

# Special Conditions

---

---

In addition to the General Conditions described on pages 4 through 6, that apply to all of the lots offered for sale, there are also Special Conditions that apply to specific lots. Each Special Condition, described below, is labeled by a code letter. Beginning on page 10 of this brochure, each 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 the subdivision lots. Potential bidders are encouraged to consult title and legal specialists for any advice on these matters.

- A** A 40-foot-wide access and utility easement exists across Lots 3, 4, and 5, Block D for the exclusive use of Lots 2 through 5, Block D. This easement is located parallel and adjacent to the Ocean View Drive right-of-way. It is intended to provide the owners of Lots 2 through 5, Block D an option to work together to jointly develop and maintain a shared driveway access to their properties rather than each owner constructing separate access. An additional permit from the Corps would be necessary to fill any wetlands located inside this easement. Obtaining any additional permit authorization from the Corps is the responsibility of the purchasers.
- B** A federal access easement (BLM case number A-061617) affects this lot as well as several other lots in the South Lena Subdivision. The degree of impact of this easement on the subdivision lots varies from lot to lot. Prospective buyers should examine the survey plat to determine the impact of this easement on the lots of interest to them. Through the subdivision area, this easement roughly follows and, in many places, overlaps the alignment of Ocean View Drive. The federal easement predates the creation of this subdivision and the construction and dedication of Ocean View Drive. Due to the redundancy of the federal easement, the CBJ has requested the federal government vacate that portion of its easement that affects the CBJ's subdivision lots. However, it is unknown if or when the federal government will vacate this easement. The CBJ makes no guaran-

tees as to the outcome of its request for the vacation of this easement.

- C** A utility easement exists, varying in width from 3 to 5 feet either side of centerline, for the benefit of Lots 4, 5, and 6, Block A.
- D** In accordance with plat note # 7 of the South Lena Subdivision plat, ground cover shall be retained for 25 feet bordering Point Lena Loop Road unless it is demonstrated to the CBJ Community Development Department staff that wetlands can be preserved through other means.
- E** In accordance with plat note # 9, Lots 4, 5, 6, and 7, Block B, with frontage along both Point Lena Loop Road and Ocean View Drive, will be allowed access from Ocean View Drive only.
- F** This lot is subject to a 20-foot-wide electric utility easement.
- G** This lot is subject to a 30-foot-wide utility and pedestrian easement along the eastern property line.
- H** This lot is subject to a 20-foot-wide private access and utility easement for the exclusive use of Lots 2 and 3, Block B. This easement is located parallel and adjacent to the Ocean View Drive right-of-way. It is intended to provide the owners of Lots 2 and 3, Block B an option to work together to jointly develop and maintain a shared driveway access to their properties rather than each owner constructing separate access. An additional permit from the Corps would be necessary to fill any wetlands located inside this easement. Obtaining any additional permit authorization from the Corps is the responsibility of the purchaser.
- I** A 15-foot-wide drainage easement is reserved along the eastern lot line.
- J** 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

# Special Conditions

---

---

between Lots 9 and 10. This easement is also reserved for utilities and drainage.

- K** Lot 8, Block C is subject to a 25-foot by 75-foot access and utility easement for the benefit of the adjoining Lot 7, Block C.
- L** Access to Lots 6 through 11, Block C is restricted to Ocean View Drive only. The CBJ will not accept applications for alternative access proposals off of Merganser Road or through CBJ-owned property within Block E.
- M** 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.
- N** An eagle nest tree is located on this lot. Contact CBJ's Community Development Department at 586-0715 regarding development restrictions in the vicinity of eagle nests.
- O** During construction of Ocean View Drive, Lots 2 and 3, Block A, South Lena Subdivision were filled with organic overburden. These materials were found to be unacceptable for foundation support and subsequently excavated and replaced in lifts with acceptable gravel and shot rock materials.

The unsuitable soils were excavated to what was felt to be in-situ soils. The excavation area measured 40 feet by 80 feet which was to be the designated area that any residence constructed within said lots was to be placed. After excavation, the proposed building site was backfilled with approved gravels or shot rock to form a building pad on each lot. The backfilling was conducted in lifts measuring two feet or less in height and consolidated by heavy equipment. The 40 foot by 80 foot building pads located on Lots 2 and 3, Block A, South Lena Subdivision were;

- Constructed in accordance with the project plans and specifications and are
- Located as shown on the as-built draw

ings prepared by Toner-Nordling and Associates, Inc. for Lena Access Road Contract No. E02-210, and are

- Suitable for constructing a single family residence with a standard spread footing foundation.
- Lot 2 has 9 feet to 11 feet of the shot rock material.
- Lot 3 has a minimum of 7 feet of the shot rock material. The allowable soil design bearing pressure value shall be a minimum of 1,500 psf.

See Appendix E for as-built drawings. Prospective buyers should examine the site and review the as-built drawings thoroughly to ensure this property meets their development goals.

- P** Lot 2, Block A is subject to a 30 foot wide temporary sewer construction easement for the benefit of Lot 3, Block A. Lot 2, Block A is also subject to a perpetual 20 foot wide sewer maintenance easement for the benefit of Lot 3, Block A.