

1 By: Karl Kassel, Mayor  
2 Introduced: 09/22/2016  
3 Advanced: 09/22/2016  
4 Amended: 10/13/2016  
5 Adopted: 10/13/2016  
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8 FAIRBANKS NORTH STAR BOROUGH

9  
10 ORDINANCE NO. 2016-61

11 AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGH-OWNED  
12 LANDS, SETTING THE DATE OF SALE AND PRESCRIBING TERMS; AMENDING  
13 ORDINANCE NO. 84-72 REGARDING SALE TERMS INCLUDING RELEASING DEED  
14 COVENANTS AND THE AGRICULTURAL USE RESTRICTION; AND FINDING A  
15 PUBLIC NEED FOR LOT 1, BLOCK 3, WILSON SUBDIVISION NO LONGER EXISTS  
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18 WHEREAS, The Fairbanks North Star Borough (Borough) has identified a  
19 need for a fair market value auction of Borough-owned land to the public; and  
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21 WHEREAS, Fairbanks North Star Borough Code (FNSBC) 20.20.030  
22 requires Assembly approval of intended sales by Ordinance; and  
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24 WHEREAS, Said Ordinance shall contain the date of the sale, the method  
25 or methods of sale, the manner in which payment is to be made, the interest to be  
26 conveyed, the instrument of conveyance to be used, and any other term the Assembly  
27 deems appropriate.  
28

29 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks  
30 North Star Borough:  
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32 Section 1. Classification. This ordinance is not of a general and  
33 permanent nature and shall not be codified.  
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35 Section 2. Sale Parcels FY17. The Borough Mayor is hereby  
36 authorized to offer for sale at a sealed bid auction sale, to be conducted between  
37 September 23, 2016 and October 22, 2016, the following parcels of Borough-owned  
38 land (see attached map, Exhibit A):  
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CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT  
Text to be *added* is underlined  
Text to be *deleted* is [BRACKETED AND CAPITALIZED]

Property Name	Legal Description	Acreage
Chena River Tract	GL-5, T1S R2E Sec 10, FM	10.4
Moose Creek Parcel	GL-4 & GL-16 T2S R3E Sec 29	4.0
Haylee Subdivision	Lots 1-8 T3N R1W Sec 11	45.4
Mountain View 4th Add. Subd.	Block 5 Lot 29 Sec 26 T1N R1W	0.9
Farmer's Loop Rd. Parcel	Portion of Sec 23 & Sec 26 T1N R1W FM	1.9
Richardson Agricultural	Lot 2 Sec 6 T4S R4E FM	263.6
Old Nenana Hwy Parcel	Portion SE1/4SE1/4SE1/4SE1/4 Sec 17 T1S R3W FM	2.3
Tanana River Lot	Portion of SE1/4 NW1/4 of Sec 36 T6S R4E FM	24.3
Wilson Subdivision	Block 3 Lot 1 Sec 5 T2S R2E FM	0.9

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Section 3. Sale Parcels FY18. Subject to appropriation for this purpose, the Borough Mayor is hereby authorized to offer for sale at a sealed bid auction sale, to be conducted between September 1, 2017 and September 30, 2017, the following parcels of Borough-owned land (see attached map, Exhibit B):

Property Name	Legal Description	Acreage
Moonlight Acres Subd., Tract C	Section 8, T1N, R2W, FM	36.5
Moonlight Acres Subd., Tract D	Section 8, T1N, R2W, FM	9.5
Davis Subdivision	Block 1 Lot 23 Sec 9 T2S R2E FM	0.8
Goldstream Rd North	Tracts A, B, C, D Sec 6 T1N R1W FM	24.5
Goldstream Road South	Tracts E, F Sec 6 T1N R1S FM	10.0
Grange Hall Communication Site	Lots 1 and 2 Sec 28 T1N R4E FM	10.0
North Shanly Subdivision	Block 4 Lots 1-7 Sec 5 T1S R1W FM	2.61
North Shanly Subdivision	Block 6 Lots 1-4 Sec 5 T1S R1W FM	1.49
North Shanly Subdivision	Block 9 Lots 5-7 Sec 5 T1S R1W	1.12
Old Ridge Trail Subdivision	Lots 1 thru 8 Sec 16 T1S R3W FM	35.9
Grieme Farm Tract	Tract A T4S R4E Sec 18	160.2

