



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Planning Commission Regular Meeting

Tuesday, June 08, 2021

12:00 PM

Via Zoom

1. The meeting is open to the public. To attend via **ZOOM**, please contact Karen Malcom at 907-772-4430.

2. **Call to Order**

3. **Roll Call**

4. **Acceptance of Agenda**

5. **Approval of Minutes**

1. Minutes of the Planning Commission of May 11, 2021.

6. **Public Comments**

Public comments are welcome on matters not appearing on the Public Hearing or Consent Calendar but are within the Borough's jurisdiction. Persons wishing to speak should come forward and state their name and address. Issues raised may be referred to staff and, if action by the Commission is needed, may be scheduled for a future meeting.

7. **Consent Calendar**

8. **Public Hearing Items**

1. A. Consideration of an application from Mike Schwartz for a conditional use permit for a home occupation (hair salon) at 313 Sandy Beach Rd (PID: 01-003-119).

2. B. Review of applications from Ryan Littleton and John & Rebecca Fortna and David & Marlene Cushing requesting to purchase borough-owned property located at 306 Sandy Beach Rd. (PID: 01-003-521).

3. C. Review of an application from AP&T Wireless requesting a 20' wide utility easement at 419 Sandy Beach Rd. (PID: 01-003-139).

9. **Non-Agenda Items**

1. Commissioner Comments

2. Staff Comments

3. The next regularly scheduled meeting is July 13, 2021 at 12:00pm via Zoom

10. Adjournment



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Planning Commission

Tuesday, May 11, 2021

12:00 PM

Assembly Chambers

ZOOM MEETING

1. CALL TO ORDER:

2. ROLL CALL:

Present: 6 - Chris Fry, Richard Burke, Sally Dwyer, Heather O'Neil, Nancy Strand and Jim Floyd

3. ACCEPTANCE OF AGENDA:

A motion was made by Commissioner Nancy Strand, seconded by Commissioner Sally Dwyer, to approve the agenda as presented. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer, Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

4. APPROVAL OF MINUTES:

A motion was made by Commissioner Sally Dwyer, seconded by Commissioner Jim Floyd, to approve the meeting minutes of the April 13, 2021. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer, Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

April meeting minutes

Attachments: [Meeting minutes 04.13.2021](#)

5. PUBLIC COMMENTS:

6. CONSENT CALENDAR:

7. PUBLIC HEARING ITEMS:

- A. Consideration of an application from Jason and Julie Anderson for a special use permit to allow for construction of a greenhouse, fence, and planter boxes in a portion of the right-of-way of Excel Street at 208 N. Fourth St. (PID: 01-006-207).

Jason Anderson gave a history of the property.

A motion was made by Commissioner Nancy Strand, seconded by Commissioner Sally Dwyer, to approve recommending to the Assembly the Anderson's Special Use Permit. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer, Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

Anderson SUP

Attachments: [AndersonSUP](#)

- B. Consideration of an application from Jason and Julie Anderson for a variance from the required 20' front yard setbacks on N. 4th St and Excel St. to allow for construction of a greenhouse on the property line at 208 N. Fourth St. (PID: 01-006-207).

A motion was made by Commissioner Nancy Strand, seconded by Commissioner Richard Burke, to approve the Anderson Variance application. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer, Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

Anderson Variance

Attachments: [Anderson VAR dox](#)

- C. Consideration of an application from Hammer & Wikan Inc for a minor subdivision at 203 N First St. (PID: 01-007-281 and 01-007-283).

Jim Floyd gave an explanation of H&W's plans.

A motion was made by Commissioner Richard Burke, seconded by Commissioner Sally Dwyer, that the minor subdivision for Hammer & Wikan be approved. The motion carried by a vote of

Yes: 5 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer, Commissioner O'Neil and Commissioner Strand

Excused: 1 - Commissioner Floyd

Hammer & Wikan Minor Subdivision

Attachments: [H&W dox](#)

- D. Consideration of an application from Dave Ohmer for a minor subdivision at 613 Sandy Beach Rd (PID: 01-004-010).

Dave Ohmer gave an explanation of the lot. Rachel Ohmer spoke on her own behalf in favor.

A motion was made by Commissioner Richard Burke, seconded by Commissioner Jim Floyd, to approve the Ohmer minor subdivision. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer,
Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

Ohmer Minor Subdivision

Attachments: [Ohmer.dox](#)

- E. Consideration of an application from Mike Schwartz for a conditional use permit for a home occupation (hair salon) at 313 Sandy Beach Rd (PID: 01-003-119).

Discussion of surrounding properties.

A motion was made by Commissioner Richard Burke, seconded by Commissioner Jim Floyd, to postpone the Schwartz CUP. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer,
Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

Schwartz CUP

Attachments: [Schwartz dox](#)

8. NON-AGENDA ITEMS:

- A. Commissioner Comments
- B. Staff Comments

Joe welcomed Ray Wesebaum as the new Building Inspector to take over for Joe in June/July.

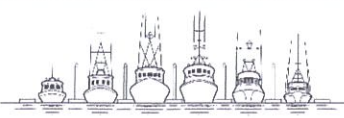
9. ADJOURNMENT:

A motion was made by Commissioner Sally Dwyer, seconded by Commissioner Nancy Strand, that the meeting be adjourned. The motion carried by a vote of

Yes: 6 - Commissioner Fry, Commissioner Burke, Commissioner Dwyer,
Commissioner O'Neil, Commissioner Strand and Commissioner Floyd

Commission Chairman, Chris Fry

Date



PETERSBURG BOROUGH CONDITIONAL USE APPLICATION

CODE TO:	110.000.404110
BASE FEE:	\$50.00
PUBLIC NOTICE FEE:	\$70.00
TOTAL:	\$120.00 ✓
CHECK NO. or CC:	CC

DATE RECEIVED: _____ RECEIVED BY: _____

APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)	
NAME	Mike Schwartz	NAME	
MAILING ADDRESS	Box 434	MAILING ADDRESS	
CITY/STATE/ZIP	Petersburg, Alaska	CITY/STATE/ZIP	
PHONE	907-518-0101	PHONE	
EMAIL	soabreeze19@	EMAIL	

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:
313 Sandy Beach Rd.

PARCEL ID: 01-003-119 ZONE: Residential OVERLAY:

CURRENT USE OF PROPERTY: Residence LOT SIZE: 17780 SF

PROPOSED USE OF PROPERTY (IF DIFFERENT):
Hair Salon in 150 sqft room attached to house

SEPTIC SYSTEM: Is there a septic system on the property YES NO

What is current or planned system? Municipal DEC-approved on-site

WATER SOURCE: Municipal Cistern/Roof Collection Well

LEGAL ACCESS TO LOT(S) (Street Name):
Sandy Beach Road

TYPE OF APPLICATION

Home Occupation. Please include copy of current Sales Tax Registration Application

