and necessary based on a review of the intended uses. A notice of the authorization of sites larger than five (5) acres aggregate and any special conditions of use shall be recorded as a part of the original "Notice" or as an "Amended Notice" in the records of the district recorder in the same manner as the "Notice".
4. The development of condominiums or co-operatively owned apartments within any area of the Farm Unit is prohibited.
5. The excavation or removal of any natural deposits of gravel, sand, rock, peat or similar natural resource materials located within the Farm Unit for the purposes of sale, trade, barter, or exchange is prohibited.



6. All development and uses within the Farm Unit shall conform to all federal, state, and local laws, regulations, and codes.

#### **SUBDIVISION RESTRICTIONS**

1. The Farm Unit may not be subdivided for a period of ten (10) years from the date the sale documents from the Matanuska-Susitna Borough conveying the Farm Unit to the purchaser are recorded in the office of the district recorder.
2. After the expiration of ten (10) years as set forth herein, a Farm Unit larger than 80 acres in size may be subdivided. The Farm Unit may not be divided into parcels less than 40 acres in size. No more than a total of four (4) parcels may result within the boundary of the Farm Unit. Parcels created from the Farm Unit by subdivision may not be further subdivided and will be identified as Farm Sub-Units.
3. A parcel subdivided from the Farm Unit will continue to come under this Declaration of Covenants, Conditions, and Restrictions.
4. Subdivision of the Farm Unit must meet the subdivision code and regulations in place at the time such subdivision occurs.
5. Each Farm Sub-Unit shall be authorized to designate not more than an aggregate of five (5) acres for Improvement Sites that may include one (1) Primary Improvement Site. The five (5) acre limit shall include any designated Improvement Sites located within the boundary of the Farm Sub-Unit previously existing under the rules for the Farm Unit, unless such site has not been utilized and its location is released by an approved amendment.

#### **DEVELOPMENT REQUIREMENTS**

The Farm Units have been classified under MSB 23.05.100 as "Agricultural Lands" because they are recognized as land that "because of soils, location, physical or climatic features, or adjacent development are presently or potentially valuable for the production of agricultural crops". Any agricultural potential of the Farm Units shall be enhanced by land and water stewardship practices that minimize adverse environmental impacts. An implementation schedule for the development of each Farm Unit is not required and will not be enforced.

#### **WASTE**

Development methods shall not waste the topsoil and other natural resources of the Farm Unit nor shall it diminish the agricultural potential of the Farm Unit.

#### **AMENDMENT OR MODIFICATION**

This Declaration of Covenants, Conditions and Restrictions is intended to be perpetual. The Matanuska-Susitna Borough Assembly having imposed these conditions under Ordinance Serial Number \_\_\_\_\_ may amend or modify the Covenants, Conditions and Restrictions by subsequent ordinance upon written petition, signed by the owners of record of no less than 70 % of the existing Farm Units and Farm Sub-Units affected by this Declaration at the time the petition is presented, and upon a public hearing, provided the amendment or modification shall apply equally to all Farm Units and Farm Sub-Units.

## INTERPRETATION

The provisions of these covenants, conditions, and restrictions shall be liberally construed to effect the purpose of encouraging agricultural development. Failure to enforce any provision shall not constitute a waiver of the right to enforce such provision or any other provision herein. Any conflicts in interpretation arising between this declaration and other covenants, conditions, and restrictions of record or zoning that may affect a Farm Unit or Farm Sub-Unit shall be adhered to based on the more restrictive interpretation.

## ENFORCEMENT

This Declaration of Covenants, Conditions, and Restrictions may be enforced only by a civil action brought by the Matanuska-Susitna Borough, its successors or assigns; or a local municipality or city in which the Farm Unit or Farm Sub-Unit is located; or an owner of a Farm Unit or Farm Sub-Unit affected by this declaration; or an owner of adjacent land adversely affected by the failure of a Farm Unit or Farm Sub-Unit owner(s) to adhere to the covenants, conditions and restrictions herein. A civil action may be filed after the plaintiff has notified the Farm Unit or Farm Sub-Unit owner(s), in writing by certified mail or personal service, of the particular violations of this Declaration at least 90 days before the civil action is undertaken. Enforcement under this section shall not limit the ability of a party to seek injunctive relief on an expedited basis when life, health or safety is an issue.

IN WITNESS WHEREOF, this declaration is made and executed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the undersigned on behalf of the Matanuska-Susitna Borough under authority granted by the laws of the State of Alaska and the Matanuska-Susitna Borough.

ATTEST:

MATANUSKA-SUSITNA BOROUGH

\_\_\_\_\_, Borough Clerk

\_\_\_\_\_, Borough Manager

Seal:

STATE OF ALASKA )

)ss.