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47 Section 4. Terms. The terms of the auctions are as follows:  
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- 49 A. The minimum bid will be fair market value, as determined by appraisal.  
50 B. Five percent (5%) of the bid amount will be submitted by certified check or credit  
51 card authorization with the bid.  
52 C. Successful bidders will provide an additional five percent (5%) of the bid amount  
53 at signing of the purchase and sale agreement for a total down payment of ten percent  
54 (10%) of the purchase price.  
55 D. Should a buyer qualify for and desire seller financing, the balance shall be paid  
56 on a monthly basis in accordance with a standard loan amortization schedule for a  
57 period of ten (10) years at six percentage points above the then federal discount rate as  
58 indicated by the Federal Reserve Bank of San Francisco. A deed of trust and  
59 promissory note with the Borough as beneficiary will be required.  
60 E. At the option of the purchaser, payment of unpaid balances may be accelerated  
61 without penalty.  
62 F. Fee simple ownership shall be conveyed to the purchasers by warranty deed or  
63 quit claim deed.  
64 G. Participants in the auction must be at least eighteen (18) years of age. No  
65 person who is delinquent in any property tax or other financial obligation to the Borough  
66 may participate.  
67 H. The following persons are ineligible to participate in the auction either in their  
68 own name or in the name of their spouse, dependent child or solely-owned or family-  
69 owned business: the Borough Mayor, the Borough Chief of Staff, all employees of the  
70 Land Management Division, the Borough Assessor, the Deputy Assessor, and the  
71 Assessing appraiser responsible for the appraisals pertaining to the sale. This  
72 restriction shall not apply to properties which do not sell at auction and are subsequently  
73 placed for over-the-counter sale.  
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75 Section 5. Amending Sale Terms. The Assembly hereby amends the  
76 sale conditions of Ordinance No. 84-72 to delete Section 3 of that ordinance which  
77 imposed covenants against subdivision or further alienation, and agricultural use  
78 restrictions on Lot 2 of the Richardson Agricultural Subdivision.  
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80 Section 6. Authorization to remove restrictions. The Assembly hereby  
81 authorizes the Mayor or his delegate to take all actions necessary to release the deed  
82 covenants and restrictions imposed on Lot 2 of the Richardson Agricultural Subdivision.  
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84 Section 7. Over-the-Counter Sale. Any parcels not sold at the auctions  
85 may be reoffered through the over-the counter sale program. These parcels will be sold  
86 at fair market value and the terms of the sale are as described above in Section 4 Parts  
87 D through F.  
88  
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90 Section 8. Mining Claims and other Third Party Interests. Land  
91 Management has reviewed records for the properties and there are no existing mining  
92 claims or other third-party interests known to Land Management within the proposed  
93 sale properties which Land Management believes impact or are impacted by the  
94 proposed sale.


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96 Section 9. Release of Property Held for Public Purpose. Resolution  
97 No. 76-25 retained Lot 1, Block 3, Wilson Subdivision for use as a public park. The  
98 Assembly finds a public need for this property no longer exists.

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100 Section 10. Effective date. This ordinance shall be effective at 5:00 p.m.  
101 on the first borough business day following its adoption.

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103 PASSED AND APPROVED THIS 13<sup>TH</sup> DAY OF OCTOBER, 2016.  
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111 Kathryn Dodge, Deputy  
112 Presiding Officer

113 ATTEST:

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115   
116  
117 Nanci Ashford-Bingham, MMC  
118 Borough Clerk  
119

120 Yeses: Quist, Hutchison, Westlind, Lawrence, Dodge  
121 Noes: Sattley  
122 Other: Cooper (Excused), Roberts (Excused), Davies (Excused)

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