



CITY OF ANDERSON

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ORDINANCE 07-05

AN ORDINANCE OF THE CITY OF ANDERSON, ALASKA,
ENACTING
SECTION 13.52 TITLE 13
“SUBDIVISIONS” - OF THE ANDERSON CODE OF ORDINANCES.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ANDERSON, ALASKA, THAT:

SECTION 1. CLASSIFICATION. This ordinance is of permanent nature and shall become a part of the City Code upon adoption and ratification.

SECTION 2. GENERAL PROVISIONS. The purpose of this Ordinance is to enact a new section and subsections of Chapter 13.52 of Title 13 City of Anderson Code in order to develop procedures for sale of city lots and building requirements in the Northern Lights Subdivision at no costs to encourage construction of new homes.

Chapter 13.52 Procedures and requirements for the sale of up to twenty-six (26) lots in the Northern Lights Subdivision at no cost.

13.52.010 Purpose. A. The purpose of this ordinance is to set up procedures for applicant or applicants to purchase city owned land in the Northern Lights Subdivision at no cost, provided that they meet certain requirements. All covenants that were established in Master Declaration Plat # 2007-000140-0 Filed: 3/2/2007 in the Nenana Recording District will apply.

13.52.020 Procedures and Requirements. This ordinance declares and establishes the following procedures and requirements so long as the requirements and procedures for acquiring the same are followed and the City Council shall determine the fair market value for each lot acquired in the event the person or persons acquiring the same does not comply with the requirements and procedures.

A. Notice of Availability. When the city decides that it is ready to offer the lots for selection and acquisition, it will publish notice for a minimum of two consecutive weeks in the newspaper and on the City's website.

B. Costs of Lots. Said lots shall be made available at no cost so long as the requirements and procedures for acquiring the same are followed and the City Council shall determine the fair market value for each lot acquired in the event the person or persons acquiring the same does not comply with the conditions and procedures.

C. Application. A person or persons interested in acquiring any lot owned by the city and made available under this program shall file an application on a form to be supplied by the City with the City Clerk. A refundable deposit of \$500.00 will be required at the time of application. Only cashier or certified check or money order will be accepted. Only one application per individual, eighteen years and older will be accepted. The City Council may require such information from time to time as it deems appropriate, including but not limited to, plans for the house to be constructed. See Exhibit F.

D. Selection of applicants for the free lot. Applications will be accepted on a first come, first served basis that has submitted a completed application and deposit. The application will be date and timed stamped upon receipt by the City Clerk. If the city receives more applications than it has lots available, a waiting list will be established, based upon first come, and first served criteria. City Council will validate the applications based upon this order. Applicant must be present, participate via phone, or have a legal representative at the lot selection meeting. At a council meeting, the City Council will acknowledge the applications on a first come, first served criteria. Lots will be chosen in the order that applications were received. If an applicant declines and does not designate a lot and requests a refund of the deposit, the applicant forfeits his or her place in the selection process. Once an agreement is entered into, deposit will not be refunded unless and/or until the applicant meets all the requirements.

E. Title. After applicant has selected a particular lot, the City Council shall enter into an agreement with the applicant which will result in conveyance of title to the applicant secured by a deed of trust issued by the Fairbanks Title Agency with the City of Anderson as the lien holder thereof. See Exhibit G.

F. Deed of trust. The deed of trust shall require that within two (2) years from date of recording, construction of the residence which contains a certificate of occupancy by an approved certified state inspector must be completed and if either of said requirements are not met, the property shall revert to the City unless the applicant pay the City a sum equal to the fair market value of the lot as determined by the City Council. If the applicant chooses to purchase the lot at full market value, the deposit will be applied towards the purchase. The applicant

may be granted a one-time extension to meet the requirements by the City Council. A non-refundable processing fee of \$ 500.00 will be applicable.

G. Multi-family homes. Applications for construction of a multi-family home must be approved by the City Council. City Council will approve multi-family homes on an individual case by case basis. The City Council will notify the applicant of additional information requests.

H. Rebate. Participation in this program prohibits the applicant or applicants from participating in the Utility Rebate Program.

I. Miscellaneous. The City Council of the City of Anderson, reserves the right to determine any questions arising under this procedure and may from time to time make variances in the procedures

13.52.30 Additional Covenants. A. One dwelling per lot. Not more than one building designed or available for use as a dwelling shall be erected, placed or converted to use as such, on any lot.

B. No lot described on the recorded plat of the subdivision shall ever be re-subdivided into smaller or larger tracts or lots nor conveyed nor encumbered in any less or more than the full original dimensions as shown on said recorded plat.

C. Only cottage industry business will be authorized, industrial and commercial businesses are specifically excluded.

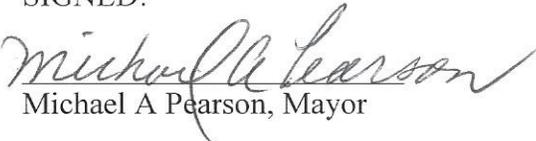
D. Severability. Invalidation of any one of these covenants by judgment of court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

E. Enforcement. Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. This City shall be under no obligation to enforce these covenants.

Adoption:

First Reading	Tuesday, February 13, 2007
Public Hearing	Tuesday, February 13, 2007
Second Reading	Thursday, February 22, 2007
Adoption	Thursday, March 1, 2007

SIGNED:


Michael A Pearson, Mayor

ATTEST:

Nancy E Hollis
Nancy E Hollis, City Clerk

