

# LAND FOR ALASKANS

OVER THE COUNTER OFFERING

from

**AUCTION # 410 A**



State of Alaska  
Department of Natural Resources  
Public Information Center  
550 W. Seventh Ave., Suite 1260  
Anchorage, Alaska 99501  
(907) 269-8400

State of Alaska  
Department of Natural Resources  
South East Regional Office  
400 Willoughby Ave., Suite 400  
Juneau, Alaska 99801  
(907) 465-3400

State of Alaska  
Department of Natural Resources  
Northern Regional Office  
3700 Airport Way  
Fairbanks, Alaska 99709-4699  
(907) 451-2780

[www.state.ak.us](http://www.state.ak.us)

**Online Public Notice**

## OVER-THE-COUNTER OFFERING

Tract 24B of ASLS 98-11, the one parcel not awarded during the Fall 2000 State Agricultural Offering will now be offered Over-the-Counter (OTC) beginning January 22, 2002. This parcel will be sold at its appraised fair market value of \$124,500.

On Tuesday, January 22, 2002, the DNR Public Information Center in Anchorage will open at 9:00 a.m. At 9:30 a.m. the OTC Sale will begin at the Anchorage office. The DNR Public Information Centers in Juneau and Fairbanks will be notified of the outcome of this OTC opening as soon as it is completed.

Members of the public who attend and observe the drawing will not be allowed to change or retract any bids.

During the initial January 22, 2002 OTC opening, a lottery to determine the winning applicant will be held if multiple applications have been received. The five percent down payment and application fee will be returned to the applicant if he or she is not awarded the parcel. The five percent deposit and application fee is, however, forfeited to DNR if an applicant is selected and then subsequently decides not to go forward with the purchase.

Applicants do not need to be present to win. Following the initial opening, the successful applicant will be notified directly, the results will be available at the DNR Public Information Offices and posted on-line at ([http://www.dnr.state.ak.us/ag/ag\\_sales.htm](http://www.dnr.state.ak.us/ag/ag_sales.htm)). If this parcel is not sold on opening day of the OTC sale, the parcel will remain available over-the-counter on a first come, first served basis.

### OTC Application Requirements

- In order to qualify for inclusion in the initial OTC opening, completed application packages must be received by 5:00 p.m. Monday, January 21, 2002.
- Applications may be dropped of in person at one of the three DNR Public Information Centers identified on the cover of this brochure or mailed directly to:

**State of Alaska**  
**Financial Services Section**  
**550 West 7th Avenue, Suite 1410**  
**Anchorage, AK 99501-3561**

- **The outside of the envelope should clearly identify which Over-the-Counter offering the application is for (Fall 2000 Agricultural Sale Auction # 410 A OTC).** Failure to properly mark the outside of your mailing envelope may result in improper handling of your application.

- All OTC purchase applications, whether submitted in person or by mail, must include:
  1. A completed Over-the-Counter Application form.
  2. A non-refundable \$100.00 document handling fee.
  3. A down payment of five percent of the minimum bid amount for the parcel (\$6,225.00) in the form of a cashiers check, certified check or money order. **NO PERSONAL CHECKS WILL BE ACCEPTED** at the initial OTC opening. However, upon completion of the initial OTC opening, if the parcel remains available, personal checks will be accepted by the DNR Public Information Centers to sell the parcel on a first come, first served basis And,
  4. A completed Declaration of Intent form.
  
- OTC Applications may be made by an agent with power of attorney. An agent may only represent one person per day, in addition to himself.
  
- Applications will not be accepted by phone, by fax, or by email.
  
- No distinction will be made between walk-in applications and mail-in applications at the OTC Sale.

For online information, visit our website at  
[http://www.dnr.state.ak.us/ag/ag\\_sales.htm](http://www.dnr.state.ak.us/ag/ag_sales.htm)

## **Over the Counter Offering.**

### **Site inspection.**

CHECK IT OUT! The Department of Natural Resources strongly urges anyone who is considering bidding on this parcel to first review all information and then personally inspect the land. The parcel is offered “as is” with no guarantees, expressed or implied, as to its suitability for any intended use. The information used that resulted in our decision to sell this tract, for agricultural uses, is the most recent we could find, but this information is not guaranteed.

### **Amendments.**

The Department of Natural Resources reserves the right to postpone or cancel a land offering, in whole or in part, at any time prior to or during the offering, including over-the-counter sales, if necessary to protect the interests of the state. The parcel may be withdrawn at any time prior to or during the offering period.