Third Judicial District )

On \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, Borough Manager of the Matanuska-Susitna Borough, who is personally known to me, appeared and acknowledged before me that he signed the Declaration of Covenants, Conditions and Restrictions on behalf of the municipal corporation.

\_\_\_\_\_  
Notary Public for State of Alaska

My commission expires: \_\_\_\_\_



EXHIBIT A

THE LEGAL DESCRIPTIONS OF PARCELS  
AFFECTED BY THIS DECLARATION  
WILL BE INSERTED PRIOR TO THIS DOCUMENT RECORDING

DRAFT

**MATANUSKA-SUSITNA BOROUGH  
AGRICULTURE ADVISORY BOARD  
RESOLUTION SERIAL NO. 19-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AGRICULTURE ADVISORY BOARD RECOMMENDING ASSEMBLY ACTION FOR THE RECLASSIFICATION OF GENERAL PURPOSE AND AGRICULTURAL LANDS AND THE GREAT LAND CHRISTIAN CHURCH TO TERMINATE ITS LESS THAN FAIR MARKET VALUE GROUND LEASE AND PURCHASE BY APPLICATION THE FEE SIMPLE ESTATE OF THE LAND ONLY, AT FAIR MARKET VALUE (MSB006744).

---

WHEREAS, the Great Land Christian Church, a 501(c)3 recognized organization, has a less than fair market value lease hold interest for an Agricultural Rights Lease for Lots 5 and 6, and the E1/2 SW1/4, Section 19, Township 24 North, Range 4 West, Talkeetna Recording District, Seward Meridian, Alaska; and

WHEREAS, the Great Land Christian Church, who operates the parcel as the Gateway to the Arctic Camp as a youth camp-based, agricultural program that provides educational opportunities for the production of agricultural crops and raising of animals for youth and special needs persons; and

WHEREAS, the Great Land Christian Church partnered with Nadon Family Home an Anchorage based for profit group home, to provide a sustainable source of income for the camp; and

WHEREAS, the Great Land Christian Church has applied to the borough to extinguish the lease hold interest and purchase the parcels at fair market value to expand its services and programs; and



WHEREAS, the parcels are currently classified Agricultural Land by MSB Ordinance No. 00-161 and the proposed classification will be dual classification to include Agricultural and General Purpose lands; and

WHEREAS, MSB Ordinance No. 00-161 imposed on the parcels a scenic buffer 150 feet in width along the Parks Highway Corridor, and such buffer is not contiguous with the adjoining properties to the north or south of the parcels, and reduces the usable area for agricultural production; and

WHEREAS, the appraised market value of the subject parcels (101+/- acres) for fee simple estate is valued at \$193,000 (\$1,910 an acre) and the fee simple estate with agricultural covenants is valued at \$90,000 (\$891 an acre); and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Agriculture Advisory Board recommends the Matanuska-Susitna Borough Assembly authorize the classification of Lot 5 as General Purpose lands, and Lot 6 and the E1/2 SW1/4 as Agricultural lands with covenants, conditions and restrictions; repeal of the 150 feet scenic buffer as set forth under MSB Ordinance Serial No. 00-161; and authorize the manager to negotiate the purchase of Lots 5, 6 and E1/2 SW1/4 by Great Land Christian Church based on the fair market value appraisal of \$119,960.

ADOPTED by the Matanuska-Susitna Borough Agriculture Advisory  
Board this 20th day of FEBRUARY, 2019

Norman Rex Harris  
Norman Rex Harris, Chairman

ATTEST:

Tracy K. McDaniel, Asset Manager  
for Jill Irsik  
Department Administrative Specialist



By: Tracy McDaniel  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 19-09**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY ACTION FOR THE RECLASSIFICATION OF BOROUGH-OWNED LANDS AS AGRICULTURAL LANDS AND GENERAL PURPOSE LANDS FOR THE SALE OF THE FEE SIMPLE ESTATE AT FAIR MARKET VALUE (MSB006744).

