

General Conditions

Title and Restrictions/Reservations

The CBJ acquired its land at Lena Point from the State of Alaska and the Alaska Mental Health Trust Authority. In conveying their properties to the CBJ, each conveyed the surface estate only, retaining their rights to the subsurface estate, which includes rights to explore and extract oil, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, as provided by state law.

In this land sale the CBJ will be conveying its interest in the surface estate. The State of Alaska and the Alaska Mental Health Trust Authority remain owners of the subsurface estate.

Some portions of the South Lena Subdivision were originally acquired by the CBJ by patent. Lots within the South Lena Subdivision that were acquired by the municipality through patent will be conveyed to successful bidders in this land sale by warranty deed.



The central portion of the CBJ's subdivision was acquired by the CBJ by quitclaim deed. Those lots that lie within the area deeded to the CBJ by quitclaim deed will be conveyed to successful bidders in the land sale by quitclaim deed.

The preliminary title report indicates some lots may be subject to water rights that benefit nearby property owners. Questions about water rights can be answered by Alaska Department of Natural Resources (DNR) staff at (907) 586-3400.

All lots offered in this land sale are restricted from further subdivision by plat note # 4 on the recorded subdivision plat, Plat No. 2006-57.

The CBJ will convey its property subject to all existing reservations of record.

Purchasers of CBJ land are responsible for obtaining title insurance.

Potential bidders are encouraged to examine the preliminary title report available online. Click on "2010 Lena Land Sale" at "News Items," www.juneau.org. Purchasers are encouraged to seek any advice on title quality from a title professional or attorney.

Improvements

Purchasers are responsible for properly locating improvements on their property and obtaining all necessary permits. Improvements must comply with all building setback requirements and all other applicable federal, state, and local regulations and permit requirements. Contact the CBJ's Community Development Department at (907) 586-0715 for information about setbacks and zoning regulations that apply to individual parcels.



Portions of the subdivision encompass areas with steep slopes and bluffs, particularly in the northwestern part of the subdivision. Some parts of individual lots may not be suitable for development.

Potential bidders should physically inspect the property, prior to placing their bids, to ensure the property satisfactorily meets their needs and development goals.

Wetlands

Many lots within this subdivision include areas identified as wetlands under the jurisdiction of the U.S. Army Corps of Engineers (Corps). Dredging or filling of these wetlands requires a Corps permit.

The CBJ received a Corps fill permit, POA-1996-19-M, for the South Lena Subdivision lots. The permit allows fill to be placed in certain wetland areas in order to accommodate development. In accordance with the permit, the quantity of fill that can be placed on wetlands varies from lot to lot. The quantity of fill permitted for each lot is specified in the "Parcel Descriptions and Maps" section of this brochure, beginning on page 10. The Corps permit also specifies where fill may be placed on each lot. The permit is available online at www.juneau.org, under "News Items," "2010 Lena Land Sale." Purchasers will be given a copy of the permit at closing and asked to sign an acknowledgement and release related to the development of wetlands.



The CBJ's Corps permit is valid until October 31, 2014. It might be extended beyond that date.

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Purchasers have the choice of filling their lots in accordance with the conditions of Corps permit POA-1996-19-M, or independently seeking their own permit from the Corps. Purchasers who elect to develop their lots, based on the stipulations of POA-1996-19-M, must strictly adhere to the permit conditions. Violation of the permit conditions will be deemed to be wetland fill activity performed without a Corps permit, and may be prosecuted and/or subject to federal enforcement actions.

Property owners whose development plans call for placing more wetland fill than permitted for their lot, or placing fill in an alternate location or configuration than provided for in Corps permit POA-1996-19-M, must apply to the Corps and receive a separate permit prior to commencing any fill activities.

Like the Corps, the CBJ Planning Commission is interested in protecting wetlands in the Lena area and has limited the maximum amount of fill that can be placed in wetlands on any one lot. That limit, established on the subdivision plat, restricts the fill area for drainfields and housepads (this limit does not apply to driveways) to 12,000 square feet on any lot with wetlands. Development that will exceed the 12,000 square foot wetland fill limit is required to receive CBJ Planning Commission approval prior to commencing any fill activity. This approval is in addition to any permit requirements of the Corps.

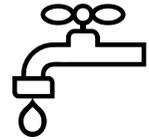
Eagle Nests

There are currently two known eagle nest trees situated within the South Lena Subdivision, one on Lot 1, Block B, and the other on Lot 4, Block B. Development restrictions vary and are applied based on distance from nest, type of construction activity, season, and whether the nest is active or inactive. Prospective buyers are encouraged to discuss any questions they might have regarding eagle nests and building restrictions with staff at the CBJ's Community Development Department, (907) 586-0715.

Water, Electric, Cable, and Telephone

As part of this subdivision, the CBJ installed water, electric, cable, and telephone utilities to each lot.

Electric, cable, and telephone utilities run underground along Ocean View Drive, but are overhead along the Point Lena Loop Road.



Sewer

Sewer lines from the municipal treatment plants do not reach Lena Point, and there are no current plans to extend sewer lines to Lena Point in the future. Therefore, upon developing their properties, landowners will need to install individual onsite wastewater treatment and disposal systems (OWTDSs).

Property owners will be responsible for maintaining their OWTDSs. In addition, property owners will be required to have a customer service agreement for system inspection, monitoring and sludge pumping services either with a manufacturer-certified contractor approved by the CBJ or, for a monthly service fee, with the CBJ.

At the time of printing this brochure, the CBJ fee is \$56.01 per month. This fee will be subject to periodic review and rate adjustments, in the same manner as other CBJ utilities.

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In addition to adhering to the CBJ's pertinent laws and regulations, property owners must also comply with the State of Alaska's statutes and regulations. Contact the Alaska Department of Environmental Conservation (ADEC) at (907) 465-5167 for information on the State of Alaska's requirements for OWTDSs or visit its website at:

http://www.dec.state.ak.us/water/wwdp/onsite/ww_planreview-cklist.htm

ADEC and the CBJ endeavor to make the OWTDS plan review process both thorough and efficient. Toward that end both organizations are committed to working together to ensure a smooth review process. See Appendices A and B for the complete CBJ regulations pertaining to OWTDSs. Refer to Appendix C for a description of the permit process for installing an OWTDS.

Due to a high water table in this area, property owners may need to use options that will enhance performance of their OWTDSs such as importing soils to

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create a mound drainfield. It may also be necessary to protect the drainfield from surface water runoff by constructing ditches to divert runoff around the drainfield.



Topographic constraints on some lots might curtail the number of options for siting an OWTDS on those lots. Property owners should work with their selected engineer to evaluate options most suitable for their specific lots.