

NONCODE ORDINANCE

Sponsored By: Manager
Introduced:
Public Hearing:
Adopted:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 26-050**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A LESS THAN FAIR MARKET VALUE SALE OF NINE BOROUGH-OWNED PROPERTIES TO THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR A PUBLIC PURPOSE. (MSB008235)

WHEREAS, the intent and rationale for this ordinance are found in the accompanying Informational Memorandum No. 26-081 and Best Interest Finding; and

WHEREAS, the State of Alaska Department of Transportation and Public Facilities (DOT&PF) submitted a request for the Borough to convey nine Borough-owned parcels for a public purpose at less than fair market value; and

WHEREAS, pursuant to MSB 23.10.280 (A) the transfer of Borough land may be made to the state without limit or consideration, for public purposes; and

WHEREAS, property will be conveyed without retaining a reversionary clause, notwithstanding MSB 23.10.280 (A) (2) and Land and Resource Management, Policy and Procedure Manual Part 60-16 (7.1) wherein the borough retains a reversionary interest on each conveyance granted under this section; and

WHEREAS, property will be conveyed at less than fair market value without consideration, notwithstanding MSB 23.10.060 wherein

the minimal fee is \$500 per parcel or a range of 50 to 90 percent of market value, as determined by the Assembly; and

WHEREAS, the Borough waives appraisal requirements under the State of Alaska specifications; and

WHEREAS, DOT&PF understands they will be responsible for any and all future fees and requirements associated with transfer, management, and development of the nine parcels being conveyed; and

WHEREAS, DOT&PF is aware parcel number two (Tract B, Foothill Estates, Plat 73-29) contains FEMA deed restrictions recorded November 22, 2019, at serial number 2019-026924-0 in the Palmer Recording District.

BE IT ENACTED:

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

Section 2. Legal Description of Parcels to be Conveyed.

Parcel 1) Tract A, Foothill Estates, according to plat 73-29, located in the Palmer Recording District, State of Alaska. (tax number 53046000T00A)

Parcel 2) Tract B, Foothill Estates, according to plat 73-29, located in the Palmer Recording District, State of Alaska. (tax number 53046000T00B)

Parcel 3) A part abstracted from Government Lot #2, in Section 35 Township 18 North, Range 2 East; all of that portion lying

between the center of Glenn Highway and Matanuska River, except the south 460 feet of property, excepting therefrom that portion conveyed to SOA/DOTPF by quitclaim deed recorded March 12, 2008 at serial number 2008-005801-0, in the Palmer Recording District, State of Alaska. (tax number 118N02E35C004)

Parcel 4) Beginning at the C1/4 S2 T17N R2E S.M., thence N7°18'E a distance of 146.05' along the centerline of the Old Glenn Highway, thence along the centerline of the Old Glenn Highway on a curve to the left with a radius of 2644.62', a central angle of 17°55', a distance of 826.80', thence N10°37'W a distance of 351.35' along the centerline of the Old Glenn Highway, thence along the centerline of the Old Glenn Highway on a curve to the left with a radius of 4297.50', a central angle of 9 5'40" a distance of 682.13' to the true point of beginning of Tract 3A, thence West a distance of 688.67' to the meander of the Matanuska River, thence N8°45'E a distance of 47.25' along the meander of the Matanuska River, thence N19°45'W a distance of 607.20' along the meander of the Matanuska River, thence N5°15'E a distance of 50.82' along the meander of the Matanuska River to the township line between S35 T18N R2E S.M. and S2 T17N R2E S.M., thence East a distance of 590.00' along said township line to the centerline of the Old Glenn Highway, thence S24°19'E a distance of 392.37' along the centerline of the Old Glenn Highway, thence along the centerline of the Old Glenn Highway on a curve to the right with a radius of 4297.50' a central angle of 4°28'20" a distance of 335.63' to the true point of beginning of Tract 3A, containing 9.85 acres more or less, less

the right-of-way for the Old Glenn Highway, and subject to a utility easement to MTA recorded August 13, 1981, Book 241, Page 183, Palmer Recording District and subject to the rights of the public and/or governmental agencies in and to any portion of said premises lying below the mean high water line of the Matanuska River, also excepting therefrom that portion conveyed to SOA/DOTPF by quitclaim deed recorded March 12, 2008 at serial number 2008-005800-0, Palmer Recording District, State of Alaska. (tax number 117N02E02B004)