At times, modification of the terms of a land offering becomes necessary after publication of the brochure. Changes are announced and published via supplemental information sheets, but it is the bidders responsibility to keep informed of any changes or corrections.

### **False information.**

A land program participant who gives false information on forms or other required documents may be prosecuted to the full extent of the law. In addition to any other penalties prescribed by law, the participant may lose all right, title and interest in the land.

### **Bidder Qualifications**

To be qualified, bidders must be prepared to certify that they:

1. are at least 18 years of age on or before the date of the offering and be able to substantiate age when registering;
2. have not held a purchase contract or lease issued by the department that has been administratively terminated for cause within the past three years;
3. are not currently in default of the terms of an existing purchase contract or lease issued by the department; and
4. are not currently in default for nonpayment of municipal taxes as assessments on property currently under a DNR lease or purchase contract.

### **Purchase Information**

This parcel may be purchased either by paying a lump sum or by entering into a sale contract with the State of Alaska or its authorized representative.

Purchasers are also responsible for maintaining a current address with the division. If the purchase price minus the down payment is \$2,000.00 or less, the purchase price must be paid in full and the land sale contract will deal only with non-monetary conditions (such as clearing and preparation for cultivation requirements) of sale. If the purchase price minus the down payment is:

- (1) \$2,000.01 to \$9,999.99, contract length will not exceed 5 years;
- (2) \$10,000.00 to \$14,999.99, contract length will not exceed 10 years;
- (3) \$15,000.00 to \$19,999.99, contract length will not exceed 15 years;
- (4) \$20,000 or more, contract length will not exceed 20 years.

Principal and interest payments for a land sale contract will be set on a level-payment basis. Payments are collected monthly. General purchase requirements will be:

- Down payment of 5 percent of the specified purchase price;
- Payment of a nonrefundable document handling fee (\$100);
- Properly executed state contract for installment payment of remaining balance, including required interest\*, over time (see above);
- Development requirements incorporated into the contract to purchase state agricultural land.

\*The interest rate assigned to a new land purchase contract is based on prime rate plus three (3) percent, the total not to exceed 9.5 percent.

\*AS 38.05.940 veterans land discount does not apply to the sale of Agricultural parcels.

### **Service Charge**

Checks used for the bid deposit that are returned for any reason may invalidate the transaction, and all rights of the apparent successful bidder/purchaser may be terminated.

Once the contract for sale has been executed, the purchaser shall pay a service charge for any late payment or returned check.

### **State Farm Conservation Plan**

The successful applicant will be required to submit a State Farm Conservation Plan (SFCP) to the Division of Agriculture, 1800 Glenn Highway, Suite 12, Palmer, Alaska 99645, no later than 5:00 p.m., March 22, 2002. The conservation plan will follow a standard format as required by the Department of Natural Resources. The Plan form may be picked up at the Division of Agriculture in Fairbanks or Palmer and will also be provided to each successful bidder in a packet of information that will be sent soon after the auction. The contract for sale will not be issued until an approved State Farm Conservation Plan is submitted.

A SFCP is prepared by the successful bidder/purchaser. Information and assistance in the preparation of the SFCP may be obtained from numerous sources. Your first stop should be with the Division of Agriculture. If additional or more specific technical information is needed, other sources will include the local Soil and Water Conservation District, the USDA Natural Resource Conservation Service, Department of Fish and Game and the University of Alaska Extension Service. A SFCP must include:

- A map of the farm showing:
  - the planned location of clearing and breaking of ground;
  - planned location of windbreaks, farm pond, and similar conservation measures and improvements; and
  - planned location of real property improvements (house, barn, fence, etc.)
- Access roads, legal easements, and existing physical features such as water bodies.
- Planned soil conservation measures.
- A plan for burning any clearing debris, including any vegetation that has previously been chained-down.
- Necessary steps (approved by the Division of Agriculture) to prevent the propagation of insects harmful to agriculture.

The completed SFCP is submitted to the appropriate Soil and Water Conservation District. District members will review, comment and forward it to the Division of Agriculture for final approval. The approved SFCP will be included as an attachment to the sale contract.

