

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

August 14, 2014

7:00pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: June 12, 2014 and July 10, 2014

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

1. Letter from Dan and Twyla Nore regarding purchase of Lot 6A, Dan Nore Subdivision

F. OLD BUSINESS

1. Comprehensive Plan review and evaluation
2. Discussion and update regarding proposed non-motorized transportation links (trails)

G. NEW BUSINESS

Pub Hrg

1. Conditional Use permit application for a home occupation to operate a day care business from residence on Lot 8, USS 2321, zoned Rural Residential, owned by Rynda and Robert Hayes, requested by Talea Kellar.
2. Recommendation regarding the nullification of the Ward Replat (#2008-3)
3. Recommendation to dispose of public lands, specifically Lot 6A Dan Nore Subdivision.

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

J. ADJOURNMENT

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

**July 10, 2014
7:00pm**

MINUTES

A. CALL TO ORDER/ROLL CALL

Chairperson Terri Henson called the regular meeting of the Planning and Zoning Commission to order at 7:05 pm. Chairpersons Valvoda, McConachie, Keegan were present, Chairperson Briskar was absent

B. AMENDMENTS TO THE AGENDA

5 new items submitted, 2 pieces of correspondence, chart pertaining to item F2, letter submitted after completion of Commission packets regarding tonight's public hearing, information should have been included regarding trails.

Approval of amendment to agenda consensus

C. APPROVAL OF MINUTES: June 12, 2014

None Available

D. PERSONS TO BE HEARD

None

E. CORRESPONDENCE

Letter of Complaint with attached diagram was read into the record by P&Z Secretary from James Brenner and Bert and Tammy McCay regarding a height variance encroachment of Mr. Tim Murray on Zimovia Avenue.

Letter from Carl Johnson, City and Borough of Wrangell Public Works Director and Capitol Projects to James Brenner regarding formal complaint from Mr. Brenner dated May 30, 2014 regarding building height violation for Mr. Tim Murray on Zimovia Avenue, describing calculations used to determine the building height of Mr. Murray's residence.

McConachie, with the Commission's concurrence, directed Staff to write a letter to Mr. Murray on behalf of the Planning and Zoning Commission to comply with City's requirements.

Mr. Brenner filed an appeal to the Board of Adjustments. After that decision, an appeal can be filed with the court system, which Mr. Murray opted to do.

F. OLD BUSINESS

1. Comprehensive Plan review and evaluation

Working with different groups on information for the comprehensive plan.

Land use history, shouldn't change much

Land 6.2 land ownership, we have selected additional lands so this will change.

Staff describes of how this process will proceed.

2. Discussion of potential changes to Ch.20 Zoning as it relates to "animal" issues.

This started with a chicken complaint, then rooster and now looking at the amount of each type of animals would be permissible in each area,

Staff states that code review committee is looking at chapter 7 from an enforcement view, Planning and Zoning is looking at this from a land issue.

McConachie states that this is being addressd due to the recent rooster issue within the City. This is complaint driven and that what is in place is ok.

The future is unknown about people coming to town with multiple animals. Do we want to discourage this potential for new residents to Wrangell. Feels what we have works, and should be complaint driven, and enforced as such.

Henson states there have not been many complaints, and Henson suggests to take off the Planning and Zoning's plate.

Keegan asks about a person wanting to have open range for animals, and this is addressed in the ordinance, no animals will run at large. This is not a Planning and Zoning problem, neighbors should contact the Police Department for enforcement.

If the individual wants to be considered an animal establishment then there are standards for being considered an Animal Establishment and the details to the amount of animals allowed in the specified areas are currently specified in the Ordinance.

Commission agrees to leave the animal issue as is.

G. NEW BUSINESS

1. Variance Application for back yard setback reduction on Lot 14, Block 19, USS 1119, zoned Single Family Residential, requested by April Hutchinson.

Read into recorde letter from Gary Stevens and Linnea Brooks regarding setback reduction.

Open Public Hearing

April Hutchinson, has been talking to Linnea and Gary, her neighbors. April is wanting to replace a failing existing deck. For the other duplex house, the porch does go to the fence but it was constructed before she was here, She is going to install gutters to alleviate water runoff. Currently 7'4" to her fence, current deck is 5' 2.5" not sure how this would look with deck going all the way out with a shorter roof and gutter. Will talk to a contractor regarding the gutter system and is willing to work with the Gary Stevens and Linnea Brooks. There is currently a gate between the houses for easier access to the Stevens basement and this access would still be available to the Steven's house. Wanting to get a step up

Henson asks if there is going to be a roof over the deck, and there is a system to help with the water runoff.

April states there is not a lot of space behind the house. There is a French drain on the property; this is not noted on the drawing.

Henson suggests having snow stops, to protect their fence.

Hutchinson states that she would talk to a contractor to discuss options available.

Greg Scheff provided a survey from 1995, the only change was that the house on the left has a larger deck now.

Encroachment on plat has been eliminated; the overhang of the roof is not extending beyond the property line.

Slope is coming down Reid Street to Webber Street.

Keegan states this is a non-conforming lot, and no records from before 1975.

Porch is needing to be replaced so thought she would inquire about extending the deck. Has talked gutter guys and Lloyd Ward, contractors.

2' from edge of deck to the fence.

McConachie moves to approve the Variance Application for a 2' back yard setback from the property line on Lot 14, Block 19, USS 1119, zoned Single Family Residential, Keegan seconds, with the additional condition that April works with Gary Steven and Linnea Brooks for mutual satisfaction for both home owners. Motion passed by unanimous vote.

2. Discussion and update regarding proposed non-motorized transportation links (trails)

Staff has talked to Commission about this before. We received Federal Lands Access Program funds to help design and construct trails. FLAP grants are not for projects on federal land, but to access federal lands. In August will be having a trail education training class to learn how and lay out trails. Took to the Assembly to keep them updated on. Wanted to see if the Assembly is still on board, and wanted to see if Planning and Zoning is still interested.