Residential Use in Industrial District

Other: Hair Salon

Submittals

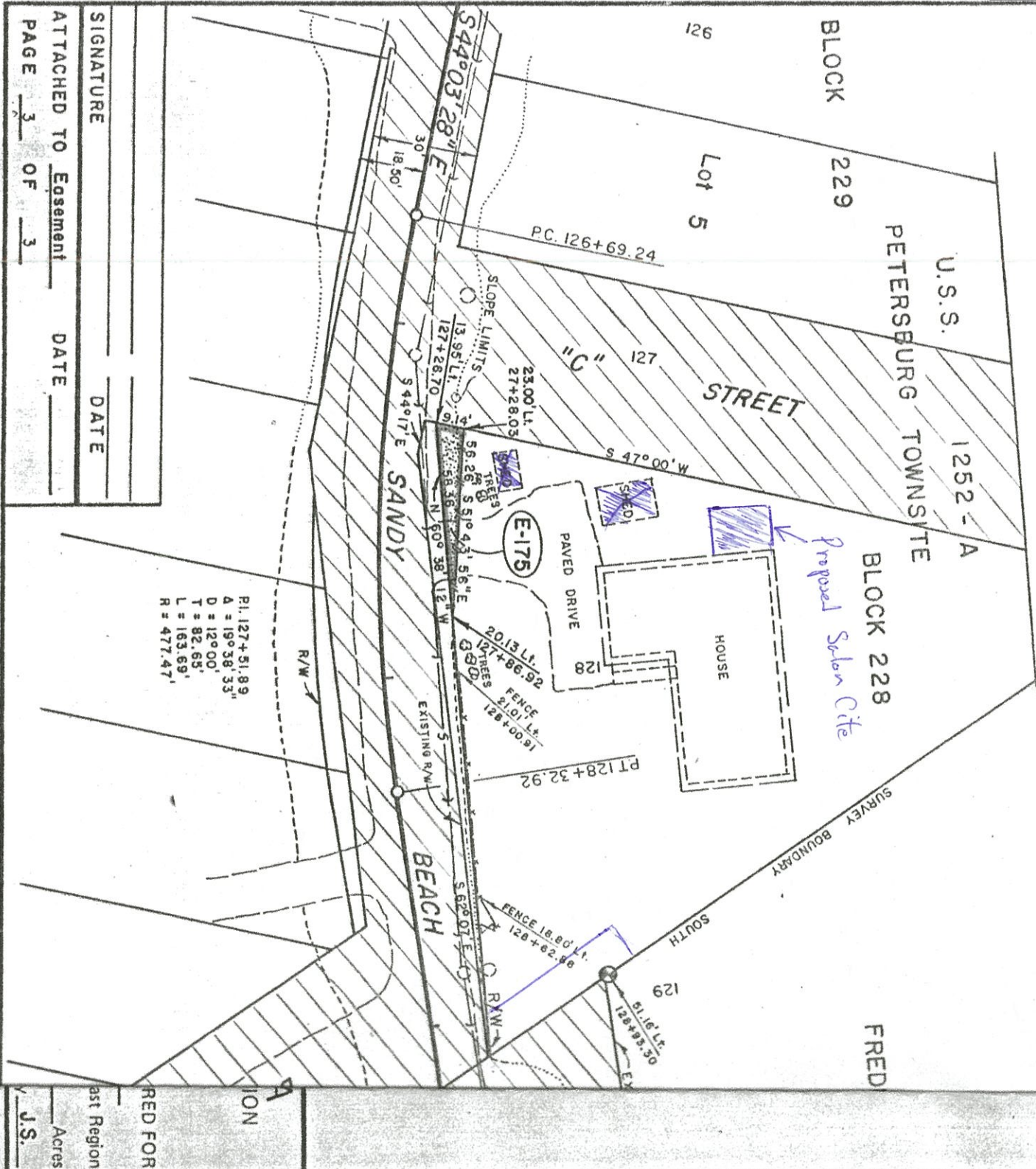
Please submit site plan. For home occupation permits, please include a site plan showing location and size of area to be used for the home occupation (including storage), and location and size of area available for off-street parking.

SIGNATURE(S):

I hereby affirm all of the information submitted with this application is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner or authorized agent thereof for the property subject herein.

Applicant(s): Michael + Kay Schwartz Date: _____

Owner(s): Michael + Kay Schwartz Date: _____



SIGNATURE _____ DATE _____

ATTACHED TO Easement _____ DATE _____

PAGE 3 OF 3

RED FOR

East Region

Acres

U.S.

Schwartz
313 Sandy Beach Road
01-003-119

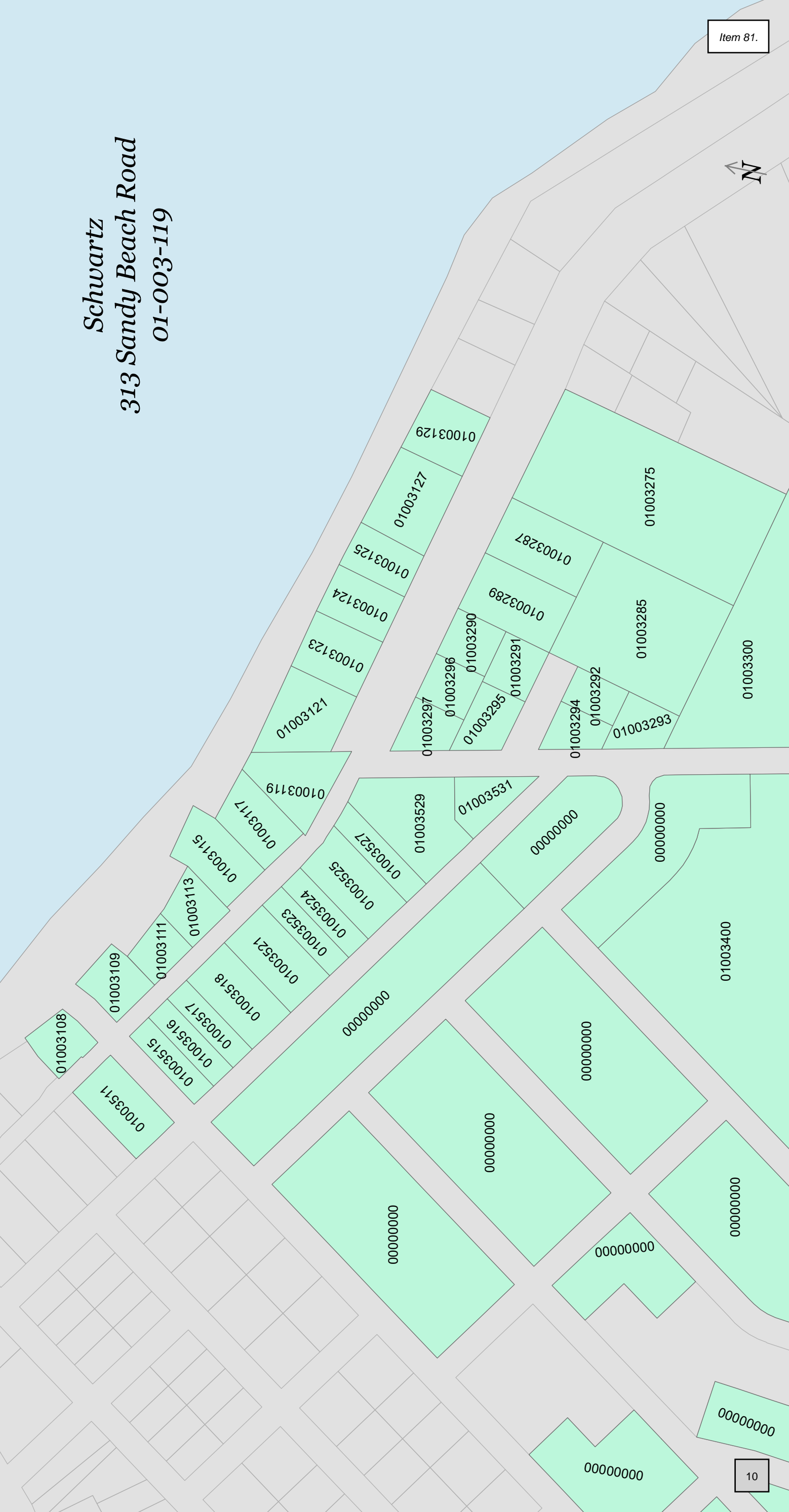
PROPERTY AREA



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Swisstopo, DeLorme, NAVTEQ, Swisstopo, IGN, Esri, Mapbox, OpenStreetMap contributors, and the GIS User Community



Schwartz
313 Sandy Beach Road
01-003-119



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Petersburg Borough, Alaska

Land Disposal Application

(\$500.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered

Office Use:
Rec'd. by:
Fee: \$500.00
Date Rec'd: 5/3/21
check # 1004

Date: April 29, 2021

This is a request for land disposal via (circle one):
Lease Purchase **Exchange** **Other**

Parcel ID #(s) of Subject Property:
01003521

Proposed term of lease: _____
(total years)

Legal Description of Property:
LOT 6A PLAT 2016-3

Current Zoning of Property:
SFR

Applicant Name: Ryan MK Littleton

Applicant Mailing Address: PO Box 2043

Applicant Contact Info: 907/518-1990
(phone and/or email)

fishak1974@gmail.com

1. Size of Area requested (identify the minimum area necessary in square feet): 18,283.2

2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

Acquisition through Sale for a SF residence to be built.

