

Presented by: The Manager  
Introduced: 11/25/19  
Drafted by: R. Palmer III

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2019-48(b)**

**An Ordinance Authorizing the Manager to Convey Lot 3, Bonnie Subdivision, Located at 11031 Mendenhall Loop Road, to Margaret Tharp and David Lendrum for Fair Market Value.**

WHEREAS, David Lendrum and the Lendrum Trust own certain real property located at 11029 Mendenhall Loop Road, Lot 2, Bonnie Subdivision, and Margaret Tharp and David Lendrum are the Trustees of the Lendrum Trust; and

WHEREAS, Margaret Tharp and David Lendrum have submitted an application to purchase an adjacent City and Borough property that is approximately 47,363 square feet and located at 11031 Mendenhall Loop Road, Lot 3, Bonnie Subdivision; and

WHEREAS, Margaret Tharp and David Lendrum plan to use the property consistent with their landscaping business, possibly including developing a horticultural education program in partnership with local nonprofit groups; and

WHEREAS, as part of the proposed negotiated sale of the City and Borough property, Margaret Tharp and David Lendrum have agreed to grant the City and Borough a 60-foot wide access and utility easement through Lot 2 and Lot 3, Bonnie Subdivision; and

WHEREAS, at the meeting on August 6, 2018, the Lands Committee provided a motion of support for this land disposal; and

WHEREAS, at the meeting on September 17, 2018, the Assembly authorized the Manager to negotiate this sale; and

WHEREAS, at the meeting on November 13, 2018, the Planning Commission provided a motion of support to the Assembly for this land disposal at fair market value; and

WHEREAS, an appraisal was completed on September 2, 2019, which calculated the fair market value of the property at \$109,410.00, taking into consideration the value of the access easement being granted to the City and Borough of Juneau.

THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

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

**Section 2. Authorization to Convey.** The Manager is authorized to negotiate and execute the sale of Lot 3, Bonnie Subdivision, Juneau Recording District, First Judicial District, State of Alaska, constituting 47,363 square feet more or less, as shown on the attached Exhibit A.

**Section 3. Purchase Price.** The purchase price of the property shall be the fair market value, which has been determined by the Manager to be \$109,410.00. The applicants will be responsible for closing costs and recording fees.

**Section 4. Other Terms and Conditions.**

- (a) As a condition of the sale, David Lendrum and the Lendrum Trust must provide the City and Borough a 30-foot wide easement through their property located on Lot 2, Bonnie Subdivision, and Margaret Tharp and David Lendrum will provide a 30-foot wide easement on Lot 3, Bonnie Subdivision, Juneau, Recording District, First Judicial District, State of Alaska, and as further depicted on Exhibit A.
- (b) Purchasers may elect to use City and Borough financing, paying a down payment of ten percent of the purchase price, the balance owed over a period of ten years, in annual, quarterly, or monthly payments at an interest rate of ten percent. The purchasers must not sell or assign his or her interest in a parcel until the City and Borough has been paid in full.
- (c) The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

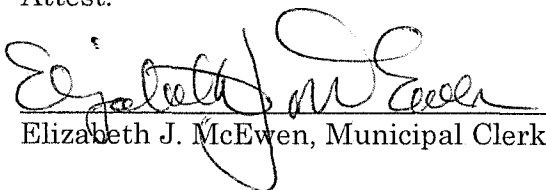
**Section 5. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this 16<sup>th</sup> day of December, 2019.



