

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND, AND WATER**

PRELIMINARY DECISION

**Proposed Land Offering
Crown Point House – ADL 222867
AS 38.05.035(e), AS 38.05.045**

ASSOCIATED ACTIONS:

**Proposed Mineral Order (Closing) No. 1119
AS 38.05.185
Proposed Amendment to the Kenai Area Plan
AS 38.04.065**

COMMENT PERIOD ENDS 5:00PM, THURSDAY, DECEMBER 6, 2012

I. Proposed Action

Proposed Primary Action: The State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW) proposes to offer for sale a parcel of state-owned land with constructed improvements known as “Crown Point House” for private ownership. The proposed conveyance consists of one parcel of approximately one acre designated Settlement improved with an existing single-family residence. The parcel is located at 31001 Trail River Road, off the Seward Highway near Milepost 24 on the Kenai Peninsula. See Attachment B: Vicinity Map for a visual depiction of the property’s general location.

The approximately 1200-square foot, single family residence with shed and fuel tank, built in 1984, is managed by the State of Alaska, Department of Administration (DOA), Division of General Services. DOA approved a Notice of Excess Building on November 24, 2010 that allows the building to be sold out of State ownership. The land underneath the building is managed by DNR, DMLW. With DOA’s agreement, and upon approval, this proposed action by DNR DMLW would authorize the sale of the land and building together.

Proposed Related Actions: There are two associated actions with this proposal: a mineral order and an area plan amendment.

- Prior to disposal, DNR proposes to close this parcel of State-owned land to mineral entry pursuant to AS 38.05.185 Generally [Mining Rights]. Approximately one acre of land will be closed to mineral entry prior to offering, consistent with the *Kenai Area Plan*. This associated mineral order, if approved, will accompany the Final Finding and Decision to approve the land offering. This mineral closure will affect only the subject parcel, which currently has no Mineral Order. A mineral closure will reduce conflicts between surface and subsurface users. Please refer to the Mineral Order section of this document for more information.
- Prior to disposal, DNR proposes to amend the Kenai Area Plan (adopted 2000) for this parcel pursuant to AS 38.04.065 Land Use Planning and Classification. The Department

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proposes to amend the Kenai Area Plan to amend the management intent to allow sale of the parcel. Currently, the area plan outlines a management intent to use the parcel for leasing to state agencies. A change in management intent is necessary in order to allow for disposal. This associated area plan amendment, if approved, will accompany the Final Finding and Decision to approve the land offering. This amendment will only affect the approximately one acre subject parcel. Public notice is being conducted concurrently with the primary action's Preliminary Decision. Please refer to the Classification section of this document for more specific information.

Public notice for the related actions is being conducted concurrently with the notice for the primary action's Preliminary Decision. If approved after consideration of public comment, the related actions will be developed as separate actions and accompany the Final Finding and Decision for the primary action. The Final Finding and Decision will be dependent upon approval of the related actions such that if the related actions are not approved, the Final Finding and Decision will not be approved, unless modified. Likewise, DNR DMLW will not process the related actions unless proceeding with a Final Finding and Decision.

Pursuant to AS 38.05.945 Notice, this notice will be posted for at least 30 consecutive days. The public is invited to comment on the proposed primary and related actions. See Section X Submittal of Public Comments section at the end of this document and Attachment A: Public Notice for details on how to submit a comment for consideration. If commenting on more than one proposed action, separate comments should be submitted for each. If after consideration of timely, written comments the proposed actions are approved, DNR will issue a Final Finding and Decision.

Attachment A: Public Notice

Attachment B: Vicinity Map

II. Method

DNR proposes to offer for sale the parcel as described herein, through a future auction or another method under AS 38.05.045 Generally [Sale of Land].