WHEREAS, the Great Land Christian Church, a 501(c)3 recognized organization, has applied to purchase the fair market value of the fee simple title of its lease hold interest; and

WHEREAS, the Great Land Christian Church lease includes Lots 5 and 6, and the E1/2 SW1/4, Section 19, Township 24 North, Range 4 West, Talkeetna Recording District, Seward Meridian, Alaska; and

WHEREAS; the lease allowed for the development of non-agriculture structures on Lot 5, which in turn requires a classification change for Lot 5 only from Agricultural lands to General Purpose lands; and

WHEREAS; the lease parcels are currently classified Agricultural Land by MSB Ordinance No. 00-161 and the proposed classification will be amended as a dual classification to include Agricultural and General Purpose lands; and

WHEREAS, public notice was provided as required by MSB Title 23 and a Preliminary Best Interest Finding Decision has been prepared to include comments from the public noticing; and

WHEREAS, on February 20, 2019, the Matanuska-Susitna Borough Agriculture Advisory Board adopted Resolution No. 19-01, concurring with the Preliminary Best Interest Finding and recommendations for classification and disposition of the lands; and

WHEREAS, review of the soils, location and development of each parcel indicates dual classification as "agricultural" lands and "general purpose" lands under Title 23 is supported for the parcels; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends the Matanuska-Susitna Borough Assembly authorize the classification of Lot 5 as General Purpose lands; and Lot 6 and the E1/2 SW1/4, as Agricultural lands with covenants, conditions and restrictions pertaining to agricultural use, located within Section 19, Township 24 North, Range 4 West, Talkeetna Recording District, Seward Meridian, Alaska.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission  
this \_\_\_\_ day of \_\_\_\_, 2019.

\_\_\_\_\_  
MARY ANDERSON, Chair

ATTEST

\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)

YES: Chesbro

NO: Anderson, Glashan, and Mossanen

NONCODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 19-052**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY FOR THE RECLASSIFICATION OF GENERAL PURPOSE AND AGRICULTURAL LANDS AND THE GREAT LAND CHRISTIAN CHURCH TO TERMINATE THEIR LESS THAN FAIR MARKET VALUE GROUND LEASE AND PURCHASE BY APPLICATION THE FEE SIMPLE ESTATE OF THE LAND ONLY, AT FAIR MARKET VALUE (MSB006744).

WHEREAS, the Great Land Christian Church, a 501(c)3 recognized organization, has a less than fair market value leasehold interest for an Agricultural Rights Lease for Lots 5 and 6, and the E1/2 SW1/4, Section 19, Township 24 North, Range 4 West, Talkeetna Recording District, Seward Meridian, Alaska; and

WHEREAS, the Great Land Christian Church, who operates the parcel as the Gateway to the Arctic Camp, which is a youth camp-based, agricultural program that provides educational opportunities for the production of agricultural crops and raising of animals for youth and special needs persons; and

WHEREAS, the Great Land Christian Church partnered with Nadon Family Home, an Anchorage based for-profit group home, to provide a sustainable source of income for the camp programs; and



WHEREAS, the Great Land Christian Church has applied to the borough to extinguish the leasehold interest and purchase the parcels at fair market value to expand its services and programs; and

WHEREAS, the parcels are currently classified Agricultural Land by MSB Ordinance No. 00-161 and the proposed classification will be dual classification to include Agricultural and General Purpose lands; and

WHEREAS, MSB Ordinance No. 00-161 imposed on the parcels a scenic buffer 150 feet in width along the Parks Highway Corridor, and such buffer is not contiguous with the adjoining properties to the north or south of the parcels, and reduces the usable area for agricultural production; and

WHEREAS, the appraised market value of the subject parcels (101+/- acres) for fee simple estate is valued at \$193,000 (\$1,910 an acre) and the fee simple estate with agricultural covenants is valued at \$90,000 (\$891 an acre); and

WHEREAS, the value for Lot 5, fee simple estate is \$56,393.61 (29.51 acres) and the value for Lot 6 and the E1/2 SW1/4, fee simple title with agricultural covenants, conditions and restrictions is \$63,563.94 (71.34 acres) for a total market value of \$119,960 (rounded).

BE IT ENACTED:

Section 1. Classification. This Ordinance is a noncode ordinance.

Section 2. Acceptance and Authorization. The Matanuska-Susitna Borough Assembly authorizes the classification of Lot 5 as General Purpose lands, and Lot 6 and the E1/2 SW1/4 as Agricultural lands with covenants, conditions and restrictions; repeal of the 150 feet scenic highway buffer for the parcel as set forth under MSB Ordinance Serial No. 00-161; and authorizes the manager to negotiate the purchase of Lots 5, 6 and E1/2 SW1/4 by Great Land Christian Church based on the fair market value appraisal of \$119,960.

Section 3. Conditions.

- 1) Cash purchase price is \$119,960.
- 2) Buyer to pay all costs associated with transfer of title through a title company.
- 3) Buyer will be responsible for all taxes levied on the property (no tax proration at closing).
- 4) MSB will pay for the title policy insuring marketable title.
- 5) The \$5,000 lease security deposit shall be used as the earnest money deposit to be credited to Buyer at closing.
- 6) Any prepayment, annual lease amount shall be credited to Buyer at closing.



Section 4. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
VERN HALTER, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)