

CITY OF THORNE BAY
NON-CODE-ORDINANCE #18-08-21-03

A NON-CODE ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF
THORNE BAY, ALASKA, AUTHORIZING THE SALE OF MUNICIPAL
OWNED LAND LOTS DC1 & DC2, OF THE DEER CREEK SUBDIVISION
TO RUSSELL RICKS

BE IT ENACTED BY THE THORNE BAY CITY COUNCIL

Section 1. Classification. This ordinance is a non-code ordinance.

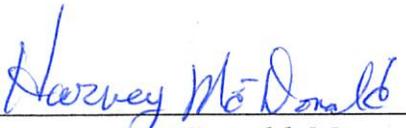
Section 2. Purpose of the Ordinance. The purpose of this ordinance is to authorize the Mayor to execute the sale of Municipal Owned Property, described as Lots DC1 and DC2 of the Deer Creek Subdivision as an over the counter sale to Russell Ricks for the total price of \$67,813.50.

Transaction of this land sale will be considered completed upon receipt of payment made to the City of Thorne Bay by Russell Ricks at the agreed price of \$67,813.50.

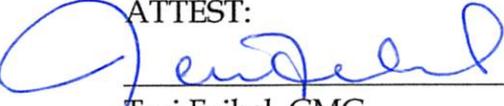
Section 3. Sale of Land to the General Public. The above described property was offered for sale by the City Council on August 3, 2010, through Non-Code Ordinance No. 10-08-03-02, using the sealed bid process in accordance to the provisions of Thorne Bay Municipal Code Chapter 2.56. No bids were received which provided for the sale as "over the counter"

Section 4. Effective Date. This ordinance shall become effective upon its adoption by the City Council.

PASSED AND APPROVED: **September 4, 2018**


Harvey McDonald, Mayor

ATTEST:


Teri Feibel, CMC

[Introduction: August 7, 2018]
[Public Hearing August 21, 2018 - CANCELLED]
[Public Hearing: September 4, 2018]

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**TERMS AND CONDITIONS FOR OVER THE COUNTER SALE OF
TWO (2) RESIDENTIAL LOTS IN DEER CREEK SUBDIVISION**

1. Purchaser agrees to pay in full within sixty (60) days from the date of the City's acceptance of purchase offer. The sixty-day time limitation may be extended by the City, through its Chief Executive Officer, upon written request from the purchaser, for delays in obtaining a title search, provided such delay is not caused by the purchaser.

2. **TERMS FOR BLASTING OF MATERIALS FROM LOTS DC1 & DC2**
 - a) City reserves first right for all excess clean rock and clean top soil to be delivered to a designated area near the Sandy Beach rock quarry

 - b) Any drilling or blasting done on these lots will be performed by a certified, insured and bonded company

 - c) Purchaser will give notice to the city of thorne bay and all property owners located within the deer creek subdivision a minimum of 24 hours' notice prior to drilling or blasting.

3. Purchaser must establish the Northeast and Northwest corners of Lot 1 prior to any land development.

4. Permitted land uses, and property development standards are listed in the Thorne Bay Municipal Code, Title 17 (Zoning), and Section 17.04.023 (Deer Creek Residential). Purchaser must comply with all terms of said zoning regulations.

5. No lot may be subdivided.

6. City transfer of lands shall be by Quitclaim Deed.

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17.04.023 Deer Creek Residential.

The purpose of this zone is to create an aesthetically pleasing residential subdivision consisting of permanent single-family housing. Lot dc-14b shall be exempt from this title for the duration of municipal ownership.

Development plans are required for all development within the high-density residential zone conforming to applicable standards of section 17.04.035.

A. Uses Allowed in High Density Residential Zone Without Special Permitting.

1. Stick-built single-family residences built on permanent, continuous foundations with a minimum one-foot width, or treated pile driven foundations or concrete sonatube foundations;
2. Home occupation or office in home;
3. Accessory buildings for private residential uses such as garage, shed, greenhouse, smokehouse, private storage of a recreational vehicle, travel trailer or recreational boat;
4. Basic services (services and facilities which are necessary for development. They include power lines, water lines, sewer lines, power/telephone poles and other low impact facilities of the same character to provide for utilities);
5. Bed and breakfast: two rental rooms or less;
6. Visiting travel trailer or motor home occupied by guests of the residence;
7. Multifamily housing on lot 15b.

B. Uses Considered in Deer Creek Residential Zone with Special Permitting.

1. Guest cabins, lodge on lot 15b;
2. Restaurant/lodge on lot 15b;
3. Moveable construction trailer or travel trailer for residential use during construction of permanent residential structure. Conditional use permits shall be issued for one year with an annual review if necessary;
4. Bed and breakfast: over two rental rooms;
5. Structures and fences built above the maximum height limit;
6. Marine sales and repair services;
7. Telecommunications facilities, towers, and/or antennas.