III. Authority

The State of Alaska, Department of Natural Resources (DNR) has the authority under AS 38.05.035(e) Powers and Duties of the Director and AS 38.05.045 Generally [Sale of Land] to sell State-owned land if, on preparation and issuance of a written finding, it is determined to be in the best interest of the State. The Land Sales and Contract Administration Section of the Division of Mining, Land, and Water (DMLW) is delegated authority to offer parcels through public auction under AS 38.05.050 Disposal of Land for Private Ownership and AS 38.05.055 Auction Sale Procedures. If the parcel does not sell when offered at auction, DNR DMLW is authorized to offer the parcel through other methods under AS 38.05.045. Additionally, AS 38.05.185 Generally [Mining Rights], AS 38.04.065 Land Use Planning and Classification, and AS 38.05.300 Classification of Land allow for closure of the parcel to mineral entry and amendment to the relevant area plan.

IV. Administrative Record

The administrative record for the proposed action consists of the documentation contained in the Crown Point case file (ADL 222867). Incorporated by reference is the Kenai Area Plan (adopted 2000), Kenai River Special Management Plan, Kenai Easement Atlas (1993), and any updates or amendments to the associated land classification file CL SC-99-002.

V. Scope of the Decision

The scope of this proposal, under AS 38.05.035(e) Powers and Duties of the Director, is limited to the Department's decision to offer the State-owned land, with existing improvements, referred to as Crown Point House (ADL 222867), for disposal into private ownership through a future, public auction or another method under AS 38.05.045 Generally [Sale of Land]. The scope of this proposal does not include the control of post-patent use and DNR DMLW does not intend to impose deed restrictions for this purpose, except as required to comply with statutes and regulations as described herein.

VI. Description

Location: The parcel is located in the eastern area of the Kenai Peninsula Borough, west of the Seward Highway. Specifically, it is located near Milepost 24 of the Seward Highway on the south side of Trail River Road, with the driveway for the parcel connecting to Trail River Road. The entrance to Trail River Campground is approximately 1000 feet west of the parcel. Trail River Campground is located approximately one quarter mile southwest of the parcel, just north of Kenai Lake. The subject parcel is between the Seward Highway on the east and the Kenai River Special Management Area on the west. A flag lot parcel owned by Denny's Bed and Breakfast separates the subject parcel from the Trail River Campground and Kenai River Special Management Area. The parcel is within the unincorporated community of Crown Point, which is located between the communities of Moose Pass and Seward in Southcentral Alaska.

USGS Map Coverage: USGS Quad Seward B-7.

Borough/Municipality: The parcel is located within the Kenai Peninsula Borough and outside any municipality.

Alaska Coastal Issues: The Kenai Peninsula Borough will receive public notice and an opportunity to comment.

Native Regional and Village Corporations: The parcel is located within the boundaries of Cook Inlet Region, Inc. but there are no known villages within 25 miles of the parcel.

Legal Description: Lot 1, Crown Point Subdivision of Tract D of US Survey 2520, containing 0.997 acres more or less, according to the official plat thereof, filed in the Seward Recording District on February 3, 1986 as plat number 82-18, Third Judicial District, State of Alaska. In addition, the parcel is located within Section 24 of Township 4 North, Range 1 West, Seward Meridian.

Title: Information from Title Report RPT-2166, current as of November 8, 2010 indicates the State of Alaska holds fee title to the land and mineral estate within the project area.

- **Acquisition Authority:** The State received title for the land and mineral estate via Warranty Deed recorded January 29, 1986 from Clifford P. and Starr R. Judkins. The applicable State case file is Other State Land (OSL) 998.

Retained Interests: In accordance with AS 38.05.125 Reservation of Mineral Rights to Alaska, the State retains ownership of oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it sells. The State and its successors reserve the right to enter onto the land for the purposes of exploring for, developing, and producing these reserved mineral resources. Under common law, this access reservation is superior to any and all surface uses. The State may also lease these interests to mineral developers or allow mining locations to be staked. However, AS 38.05.130 Damages and Posting of Bond also provides that the surface owner will be compensated for damages resulting from mineral exploration and development.

Other Constraints: Excepted and Reserved from Conveyance:

- A right-of-way for the construction of railroads, telegraph, and telephone lines in accordance with the Act of March 12, 1914, 38 Stat. 305; 48 U. S. C. Sec. 305.
- A right-of-way for ditches or canals constructed by the authority of the U. S. in accordance with the Act of August 30, 1890, 26 Stat. 391; 43 U. S. C. 945.

Subject to: any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledge by the local customs, laws, and decisions of courts.