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

John Fortna
Rebecca Fortna

DAVID Cushing
Marlene Cushing

5. Are there any existing permits or leases covering any part of the land applied for?

Yes No If yes, please check one: (Lease Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee:

6. What local, state or federal permits are required for the proposed use? (list all)

Building permits / utility permits

7. If applicant is a corporation, provide the following information:

N/A

A. Name, address and place of incorporation: N/A

B. Is the corporation qualified to do business in Alaska?: Yes No

Name and address of resident agent: N/A

8. Why should the Planning Commission recommend Assembly approval of this request?

My intended use falls within code and approved zoning use

9. How is this request consistent with the Borough's comprehensive plan?

A house to be built is in accordance with local zoning rules.

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: Please see attached emails from Com Dev & the Utility Director (Elec, W, WW) stating the Borough does not need this parcel for a public purpose.

Debra K. Thompson, Clerk
Signature of Department Commenter

Department Comments: Verbal confirmation with PW Director that this parcel is not needed for a public purpose. 5/3/2021

Debra K. Thompson, Clerk

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

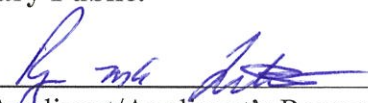
Signature of Department Commenter

NOTICE TO APPLICANT(s):

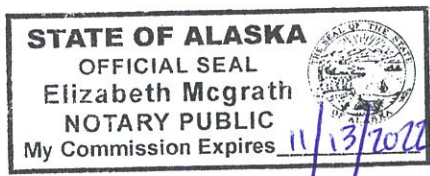
Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.


I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

Please sign application in the presence of a Notary Public.


Applicant/Applicant's Representative

Subscribed and sworn to by April 29 2021, who personally appeared
before me this 29th day of April, 2021.




Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: 11/13/2022

Debra Thompson

From: Karl Hagerman
Sent: Friday, April 23, 2021 11:24 AM
To: Debra Thompson; Liz Cabrera; Chris Cotta
Cc: Stephen Giesbrecht
Subject: RE: 306 Sandy Beach Road

My utilities do not need this parcel for any public purpose.

Thanks,

Karl Hagerman
Utility Director
Petersburg Borough
PO Box 329
Petersburg, Alaska 99833
Phone 907-772-4203
Direct Line 907-772-5421
Fax 907-772-9287

From: Debra Thompson <dthompson@petersburgak.gov>
Sent: Friday, April 23, 2021 11:22 AM
To: Liz Cabrera <lcabrera@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>
Cc: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Subject: 306 Sandy Beach Road

All,

I've had some interest lately in the parcel at 306 Sandy Beach Road that we offered for sale in the January 2017 auction and we may receive an application to purchase soon. Unfortunately, code says we have to go through the entire process again (Planning Commission, public sale, etc.) because it has been over a year since it was offered for sale. So, to aid the possible applicant(s) in the process, I thought I would email you to ask if your Department's view has changed regarding whether we need to keep this parcel for a public purpose. I told Sara that WE WANT TO SELL THIS PROPERTY, but she insists on following the process since things may have changed over the last 4 years.

Thanks if you could reply at your earliest convenience. 😊
Debbie

Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough

Debra Thompson

From: Liz Cabrera
Sent: Monday, May 3, 2021 4:05 PM
To: Debra Thompson
Subject: RE: 306 Sandy Beach Road

Community Development has no objection to sale of this property.

From: Debra Thompson <dthompson@petersburgak.gov>
Sent: Friday, April 23, 2021 11:22 AM
To: Liz Cabrera <lcabrera@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>
Cc: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Subject: 306 Sandy Beach Road

All,

I've had some interest lately in the parcel at 306 Sandy Beach Road that we offered for sale in the January 2017 auction and we may receive an application to purchase soon. Unfortunately, code says we have to go through the entire process again (Planning Commission, public sale, etc.) because it has been over a year since it was offered for sale. So, to aid the possible applicant(s) in the process, I thought I would email you to ask if your Department's view has changed regarding whether we need to keep this parcel for a public purpose. I told Sara that WE WANT TO SELL THIS PROPERTY, but she insists on following the process since things may have changed over the last 4 years.

Thanks if you could reply at your earliest convenience. 😊
Debbie

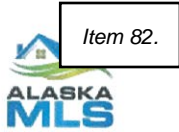
Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough
907-772-5405



Land Purchase and Sale Agreement

This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc



Dated 04/29/2021 Brokerage Names N/A AK MLS ID # 5045 Brokerage Ph 772-3300
 MLS# 00000000 Listing Brokerage: N/A
 Selling Brokerage: Anchor Properties

Licensee Names	License #	Direct Ph	Cell Ph	Email Address
Listing 1: _____	_____	_____	_____	_____
Listing 2: _____	_____	_____	_____	_____
Selling 1: <u>Bennett McGrath</u>	<u>18631</u>	<u>772-3300</u>	<u>518-1482</u>	<u>bennett@homespetersburg.com</u>
Selling 2: _____	_____	_____	_____	_____

Licensee Relationships: The Seller and Buyer acknowledge the following:

- a) **Listing Licensee 1** is representing the Seller only (may assist the Buyer); or is assisting both the Buyer and Seller as a Neutral Licensee; or is assisting the Seller without representation.
Listing Licensee 2 is representing the Seller only (may assist the Buyer); or is assisting both the Buyer and Seller as a Neutral Licensee; or is assisting the Seller without representation.
- b) **Selling Licensee 1** is representing the Buyer only (may assist the Seller); or is assisting both the Buyer and Seller as a Neutral Licensee; or is representing the Seller only (may assist the Buyer); or is assisting the Buyer without representation.
Selling Licensee 2 is representing the Buyer only (may assist the Seller); or is assisting both the Buyer and Seller as a Neutral Licensee; or is representing the Seller only (may assist the Buyer); or is assisting the Buyer without representation.

1) **Buyer(s),** Ryan MK Littleton, hereby deposit(s) earnest money of five hundred dollars (\$ 500)Dollars
 evidenced by: Cash Personal Check Cashier's Check Note, Due on _____, (date)
 Or _____
 shall be held in trust by Listing Broker Selling Broker as earnest money on and part payment for the purchase of real property and improvements situated in Petersburg Borough (city or area) 99833 (zip), in the First Judicial Recording District, State of Alaska, described as:
306 Sandy Beach Road Petersburg AK 99833 (Address)
Lot 6A plat 2016-3 block 231 section 26 (Legal) (the Property).