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C. *Uses Prohibited.*

1. Subdivision;
2. Private garbage pits;
3. Storage of heavy equipment;
4. Storage of derelict vehicles or unsightly accumulation of personal property;
5. The raising of animals, livestock and poultry except normal household pets of up to four dogs and cats and their litters, provided that they are not kept, bred or maintained for commercial purposes.

D. *Property Development Standards.*

1. Minimum lot size: fifteen thousand square feet.
2. Parking: all parking shall be off-street and on the premises.
3. Setbacks: twenty feet from road right-of-way, ten feet from rear and interior lot lines for lots DC1 through DC8. Beach front lots DC9 through DC15, ten feet from road right-of-way, rear and interior lot lines. Pile driven and concrete sonatube foundation driveways shall be exempt from the setback requirement on beach front lots.
4. Building heights: thirty-five feet.
5. Density: single-family residences only.
6. Utilities: all dwellings must be connected to municipal water, and sewer utilities prior to occupancy.
7. Access.

a. *Driveways.*

Driveway approaches will be built from the driving surface of the main road to the edge of the lot, with a minimum of twelve feet width on to and perpendicular to the centerline of the platted right-of-way on beach front lots only lots DC9 through DC15 . A driveway site plan shall be required for planning commission review for lots DC1 through DC8. All driveways shall have culverts a minimum of twelve inches in diameter where drainage requires as determined by city maintenance.

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- b. All property must be accessed by platted public right-of-way.**
Property owners may access lots from public access easement with knowledge that easement will not be maintained by the city. The public access easement must remain open and unblocked but is not required to be maintained by the property owner. The public access easement shall be restricted to foot traffic only.
- 8. Building requirements: all single-family residences shall contain not less than seven hundred fifty square feet of floor space, excluding garages and open porches.**
- 9. Signs: signs shall not be displayed to the public view on any lot except one sign of not more than five square feet advertising the**
- 10. Fences, walls or hedges may be built up to six feet in height up to the property line. Fences shall not obstruct vehicular visibility. (Ord. 17-08-15-01; Prior Ord. 94-05 § 3, 1994; ord. 93-23 § 6(part), 1993)(Ord. 17-08-15-01)**

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CURVE TABLE

CHW	ARC/PT	TANGENT	CHORD	ANGLE	CHW	ARC/PT
1.01	200.00	100.00	100.00	90.00	1.01	200.00
1.02	200.00	100.00	100.00	90.00	1.02	200.00
1.03	200.00	100.00	100.00	90.00	1.03	200.00
1.04	200.00	100.00	100.00	90.00	1.04	200.00
1.05	200.00	100.00	100.00	90.00	1.05	200.00
1.06	200.00	100.00	100.00	90.00	1.06	200.00
1.07	200.00	100.00	100.00	90.00	1.07	200.00
1.08	200.00	100.00	100.00	90.00	1.08	200.00
1.09	200.00	100.00	100.00	90.00	1.09	200.00
1.10	200.00	100.00	100.00	90.00	1.10	200.00
1.11	200.00	100.00	100.00	90.00	1.11	200.00
1.12	200.00	100.00	100.00	90.00	1.12	200.00
1.13	200.00	100.00	100.00	90.00	1.13	200.00
1.14	200.00	100.00	100.00	90.00	1.14	200.00
1.15	200.00	100.00	100.00	90.00	1.15	200.00
1.16	200.00	100.00	100.00	90.00	1.16	200.00
1.17	200.00	100.00	100.00	90.00	1.17	200.00
1.18	200.00	100.00	100.00	90.00	1.18	200.00
1.19	200.00	100.00	100.00	90.00	1.19	200.00
1.20	200.00	100.00	100.00	90.00	1.20	200.00

GENERAL NOTES

- THE BASIS OF PLACEMENT OF THIS CURVE TABLE WAS TO SHOW THE A.S.L.S. CORNER TO THE CITY AND THE S.L.L. CORNER TO THE TOWN. SEE MAP FOR ACCEPTED TOWN MAP OF A.S.L.S. CORNER.
- WHERE PLACING THE CURVE TABLE (REMARKS AND/OR BEARING) FROM THE A.S.L.S. CORNER TO THE TOWN CORNER, IT IS TO BE UNDERSTOOD THAT THE HORIZONTAL ANGLE FORMER CORNER IS SHOWN FROM THE TOWN CORNER.
- THE ALTIMETER OF THIS SURVEY IS SHOWN FROM TOWN CORNER.
- ALL BEARINGS, DISTANCES AND ANGLES ARE GIVEN IN THE BASIS OF BEARING AND DISTANCES SHOWN AND BEARING TO HORIZONTAL FIELD VERTICALS.
- WHEREVER THE LINE OF BEARING BEARS TO THE S. OR N. OF THE POINT OF BEGINNING, THE BEARING IS TO BE TAKEN AS BEARING TO THE POINT OF BEGINNING.

