

SUBJECT: Matanuska-Susitna Borough Assembly approval of the sale of Borough-owned land identified as Lot 927, Caswell Lakes Subdivision, to adjacent property owner Brad McCourt on behalf of the McCourt Family Trust, pursuant to MSB 23.10.230 Agreements By Application (MSB007757).

AGENDA OF: October 5, 2021

ASSEMBLY ACTION:

Adopted without objection

10-19-21 (BBA)

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER: *MB*

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>MSC</i>	
	Community Development Director	<i>CP</i>	
	Finance Director	<i>CS</i>	
	Borough Attorney	<i>MS</i>	
	Borough Clerk	<i>YMM 9/27/21</i>	<i>(BBA)</i>

ATTACHMENT(S): Fiscal Note: YES X NO _____
Vicinity Map (1 pp)
Ordinance Serial No. 21-100 (2 pp)

SUMMARY STATEMENT:

The subject parcel is located in Caswell Lakes Subdivision and was received by the Borough through tax foreclosure for non-payment of taxes for the year 1973 and earlier, Clerks Deed dated March 5, 1976, recorded at Book 111, Page 984, on March 9, 1976, Palmer Recording District (Civil Action No. 74-3632). All re-purchase rights of the former record owner have been extinguished.

The subject parcel is considered "sub-standard" for individual development of building/septic area due to it being only .43 acres (18,730 square feet) in size. The Borough recognizes a standard lot as being at least 40,000 square feet under MSB 43.20.280 Area. As was the standard Borough practice when the subject lot was

received, sub-standard lots were automatically retained through public dedication so they could not be sold individually. If approved for conveyance, the public dedication will cease to exist.

MSB Land & Resource Management received a request from Brad McCourt (Mccourt Family Trust) to purchase the adjacent Borough-owned land by application, pursuant to MSB 23.10.230 Agreements by Application. The code provides under subsection (A) (1)(d) that the Manager may, with Assembly approval by ordinance, approve a sale of Borough-owned real property by application if the purchase is for an adjacent property owner to address a substandard or unusable lot condition.

The applicant's parcel (Lot 926) is .34 acres thereby making Mr. McCourt eligible to purchase Lot 927 as the adjacent property owner in order to provide greater potential to develop his property without encroachment or overlap of septic area/well radius affecting other nearby lots.

In accordance with MSB 23.10.060, fair market value of Lot 927 is determined by the 2021 certified tax roll with an assessed value of \$4,500. The Borough parcel will be sold for cash and conveyed by quitclaim in "as-is where-is" condition, without any warranty expressed or implied. Mr. McCourt will pay for all associated costs, to include application fee, public notice and advertising, and document recording. Through conveyance, Lot 927 will be placed on the tax rolls after 45 years of Borough-ownership.

Inter-department review was initiated and received no objection or concern from Borough departments. Public notice was provided in accordance with MSB 23.05.25 with one comment in support with no objections received, and a verbal non-objection from the only other property owner located adjacent to Lot 927.

RECOMMENDATION OF ADMINISTRATION:

Matanuska-Susitna Borough Assembly approval of the cash sale of Borough-owned land identified as Lot 927, Caswell Lakes Subdivision (Tax ID # 6070000L0927), to adjacent property owner Brad McCourt on behalf of the McCourt Family Trust, pursuant to MSB 23.10.230 Agreements by Application.

MATANUSKA-SUSITNA BOROUGH FISCAL NOTE

Agenda Date: October 5, 2021

SUBJECT: Matanuska-Susitna Borough Assembly approval of the sale of Borough-owned land identified as Lot 927, Caswell Lakes Subdivision, to adjacent property owner Brad McCourt on behalf of the McCourt Family Trust, pursuant to MSB 23.10.230 Agreements By Application (MSB007757).