Consideration by the purchaser and the reviewers should be given to, among other things, the types of crops as they relate to the natural conditions including, soils, slope, moisture, temperatures, local wildlife, etc. Added expenses can be incurred by the need for greenhouse starts, fencing, netting, or other wildlife control measures, irrigation, soil supplements, etc.

If the successful bidder/purchaser fails to provide an acceptable SFCP by the deadline, or within an extension of time granted in writing by the Director of the Division of Agriculture for good cause, the sale contract will be terminated and the parcel forfeited. Any modification of the SFCP will require the same review process as the original plan. The new purchaser will, as a condition of the contract, be required to comply with the approved SFCP to the satisfaction of the Director of the Division of Agriculture. Failure to comply may result in a default notification and, if the default is not cured, may result in termination of the sale agreement.

Following issuance of a Patent, compliance with an approved SFCP is still required. Enforcement then becomes a matter of civil law.

### **Farm Development Requirement and Maintenance of Farmland**

This parcel is subject to farm clearing and tillage requirements. Bartlett Hills, Tract 24B will be required to have at least 25 percent (or 69 acres) of the cropland soils improved to a farmable condition within five years of issuance of the sale contract and then maintained in that condition throughout the term of the sale contract.

For the purpose of determining required development “Cropland” is defined as land that:

- after being cleared is capable of producing, at a minimum, such commercial crops as grasses for seed, cereal for grain, or frost hardy vegetables;
- is arable and at least 97 percent free of surface stoniness (stones greater than three inches); with slopes less than 12 percent and occurring in blocks of 20 acres or more;
- has mineral soil depths over aggregate or sand measuring at least 10";
- is capable of draining satisfactorily following conversion to farm land; and
- not subject to frequent flooding.

“Improved to a farmable condition” is defined as:

- Removal of essentially all woody material from cropland surface and subsurface; areas used for storage of such woody material shall have been surface-cleared prior to deposit of material;
- An initial tillage operation (“breaking”) shall be sufficient to render the cleared cropland tillable by standard tillage implements such as tandem disc-harrow, fertilizer spreader, press drill, etc.

An owner/operator may verify satisfaction of this clearing, root clean-up and breaking standard by staging or imagining such practical tests as driving a two-wheel drive vehicle anywhere within the prepared field or asking a knowledgeable farm neighbor if he/she would be willing to work the field with his or her standard tillage equipment.

Cropland acres that are improved to a farmable condition must be maintained in that condition throughout the term of the sale contract. Patent will not be issued until the development requirement is met and will not be issued if the land has not been maintained in a farmable condition.

### **Real Property Improvements**

Fixed permanent improvements reasonably required for agricultural purposes as defined by AS 38.05.321(j) are allowed on the parcel. All real property improvements must be depicted and described in the State Farm Conservation Plan.

### **Agricultural Interest**

**The sale of the agricultural interest in this parcel is the conveyance of the surface estate in fee simple subject to conditions and covenants relating to agricultural use and development. The covenants required are:**

- A perpetual covenant for the benefit of all Alaska residents and running with the land that restricts or limits the use of the land for agricultural purposes; and

- A perpetual covenant for the benefit of all Alaska residents and running with the land permitting the owner of the land that has been obtained by purchase to subdivide and convey not more than 4 parcels of the land of not less than 40 acres each, subject to the restriction that a subdivided parcel may not be further subdivided.

**Agricultural Purposes are defined in statute as:**

- The production, for commercial or personal use, of useful plants and animals;
- The construction of;
  - housing for landowners and farm laborers,
  - improvements for animals,
  - improvements that are reasonably required for or related to agricultural uses;
- The use of gravel reasonably required or related to agricultural production on the parcel conveyed; and
- Removal of and disposition of timber in order to bring agricultural land into use.

**Reassignment of Interest**

The holder of a State sale contract (in good standing) for agricultural interest may lease, sell, or assign the sale contract for the entire, unsubdivided parcel, subject to prior written approval of the Director, Division of Land. An assignment of contract form must be submitted, along with documents, if leased or sold, which provide evidence of the price and terms offered, if leased or sold.

**Subdividing Agricultural Parcels**

Agricultural parcels may not be subdivided until patented. After a patent is received, the owner may subdivide, after first paying to the state, the required fee for the right to construct housing on each subdivided parcel of less than 640 acres, under the authority of AS 38.05.321(a)(2)(B). The subdivision may not create more than 4 parcels, no parcel may be less than 40 acres and all parcels must be consistent with the existing State Farm Conservation Plan or an amended plan must be filed. The fee to acquire housing rights was established by law in 1997, in the amount of \$4,000 per parcel. This fee is adjusted annually for inflation according to changes in the Consumer Price Index. For 2001, CPI adjustment brought the cost, per parcel created, to \$4,229.