2) **Purchase Price:**
sixty one thousand dollars exactly 00/100 (\$ 61,000)Dollars
 Down Payment (including earnest money shown above) \$ or % _____

3) **Terms: Check one below:**
 a) **All Cash Offer:**
 No loan is needed to purchase the Property; Buyer shall provide Seller written third-party documentation verifying sufficient funds to close no later than 05/12/2021 (date) 5:00 AKDT(time). Seller shall have three (3) business days after receipt of documentation to notify Buyer, in writing, if the verification of funds is not acceptable. If Buyer fails to provide such documentation, or if Seller finds verification of funds unacceptable, Seller may terminate this Purchase Agreement. Failure of Seller to provide Buyer written notice of objection shall be considered acceptance of verification of funds.

b) **New Financing: Recording is contingent upon Buyer obtaining financing as follows:**
Lender: _____
 i) Buyer agrees to pay all fees and satisfy all conditions, in a timely manner, required by the Lender for processing of loan application. Buyer agrees the interest rate offered by Lender is not a contingency of this Purchase Agreement, so long as Buyer qualifies for the financing herein agreed. Availability of any financing program may change at any time, Brokers and Licensees are not responsible for representations or guarantees as to availability of any loans, project and/or property approvals or interest rates.
 ii) On or before _____, (date) Buyer agrees to make a good faith loan application with Lender.
 iii) If Buyer does not reveal a fact or contingency to the Lender and this purchase does not record because of that nondisclosure after initial application, the Buyer shall be in default.



Land Purchase and Sale Agreement Regarding Property Described As:
 Address 306 Sandy Beach Road Petersburg AK 99833
 Legal (the Property): Lot 6A plat 2016-3 block 231 section 26
 This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc.

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- iv) On or before N/A, (date) the Buyer will provide the Seller a pre-approval letter from the Lender verifying the following items: a satisfactory credit report, acceptable income, source of down payment, and availability of funds to close.
 - v) In the event Buyer fails to provide Seller with above-mentioned letter or other acceptable verification by the date above, this Purchase Agreement may be terminated at the election of the Seller with written notice provided to the Buyer within (3 if not filled in) days from date above.
- c) **Seller Financing:**
- i) \$ payable at \$, or more, per month including % interest per annum for years, which shall include (check if applicable): a "Due on Sale" clause, and/or a "Right to Sue Under the Note" clause.
 - ii) Buyer shall provide Seller with documentation, as required by Seller, verifying Buyer's ability to purchase according to the price, terms and conditions of the Purchase Agreement by , (date).
 - iii) Seller Financing is contingent upon the Seller's approval of the above documentation on or before , (date). In the event Buyer fails to obtain Seller's approval, this Purchase Agreement shall automatically terminate.

4) Costs:
 If applicable, the costs shall be paid by Buyer (B) or Seller (S) as indicated below. Costs payable by both Buyer and Seller to be shared equally. **Buyer to pay for any fees due to requirements of the lender not covered below.**

ITEM	B	S	ITEM	B	S	ITEM	B	S	ITEM	B	S
Lender Origination Fee			Credit Report			Owner Title Insurance		X	Tests for On-Site Systems:		
Commitment Fee			Reserves			ALTA Title Insurance			Well Flow (Quantity)		
Discount Points			Prepaid Interest			Recording Fee	X		Basic Water Quality		
Lender Doc. Prep Fee			Appraisal			Escrow Closing Fee	X		PIWA Water		
Lender Processing Fee			Resale Certificate /			Bank Set-Up Fee			Other Specified Water Test		
HOA Transfer/Doc Fees			Public Offer Statement			Assume/Transfer Fee			Septic Inspection		
HOA Assessments			Sales Tax			Assessments Levied			DEC/MOA/COSA Fees		
HOA Questionnaire			Tax Service Fee			Assessments Pending			Soils Test		
Attorney Doc Prep Fee	X		Annual Escrow Fee			Tax Registration			Percolations Test		
Brokerage Fee	X					Flood Certification			Corner Survey		

Buyer Acknowledges receiving copies of the following: CCR's Plat Property Disclosure
 HOA Dues are: \$

5) Funds At Recording: Seller and Buyer agree before recording can take place, funds provided to the Closing Agent shall be in the following form: cash; interbank electronic transfer; money order; a certified check or cashier's check drawn on a financial institution located in the state; or any above combination that permits the Closing Agent to convert the deposit to cash not later than the next business day (AS 34.80.040).

Wire Transfer Warning: Electronic means of transferring money (i.e. ETF, wire transfer, electronic check, direct deposit, etc.) are subject to sophisticated cyber fraud attacks. These attacks are even more prevalent in real estate transactions due to the large sums of money being exchanged. Parties are advised neither the Brokerage nor the Title Company will provide electronic transfer instructions by e-mail. Following money transfer instructions contained in an email from any party is inherently dangerous and should be avoided. The parties agree if they use, or authorize the use of, electronic transfer of funds in a transaction they hereby hold the Brokerages, their licensees and the designated Title Company harmless from any and all claims arising out of inaccurate transfer instructions, fraudulent interception of said funds and/or any other damage relating to the conduct of third parties influencing the transfer process or stealing funds.

6) Prorations: Property taxes, interest on loans being assumed, prepaid rents, and HOA fees, if applicable, shall be prorated as of the date of recording.

- 7) Title/Survey:**
- a) The Seller shall convey title by statutory warranty deed or .
 - b) Unless otherwise provided herein, this transaction is subject to Buyer's review and approval of a preliminary title report and copies of the exceptions it discloses showing the condition of title to the Property.
 - c) The Property may be subject to restrictions contained on the Plat; in the Deed; in covenants, conditions, and restrictions; or other documents noted in the preliminary title report.



Land Purchase and Sale Agreement Regarding Property Described As:

Address 306 Sandy Beach Road Petersburg AK 99833

Legal (the Property): Lot 6A plat 2016-3 block 231 section 26

This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc.

- d) Upon execution of this Purchase Agreement by all parties, Seller will, at Seller's Buyer's sole expense, order the report and exceptions by 05/04/2021 (Date) from Alaska Title & Escrow (Title Company) and furnish them to Buyer.
- e) Upon receipt of the report and exceptions, Buyer shall have 3 business days (three (3) if not filled in) within which to notify Seller, in writing, of any matters disclosed in the report which are unacceptable to Buyer. Buyer's failure to timely object, in writing, to any matters disclosed in the report shall constitute acceptance of the report.
- f) If, within 3 business days (three (3) if not filled in) following receipt of the objections, Seller fails to remove or correct the matters identified in the objections, or does not give written assurances reasonably satisfactory to Buyer that they will be removed or corrected prior to the recording date this transaction shall automatically terminate. After recording, Buyer shall receive an owner's standard form policy of title insurance insuring marketable title in the Property to Buyer in the amount of the purchase price, free and clear of the objections and all other title exceptions agreed to be removed as part of this transaction.
- g) Mineral rights may not pass with title to the Property.
- h) Neither Seller nor Seller's licensee make any representation as to the location of the lot corners or boundary lines. Buyer accepts sole responsibility for identifying and locating the corners and boundary lines of the lot.