Trapping issues on Spur Road. Keeping to the natural trail and ROW need to be considered.

H. PUBLIC COMMENT none

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

McConachie states we need more people on the Planning and Zoning Commission and feel we need to encourage potential applicants. Talking to April Hutchinson who is sitting in audience into submitting letter of interest.

J. ADJOURNMENT 7:52 pm

DRAFT

RECEIVED

JUL 09 2014

WRANGELL CITY HALL

Dan & Twyla Nore
PO Box 366
Wrangell, AK 99929

July 9, 2014

Carol Rushmore
Zoning Administrator
P.O. Box 531
Wrangell, AK 99929

Dear Mrs. Rushmore:

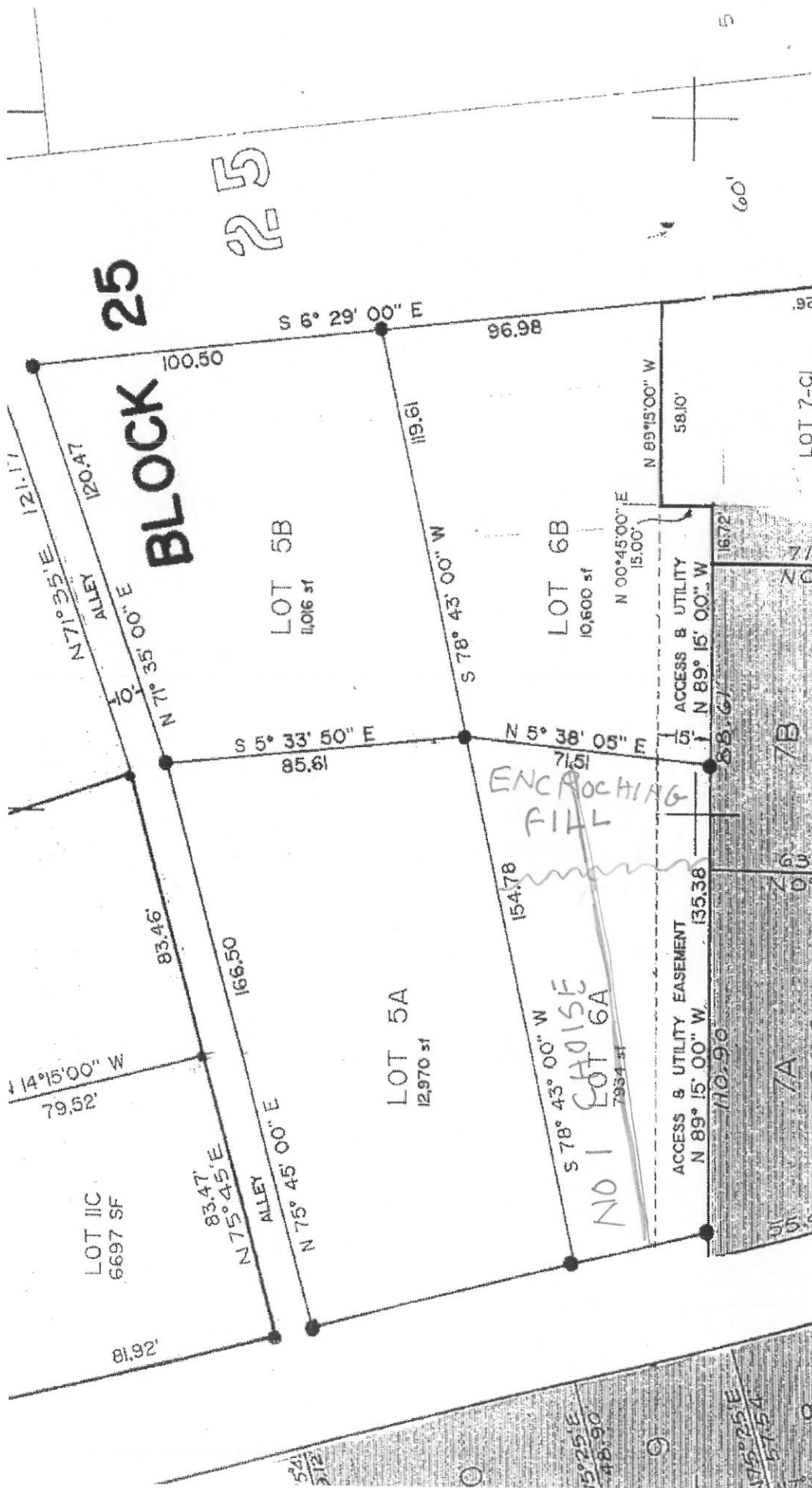
I have been told by various City employees that a portion of lot 6A is available for sale. It is adjacent to the lot I currently reside on, lot 5A. If the lot can be split lengthwise so that I would have an additional strip parallel to my lot, it would provide my lot better access to control the drainage from Zimovia Highway runoff that is now diverted into my basement.

Sincerely,



Dan & Twyla Nore





City of Wrangell, Alaska

Agenda F2

Date: August 12, 2014

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Non motorized Trails

Last week staff attended a trail design class here in Wrangell with individuals from Sitka and Juneau and then for the practical, laid out potential trails identified in previous planning work.

The attached map shows what trails were flagged and discussed – construction methods, layout options, issues, conflicts etc. This is strictly for your information as to what occurred last week. A public meeting, or series of, will be held to discuss other issues or design options, other trail locations and priorities.

TRAIL ANALYSIS

CITY AND BOROUGH OF WRANGELL, ALASKA

P.
Beach



1 inch = 791.666667 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013.
AERIAL PHOTO 2002.



