

NONCODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 21-002**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE LAND SALE PRICE AND VALUE ADJUSTMENT OF BOROUGH-OWNED PROPERTY OFFERED IN THE 2020 COMPETITIVE SEALED BID LAND SALE, IDENTIFIED AS PARCEL 20-03 (TAX ID 15N03W10C001), IN ACCORDANCE WITH THE SALE BROCHURE POLICIES AND REMEDIES IF A PROPERTY IS PROVEN TO HAVE LESS ACREAGE THAN THE BOROUGH ASSESSMENT (MSB007595).

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WHEREAS, Borough-owned land identified in the 2020 Competitive Sealed Bid Land Sale as Parcel 20-03 (Tax ID 15N03W10C001) received only one bid and is now under contract with Knik Arm Services, LLC, (Mark Graber, owner) as the purchaser; and

WHEREAS, the sale brochure contains language stating the Borough makes no warranties either expressed or implied regarding actual size of the parcel and it is the responsibility of the purchaser to confirm the actual acreage and parcel boundaries to their own satisfaction; and

WHEREAS, if the acreage is disputed, procedures set forth in the brochure include the purchaser must notify the Borough within ten days of said dispute that the acreage is at least 15% smaller than the assessed acreage;

WHEREAS, Mr. Graber followed procedure and obtained a new survey at his own expense verifying the actual acreage was not correct; and

WHEREAS, the new survey showed the parcel size was reduced from the assessed 19.31 acres down to 14.31 acres, due in part to bluff erosion and changes in the high water mark along Knik Arm over the past 39 years while in Borough ownership; and

WHEREAS, the new survey proved the 5 acres difference constituted a 25% reduction in parcel size; and

WHEREAS, using a calculation of the advertised assessed value of \$81,800 and assessed acreage of 19.31 acres, staff determined the reduction of 5 acres of the land alone, without any other adjustments, would be \$60,577; and

WHEREAS, based on the new survey and without further adjustments, the value of the property identified in the 2020 Competitive Sealed Bid Land Sale as Parcel 20-03 (TAX ID 15N03W10C001) in the amount of \$60,577 is a fair sales price for the land and is in accordance with the sale brochure policies and remedies.

BE IT ENACTED:

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

Section 2. Authorization. The Matanuska-Susitna Borough Assembly approves the land sale price as adjusted to \$60,577 for Borough-owned property identified in the 2020 Competitive Sealed Bid Land Sale as Parcel 20-03 (TAX ID 15N03W10C001), in accordance with the sale brochure policies and remedies provided therein.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2021.

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VERN HALTER, Borough Mayor

ATTEST:

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LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)