Geographic Description: The following paragraphs describe the subject's geographic features.

Topography: The terrain is generally flat. The proposed sale parcel does not front any anadromous streams.

Geologic Hazards: There are no known geologic hazards on this parcel.

Soils: Per the NRCS Exploratory Soil Survey of Alaska, the parcel falls in the South Central Alaska Mountains region, within the "SO10" soil type, which is described as "humic cryorthods, very gravelly, hilly to steep association."

Vegetation: The vegetation within the parcel consists mostly of grasses and wildflowers, with a variety of birch, aspen, and spruce trees scattered across the parcel and along the property boundaries. Much of the vegetation has been removed and trimmed back by previous owners and property managers.

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Fire Hazards: A field inspection was conducted on November 23, 2010. The field inspection revealed no signs of recent fire, and a well-cleared area around the house and fuel tank.

Potential for wildland fire is high in Alaska. Landowners with structures are encouraged to follow the Alaska Wildland Fire Coordinating Group *Firewise Alaska* recommendations.

A volunteer fire protection service exists in the nearby community of Moose Pass. The Moose Pass Volunteer Fire Company is a non-profit organization providing emergency fire and medical services with on-call coverage between Mile 16 and Mile 38 of the Seward Highway.

Fire management options and policies for the area are identified in the Alaska Interagency Wildfire Management Plan available from the DNR Division of Forestry. The current fire management option for most of the project area is "Critical." The policy on areas with the "Critical" management option reads, "Fires occurring in or immediately threatening this designation will receive highest priority for protection from wildland fires by immediate and continuing aggressive actions dependent on the availability of suppression resources." It is important to note, however, that the DNR Division of Forestry warns that DMLW inform participants there is no guarantee their property will be spared from harm from a wildland fire, even if the area is designated "Critical" fire management option.

Flood Zone: According to Community Panel Number 02-0012-2525A, Kenai Peninsula Area (FEMA, effective date May 19, 1981), the parcel is within flood hazard Zone C, which designates an "area of minimal flooding".

Existing Improvements: The subject includes an approximately 1200-square foot three-bedroom, one-bathroom, single-family house built in 1984; an above-ground and an underground fuel tanks; an approximately 80 square foot storage shed of unknown age, and a generator enclosed in a storage box. The house is one-story ranch style with wood frame construction and concrete footer foundation. In addition to three bedrooms and one bath, the house has laundry space, storage areas, arctic entries, and an insulated crawl space. The house is connected to the local power grid and has an onsite well and septic system, installed in 1983. Well depth is approximately 56 feet with approximately 400gpd capacity. *No water right has been filed for the well on site.* The septic tank has a minimum 1,000 gallon tank. Further details about the improvements will be included in the appraisal performed before sale of the parcel. Buyers will be encouraged to inspect the property before buying.

Background:

- 1986 Warranty Deed received from Clifford P. and Starr R. Judkins, with management authority given to Department of Administration for the property and buildings through ADL 222867;
- 1999 Application received for Public Utility Easement ADL 227667 across Trail River Road; this easement abuts the subject parcel, and a transformer was built partially within this easement and the utility easement on the subject parcel.
- 2000 Land Classified via Kenai Area Plan as STL, CL SC-99-002; and

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- 2010 Buildings excessed by the Department of Administration, which allows for sale of the property and buildings.

History:

The subject parcel was obtained by the State to provide housing for a State Trooper. The house was leased by the State from Clifford Judkins from 1983 to 1986, and purchased from Clifford Judkins on January 29, 1986. The Department of Administration managed the buildings at the time of the purchase of the property by the State. The Troopers occupied the home from July 1984 to June 1993. In March 1995, the federal Bureau of Land Management leased the housing from the State for employee housing for 5 months. In August 1995, the Alaska DNR Division of Forestry requested use of the house for office space and seasonal housing. They used the house for their own employees or sub-leased to the Department of Public Safety and US Forest Service for various time periods until 2000. In 2002, the DNR Division of Forestry again requested use of the house and parcel. The Division of Forestry used the house seasonally from 2002 until fall 2010. The Department of Administration submitted a Notice of Excess Buildings and contacted the DNR DMLW Land Sales office regarding sale of the house and lot.