City and Borough of Wrangell, Alaska

AGENDA G1

Date: August 11, 2014

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Conditional Use permit application for a home occupation to operate a day care business from residence on Lot 8, USS 2321, zoned Rural Residential, owned by Rynda and Robert Hayes, requested by Talea Kellar.

Background: Applicant is seeking to operate a day care business in the home of her parents Robert and Rinda Hayes.

Review Criteria:

Chapter 20.16: Rural Residential

Chapter 20.52: Lot Standards:

Chapter 20.68: Conditional Use Permits

Findings:

Applicant is seeking to operate a day care business out of the home of her mother at approximately 2 mile Zimovia Highway on Street. The permit approval is part of their licensing requirements with the State of Alaska. The lot is approximately 9605 square feet. The residence is connected to sewer and water and has parking for at least 5 vehicles.

Conditions of Approval for conditional use applications include:

1) *Minimal impacts on adjacent neighbors from noise, traffic, appearance, yards etc.* Any increase on Zimovia Highway to the residence would be insignificant as it is the only travel option from town to end of pavement. There will likely be an increase in traffic on the side road, but the residence is the first house on the right so vehicles will not be traveling the entire length of the road. The residents across the connector street would be impacted the most by traffic, but they have a separate entrance and parking area accessed off of Zimovia Highway so do not use the street. Most of the traffic would occur during the morning hours and afternoon hours when most kids are dropped off and picked up. The impact should be of a short duration and minimal as she will only be able to have a maximum of 8 children.

2) *Provisions of sewer and water:* The lot is connected to City sewer and water.

3) *Entrances and off-street parking available without safety issues:* Access would be via the side connector street off of Zimovia Highway. The house has a short driveway area to the off street parking. Backing out of the parking area would be on the side connector, not onto Zimovia Highway.

Staff recommends approval of the request subject to the following conditions:

1. All state and federal permits or licensing requirements for Day Care are obtained from the State.
2. This permit is approved for up to 8 children. Should the applicant seek to enlarge her facility, then she should come back to the Planning and Zoning Commission to modify her conditional use permit.

CITY OF WRANGELL, ALASKA
CONDITIONAL USE APPLICATION

PLANNING AND ZONING COMMISSION

P.O. BOX 531

WRANGELL, ALASKA 99929

Application Fee: \$50

I. Applicant's Name and Address:

Talea Kellar
2.5 mile zimovia hwy
P.O. Box 886

Applicant's Phone Number:

(907) 874-3464

II. Owners's Name and Address:

Rynda Hayes
2.5 mile zimovia hwy
P.O. Box 886

Owner's Phone Number:

(907) 874-3464

III. Legal Description: Lot

8

, Block

2321

, U.S. Survey

2321

Parcel No.

03-004-2106

IV. Zoning Classification:

RR

V. Specific Request:

Child care in home. Hours of operation: 7:30 am to 5:30 pm. I will be licensed for 8 children, with only three under the age of 30 months; and two of those being not able to walk. Parking will accomodate at least 5 vehicles at once.

VI. Site Plan shall be submitted with the application. The plan shall show existing and proposed structures, driveways, roadways, existing and proposed grading. Additional information shall be furnished upon request of the Zoning Administrator.

VII. Construction Schedule: BEGIN:

END:

SIGNATURE OF OWNER:

Rynda Hayes

DATE:

8/1/14

SIGNATURE OF APPLICANT:

Talea Kellar

DATE:

08/01/2014

If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons.

Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 289.254285 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013.
AERIAL PHOTO 2002.



City of Wrangell, Alaska

Agenda G2

Date: August 12, 2014

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request to nullify, void, and vacate Ward Replat, the replat of Lots 14 and 15, USS 3403, creating Lot A and Lot B, Zoned Rural Residential, requested by Alaska Mental Health Trust Land Office.

The letter from the Alaska Mental Health Trust Office (MHTL) summarizes what occurred in 2008. Our tax rolls incorrectly listed Bruce Ward as owner of the Lot 14 USS 3403 rather than MHTL. He was only under contract with MHTL to purchase the adjacent property. He has since stopped paying for the land and MHTL was taking the property back when they realized that a subdivision had occurred. To clear up the title to the property in order to resell the parcel, they are requesting that the Borough nullify, void and vacate the Ward Replat.

Staff has submitted the information to the attorney regarding the proper process to follow. It may be that a public hearing will need to be held – but if not, this is currently on the Commission's agenda for a recommendation to the Assembly.

Staff recommends that the Planning and Zoning Commission recommend to the Borough Assembly to nullify, void and vacate the Ward Replat, #2008-3.

July 22, 2014

The TRUST LAND OFFICE

City and Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929

Re: MHT 9100537

original: certified mail/return-receipt
7008 0500 0000 7492 4963
via email
ecodev@wrangell.com

Dear Sir or Madam,

The Trust Land Office, on behalf of the Alaska Mental Health Trust Authority, respectfully requests that the City and Borough of Wrangell **nullify, void, and vacate the Ward Replat** (recorded on April 28, 2008, as Plat 2008-3, Wrangell Recording District) by way of resolution or other appropriate action. As discussed below, the Ward Replat was not lawful or valid, and has placed a cloud on Alaska Mental Health Trust land. Gregory Scheff was the surveyor for the Ward Replat and Bruce Ward was the applicant for the Ward Replat.

Background

Effective November 26, 2007, Bruce Ward entered into a twenty-year Contract for the Sale of Real Property with the Alaska Mental Health Trust Authority (Trust) through the Trust Land Office (TLO), for the purchase of Lot 14, U.S. Survey No. 3403 (copy enclosed) ("Lot 14"). Under the terms of the Contract, title to Lot 14 would not be conveyed from the Trust to Ward until he satisfactorily performed all of the contract conditions, including full payment of the purchase price and interest. The contract contained a provision prohibiting subdivision of the parcel during the term of the agreement (MHT 9100537, Contract for the Sale of Real Property, page 5, second paragraph).

