

The Alaska Mental Health Trust Authority
Trust Land Office
BEST INTEREST DECISION AFFIRMED
Negotiated Land Sale - Juneau

MHT 9101132
MH Parcel CRM-1138-01

Action: Adopt the Best Interest Decision dated November 8, 2023, regarding the above referenced disposal as final, without modification. This decision document, combined with the Best Interest Decision dated November 8, 2023, 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 issue the negotiated land sale in the Juneau Empire, on the State of Alaska's online public notice website, and distributed the notice to the City & Borough of Juneau, Sealaska Corporation, the Alaska Mental Health Trust Authority, and other interested public and private parties on November 20, 2023.

Summary of Comments: The Alaska Department of Transportation & Public Facilities (ADOT&PF) provided the following comments. ADOT&PF asserts that title and ownership of the Glacier Highway Right-of-Way is vested with ADOT&PF and that the legal description of the land sale must exclude the Glacier Highway right-of-way. ADOT&PF asserts that all driveways, road connections, and utility connections connecting to the Glacier Highway must be permitted through ADOT&PF Southcoast Right-of-Way Property Management and Utility Permitting offices. ADOT&PF comments that no encroachments such as parking decks or fuel tanks will be permitted in the Glacier Highway Right-of-Way.

TLO Response to Comments: The TLO conveys land through a Quit Claim Deed exactly as the land was conveyed from the State to the Alaska Mental Health Trust Authority. This conveyance is subject to all prior existing rights. The Glacier Highway Right-of-Way is one of those rights. A Quit Claim Deed does not in any way negate the legal presence of valid existing rights.

Trust Authority Consultation: The Alaska Mental Health Trust Authority was consulted on this matter on November 16, 2022.

Modifications: As no comments were received suggesting that the Best Interest Decision dated November 8, 2023, 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 November 8, 2023, as final.

Reconsideration: Persons who submitted timely written comments during the notice period that ended December 18, 2023, 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:
DocuSigned by:

Jusdi Warner

Jusdi Warner
Executive Director

12/19/2023

Date