8) Documents Required By Law:

- a) Buyer has has not received a copy of the **Alaska Real Estate Commission Consumer Disclosure**.
- b) **Sex Offenders:** The State of Alaska requires the registration of sex offenders residing within the State of Alaska (AS12.63.010). The Alaska Department of Public Safety is charged with maintaining the registry created. For more information, contact the Alaska State Trooper Post, Municipal Police Department or on-line at the State of Alaska /Department of Public Safety (<http://www.dps.state.ak.us>) Internet site by clicking on the Sex Offender Registry. As a buyer, it is your responsibility to independently investigate and verify for yourself the acceptability of a property with respect to these issues. (AS34.70.050). **If Buyer elects to terminate this agreement based upon this investigation, Buyer must provide Seller with written notice within the time set forth in Paragraph 12c.**
- c) The State of Alaska maintains a list of properties that have been identified by Alaska law enforcement agencies as illegal drug manufacturing sites, including meth labs. For more information on this subject and to obtain a list of these properties, go to <http://www.dec.state.ak.us>. **If Buyer elects to terminate this agreement based upon this investigation, Buyer must provide Seller with written notice within the time set forth in Paragraph 12c.**
- d) In the event a **Resale Certificate** or a **Public Offering Statement** is required by law for the transfer of this Property, it is hereby agreed that the time for the Buyer to review these documents begins at the date and time that the Buyer acknowledges in writing the receipt of these documents. **In the event that this Purchase and Sales Agreement terminates and Buyer has received a Resale Certificate or Public Offering Statement, the Buyer agrees to deliver the Resale Certificate or Public Offering Statement to Seller or Seller's Licensee immediately upon termination.**

9) Land Use:

- a) Buyer is advised to research land use, building regulations, and zoning affecting the Property.
- b) Title 21 Zoning Regulation Disclosure – Municipality of Anchorage: The Municipality of Anchorage is writing a new land use code. It is possible that the zoning map and/or use regulations for a property that you are considering purchasing could change. You may further research this process and possible changes to the property by contacting the Municipality of Anchorage Planning and Zoning Department online at www.muni.org.
- c) Title 17 Code Compliance Notice – Matanuska-Susitna Borough (MSB): If you are purchasing property in the MSB, please be advised that there are land use and building regulations in the Borough. You should be aware of these regulations and how they may affect any improvements or additions to the property that you purchase. In some cases, permits are required. Borough staff is available to assist you in determining whether any Borough regulations apply to your activity and help you to comply with those laws. Contact MSB Code Compliance Section at www.matsugov.us.
- d) Municipalities and Boroughs may change land use code of regulations, zoning and zoning districts at any time. It is possible that the zoning map and/or use regulations for a property that you are considering purchasing could change or zoning restrictions/regulations be implemented. Buyer is responsible for researching possible restrictions to the prospective property.
- e) The Property may be subject to pending assessments or local improvement district; the Buyer should make inquiries of the local government.

 / /
Buyer(s) Initials

 / /
Seller(s) Initials



Land Purchase and Sale Agreement Regarding Property Described As:

Address 306 Sandy Beach Road Petersburg AK 99833

Legal (the Property): Lot 6A plat 2016-3 block 231 section 26

This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc.

10) Utilities: Buyer is hereby made aware that there may be cost incurred to connect utilities to subject property. No representation as to the availability or cost for actual utility services is made by Seller or Licensee or Broker. Buyer is responsible for researching possible utility service to the Property and the cost thereof.

11) Agricultural Operation: The Buyer is responsible for determining whether there is an agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural products in the vicinity of the property. If Buyer elects to terminate this agreement based upon this investigation, Buyer must provide Seller with written notice within the time set forth in Paragraph 12c.

12) Property Condition:

- a) Until the date of possession or recording, whichever is earlier, Seller agrees to maintain the Property in its current condition, subject to ordinary wear and tear.
b) Buyer and Seller understand that Brokers and/or Licensees are not experts in the areas noted below and Buyer and Seller should rely solely on experts who are qualified in these areas.
c) Buyer shall have the right, at Buyer's expense, to have a licensed contractor(s) or other qualified professional(s) to further inspect and investigate the subject Property on or before N/A, (date) a.m. p.m. (time).
d) Seller shall make the premises available for all inspections. Buyer shall defend, indemnify and hold Seller, Brokers and Licensees harmless from all liability or property damage including any liens, claims, damages or costs or personal injury arising from the Property inspections.
e) Buyer's inspection may include, but is not limited to: square footage, lot corners and boundaries, presence or availability of utilities, applicable school boundaries, zoning, erosion, avalanche hazards, sex offenders, pests, structural, well or viability of well, soils/percolation testing, drainage, code compliances, or possible past or present environmental hazards such as asbestos, mold, illegal drug or substance manufacturing including meth labs, urea-formaldehyde, radon gas, waste disposal sites, underground tanks, water contamination and/or other substances/products, etc.
f) Buyer understands that measurements for lot square footage and/or dimensions may vary. It is the Buyer's responsibility to verify square footage (within the time set forth in Paragraph 12c) and not rely on information received from Seller, Brokers and Licensees, or governmental agencies.
g) Buyer is responsible for researching whether the property is in a 'fire and/or road service' area.
h) Property may be subject to restrictions on lot access and/or driveway permits. Buyer is advised to research land use, land use permits, building regulations, and zoning affecting the Property.
i) Property may have well and septic regulations; buyer is to research and verify independently.
j) Except as otherwise specifically stated in this Purchase Agreement recording of this transaction shall constitute Buyer's acceptance of the Property AS IS, WHERE IS, at recording, with all defects, latent or otherwise.
k) Buyer shall, following any soil/percolation tests or other invasive examination, restore the property to its former condition. All holes shall be filled, and any debris shall be removed.
l) In the event the improvements on the Property are destroyed or materially damaged prior to recording, then, at the Buyer's option, this Purchase and Sale Agreement shall terminate upon Buyer's written notice to Seller.

13) Recording/Possession:

- a) This sale shall be recorded on 06/23/2021, (date) or earlier by mutual agreement. Prior to recording, Buyer and Seller agree to sign all reasonably necessary closing documents and to perform the reasonable conditions required by the Closing Agent and Buyer's Lender.
b) Seller shall deliver possession of the Property to the Buyer upon confirmation of recording or
c) If obtaining new financing, and:

R2 / / Buyer(s) Initials

/ / Seller(s) Initials



Land Purchase and Sale Agreement Regarding Property Described As:

Address 306 Sandy Beach Road Petersburg AK 99833

Legal (the Property): Lot 6A plat 2016-3 block 231 section 26

This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc.

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20) Broker:

- a) It is mutually agreed by all parties that the Brokers and/or their Licensees shall not be held liable in any manner whatsoever for damages arising from defaults or acts by or omissions of Buyer or Seller.
- b) Both Buyer and Seller acknowledge Brokers are participants of the Alaska Multiple Listing Service, Inc., (AK MLS) and are authorized to report details of the sale to AK MLS.

21) Authorization to Release Information to Brokers:

Buyer and Seller authorize any Lender, escrow agent, closing agent, appraiser, surveyor and any other related party to this sale to furnish and provide any and all information and copies of documents related to this sale to both the Listing and Selling Brokers and their Licensees.

22) Foreign Investment in Real Property Tax Act: The Foreign Investment in Real Property Tax Act ("FIRPTA") requires every person who purchases real property located within the United States from a "foreign person" to deduct and withhold a percentage of the gross sales price from the Seller's proceeds as currently required by the U.S. Internal Revenue Service, with certain exceptions, and to pay the amount withheld to the Internal Revenue Service. A "foreign person" includes a non-resident alien individual, foreign corporation, foreign partnership, foreign trust, and foreign estate. Seller and Buyer agree to execute and deliver, as appropriate, any instrument, affidavit or statement, and to perform any acts reasonable or necessary to comply with FIRPTA.

23) Attachments:

The following attachments are hereby made part of this Purchase Agreement:

24) Additional Terms and Conditions:

Buyer understands that the Borough may take awhile to respond to the offer so has waived the deadline to respond.

See attached addendum for additional terms and conditions.

 RS / /
Buyer(s) Initials

 / /
Seller(s) Initials



Land Purchase and Sale Agreement Regarding Property Described As:

Address 306 Sandy Beach Road Petersburg AK 99833

Legal (the Property): Lot 6A plat 2016-3 block 231 section 26

This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc.

1 **25) Acceptance/Notice of Acceptance/Delivery:** This offer may be accepted by being signed, or electronically signed,
2 by the other party with no changes, and such acceptance shall be effective when a complete copy of the fully signed
3 agreement is delivered to the other party by any one of the following methods:
4 a) Hand delivery to the other party or the other party's licensee or the other party's Brokerage;
5 b) Via email to the other party or the other party's licensee, but only if the person transmitting the email receives elec-
6 tronic confirmation that the email was received by the intended recipient; or
7 c) Via facsimile to the other party or the other party's licensee, but only if the transmitting fax machine prints a confir-
8 mation that the transmission was successful.