It recently came to the TLO's attention that on April 9, 2008, Bruce Ward applied to the City and Borough of Wrangell to subdivide and change the boundary configuration of Lot 14 and the adjacent Lot 15, U.S. Survey No. 3403, to create two new lots, A and B. Subsequently, the City of Wrangell Planning Commission and the City of Wrangell Council both apparently approved the Ward Replat, although the approval blocks on the Ward Replat are not complete. The Ward Replat was filed on April 28, 2008, as Plat 2008-3, Wrangell Recording District.

At no time during the platting process did Ward own fee simple title to Lot 14, or have the authority to subdivide or change the boundaries of Lot 14. In fact, Ward never obtained title to Lot 14, which at all times has remained in the Trust. The Contract for the Sale of Real Property between the Trust and Ward was terminated on February 14, 2014, as a result of Ward's failure to pay the sums owed under the contract.

Alaska Statute 40.15.310, incorporated into the Wrangell platting ordinances, requires that a plat be signed by each owner of record of the property affected. This statute recognizes the principle that property cannot be legally subdivided without the consent and acknowledgement of the owner(s). Although the Trust was the owner of Lot 14 when the Ward Replat was executed,

approved, and recorded, the Trust did not sign or approve the Ward Replat. The Ward Replat was an illegal subdivision of property not owned by the subdivider.

The platting, the purported Planning Commission and City Council approvals, and the filing and recording of the Ward Replat have purported to change the configuration of Lot 14 and have clouded the Trust's fee simple title to Lot 14. Therefore the Alaska Mental Health Trust Authority, through the TLO, respectfully requests the City and Borough of Wrangell immediately take whatever action is necessary to nullify, void, and vacate the Ward Replat, thus returning the property to its status and configuration before the Ward Replat was filed (according to the plat of U.S. Survey No. 3403, accepted by the BLM on February 12, 1958), and removing the cloud on the Trust's title to Lot 14.

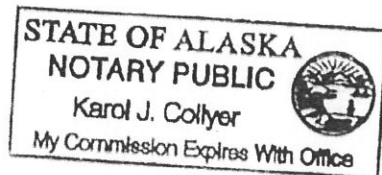
M. Menefee
Marcie Menefee
Executive Director of the Trust Land Office
Acting as agent for the Alaska Mental Health Trust Authority
Owner of Lot 14, US Survey 3403

7.21.14
Date

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA)
)ss:
Third Judicial District)

This is to certify that on this 21 day of July, 2014, personally appeared *Marcie Menefee*, Executive Director of The Trust Land Office, and who acknowledged to me that she executed the foregoing instrument, on behalf of The Trust Land Office, as agent for the Alaska Mental Health Trust Authority, freely and voluntarily and for the purposes therein stated.



Karl J. Collyer
NOTARY PUBLIC in and for Alaska
My Commission Expires with office.

The undersigned join in the Trust's request that the City and Borough of Wrangell immediately take whatever action is necessary to nullify, void, and vacate the Ward Replat, thus returning the property to its status and configuration before the Ward Replat was filed (according to the plat of U.S. Survey No. 3403, accepted by the BLM on February 12, 1958), and to remove the cloud on the title of Lot 14.

Bruce Ward
Bruce Ward; Owner of Lot 15, US Survey 3403

7/22/14
Date

Request to Nullify, Void and Vacate Ward Replat
Parcel CRM-2521
MHT 9100537

Page 2 of 3

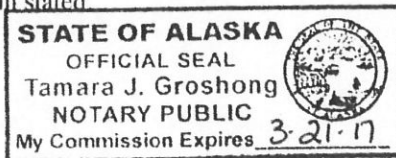
NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA)

)ss:

Third Judicial District)

This is to certify that on this 22 day of July, 2014, before me personally appeared Bruce Ward, known to me to be the person named and who acknowledged to me that he/she executed the foregoing instrument in the above stated capacity on behalf of the said letter, freely and voluntarily and for the purposes therein stated.



Tamara J. Groshong
NOTARY PUBLIC in and for Alaska
My Commission Expires: 3-21-17

G. G. Scheff
Gregory G. Scheff; Professional Land Surveyor No. 6700

7-22-14
Date

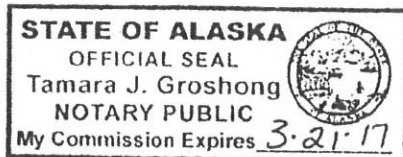
NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA)

)ss:

Third Judicial District)

This is to certify that on this 22 day of July, 2014, before me personally appeared Gregory G. Scheff, Professional Land Surveyor No. 6700 known to me to be the person named and who acknowledged to me that he/she executed the foregoing instrument in the above stated capacity on behalf of the said letter, freely and voluntarily and for the purposes therein stated.



Tamara J. Groshong
NOTARY PUBLIC in and for Alaska
My Commission Expires: 3-21-17

Attachments:

US Patent 1225975

QCD 8000014

Contract for the Sale of Real Property

Decision to Terminate

Title Report Current as of April 30, 2014

Request to Nullify, Void and Vacate Ward Replat

Parcel CRM-2521

MHT 9100537

Page 3 of 3

Warning: *Title reports are only current as of the date issued. Adjudicator must check for new information using the Recorder's Office database and LAS prior to making any decisions. A new title report needs to be requested if existing title report is more than one year old.*

Title Researched by **Tim Weiss**
State of Alaska
Realty Services Section Title Unit
269-6556

**Title Report RPT # 5835
MHT 9100537, Parcel CRM-2421
TLO 2014 Statewide Land Sale**

Current as of 4/30/2014

1. REQUESTOR:

Heather Weatherell
Mental Health Trust Land Office

2. PROVIDE COPY OF COMPLETED REPORT TO:

Heather Weatherell
Katy McKerney
Victor Appolloni
Cindi Bettin

3. TITLE IS VESTED IN:

The Alaska Mental Health Trust Authority
The Trust owns the land and mineral estates of the project area. All known third party interests are listed within this report.

4. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

**T. 063 S., R. 084 E., COPPER RIVER MERIDIAN, ALASKA
SECTION 17: LOT 14 OF U.S. SURVEY NO. 3403
CONTAINING 0.55 ACRES, MORE OR LESS.
ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT
OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C. ON
FEBRUARY 12, 1958.**

5. TITLE CHAIN:

- Tentative Approval dated 3/21/1962
- Patent 1225975 dated 3/8/1962 issued for the land and mineral estates to the State of Alaska. Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledge by the local customs, laws and decisions of courts.
 - And there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States.
 - There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines in accordance with the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. Sec. 305).
 - Excepting, however, from this conveyance those certain roads and trails and all appurtenances thereto, constructed by the United States, through, over, or upon the

lands described in U.S. Surveys Nos. 3709, 3398 and 3403, and the right of the United States its officers, agents, or employees to maintain, operate, repair, or improve the same so long as needed or used for or by the United States.

- Quitclaim Deed No. 8000014, dated 9/20/1996, Issued for the land and mineral estate to the Alaska Mental Health Trust Authority.
- Contract for the Sale of Real Property, issued to Bruce Ward, dated 11/26/2007
- Decision to Terminate Contract for the Sale of Real Property , MHT 9100537, dated 2/4/14 (Unrecorded)

Note: Title Report will only list active interests of record found in the following public records:

6. BLM RECORDS:

- Master Title Plat (MTP) Suppl Sec. 17, CRM, T63S, R84E, dated 6/15/1993
 - Patent 1225975 rights-of-way
 - USS 3403
- Spatial Data Management System (SDMS) reviewed on 4/30/2014
 - AKJ 12172 AK-Mental Health Grants, USS 3403, Lot 14, Patent 1225085
 - AKA 32329 ROW-Roads Fed 44LD 513

7. STATE CASE FILE IS: MH 85

8. DNR LAND ADMINISTRATION RECORDS:

- Classifications:
 - Area plans and the status of plan revisions affecting classifications are available on the following site: <http://dnr.alaska.gov/mlw/planning/>. Hard copies of published area plans are available in Suite 1050 of the Atwood Building. The most current land classifications may not appear on the State Status Plats or in LAS. Be sure and verify current land classifications with the pertinent area plan. Any questions concerning area plans or classifications should be directed to the Planning Unit at 269-8534.
- Mental Health
 - MHT 9100537 Land Sale, TLO Authorization, Issued/approved/active authorization (see comments)
- Surface Activity:
 - None
- Sub-Surface Activity:
 - None
- Miscellaneous
 - QCD 8000014, Mental Health Trust, conveyed
- Pending Actions:
 - None
- Division of Oil and Gas Lease Records:
 - None
- TLO Asset Management Database reviewed 4/3/2014:
 - Associated Authorizations
 - MHT-9100537 ISS/APPRV/ACTV AUTH, Land Sale-TLO Authorization
 - 1994 Settlement Values
 - CRM-2421 Surface Total Value = \$35,000.00, Mineral Total Value = \$1,729.37

9. NAVIGABILITY DETERMINATION:

State Navigability Determination:

- Was not addressed in State Selection File MH 85. Contact the PAAD Unit at 269-6008 for further information.

Federal Navigability Determination:

- Was not addressed in State Selection File MH 85. Contact the PAAD Unit at 269-6008 for further information.

10. STATE RECORDER'S OFFICE:

A search of the records of the State Recorder's Office for the Wrangell Recording District at 3:00 p.m. on 4/29/2014 indicated the following actions against the Title Report Project Area:

- Tentative Approval, recorded as document 2011-000127-0
- Patent 1225975, recorded in Book of Deeds 17 Page 62, and re-recorded as document 2006-000136-0
- Quitclaim Deed No. 8000014, recorded in Book 26, Page 791
- Contract for the Sale of Real Property issued to Bruce Ward, recorded as document 2008-000004-0
- Plat 2008-3,(Ward Replat) recorded as document 2008-000123-0 (see Comments)

The following liens were found when searching under the name: Bruce Ward

- None

11. RESEARCH RESOURCES/ATTACHMENTS:

The following resources were used in the preparation of this title report:

- Alaska Mapper for Land Estate, Mineral Estate and Ownership created 4/29/2014
- BLM Master Title Plat (MTP) Suppl Sec 17, CRM, T63S, R84E, dated 6/15/1993
- USS 3403, accepted 4/14/1958
- Recorder's Office documents listed in item 10
- State Selection File MH 85
- BLM Spatial Data Management System (SDMS)
- DNR Land Administration System (LAS)
- DNR Plat Information Management System (PIMS)
- State of Alaska Recorder's Office Database
- DNR Business Reporting System (DBRS)
- TLO Asset Management Database

12. SUMMARY OF TITLE/SPECIAL CONCERNS/COMMENTS:

The Alaska Mental Health Trust Authority holds fee title to the *land and mineral* estates for the Title Report Project Area as described in this title report under **Quitclaim Deed No. 8000014** subject to valid existing rights, including reservations, easements, and exceptions in the U.S. Patent or other state or federal conveyance, and in acts authorizing the issue thereof, easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any, including, but not limited to, those set out in items 5, 8 and 10.

A Title Report is not a substitute for analysis of an ADL case file. It will not tell you whether a contemplated land action is advisable, if a permit should be issued, or if land should be offered for sale. It will tell you if the State owns the land in question and what interest others may have in the land. It is up to the requestor to use this information to make their decisions.