Planning: The parcel is within the Kenai Area Plan (adopted 2000); Region 2 (Seward Highway); Unit Number 380M (DOTPF parcel near Trail River). Recommended land use within this management unit includes leasing of the subject parcel for housing.

Kenai Area Plan Amendment: An amendment to the Kenai Area plan is necessary to change the management intent of the parcel. This amendment only affects the approximately one acre subject parcel. The remainder of the land in Region 2 retains its current management intent. Per conversations with the Department of Administration, Division of General Services, Property Management Office, no government entity is interested in leasing the parcel and improvements at this time. In accordance with AS 38.04.065 (b) Land Use Planning and Classification, an associated action to this primary action proposes to amend the area plan to change the management intent of the parcel to allow the disposal of the parcel. The plan amendment will receive public notice. If the proposed primary action is approved, the associated area plan amendment will be developed as a separate action and will accompany the Final Finding and Decision.

Classification: The State classified the parcel as Settlement on January 7, 2000 under Classification Order SC-99-002.

Mineral Order(s): Currently, there is no mineral order in effect for the parcel. In accordance with AS 38.05.185 Generally [Mining Rights] for a land disposal, DNR proposes to close the parcel to mineral entry. The proposed mineral order closing the area to new mineral entry will apply only to new mineral location and will not remove valid existing mineral rights. There are no current mining claims located within the subject parcel. If the proposed primary action is approved, the associated mineral closing order, Mineral Order No. 1119, will be developed as a separate action and will accompany the Final Finding and Decision. The mineral closing order will affect only the subject parcel.

Mineral orders that close an area to mineral entry, where they have been established, close that area to new exploration and development of locatable minerals such as gold, copper, platinum,

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etc. Such mineral orders do not apply to leasable minerals, including oil and gas leasing, coal leasing, shallow gas leasing, or exploration licensing for such, nor do they preclude reasonable surface access to these resources. However, AS 38.05.130 Damages and Posting of Bond stipulates that the surface owner will be compensated for damages resulting from exploration and development.

Mining activity would be incompatible with the past, current, and proposed surface uses for land disposals. To allow new mineral location within the boundaries of the parcels encompassed by this decision could create serious conflicts between surface and subsurface users. Area plan subsurface management policy states that, in general, areas scheduled for disposal will be closed to mineral entry prior to sale to minimize potential conflict between surface and subsurface users.

Local Planning: Where they exist, local zoning and related ordinances govern any land use restrictions, as with other private land. The parcel is within the Kenai Peninsula Borough and is subject to Borough platting and zoning authority. No local planning or zoning currently exists for this area, so zoning and ordinances are the jurisdiction of the Kenai Peninsula Borough. These include tasks such as plat approvals and land use permits. A Borough standard utility easement and building setback apply to this parcel. DNR DMLW does not intend to impose deed restrictions to control post patent use.

Traditional Use Finding: The project is located within the Kenai Peninsula Borough and therefore does not require a Traditional Use Finding in accordance with AS 38.05.830 Land Disposal in the Unorganized Borough.

Access to, Within, and Beyond the Parcel: Access to the parcel is by the Seward Highway onto Trail River Road. The parcel is located immediately south of Trail River Road, with driveway access to the parcel from Trail River Road. Trail River Road is a two lane, gravel, borough-maintained road from the Seward Highway to the entrance to the Trail River Campground, approximately 1000 feet beyond the subject's site.

A field inspection in November 2010 did not identify any trails across the parcel.

Access to and Along Public or Navigable Waters: In accordance with AS 38.05.127 Access to Navigable or Public Water, DNR will determine if a body of water or waterway is a navigable or public waterway and will establish easements or rights-of-way as necessary to ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or rights-of-way under this statute include 11 AAC 51.035 Determination of Navigable and Public Water and 11 AAC 51.045 Easements to and Along Navigable and Public Water.

There are no navigable waters on the subject parcel.