CERTIFICATE OF PAYMENT OF TAXES

STATE OF ALASKA
COUNTY OF DENALI

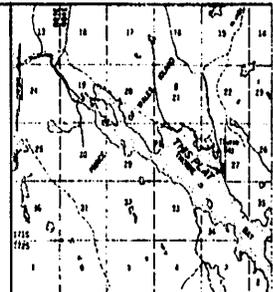
I, the undersigned, being duly appointed and qualified, and acting as Assessor of the City of Thorne Bay, do hereby certify that the following parcels of property are exempt from the payment of taxes for the year 1981.

Parcel No. 11, 274 S.F.
Parcel No. 11, 274 S.F.

DATED: 10 May 1981
AT THORNE BAY, ALASKA
RICK G. BRAUN, Assessor

LEGEND

- OPENING A.S.L.S. CORNER INDICATED BY A DASH
- OPENING S.L.L. CORNER INDICATED BY A DASH
- OPENING A.S.L.S. CORNER INDICATED BY A DASH
- OPENING S.L.L. CORNER INDICATED BY A DASH



VICINITY MAP

SCALE: 1" = 1 MILE

DATE: 1981

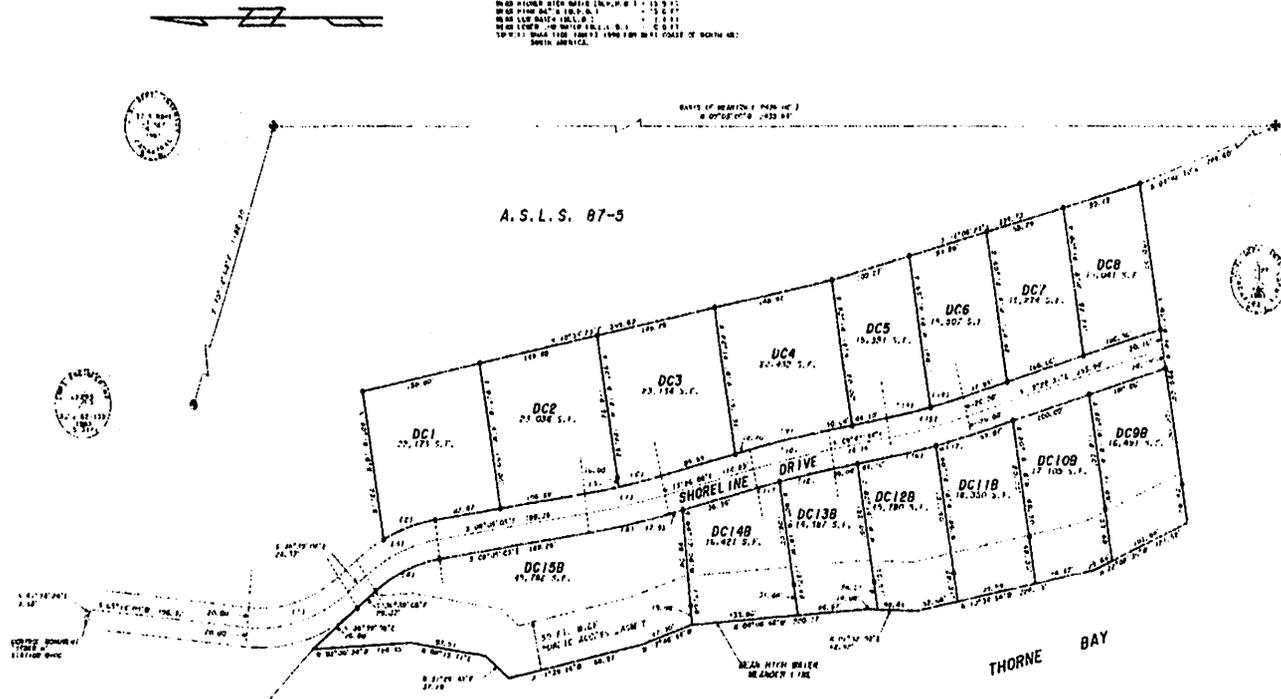
TYPICAL MONUMENT ESTABLISHED THIS SURVEY

1" = 100' GRAPHIC SCALE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR AND AM QUALIFIED TO PRACTICE AND TO SIGN THIS CERTIFICATE OF SURVEY AND THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE BY ME AND THAT THE SURVEYING INSTRUMENTS AND THE INSTRUMENTS USED IN THIS SURVEY ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALASKA SURVEYING ACT AND THE ALASKA SURVEYING BOARD.