(Alternatively, you can elect to get an appraisal, at your own expense, to determine the price you will pay for house construction rights. The appraisal must be approved by the Department of Natural Resources and be done by an approved appraiser, who must contact the Department before beginning work.)

There are exceptions:

- For each subdivided parcel of at least 640 acres, there is no payment to the State of Alaska.
- If the subdivided parcel is to be conveyed to a member of the immediate family, the payment may be delayed until the parcel is conveyed outside of the immediate family. There will be a lien on the parcel until the payment is made. Your immediate family consists of your spouse as well as your parent, child (including your stepchild or adoptive child), or sibling (your brother or sister), if your parent, child, or sibling lives with you, depends on you financially, or shares a substantial financial interest with you.

### **Burning**

Permits for burning at any time of year must be obtained from the Alaska Department of Natural Resources/Division of Forestry/Mat-Su Area Office, and the Alaska Department of Environmental Conservation in Anchorage prior to burning.

### **Wetlands**

Portions of these parcels may contain wetlands. If development activities are planned for areas of potential wetlands, the purchaser should contact the NRCS or US Army Corps of Engineers Regulatory Branch in Anchorage, for the official identification of wetlands.

### **Survey Information**

Copies of the Alaska State Land Survey plats for this parcel is available at the Department's Public Information Center in Anchorage or the Palmer Recorder's Office (1800 Glenn Highway, Palmer, Alaska).

### **Taxes and Assessments**

Land sold in this OTC sale will be subject to taxes and assessments as may be levied by taxing authorities. The purchaser shall pay all taxes and assessments accruing against the parcel. The purchaser will only be responsible for taxes from the date the contract is issued.

### **Appraisals and Site Conditions**

The appraisal for this parcel is available for review at the Division of Agriculture office in Palmer. **Prospective purchasers are urged to inspect the parcel in advance and make their own determination as to value, and whether the land will meet their needs and desires. By selling the land, the State does not give or imply any warranty as to the land's suitability for use, or whether public utilities or services will be provided.**

## **Access**

Legal, developed access exists to this parcel By taking the Parks Highway to the Talkeetna Cutoff, Talkeetna Highway to South Birch Creek Road, South Birch Creek Road to the parcel (see attached map)

## **Valid Existing Rights**

An attempt has been made to identify all existing rights that this parcel may be subject to. However, whether listed or not, this parcel is subject to any and all valid rights including, but not limited to, oil and gas leases, and valid rights-of-way for roads, highways, power lines and pipelines.

## **Classification and Zoning**

This parcel is classified Agricultural Land. No Matanuska-Susitna Borough zoning exists for this parcel.

## **Prohibitions and Penalties**

In accordance with AS 38.05.950, interference with bidding is prohibited. A person who bargains, contracts, agrees, or attempts to bargain, contract, or agree with another that the other shall not bid freely upon or purchase any parcel of land of the State offered at public auction; or by intimidation, combination, or unfair management, hinders, prevents, or attempts to hinder or prevent, a person from bidding upon or purchasing a parcel of land offered is punishable by a fine of not more than \$1,000 or by imprisonment for not more than one year, or by both.

## **Individual Water and Sewer Systems**

The successful purchaser is responsible for providing water and sewer systems. The State does not provide percolation tests, wells, or other soil or water determinations. It is the responsibility of the purchaser to meet Alaska Department of Environmental Conservation requirements for sewage disposal.

The Alaska Water Use Act provides the public with a legal method to obtain water rights for the use of surface and subsurface waters. To obtain water rights, a person must apply for a permit, make beneficial use of the water, and then be granted a Certificate of Appropriation from the Department of Natural Resources. Further information about water rights and application forms may be obtained from the Public Information Centers of the Department of Natural Resources.

## **State Title**

**THE LANDS WHICH ARE BEING OFFERED HAVE BEEN PATENTED TO THE STATE OF ALASKA.**

## **General Conditions**

It is the responsibility of the purchaser to properly locate the property and any improvements placed upon the property.