ORIGINATOR: Nancy Cameron, Land Management

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED \$4,500	FUNDING SOURCE
FROM ACCOUNT #	PROJECT
TO ACCOUNT: 203.000.000 3xx.xxx	PROJECT #
VERIFIED BY: [Signature]	CERTIFIED BY:
DATE: 9-13-21	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			4.5			
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FUNDING:

(Thousands of Dollars)

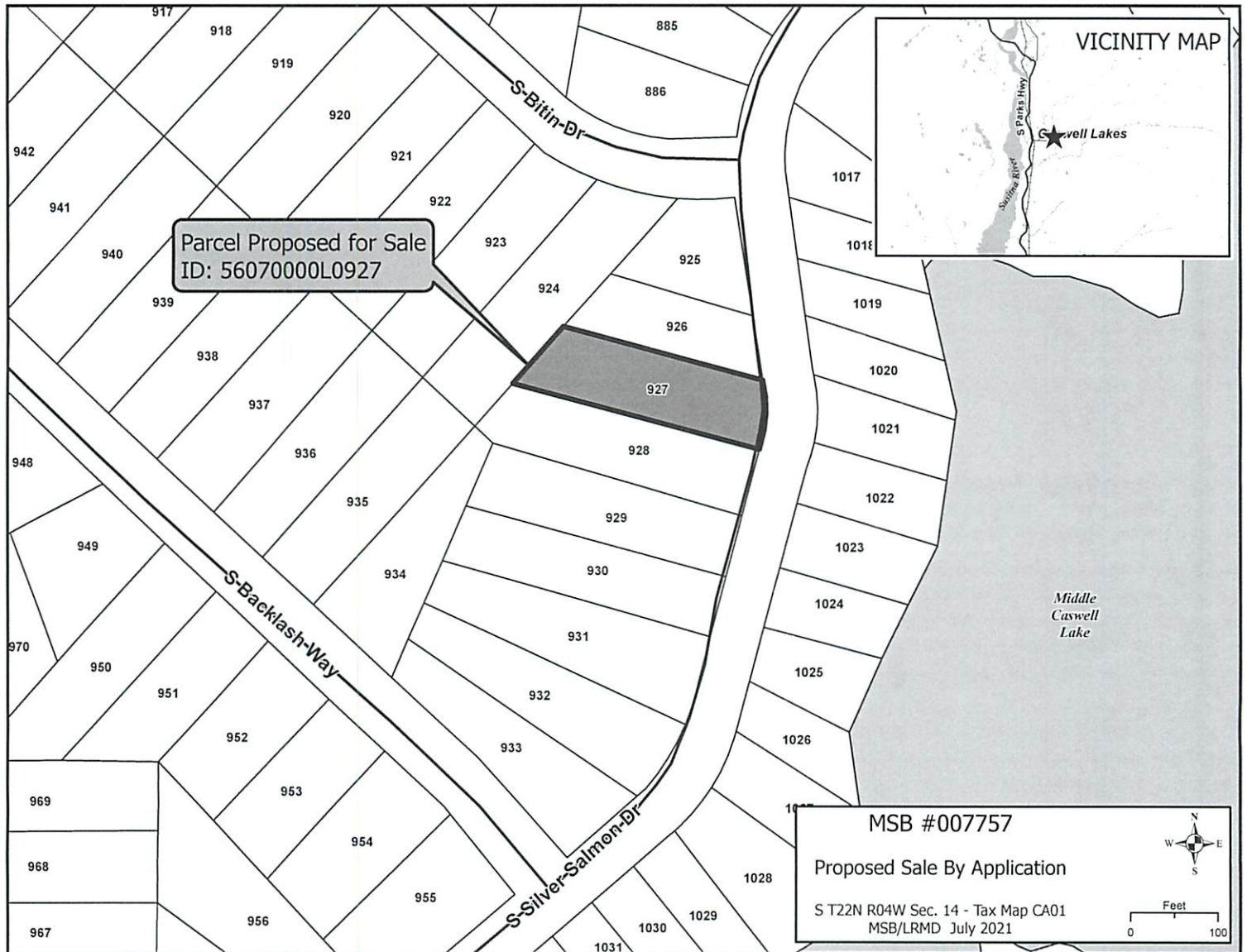
General Fund						
State/Federal Funds						
Other			4.5			
TOTAL			4.5			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____
 DEPARTMENT: [Signature] DATE: _____
 APPROVED BY: [Signature] DATE: 9/14/2021



1M 21-199
OR 21-100