65885
RICK G. BRAUN
REGISTERED SURVEYOR



CERTIFICATE OF ACCEPTANCE

OF THE MAPS SUBMITTED BY THE PROPOSED SUBDIVISION

WE, the undersigned, being duly appointed and qualified, and acting as Assessor of the City of Thorne Bay, do hereby certify that the following parcels of property are exempt from the payment of taxes for the year 1981.

DATED: 10 May 1981
AT THORNE BAY, ALASKA
RICK G. BRAUN, Assessor

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, the undersigned, being duly appointed and qualified, and acting as Assessor of the City of Thorne Bay, do hereby certify that the following parcels of property are exempt from the payment of taxes for the year 1981.

DATED: 10 May 1981
AT THORNE BAY, ALASKA
RICK G. BRAUN, Assessor

CERTIFICATE OF APPROVAL BY THE PLATTING BOARD

I, the undersigned, being duly appointed and qualified, and acting as Assessor of the City of Thorne Bay, do hereby certify that the following parcels of property are exempt from the payment of taxes for the year 1981.

DATED: 10 May 1981
AT THORNE BAY, ALASKA
RICK G. BRAUN, Assessor

CERTIFICATE OF APPROVAL BY THE COUNCIL

I, the undersigned, being duly appointed and qualified, and acting as Assessor of the City of Thorne Bay, do hereby certify that the following parcels of property are exempt from the payment of taxes for the year 1981.

DATED: 10 May 1981
AT THORNE BAY, ALASKA
RICK G. BRAUN, Assessor

DEER CREEK SUBDIVISION
A PLAT OF A SUBDIVISION
OF A PORTION OF
A.S.L.S. NO. 87-5

WITHIN SECTION 27, T11S, R14E,
CORPUS VIKING MERIDIAN, ALASKA

THORNE BAY RECORDING DISTRICT

CLIENT: CITY OF THORNE BAY
P.O. BOX 12110
THORNE BAY, ALASKA
99581

60 0 60 120 180
GRAPHIC SCALE 1" = 60'

SURVEYOR
RICK G. BRAUN, L.S.
P.O. BOX 21, PETERSBURG, AK 99633
PH 407-772-1988

SURVEY COMPANY: RICK G. BRAUN & ASSOCIATES
SCALE AS SHOWN

CITY OF THORNE BAY
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[Land Purchase request submitted by Russell Ricks for Deer Creek
Subdivision Lots DC1 & DC2]

July 24, 2018

The City of Thorne Bay
P.O. Box 19110
Thorne Bay, AK 99919

Re: Purchase Proposal for Lots 1 & 2 Deer Creek Subdivision

Dear Thorne Bay Mayor and City Council,

My name is Russell Ricks and I am a permanent moorage slip holder with the City of Thorne Bay.

I am interested in purchasing Lot 1 and Lot 2 of the Deer Creek Subdivision for the combined price of \$67,813.50.

In order to develop the lots into a building site, blasting along with exporting of rock and dirt will be necessary. As a condition of the purchase, I am requesting authorization from the City of Thorne Bay to achieve this task.

I would appreciate an expedited response to this proposal, as this purchase would be part of a 1031 exchange which forces me to abide by strict time lines.

Sincerely,

Russell Ricks
RRicks1035@aol.com
530-262-4475

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**GENERAL INFORMATION - HISTORY OF NOTICE FOR SALE OF DEER CREEK
RESIDENTIAL LOTS:**

Sealed Bidding of Deer Creek Lots - Ordinance 10-08-03-02: The City of Thorne Bay Advertised Deer Creek Lots DC1, DC2 and DC 4, through the sealed bidding process on August 3, 2010, bids due no later than September 17, 2010. Beginning bid price for each lot began at \$1.50 per square foot per lot. No bids were received.

Over-the-counter Minimum Price: The City of Thorne Bay Advertised Deer Creek Lots 1, 2 & 4, for sale over the counter at the value of \$1.50 per square foot in 2011.

Lot	Acres	Sq. Feet	Price	Cost per Square Foot
1	0.509	22,173	\$ 33,259.50	\$ 1.50
2	0.529	23,036	\$ 34,554.00	\$ 1.50
4	0.515	22,432	\$ 33,648.00	\$ 1.50