Easements, Setbacks, and Reserved Areas: A ten-foot utility easement exists along the northern and eastern boundaries of the parcel, established by the subdivision survey of Tract D of US Survey 2520, recorded in the Seward Recording District as plat 82-18. The Department is currently in the process of requesting a variance for the well on this property because it is within this utility easement. The parcel will be withheld from sale until this

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issue is resolved. Additionally, a 20-foot building setback from all street right-of-ways was established by survey per Kenai Peninsula Borough platting standards. Trail River Road to the north of and adjacent to the parcel is a designated 66-foot right of way. DNR DMLW will strongly encourage any persons interested in purchasing the parcel to visit the site and review all associated documents so that they have a good understanding of any potential issues concerning the parcel.

Reservation of Mineral Estate: In accordance with Section 6 (i) of the Alaska Statehood Act and AS 38.05.125 Reservation, the State, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing, and producing the reserved mineral resources. Exploration and development that could occur would be consistent with AS 38.05.130 Damages and Posting of Bond and other applicable statutes and regulations that provide that the surface owner be compensated for damages resulting from mineral exploration and development. Refer to the Mineral Order section of this document for more information on restrictions on use of the mineral estate within the boundaries of the parcel.

Hazardous Materials and Potential Contaminants: Interested parties are encouraged to inspect the property and familiarize themselves with the condition and quality of the land. The State of Alaska makes no representations and no warranties, express nor implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land here proposed for conveyance. The State further assumes no liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances be eventually found.

The parcel includes existing improvements with both underground and above-ground fuel storage tanks and the property was previously occupied. The property will be sold on an "as-is" basis and in the condition as of the date of auction and receipt of down payment.

AS 34.70.010 Disclosures in Residential Real Property Transfers requires the buyer and seller of residential real property to sign a Residential Real Property Transfer Disclosure Statement unless the buyer and seller agree to sign a Waiver by Agreement. Because the residence has been intermittently occupied by State entities, in lieu of the disclosure statement DNR will require bidders to sign the Waiver by Agreement in order to bid for the parcel.

Survey, Plat, and Appraisal: The parcel was surveyed as part of USS 2520 Crown Point Subdivision of Tract D, approved by the Kenai Peninsula Borough on January 11, 1982 and recorded as Plat 82-18 in the Seward Recording District.

In accordance with AS 38.05.840 Appraisal, an appraisal meeting DNR standards will be required within two years of the date fixed for the sale of this parcel.

VII. Agency Comments

Agency review was conducted from December 8, 2010 through January 10, 2011. Comments received during agency review have been considered and addressed below. Additional comments received during the Public Notice period will be considered and addressed in the Final Finding and Decision.

The following agencies or groups were included in the agency review and responded with no objections.

- Department of Natural Resources;
 - Division of Mining, Land, and Water;
 - Municipal Entitlements;
 - Division of Geological and Geophysical Surveys;
 - Alaska Mental Health Trust Land Office;
- Department of Fish and Game

The several other agencies or groups included in the agency review did not submit comments.

VIII. Alternatives and Discussion

DNR DMLW is considering the following alternatives:

- Alternative 1: (Preferred) Offer the subject parcel and infrastructure for sale at public auction.
- Alternative 2: Offer the subject parcel for lease.
- Alternative 3: (Status Quo) Do not offer the subject parcel and infrastructure for private ownership, retain the parcel and infrastructure in State ownership.

Article VIII, Section 1 of the Alaska Constitution states, in part, that "...it is the policy of the State to encourage the settlement of its land..." Furthermore, AS 38.05.045 Generally [Sale of Land] has placed this charge with the commissioner of DNR. Alternative 1 provides a method for DNR to help meet the obligations laid out in the Constitution and statute.

The Crown Point House parcel is an isolated parcel of State-owned land in a community with limited available residential land. The location of this parcel, with easy access to the Seward Highway and to the Kenai River Special Management Area (KRSMA) and proximity to Kenai Lake, is highly desirable. Land available for private ownership in the area, however, is limited.

The parcel was not identified by the Kenai Area Plan (adopted 2000) for inclusion in the KRSMA. The parcel is designated Settlement, and is an isolated parcel of State-owned land that is accessible, with a developed residential site. A flag lot owned by Denny's Bed and Breakfast exists between the subject parcel and the edge of the nearest KRSMA-related land. Therefore, this parcel is not a logical inclusion in KRSMA.