NOTE: LAS shows there is a current authorized contract on this land. This land cannot be re-conveyed until a termination of contract is filed with the recorder's office.

NOTE: TLO has stated that the plat listed in this report is invalid.

NOTE: Be sure to check the Pending Actions Display (NP62) on LAS for any actions not notated to the status plat, or issued subsequent to this report.

NOTE: This report is intended for internal State uses only. Not for distribution to or use by the general public.

CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, AND THAT I HAVE BEEN FULLY ADVISED OF THE RIGHTS AND OBLIGATIONS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, AND THAT I HAVE VOLUNTARILY AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT, CONVEYED THE PROPERTY SHOWN AND DESCRIBED HEREIN TO THE CITY OF WRANGELL, ALASKA, FOR THE PURPOSES OF THE PLAT SHOWN AND DESCRIBED HEREIN.

4/10/08
 Bruce Ward

NOTARY'S ACKNOWLEDGMENT

I, BRUCE WARD, a Notary Public in and for the State of Alaska, do hereby certify that on this 10th day of April, 2008, before me, personally appeared BRUCE WARD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the foregoing instrument for the purposes and consideration therein expressed.

MY TERM OF OFFICE EXPIRES 7-2-2010

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at WRANGELL, ALASKA, this 10th day of April, 2008.

Greg Scheff
 Notary Public in and for the State of Alaska

My Comm. Expires 7-2-2010

CERTIFICATE STATE OF ALASKA

FIRST JUDICIAL DISTRICT

I, HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO CONFORM TO THE REQUIREMENTS OF THE SUBDIVISION ACT, AND THAT THE PLAT SHOWN HEREON IS CORRECT AND ACCURATE.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at WRANGELL, ALASKA, this 10th day of April, 2008.

Greg Scheff
 Notary Public in and for the State of Alaska

My Comm. Expires 7-2-2010

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

I, HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO CONFORM TO THE REQUIREMENTS OF THE SUBDIVISION ACT, AND THAT THE PLAT SHOWN HEREON IS CORRECT AND ACCURATE.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at WRANGELL, ALASKA, this 10th day of April, 2008.

Greg Scheff
 Notary Public in and for the State of Alaska

My Comm. Expires 7-2-2010

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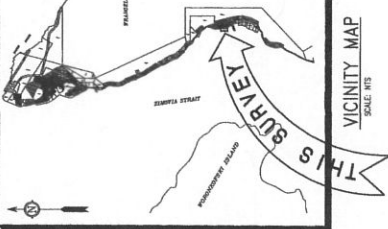
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VICINITY MAP
 SCALE: 1" = 100'

BASIS OF BEARING
 (S 01°29'00" E 990.00')
 (S 01°24'56" E 999.64')

(S 89°58'02" W 280.00')
 (S 89°58'02" W 279.6767')

LOT 19-A
 LOT 13-A
 LOT 13-B
 LOT 12

SHOEWAKER BAY LOOP ROAD
 SHOE OF PAVEMENT
 EDGE OF PAVEMENT

EDGE OF PAVEMENT
 SHOE OF PAVEMENT
 EDGE OF PAVEMENT

LOT 18
 LOT B
 LOT A
 LOT 16

LOT 15
 LOT 14
 LOT 13
 LOT 12

LOT 11
 LOT 10
 LOT 9
 LOT 8

LOT 7
 LOT 6
 LOT 5
 LOT 4

LOT 3
 LOT 2
 LOT 1
 LOT 0

LOT 19-A
 LOT 13-A
 LOT 13-B
 LOT 12

LOT 18
 LOT B
 LOT A
 LOT 16

LOT 15
 LOT 14
 LOT 13
 LOT 12

LOT 11
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 LOT 9
 LOT 8

LOT 7
 LOT 6
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 LOT 4

LOT 3
 LOT 2
 LOT 1
 LOT 0

LOT 19-A
 LOT 13-A
 LOT 13-B
 LOT 12

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 LOT 16

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LOT 15
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 LOT 8

LOT 7
 LOT 6
 LOT 5
 LOT 4

PLAT NOTES

1. THIS PLAT WILL ADJUST THE PROPERTY LINES TO REFLECT THE CORRECTION OF THE SURVEY DATA AND THE RECALCULATION OF THE AREA AND PERIMETER.

2. THE SURVEY DATA WAS OBTAINED FROM THE SURVEY RECORDS OF THE CITY OF WRANGELL, ALASKA.

3. THE SURVEY DATA WAS OBTAINED FROM THE SURVEY RECORDS OF THE CITY OF WRANGELL, ALASKA.

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16. THE SURVEY DATA WAS OBTAINED FROM THE SURVEY RECORDS OF THE CITY OF WRANGELL, ALASKA.

LEGEND

⊕ GLO/BLM BRASS/ALUM CAP RECOVERED

● REBAR AND ALUM CAP SET THIS SURVEY

⦿ POWER POLE

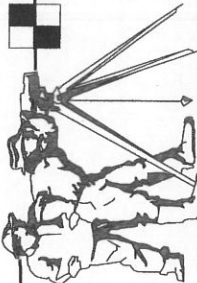
—E— OVERHEAD ELECTRICAL

(S 01°29'00" E 990.00') DATA OF RECORD

(S 01°24'56" E 999.64') DATA MEASURED OR CALCULATED

ZIMOVIA STRAIT

GREG SCHEFF & ASSOCIATES
 LAND SURVEYORS



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN MARCH 2008, A SURVEY OF THE PROPERTY SHOWN AND DESCRIBED HEREON WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

4-9-08

DATE

PROJECT: **WARD REPLAT**
 THE REPLAT OF LOTS 14 AND 15, U.S.S. NO. 14
 WRANGELL RECORDING DISTRICT
 CREATING LOT A AND LOT B