## **Acceptance of Terms**

This sale is made subject to the terms and conditions set forth in this disposal brochure and as announced at the offering under the provisions of AS 38.04 and 38.05, Alaska Administrative Code Title 11, Chapters 54 and 67. These and other statutes and regulations are available for review at the Regional Public Information Centers or and may be available at law libraries and courthouses. A purchaser, by making a bid at the auction or at the over-the-counter offering, or through assignment, agrees to abide by those terms and conditions.

## **Auction Postponement**

Unforeseen difficulties, such as weather conditions, may require a change in the time of the auction. In such cases, the auction will be rescheduled for the earliest reasonable date. All efforts will be made to advise the public of any changes. The Public Information Centers or the Division of Agriculture will have current information on any rescheduling; such information will be available by phone on any workday.

## **Noxious Weeds**

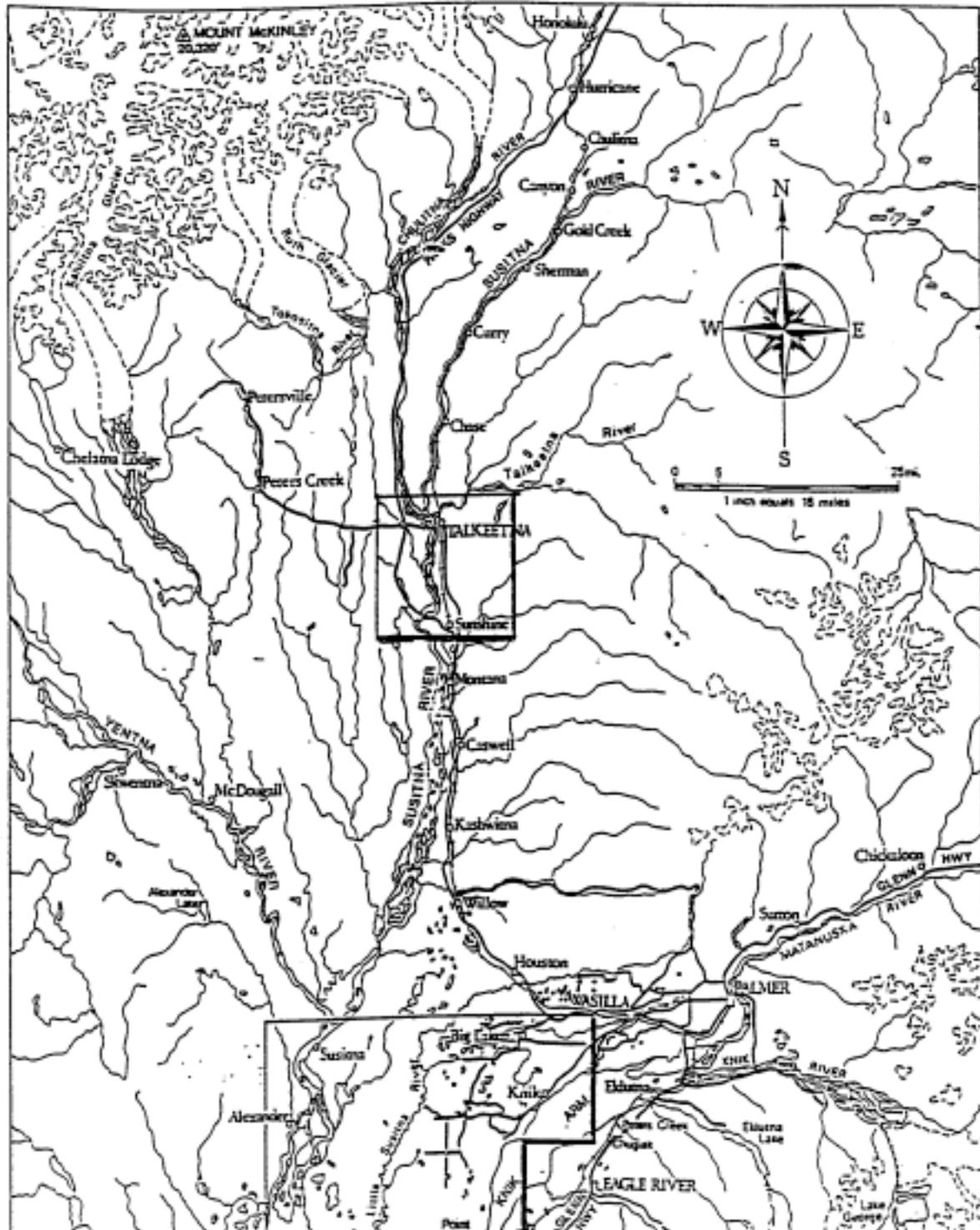
Pursuant to State law AS 03.05.010 - .030, AS 44.37.030 and Regulations 11 AAC 34.020 -.045, Alaskan agricultural land owners are required to control and eradicate certain “pest” plants that may be found growing on, or that may somehow be introduced into Alaskan soils. Certain of these prohibited and restricted noxious weeds may be found within cropland areas of the parcel being sold. For additional information, please contact the Alaska Co-operative Extension office nearest the subject parcel.