Per the Property Management Office within the Alaska Department of Administration, there are no State agencies currently willing to use and manage the buildings on a full-time basis, nor does the State have staff or resources to manage the property as a rental to the private sector; therefore, Alternative 2 is not preferred.

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Retaining this parcel is in opposition to the Settlement designation outlined in the Kenai Area Plan and would inhibit DNR DMLW from meeting its Constitutional and legislative obligations. The State would need to continue to expend resources to manage the parcel and vacant buildings, while forgoing the income that could be generated in this sale. Additionally, unused buildings present a liability to the State and they are an attractant to vandalism. Over time the improvements on the property will deteriorate and the State would realize less income from selling the property at that point. Alternative 3 is not preferred.

For the aforementioned reasons, Alternative 1 is the preferred alternative. Recommendation follows.

IX. Recommendation

This Preliminary Decision for the proposed actions described throughout this document and its attachments are consistent with the overall management intent for State-owned land; anticipated changes to public resources and the public interest as a result of the proposal are acceptable; and these actions are in the best interest of the State. It is thereby recommended to proceed to public notice.

The State does not guarantee the condition or usefulness of the subject parcel. The land is offered "as is" with no guarantees, expressed or implied, as to its suitability for any planned or potential use, or as to the availability of any public or private services.

DNR is the party responsible for the land and the Department of Administration is the party responsible for the improvements thereon. Because of this split accounting, both departments will sign this Preliminary Decision and any eventual Final Finding and Decision.

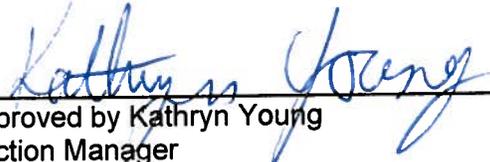
Department of Natural Resources



Prepared by Lauren Rouen
Natural Resource Specialist II
Land Sales and Contract Administration Section
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Department of Natural Resources
State of Alaska

10/3/2012

Date

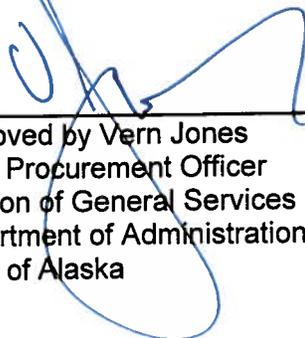


Approved by Kathryn Young
Section Manager
Land Sales and Contract Administration Section
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

10/11/2012

Date

Department of Administration



Approved by Vern Jones
Chief Procurement Officer
Division of General Services
Department of Administration
State of Alaska

9/26/12

Date

X. Submittal of Public Comments

See Attachment A: Public Notice for specific dates and conditions.

Pursuant to AS 38.05.945 Notice, a public notice inviting comment on this Preliminary Decision will be published in newspapers in statewide circulation and newspapers of general circulation in the vicinity of the land offering. Notices will be mailed to parties known or likely to be affected by the action; relevant postmasters of permanent settlements; relevant municipalities if the land is within the boundaries of a municipality; relevant regional corporations if the land is within their corporation boundary; relevant village corporations if the land is within 25 miles of the village for which the corporation was established; and relevant soil and water conservation districts. Finally, the notice will be posted on the State of Alaska Public Notice website at <http://notes.state.ak.us/pn/>.

In accordance with AS 38.05.946 (a) Hearings, a municipality or corporation entitled to receive notice under AS 38.05.945 (c) may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Department Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

DNR DMLW will consider all timely comments. If timely written comments received in response to this notice indicate the need for significant changes to the Preliminary Decision, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to the proposed action will not be considered significant changes requiring additional public notice.

If the proposed action is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and Division responses, will be issued as a subsequent Final Finding and Decision without further notice. To recognize a party's eligibility to appeal a Final Finding and Decision, the Land Sales and Contract Administration Section of DNR DMLW must receive timely written comment on the Preliminary Decision as set forth in Attachment A: Public Notice. Comments may be received by fax, email or postal mail. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <http://dnr.alaska.gov/mlw/landsale/> and sent with an explanation of the appeal process to any party who provides timely written comment.