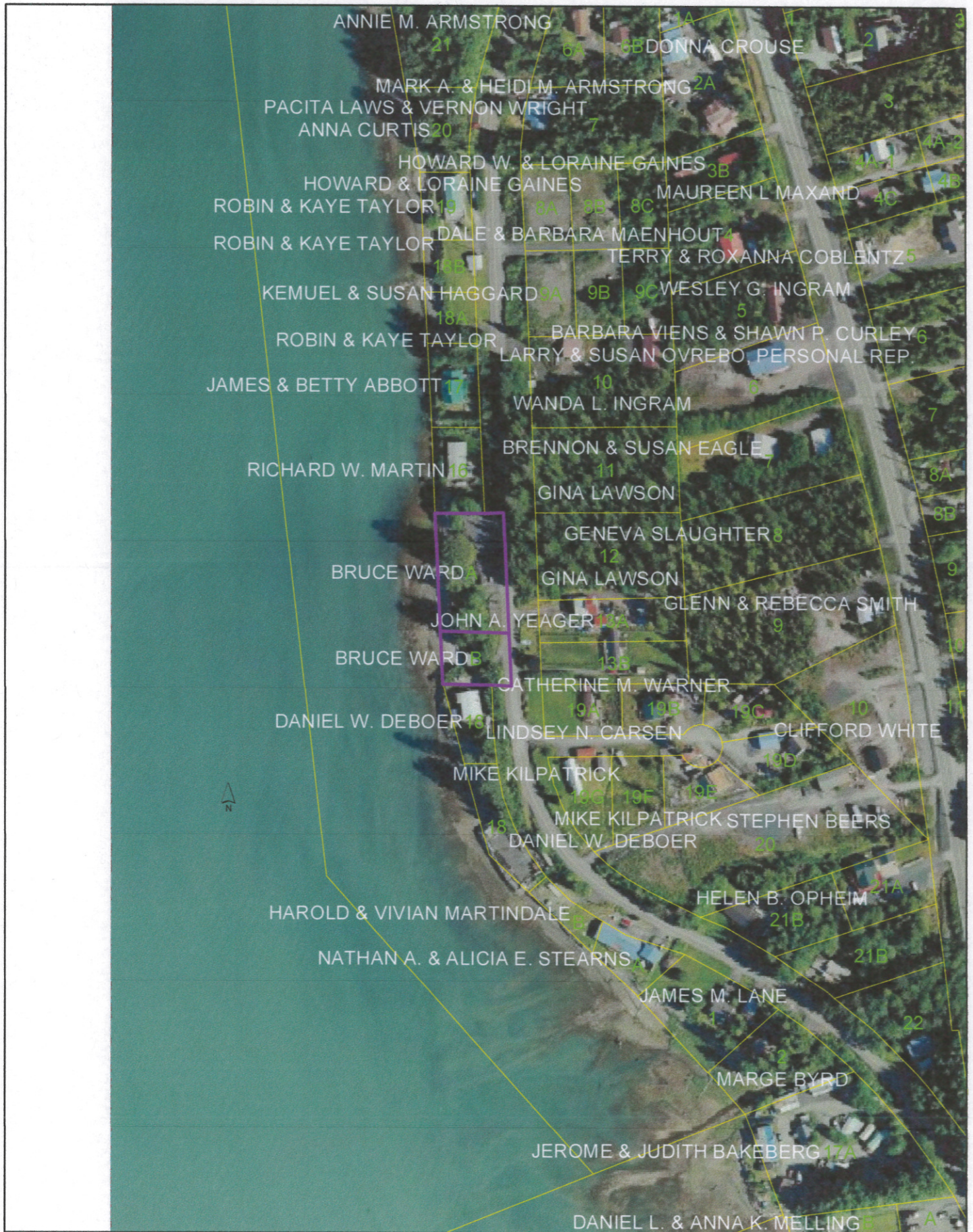
CLIENT: BRUCE WARD
 BOX 1501
 WRANGELL, ALASKA 99929

BOX 1331 WRANGELL, ALASKA 99929
 PHONE (907) 874-2177
 FAX (907) 874-2157

SCALE IN FEET
 0 30 60 90

ORDER: GDS
 IN: JLS
 DED: GDS
 DATE OF SURVEY: 03/26/2008
 DATE OF PLAT: 04/26/2008
 BY: JLS
 CHECKED BY: GDS
 NO. 51559-01

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 250 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013.
AERIAL PHOTO 2002.



City of Wrangell, Alaska

Agenda G3

Date: August 12, 2014

To: Planning and Zoning Commission

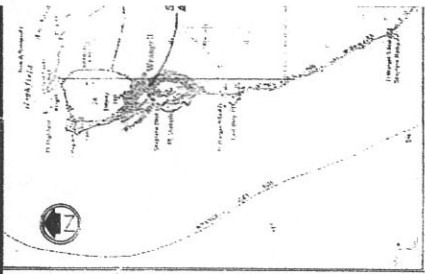
From: Carol Rushmore, Economic Development Director

Re: Request to dispose of public lands, specifically Lot6A Dan Nore Subdivision

Lot 6A is 7934 square feet. The southern side of the lot is an access and utility easement. The back yard area has been encroached upon with a rock wall by the adjacent neighbor Brian Ashton. The Nore's and Ashton's have spoken to the City in the past regarding purchase of the property. The Nore's have written a formal letter requesting an interest in acquiring a portion of the property.

Staff have visited the site (pictures will be available at the meeting) and believe that because of the easement and encroachment, the lot is not a very buildable lot, if at all, by a third party. Staff at this time is asking the Planning and Zoning Commission to make a recommendation to the Assembly to dispose of the public land, specifically Lot6A Dan Nore Subdivision. The more detailed information as to how it would be split or disposed of will be addressed at a later date. If the Commission's recommendation is to dispose of the lot, Staff will proceed with a meeting with all adjacent land owners to discuss the issues, options and alternatives.

