

The Alaska Mental Health Trust Authority
Trust Land Office
BEST INTEREST DECISION AFFIRMED
Decision for the Negotiated Land Sale of Trust Land - Wrangell

MHT: 9100968
MH Parcels: CRM-2402 & CRM-2406

Action: Adopt the Best Interest Decision dated August 12, 2019 regarding the above referenced disposal as final, without modification. This decision document, combined with the Best Interest Decision dated August 12, 2019, constitutes the final decision on this matter, in accordance with 11 AAC 99.040.

Notice under 11 AAC 99.050. The Trust Land Office published the public notice of the decision to sell approximately 2 acres of land to Sanoe Harrison in the Wrangell Sentinel on August 15, 2019 and distributed the notice to other interested public and private parties.

Summary of Comments: A written comment letter was received from Carol Rushmore, the Economic Development Director, for the City and Borough of Wrangell. The letter states that the borough has no objection to the sale of the property as long as the lot has dedicated access to road frontage. The Best Interest Decision dated August 12, 2019 identifies subdividing and selling a portion of ROW lot (CRM-2406) situated between Tract J and Tract K, which currently provides unauthorized access to Mr. Harrison's existing lot from the Zimovia Highway.

As part of the negotiated sale, the ROW lot located between Tract J and Tract K would be subdivided (approx. 40') and combined with Mr. Harrison's existing lot, as well as the additional proposed subdivision lot; both of the proposed subdivisions would meet borough code requirements for connection to road frontage as long as they are combined during the survey and platting process. The borough also commented that the ROW lot between Tract J and Tract K is part of the final agreement for access to Proposed Lot 2 (currently Lot 1, USS 3709) in the USFS/MHTLO land exchange, and in the comment letter the borough reiterates that the TLO not preclude the agreed upon 60' wide access easement that will be recorded as part of the final plat approvals for the land exchange.

Additionally, the borough advises that the surveyor working on behalf of the purchaser confer with the borough zoning department to determine requirements for lot development to minimize potential development issues.

Trust Authority Consultation: The Alaska Mental Health Trust Authority was consulted on this matter on August 12, 2019.

Modifications: As no comments were received suggesting that the Best Interest Decision dated August 12, 2019 should be substantively modified in any way to better serve the interest of the Trust and its beneficiaries, the Executive Director has determined that no change shall be made to that document.

Final Decision of the Executive Director: Considering all of the above, the Executive Director of the Trust Land Office hereby adopts the Best Interest Decision dated August 12, 2019 as final.

Reconsideration: Persons who submitted timely written comments during the notice period that ended September 17, 2019, are eligible to request reconsideration of this final best interest decision under 11 AAC 99.060(b) within 20 calendar days after publication of the notice or receipt of the final decision, whichever is earlier. A request for reconsideration must be submitted in writing to the Executive Director. This request must be accompanied by the fee established by the Executive Director under 11 AAC 99.130, which has been set at \$500, to be eligible for reconsideration. Before filing an appeal to the Superior Court under AS 44.62.560, a person must be eligible to request and must actually request reconsideration within the time specified above.

The Executive Director shall order or deny reconsideration within 20 calendar days after receiving the written request for reconsideration. If the Executive Director takes no action during the 20-day period following the request, the request is considered denied. Denial of a request for reconsideration is the final administrative decision for purposes of appeal to the superior court under AS 44.62.560.

APPROVED:


Wyn Menefee
Executive Director

10 / 11 / 19
Date