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND, AND WATER**

ATTACHMENT A: PUBLIC NOTICE

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AS 38.05.035 (e), AS 38.05.045**

**ASSOCIATED ACTIONS:
Proposed Mineral Order (Closing) No. 1119
AS 38.05.185
Proposed Amendment to the Kenai Area Plan
AS 38.04.065**

COMMENT PERIOD ENDS 5:00PM, THURSDAY, DECEMBER 6, 2012

The State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW) proposes to convey at public auction a parcel with constructed improvements known as "Crown Point House" for private ownership. The proposed conveyance consists of one parcel of approximately one acre designated Settlement improved with an existing single-family residence. Minimum purchase price will be established at the appraised fair market value for the parcel and infrastructure. The parcel may be offered by any method under AS 38.05.045 Generally [Sale of Land].

The Crown Point House is located off the Seward Highway near milepost 24, along Trail River Road. The proposed disposal consists of approximately 1 acre of surveyed State land with constructed improvements, within Section 24, Township 4 North, Range 1 West, Seward Meridian. The area is located within USGS Quad Seward B-7.

Prior to disposal DNR also proposes to close this parcel of State land to mineral entry pursuant to AS 38.05.185 Generally and amend the Kenai Area Plan pursuant to AS 38.04.065 Land Use Planning and Classification.

For additional information on these proposed actions, contact Lauren Rouen by phone at (907) 269-8851 or by email at lauren.rouen@alaska.gov. Copies of the decision, map, and additional information are available at the DNR DMLW, Land Sales and Contract Administration Section, 550 W. 7th Ave., Ste. 640, Anchorage, Alaska 99501. Copies of the documents, auxiliary aids, services, or special accommodations are also available at DNR's Public Information Centers on State work days between 10:00AM and 5:00PM, Monday through Friday in Anchorage by phone at (907) 269-8400, by TDD at (907) 269-8411, or by email at dnr.pic@alaska.gov, and in Fairbanks by phone at (907) 451-2705, or by TDD at (907) 451-2770 or by email at fbx-pic@alaska.gov. DNR's Southeast Region Office in Juneau can be reached by phone at (907) 465-3400 or by email at sero@alaska.gov. Additionally, documents are also online at <http://dnr.alaska.gov/mlw/landsale/>.

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Pursuant to AS 38.05.945 Notice, the public is invited to comment on these proposed actions. Comments on this proposal may be submitted by mail to DNR DMLW Land Sales and Contract Administration Section, Attention: Subdivision Land Sales Program at the aforementioned address; by email to subdivision.sales@alaska.gov; or by fax to (907) 269-8916. The comment period ends at **5:00 PM Thursday, December 6, 2012.**

DNR DMLW will consider all timely comments. If timely written comments received in response to this notice indicate the need for significant changes to the Preliminary Decision, additional public notice will be given. Reducing the amount of land offered and making minor changes to the proposed actions will not be considered significant changes requiring additional public notice.