Staff recommends that the Planning and Zoning Commission recommend to the Assembly to dispose of Lot 6A Dan Nore Subdivision.



VICINITY MAP
SCALE 1"=1 MILE

- NOTES**
- 1) THIS RESUBDIVISION WILL CREATE 1) 58,84.8 SQ. FT. FROM THE ORIGINAL
 - 2) OWNER LOT 5: DAN NORE
 - 3) THE 6" STRIP OF LAND ALONG THE N. SIDE OF LOT 5, DECEDED BY THIS PLAT, IS TO BE SET ASIDE FOR THE USE OF PUBLIC PURPOSES & EASEMENTS BUT A UTILITY PURPOSE (IN PARAGRAPHS 6 & 7)
 - 4) THE CITY OF WRANDELL

LEGEND

- BRASS CAP MON. (RECOVER)
- ⊕ PRIMARY C/L MONS (RECO)
- 5/8" REBAR & ALUM CAP
- SEWER MANHOLE
- FENCE
- 5/8" REBAR & PLASTIC CAP (SET)

WRANDELL RECORDING DISTRICT

DAN NORE RESUBDIVISION

LOTS 5 & 6, BLOCK 25, WRANDELL 71

CLIENT: DAN NORE
1000 N. 10TH ST.
WRANDELL, ALASKA 99693

BY: GREG SCHEFF & ASSOCIATES
LAND SURVEYORS
1000 N. 10TH ST.
WRANDELL, ALASKA 99693

DATE: 2/18/10
SCALE: 1"=40'
DRAWN BY: JS

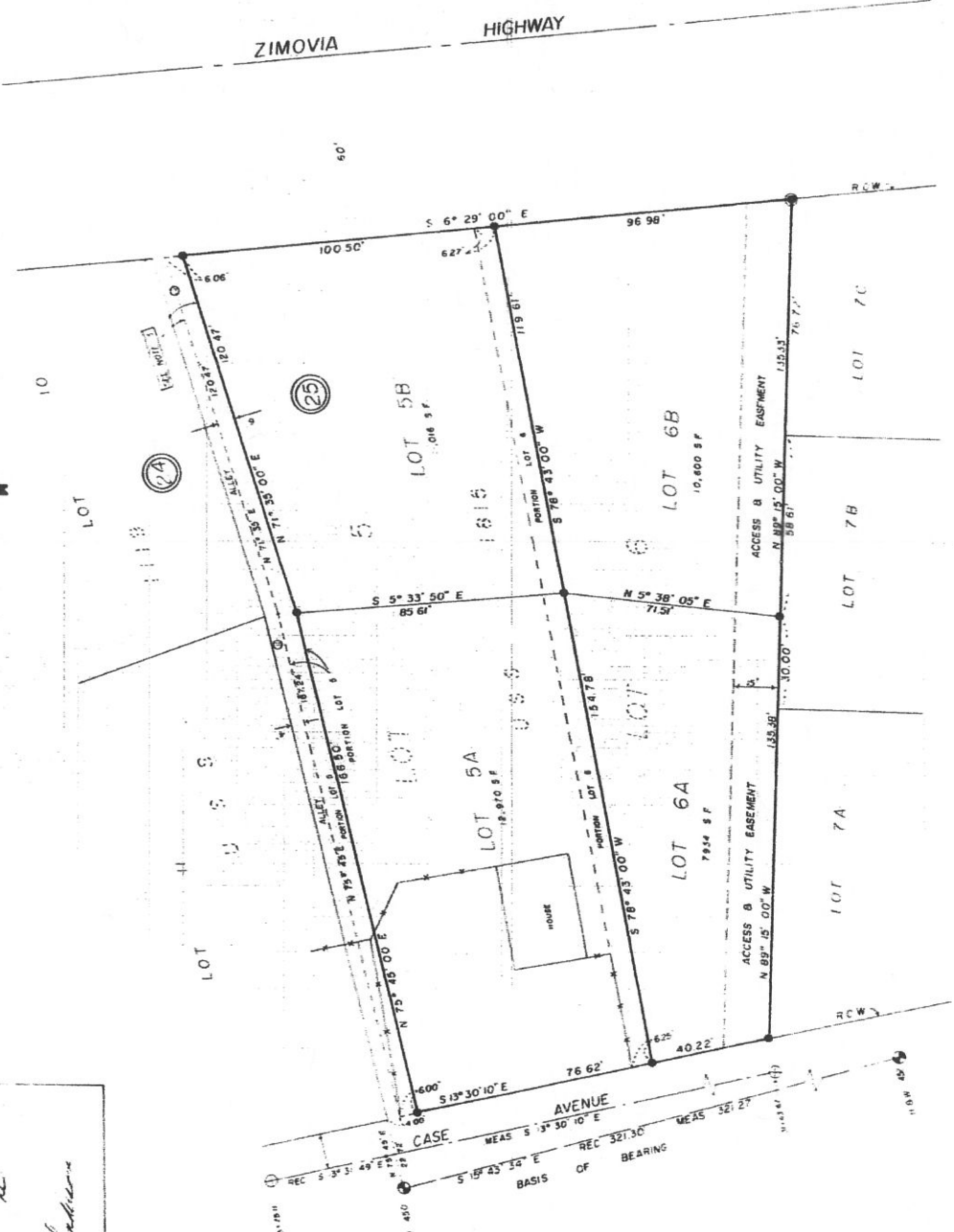


SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly licensed Surveyor in the State of Alaska, do hereby certify that I am a duly licensed Surveyor in the State of Alaska, and that I am the author of the foregoing plat, and that the same is a true and correct representation of the facts and conditions as shown to me by the parties to the same, and that I am not aware of any fraud or mistake in the same.

GREG SCHEFF & ASSOCIATES
2/18/10

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