9
10 This Purchase Agreement may be signed in multiple counterparts with the same effect as if all parties signed the same
11 documents. Delivery of a photocopy, telefax, electronic, carbon or carbonless copy of a signed, or electronically signed,
12 original of this Purchase Agreement or any other documents referred to herein shall be treated the same as delivery of
13 the original.

14
15 **26) Entire Agreement:** This Purchase Agreement and any attached addenda constitute the whole agreement between the
16 parties. This document may not be modified except in writing and signed by the Parties.
17 a) Buyer agrees to purchase and pay for the above-described Property on the terms and conditions herein stated.
18 Receipt of a copy of this Purchase Agreement is hereby acknowledged. Buyer understands this is a legally binding
19 contract.
20 b) **Buyer agrees that recording of the sale will constitute an acknowledgment that the premises and its sys-**
21 **tems are acceptable at the time the sale is recorded.**

22
23 **In the event the Seller or Seller's Licensee has failed to notify Buyer or Buyer's Licensee, of the Seller's signed ac-**
24 **ceptance prior to TBD - Borough resp, (date) _____ a.m. 5:00 p.m. (time), this offer shall terminate.**

25
26 This Purchase Agreement has significant legal and financial consequences. You are advised to seek independent legal and
27 financial counsel, including tax advice from a tax attorney or CPA, before signing. The Brokers and Licensees cannot give
28 legal, tax or financial advice.

29
Buyer Signature(s)
1: 2: _____ 3: _____
Ryan Littleton
Date 4/29/2021 Time: 1:45 _____ a.m. X p.m.

30 Print name(s) to be on documents Ryan MK Littleton, a single man

31
32 Address PO Box 2143 Petersburg AK 99833

33
34 Phone 907-518-1990 E-Mail fishak1974@gmail.com

35
36 Name of Selling Broker's Office Anchor Properties

37
38 Licensee Signature Licensee Signature _____
39 Bennett McGrath

40 Selling Licensee #1 Fax Number: 782-4199 Selling Licensee #2 Fax Number: _____

41
42 Selling Licensee #1 Email: _____ Selling Licensee #2 Email: _____



Land Purchase and Sale Agreement Regarding Property Described As:

Address 306 Sandy Beach Road Petersburg AK 99833

Legal (the Property): Lot 6A plat 2016-3 block 231 section 26

This form authorized for use ONLY by active Real Estate Licensee Subscribers of Alaska Multiple Listing Service, Inc.

1 Brokerage Fee:

2 A real estate broker may be compensated by any party to a real estate transaction, by a third party, or by one or more of the
3 parties to the transaction splitting or sharing the compensation. Seller and/or Buyer agree to pay forthwith at recording a
4 brokerage fee in cash as stated in the Personal Services Agreement (i.e. Listing Agreement, Buyer's Agreement).

6 Seller Response: (sign only one!)

- 8 **▪ Seller accepts the foregoing offer as written. Seller agrees to sell and convey the Prop-**
9 **erty described on the terms and conditions herein stated. Seller understands this is a**
10 **legally binding contract.**

Seller Signature(s)

1: _____ 2. _____ 3. _____

Petersburg Borough rep.

Date _____ Time: _____ a.m. _____ p.m.

- 12 **▪ Seller makes the attached Counter Offer**

Seller Signature(s)

1: _____ 2. _____ 3. _____

Date _____ Time: _____ a.m. _____ p.m.

- 14 **▪ Seller hereby rejects the foregoing offer and declines to make a Counter Offer**

Seller Signature(s)

1: _____ 2. _____ 3. _____

Date _____ Time: _____ a.m. _____ p.m.

16 Print name(s) _____

17 Address _____

18 _____

19 Phone _____ E-Mail _____

20 _____

21 Name of Listing Broker's Office _____

22 _____

23 Licensee Signature _____ Licensee Signature _____

24 _____

25 Listing Licensee #1 Fax Number: _____ Listing Licensee #2 Fax Number: _____

26 _____

27 Listing Licensee #1 Email: _____ Listing Licensee #2 Email: _____

Buyer(s) Initials

Seller(s) Initials



Petersburg Borough, Alaska

Land Disposal Application

(\$500.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered

Office Use:
Rec'd. by: <u>VT</u>
Fee: \$500.00
Date Rec'd: 5/7/21

Date: 5-6-2021

This is a request for land disposal via (circle one):

Lease Purchase Exchange Other

Parcel ID #(s) of Subject Property:

01-003-521

Proposed term of lease: 400

(total years)

Lot 6A Block 231 US Survey
1252A Section 26

Township 58S, Range 79E
Legal Description of Property:

Trees + Mus Keg Undeveloped Lot

Current Zoning of Property:

Single Family
Residential

Copper River Meridian

Applicant Name:	<u>John + Rebecca Fortna</u>	<u>David & Marlene Cushing</u>
Applicant Mailing Address:	<u>P.O Box 304</u>	<u>P.O Box 1356</u>
	<u>Petersburg AK 99833</u>	<u>Petersburg AK 99833</u>
Applicant Contact Info: (phone and/or email)	<u>(717) 725-5191</u>	<u>907-772-4779</u>
	<u>fortna10@gmail.com</u>	<u>cushing@gci.net</u>

1. Size of Area requested (identify the minimum area necessary in square feet): 10000 sq ft

2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

Parcel #: 01-003-521

Physical Address: 306 Sandy Beach Road – Uplands

Legal Description: Lot: 6A; BLK: 231; US Survey: 1252A; Section: 26; Township: 58S, Range: 79E, Copper River Meridian

Size: .

Zoned: Single Family – Residential

2020 Assessed Value: \$56,800.

Electric: Power is available at the front of the lot.

Water/Wastewater: Water and Wastewater utilities are available to this lot at the property line. The water is a ¾" residential service. The sewer is a 6" ductile iron lateral.



3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

Looking for a buffer between neighbor and able to expand on
New shop size shop built in 2025 Metal Building on concrete
slab \$ 120,000 New shop

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

~~Barry~~ Susant Charles Flint 303 sandy Beach Rd
Rick + Laurel Orseth 305 S.B. Rd
Young + ic 302 S.B. Rd
David Cushing 308 S.B. Rd
Larry & Suzanne Peterson 307 S.B. R.

5. Are there any existing permits or leases covering any part of the land applied for?

___ Yes No If yes, please check one: (___ Lease ___ Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee: _____

6. What local, state or federal permits are required for the proposed use? (list all)

None

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation: _____

B. Is the corporation qualified to do business in Alaska?: ___ Yes ___ No

Name and address of resident agent: _____

8. Why should the Planning Commission recommend Assembly approval of this request?
Sale of Borough Property life long Resident permanent
Resident Raising family on current property Expanding Business
and need more space
Living on adjacent lot since 1980. No plans
to leave.

9. How is this request consistent with the Borough's comprehensive plan? use
compatible to zoning

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: Please see attached emails from Com Dev
Director and the Utility Director (Elec, W, WW) stating
the Borough does not need this parcel for a public
purpose.

Debra K. Thompson, Clerk
Signature of Department Commenter

Department Comments: Verbal confirmation with PW Director
that this parcel is not needed for a public
purpose. 5/3/21

Debra K. Thompson
Signature of Department Commenter

Department Comments:

Signature of Department Commenter

Department Comments:

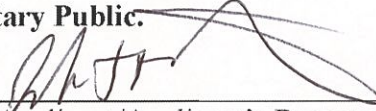
Signature of Department Commenter

NOTICE TO APPLICANT(s):


Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

Please sign application in the presence of a Notary Public.