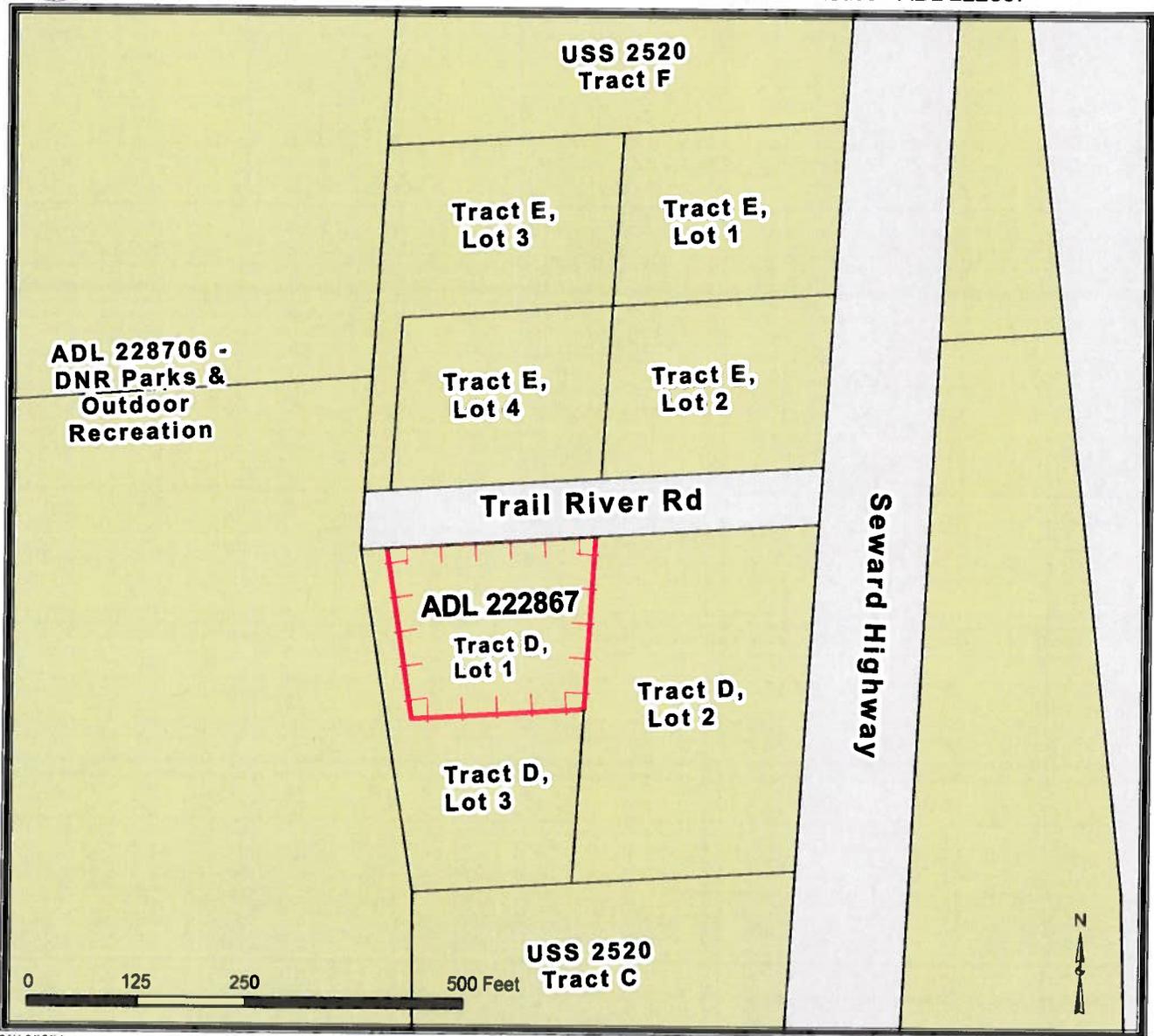
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DNR reserves the right to waive technical defects in this notice.



Attachment B: Vicinity Map

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Crown Point House - ADL 222867

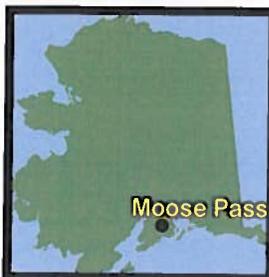
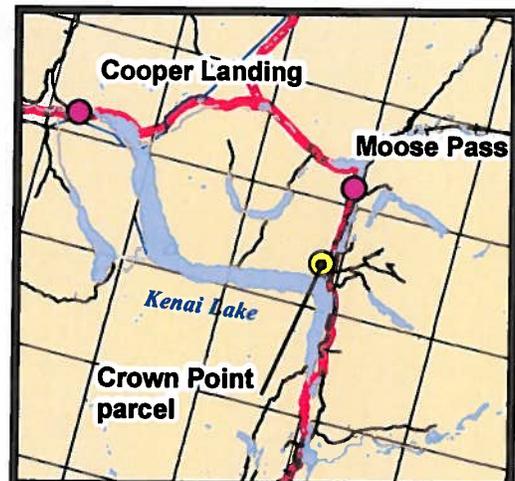


CAH 3/15/11

Section 24, Township 4 North, Range 1 West, Seward Meridian

Legend

- Proposed Sale
- Parcel boundaries



USGS QUAD 1:63,360 Seward B-7
 For more information contact:
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