The current list of PROHIBITED NOXIOUS WEEDS includes:

- Bindweed, field (*Convolvulus arvensis*)
- Fieldcress, Austrian (*Rorippa austriaca*)
- Galensoga (*Galensoga parviflora*)
- Hempnettle (*Galeopsis tetrahit*)
- Horsenettle (*Solanum carolinense*)
- Knapweed, Russian (*Centaurea repens*)
- Lettuce, blue-flowering (*Lactuca pulchella*)
- Quackgrass (*Agropyron repens*)
- Sowthistle, penerial (*Sonchus arvensis*)
- Spurge, leafy (*Euphorbia esula*)
- Thistle, Canada (*Cirsium arvense*)
- Whitetops and its varieties (*Cardaria drabe*, *C. pubescens*, *Lepidium latifolium*)

The current list of RESTRICTED NOXIOUS WEEDS includes:

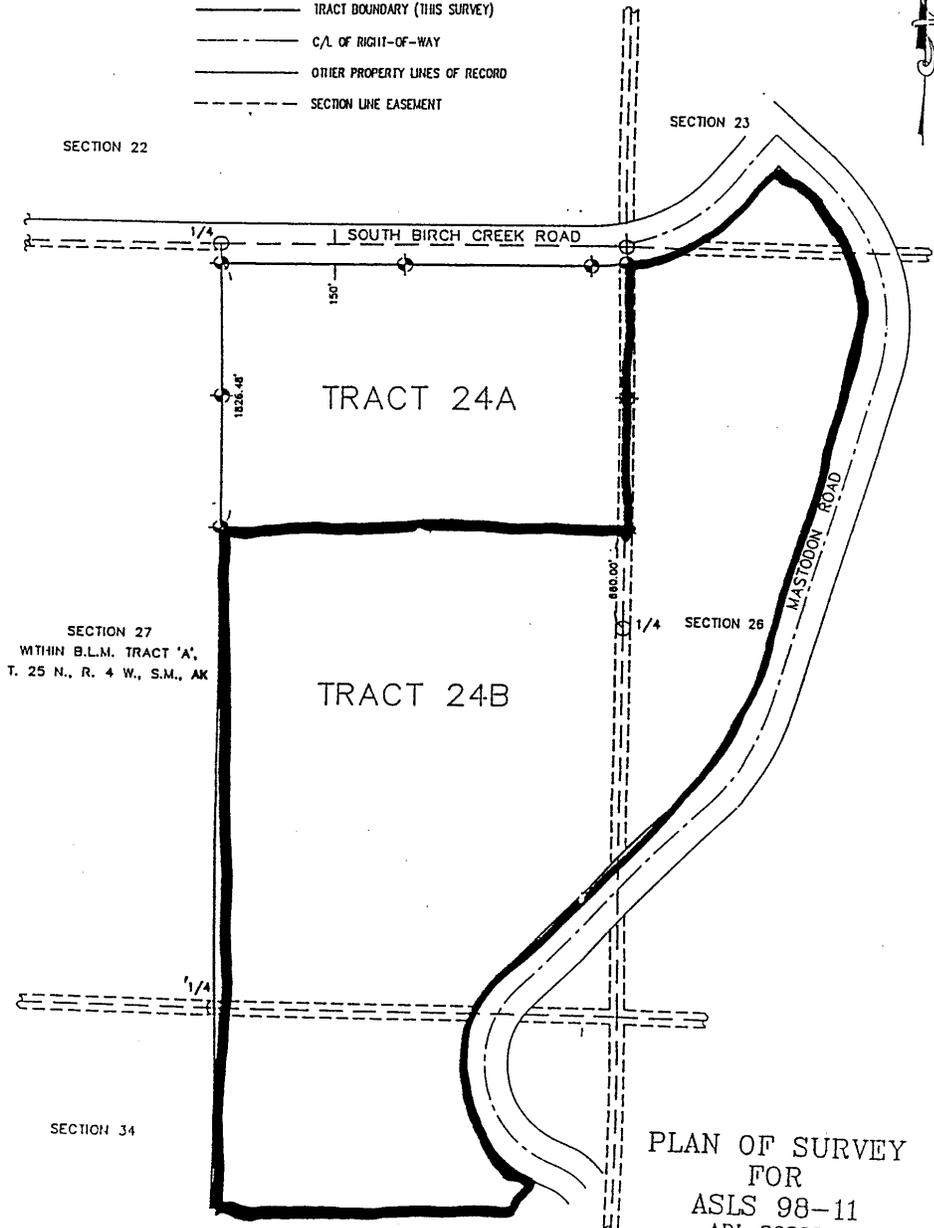
- Annual bluegrass (*Poa annual*)
- Blue burr (*Lappula echinata*)
- Mustard (*Brassica kaber*, *B. juncea*)
- Oats, wild (*Avena fatua*)
- Plantain, buckhorn (*Plantago sp.*)
- Radish, (*Raphanus raphanistrum*)
- Toadflax, yellow (*Linaria vulgaris*)
- Vetch, tufted (*Vicia cracca*)
- Wild Buckwheat (*Polygonum vonvolulus*)