Parcel 5) Beginning at the C1/4 S2 T17N R2E S.M., thence N7°18'E a distance of 146.05' along the centerline of the Old Glenn Highway, thence along the centerline of the Old Glenn Highway on a curve to the left with a radius of 2644.62' a central angle of 17°55', a distance of 826.80' thence N10°37'W a distance of 305.48' along the centerline of the Old Glenn Highway to the true point of beginning of Tract 3B, thence West a distance of 787.13' to the meander of the Matanuska River, thence N6°45'W a distance of 2.20' along the meander of the Matanuska River, thence N12°15' a distance of 277.20' along the meander of the Matanuska River, thence N30°15'W a distance of 105.60' along the meander of the Matanuska River, thence N7°30'W a distance of 99.00 along the meander of the Matanuska River, thence N8°45'E, a distance of 243.15' along the meander of the Matanuska River, thence East a distance of 688.67' to the centerline of the Old Glenn Highway, thence along the centerline of the Old Glenn Highway on a curve to the right with a radius of 4297.50' a central angle of 9°5'40" and a distance of

682.13', thence S10°37'E a distance of 45.87' along the centerline of the Old Glenn Highway, to the true point of beginning, containing 12.58 acres more or less, less the right-of-way for the Old Glenn Highway, and subject to a utility easement to MTA recorded August 13, 1981 Book 241 Page 183, Palmer Recording District and subject to the right of the public and/or governmental agencies in and to any portion of said premises lying below the mean high water line of the Matanuska River, also excepting therefrom that portion conveyed to SOA/DOTPF by quitclaim deed recorded March 12, 2008 at serial number 2008-005799-0, Palmer Recording District, State of Alaska. (tax number 117N02E02B005)

Parcel 6) Beginning at the C1/4 S2 T17N R2E S.M., thence along the centerline of the Old Glenn Highway N7°18'E distance of 146.05' thence along the centerline of the Old Glenn Highway on a curve to the left with a radius of 2644.62', a central angle of 8°45'31" a distance of 404.28', to the true point of beginning for Tract 4A, thence West a distance of 806.81' to the meander of the Matanuska River, thence N4°E a distance of 196.90' along the meander of the Matanuska River, thence N14°45'W a distance of 198.00' along the meander of the Matanuska River, thence N6°45'W a distance of 334.40' along the meander of the Matanuska River, thence East a distance of 787.13' to the centerline of the Old Glenn Highway, thence S10°37'E a distance of 305.48' along the centerline of the Old Glenn Highway, thence on a curve to the right with a radius of 2644.62', a central angle of 9°9'29" a distance of 422.52' along the centerline of the Old Glenn Highway to the true point of

beginning of Tract 4A, containing 13.20 acres, more or less, less the right-of-way for the Old Glenn Highway and subject to a utility easement to MTA recorded August 13, 1981, Book 241, Page 183 Palmer Recording District, and subject to the rights of the public and/or governmental agencies in and to any portion of said premises lying below the mean high water line of the Matanuska River, also excepting therefrom that portion conveyed to SOA/DOTPF by quitclaim deed recorded March 12, 2008 at serial number 2008-005798-0. (tax number 117N02E02B002)

Parcel 7) Beginning at the C1/4, S2 T17N R2E S.M., thence West a distance of 935.55' to the meander of the Matanuska River, thence N29°15'E a distance of 85.32' along the meander of the Matanuska River, thence N24°30'E a distance of 217.80' along the meander of the Matanuska River, thence N10°E a distance of 158.40' along the meander of the Matanuska River, thence N4°E a distance of 119.90' along the meander of the Matanuska River, thence East a distance of 806.81' to the centerline of the Old Glenn Highway, thence along a curve to the right with a radius of 2644.62', a central angle of 8°45'31" a distance of 404.28' to the start of a tangent on the centerline of the Old Glenn Highway, thence S7°18'W a distance of 146.05' along the centerline of the Old Glenn Highway, to the true point of beginning, containing 10.72 acres, more or less, less the right-of-way of the Old Glenn Highway, and subject to a utility easement to MTA recorded August 13, 1981, Book 241, Page 183 Palmer Recording District, and subject to rights of the public and/or governmental agencies in and to any portion of said premises lying

below the mean high water line of the Matanuska River, also excepting therefrom that portion conveyed to SOA/DOTPF by quitclaim deed recorded March 12, 2008 at serial number 2008-005797-0. (tax number 117N02E02B003)

Parcel 8) North one-half of the North one-half (N1/2 N1/2) G.L.O Lot 5 Section 2, Township 17 North, Range 2 East, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska, containing 8.50 acres more or less. (tax number 117N02E02C002)

Parcel 9) Begin at the Northeast corner of GLO Lot 6 Thence southerly along the east line of said Lot 6 a distance of 175 ft. to corner #2. Thence westerly along a line parallel to the north line of said lot 6 a distance of 500 ft. to corner #3. Thence northerly along the line parallel to the east line of said lot 6 a distance of 175 ft. to a point on the north line of said Lot 6, Corner #4. Thence easterly along the north line of said Lot 6 a distance of 500 ft. corner #1, P.O.B. All located within GLO Lot 6 of Section 2, Township 17 North, Range 2 East, 2 acres, more or less. (tax number 117N02E02C006)

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

ADOPTED by the Matanuska-Susitna Borough Assembly this day of , 2026.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)