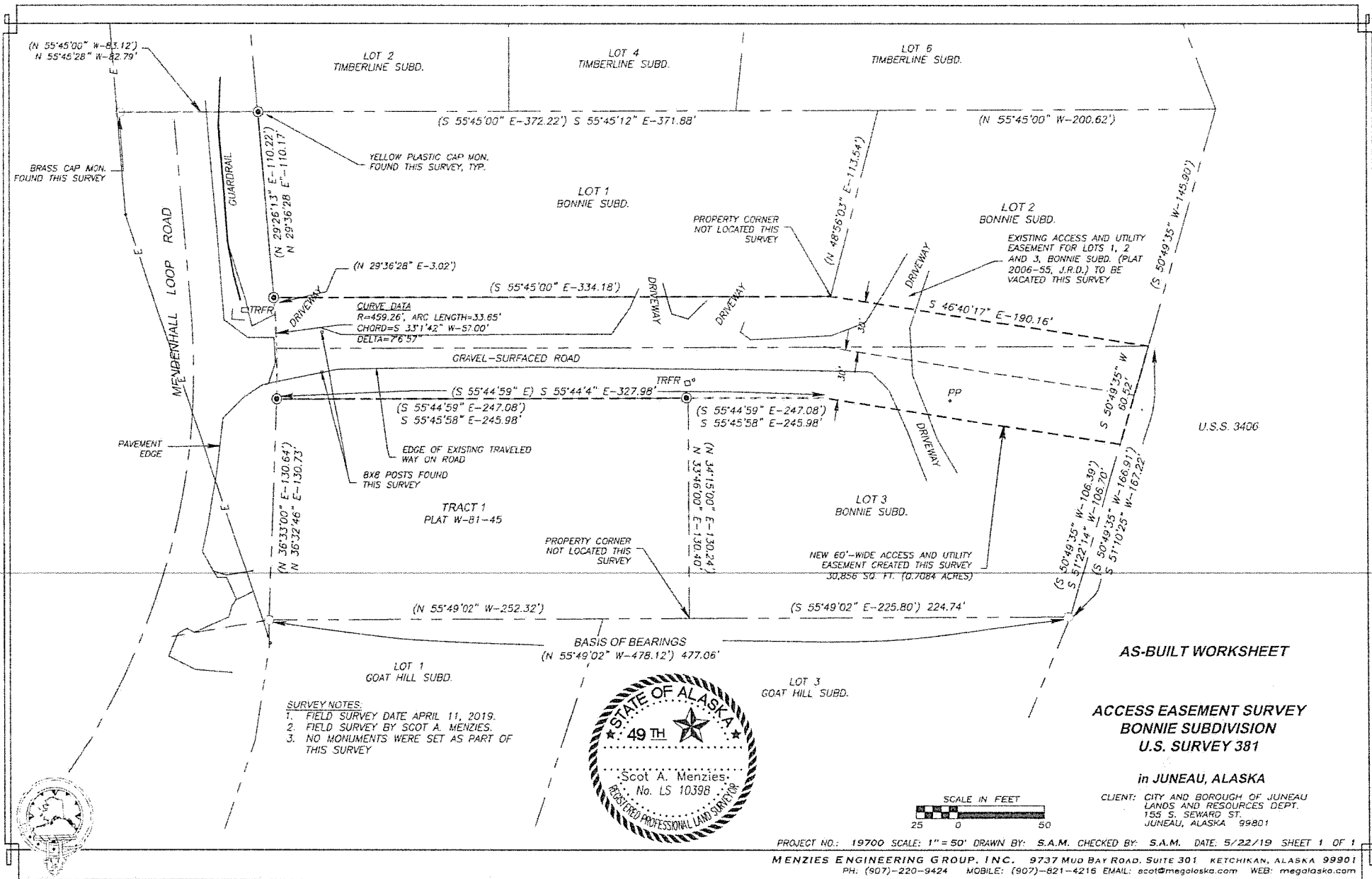
Beth A. Weldon, Mayor

Attest:

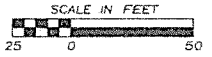


Elizabeth J. McEwen, Municipal Clerk

Ordinance 2019-48(b) - Exhibit A



**SURVEY NOTES:**  
 1. FIELD SURVEY DATE APRIL 11, 2019.  
 2. FIELD SURVEY BY SCOT A. MENZIES.  
 3. NO MONUMENTS WERE SET AS PART OF THIS SURVEY



PROJECT NO.: 19700 SCALE: 1" = 50' DRAWN BY: S.A.M. CHECKED BY: S.A.M. DATE: 5/22/19 SHEET 1 OF 1  
 MENZIES ENGINEERING GROUP, INC. 9737 MUD BAY ROAD, SUITE 301 KETCHIKAN, ALASKA 99901  
 PH: (907)-220-9424 MOBILE: (907)-621-4216 EMAIL: scot@megalaska.com WEB: megalaska.com