

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.

The CBJ will convey this lot to the successful bidders in this land sale by quitclaim deed.

The Lena lot offered in this land sale is 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 required to obtain title insurance. The City will provide a list of title insurance companies upon a successful bid.

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.

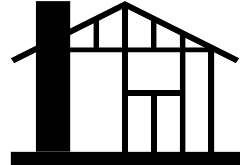
Portions of the subdivision encompass areas with steep slopes and bluffs, particularly in the northwestern part of the subdivision. Some parts of individual lots may not be suitable for development.

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 this Lena lot is specified in the "Parcel Descriptions and Maps" section of this brochure. The Corps permit also specifies where fill may be placed on the lot. The permit is available online at www.juneau.org/lands under "Land Sales." 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 current fill permit is valid until **October 31, 2021**.



Purchasers have the choice of filling their lot 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 lot, 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 the 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 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 approval prior to commencing any fill activity. This approval is in addition to any permit requirements of the Corps.



General Conditions

Water, Electric, Cable, and Telephone

As part of this subdivision, the CBJ installed water, electric, cable, and telephone utilities to the right-of-way line.

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

Sewer

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

Property owners will be responsible for maintaining their OWTDS. 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 publishing this brochure, the CBJ fee is \$87.25 per month. This fee will be subject to periodic review and rate adjustments, in the same manner as other CBJ utilities.

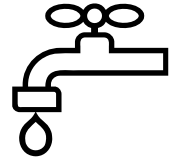
In addition to adhering to the CBJ's pertinent laws and regulations, property owners must also comply with the State of Alaska's statutes and regulations. Contact the Alaska Department of Environmental Conservation (ADEC) at (907) 465-5167 for information on the State of Alaska's requirements for OWTDSs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

http://www.dec.state.ak.us/water/wwdp/onsite/ww_planrview-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 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.



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Special Conditions

In addition to the General Conditions that apply to the lot, there are also Special Conditions that apply. Each Special Condition, described below, is labeled by a code letter. The lot offered for sale is identified with maps and a brief description of the parcel followed by a list of codes that indicate which Special Conditions apply to that parcel.

The CBJ has made its best effort to include descriptions of conditions and restrictions that might be of interest to potential bidders. There might be other restrictions and conditions not included in the list below that apply to this subdivision lot. Potential bidders are encouraged to consult title and legal specialists for any advice on these matters.

- E A 15-foot-wide drainage easement is reserved along the eastern lot line.

- F Lots 9 and 10 Block A are subject to a 30-foot- wide common access easement for the benefit of Lots 9 and 10; this easement is located 15 feet either side of the northern portion of the lot line between Lots 9 and 10. This easement is also reserved for utilities and drainage.

- G A portion of this lot was formerly owned by the Alaska Mental Health Trust Authority (Trust). The CBJ received title to the Trust property in the form of a quitclaim deed. The CBJ will, therefore, convey this lot by quitclaim deed.