LEGEND

- ⊕ PRIMARY MONUMENT TO BE SET
- PRIMARY BRASS CAP OF RECORD (TO BE TIED OR REPLACED)
- SECTION OR 1/4 SECTION LINE
- TRACT BOUNDARY (THIS SURVEY)
- - - C/L OF RIGHT-OF-WAY
- OTHER PROPERTY LINES OF RECORD
- - - SECTION LINE EASEMENT



SECTION 27  
WITHIN B.L.M. TRACT 'A',  
T. 25 N., R. 4 W., S.M., AK

PLAN OF SURVEY  
FOR  
ASLS 98-11  
ADL 203284  
SEC. 27, T25N, R4W, S.M., AK  
SCALE 1" = 600' DRAWN BY: ABR

State of Alaska, Department of Natural Resources  
 Division of Agriculture/Division of Land  
 Southcentral Region Land Disposal  
**No Cash Discounts**

Parcel	Title	Purchase Price	Pref. Right	Improvements	Total Acres	Cropland Acres	Wetland Acres	Reservation	Comments
2 Tr. 24B	GS ADL 227685	\$124,000	No	None	354.16	275	40	B, C, D & E	25% of cropland acres (69) must be cleared and prepared for cultivation

**Reservation Codes**

- A. Subject to an application (ADL 227588) for a 300-foot wide transportation corridor easement. No permanent improvements will be allowed in this easement. Temporary structures or agricultural use may occur at the purchasers risk. Should use of the easement be required for the purposes for which it is reserved, there will be no compensation for the displacement of improvements or crops.
- B. Subject to a 50-foot section line easement.
- C. Subject to 50-foot public access and utility easement on all interior lot lines where a section line is not present.
- D. A perpetual covenant under AS 38.05.321(a)(1) that restricts or limits the use of the land for agricultural purposes.
- E. A perpetual covenant under AS 38.05.321(a) (2) establishing restrictions on further subdivision of these tracts.

**STATE OF ALASKA  
DIVISION OF LAND  
PARCEL 2 BARTLETT HILLS  
\$ 124,000**

<b>Title Quality</b>	State patent (Fee title subject to Agricultural Covenants) This property is patented to the State.
<b>Legal Description</b>	Tract 24B of ASLS 98-11
<b>Land</b>	354.16 total acres - all wooded
<b>Soils</b>	Kashwitna silt loam, undulating Rabideux silt loam, undulating Rabideux silt loam, hilly
<b>Improvements</b>	None
<b>Access</b>	Existing roads – Talkeetna Hwy. To South Birch Creek Road (See map.)
<b>Present Use</b>	None
<b>Noted Conditions</b>	None
<b>Reservations</b>	B, C, D & E – See brochure code list.
<b>Inspection Contact</b>	Division of Agriculture – Steve Trickett 907-761-3863
<b>Information</b>	Division of Agriculture - Fairbanks & Palmer DNR Public Information Center - Anchorage