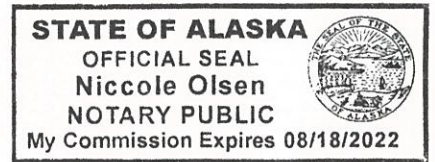

Applicant/Applicant's Representative
Marlene Cushing

Subscribed and sworn to by Marlene Cushing and John Fortner, who personally appeared before me this 7th day of May, 2021.


Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: 8/18/22

Marlene Cushing May 7, 2021
John Fortner 5-7-2021



Debra Thompson

From: Karl Hagerman
Sent: Friday, April 23, 2021 11:24 AM
To: Debra Thompson; Liz Cabrera; Chris Cotta
Cc: Stephen Giesbrecht
Subject: RE: 306 Sandy Beach Road

My utilities do not need this parcel for any public purpose.

Thanks,

Karl Hagerman
Utility Director
Petersburg Borough
PO Box 329
Petersburg, Alaska 99833
Phone 907-772-4203
Direct Line 907-772-5421
Fax 907-772-9287

From: Debra Thompson <dthompson@petersburgak.gov>
Sent: Friday, April 23, 2021 11:22 AM
To: Liz Cabrera <lcabrera@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>
Cc: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Subject: 306 Sandy Beach Road

All,

I've had some interest lately in the parcel at 306 Sandy Beach Road that we offered for sale in the January 2017 auction and we may receive an application to purchase soon. Unfortunately, code says we have to go through the entire process again (Planning Commission, public sale, etc.) because it has been over a year since it was offered for sale. So, to aid the possible applicant(s) in the process, I thought I would email you to ask if your Department's view has changed regarding whether we need to keep this parcel for a public purpose. I told Sara that WE WANT TO SELL THIS PROPERTY, but she insists on following the process since things may have changed over the last 4 years.

Thanks if you could reply at your earliest convenience. 😊
Debbie

Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough

Debra Thompson

From: Liz Cabrera
Sent: Monday, May 3, 2021 4:05 PM
To: Debra Thompson
Subject: RE: 306 Sandy Beach Road

Community Development has no objection to sale of this property.

From: Debra Thompson <dtompson@petersburgak.gov>
Sent: Friday, April 23, 2021 11:22 AM
To: Liz Cabrera <l Cabrera@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>
Cc: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Subject: 306 Sandy Beach Road

All,

I've had some interest lately in the parcel at 306 Sandy Beach Road that we offered for sale in the January 2017 auction and we may receive an application to purchase soon. Unfortunately, code says we have to go through the entire process again (Planning Commission, public sale, etc.) because it has been over a year since it was offered for sale. So, to aid the possible applicant(s) in the process, I thought I would email you to ask if your Department's view has changed regarding whether we need to keep this parcel for a public purpose. I told Sara that WE WANT TO SELL THIS PROPERTY, but she insists on following the process since things may have changed over the last 4 years.

Thanks if you could reply at your earliest convenience. 😊
Debbie

Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough
907-772-5405



306 Sandy Beach Road
Petersburg Borough
01-003-521

PROPERTY AREA



Item 82.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Swisstopo, DeLorme, NAVTEQ, and the GIS User Community

306 Sandy Beach
Petersburg Borough
01-003-521





Petersburg Borough, Alaska

Office Use:
Rec'd. by:
Fee: \$
Date Rec'd:

Land Disposal Application

(\$500.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered

Date: May 10, 2021

This is a request for land disposal via (circle one):

Lease Purchase Exchange Other

Parcel ID #(s) of Subject Property:
01003139

Proposed term of lease: Utility Easement In Perpetuity
(total years)

Legal Description of Property:
Lot 5A, Block B1, Frederick Sound Alaska Subdivision
Alaska Tideland Survey 9

Current Zoning of Property:
PUBLIC USE

Applicant Name: AP&T Wireless

Applicant Mailing Address: 136 Misty Marie Lane, Ketchikan, AK 99901

Applicant Contact Info: Tom Ervin, Chief Operating Officer
(phone and/or email)

907-833-5101 (work), 907-441-4641 (cell), tom.e@aptalaska.com

1. Size of Area requested (identify the minimum area necessary in square feet): 17,600 sq. ft.

2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

See attached document

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

<u>State of Alaska (submerged lands)</u>	<u>Pauline Lee (Lot 4B Spruce Tree Sbdn.)</u>
<u>Petersburg Borough (ATS 9)</u>	<u>David & Jody Tow (Lot 8 B1, FSAk Sbdn.)</u>
<u>Petersburg Borough (Lot 5A, B1, FSAk Sbdn.)</u>	<u>Edgars Living Trust, (Lot 2 Triangle Sbdn.)</u>

5. Are there any existing permits or leases covering any part of the land applied for?

Yes No If yes, please check one: (Lease Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee:

See Attached Sheet

6. What local, state or federal permits are required for the proposed use? (list all)

See Attached Sheet

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation: AP&T Wireless, Inc.
550 W. Seventh, Suite 1450
Anchorage, AK 99501

B. Is the corporation qualified to do business in Alaska?: Yes No

Name and address of resident agent: _____
Corporation Service Company Registered Mailing Address: _____
9360 GLACIER HWY STE 202, JUNEAU, AK 99801

8. Why should the Planning Commission recommend Assembly approval of this request?

See Attached Sheet

9. How is this request consistent with the Borough's comprehensive plan?

See Attached Sheet

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments:

Signature of Department Commenter

Department Comments:

Signature of Department Commenter

Department Comments:

Signature of Department Commenter

Department Comments:

Signature of Department Commenter

NOTICE TO APPLICANT(s):

Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

Please sign application in the presence of a Notary Public.

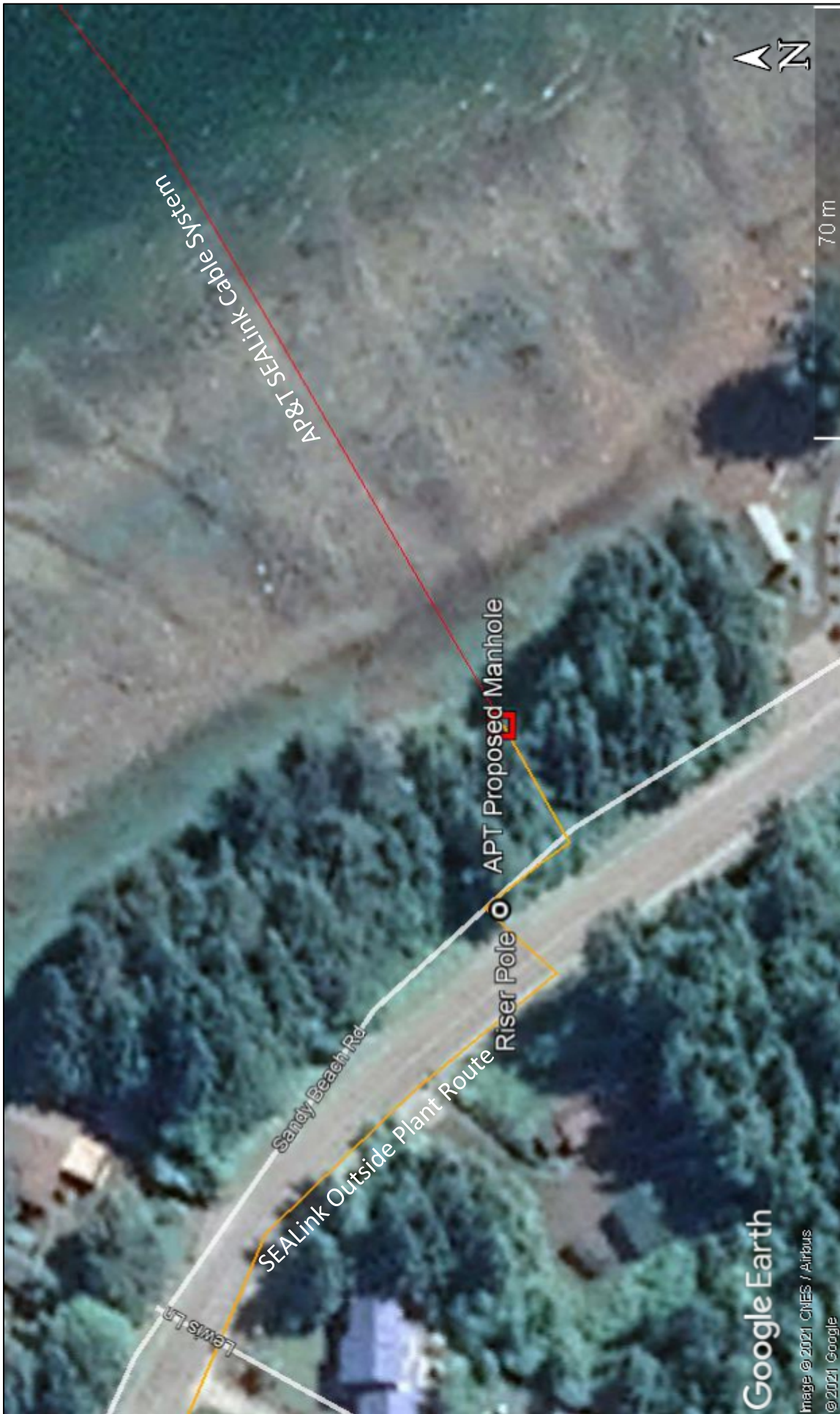
Chad A. Haggan
Applicant/Applicant's Representative

Subscribed and sworn to by *Chad A. Haggan*, who personally appeared
before me this *10th* day of *May*, 20*21*.

Ashley D. Nelson
Notary Public

Notary Public in and for the State of ~~Alaska~~ *Washington*. My Commission Expires: *3/24/2024*





AP&T Wireless, Inc. Submarine Cable Easement

Petersburg Borough Application

May 2021

Item 3:

Within the easement, APTW will construct a submarine cable landing. Improvements include a buried HDPE or steel conduit from the beach manhole seaward through the tidelands; a pre-cast reinforced concrete beach manhole, HDPE buried terrestrial cable conduit from the beach manhole to a pole riser on an existing utility pole along the Sandy Beach Road right-of-way. An excavator will trench and backfill the conduit sections and beach manhole and restore the disturbed area to its original contour. APTW will reseed disturbed vegetative areas with approved seed mix. The submarine and terrestrial cable will then be installed in the conduits. After installation, infrequent inspection and repair may be required. Site improvements are valued at \$300,000. The project is budgeted at \$28,726,900. Mitkof Island outdoor plant component from the Petersburg landing through the South Mitkof Landing construction is estimated at \$7,000,000.

Item 5

- Telecommunications & Electrical System Perpetual Easement, GCI Cable Inc., 2550 Denali Street, Anchorage, AK 99503. 7 April, 2008.
- Buried Communication Cable Line Perpetual Easement, AT&T Alaska (previously Alascom), 505 E. Bluff Drive, Anchorage, AK 99501. 7 February, 1986.

Item 6:

Alaska Department of Natural Resources Submerged Lands Entry Authorization and Easement. US Army Corp. of Engineers Permit for Navigable Waters and CWA Section 401/404. Alaska DEC project water quality certification.

Item 8:

This broadband communication project will provide broadband to rural designated communities in Southeast Alaska and will provide future buildout/service opportunities as well. For Petersburg, it will improve the quality and reliability of AP&T Wireless service to the community residents, businesses and agencies. Communication cable landing is an existing use at this property and is compatible with other public open space uses.

Item 9

A healthy and competitive broadband distribution system supports the Plan's Public Facilities and Services goals and strategies. This project will broaden communication opportunities to the Borough. Indirectly, improved services support community schools, health care providers, and businesses adapt to changes in service delivery. Once installed, the landing site will be low impact and low visibility entirely compatible with the existing two cable landings collocated at the site.



ALASKA POWER & TELEPHONE COMPANY
3000 VINTAGE BLVD., SUITE 250 | PO BOX 34195
JUNEAU, ALASKA 99803
PHONE: (907) 789-1951 | FAX: (907) 789-1955

May 10, 2021

Liz Cabrera
Director, Community & Economic Development
Petersburg Borough
Box 329
Petersburg, AK 99833

Subject: AP&T Wireless SEALink Fiber Optic Cable Easement Application

Dear Liz Cabrera.

The purpose of this letter is to respectfully request the Petersburg Borough grant AP&T Wireless (a subsidiary of Alaska Power & Telephone Company) an easement for a fiber optic cable landing at Lot 5A, Block B1a of Frederick Sound Alaska Subdivision and on Alaska Tideland Survey 9, 419 Sandy Beach Road. The attached photos and application provide additional detail.

AP&T Wireless is utilizing USDA grant funds to develop a submarine and terrestrial fiber optic cable that will interconnect Prince of Wales Island to Juneau via Petersburg. The project, called “SEALink,” will also create new terrestrial networks bringing very high-speed broadband to the communities of Coffman Cove and Kasaan. This infrastructure will also be very beneficial to other families, businesses, and stakeholders in the region – including Petersburg - helping to improve reliability, community sustainability, and create new economic opportunity. The COVID-19 pandemic has demonstrated how critical broadband access is to the sustainability and resiliency of communities in islanded, rural locations. We are thankful to have this opportunity to help improve service throughout the region, and enhance the quality of life in rural Alaska through e-learning, telemedicine, e-commerce, improved public safety, enhanced civic participation, and all of the other benefits which broadband makes possible. The Central Council of the Tlingit and Haida Indian Tribes of Alaska and the Organized Village of Kasaan were key supporters during the application phase.

We very much appreciate the assistance that you and other Petersburg Borough staff provided in helping to select this site, and confirm its abandonment by the prior owner. Utilizing this location will put an abandoned cable landing back into use for the benefit of the region, while minimizing new disturbances, and avoiding conflicts with other infrastructure and user types. AP&T Wireless is requesting a 20 foot right-of way, and anticipates adjusting the location of project features slightly pending the results of a submarine survey (scheduled for June 2021), and a terrestrial survey.

We hope the Borough will provide this application with favorable consideration, and help support broadband access and economic development in southeast Alaska.

Please be in touch with any questions. Thank you for your consideration.

Respectfully submitted,

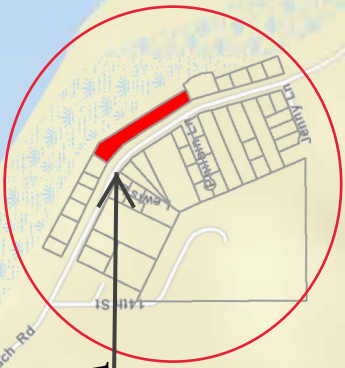
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Cc: Ryan Wopschall, AP&T SEALink Project Manager
Tom Ervin, AP&T COO
James Baumgartner, Manager Permits, Licensing and Compliance
Brent Aker, AP&T Telecom General Manager
Cam Fisher, 48 North Environmental Consultants

Enclosure: Land Disposal Application with filing fee
Site Photos
Overview Figure

*AP&T Easement Request
Petersburg Borough 419
Sandy Beach Road
01-003-139*

PROPERTY AREA





AP&T Easement Request
Petersburg Borough
419 Sandy Beach Road
01-003-139

