

Fact Sheet



Division of Mining, Land & Water
December 2008

Title: Remote Recreational Cabin Sites

In 1997, the legislature passed a new law to let Alaskans stake remote recreational cabin sites on state land. The new land-offering program is somewhat like the state's open-to-entry, remote parcel and early homestead programs in the 1970's and early 1980's. The program allows an individual to stake a parcel of state land for a cabin site in a designated remote settlement area and obtain a lease for the land for a limited length of time, then purchase the land at fair market value. The purchaser also pays for the survey and appraisal of the land. (A few presurveyed cabin sites may also be offered for direct purchase.)

The following is an overview of the Remote Recreational Cabin Site program. In this discussion, the terms "parcel" and "cabin site" are interchangeable.

How does the new Remote Recreational Cabin Site program work?

Under the Remote Recreational Cabin Site program, designated remote settlement areas of state land are offered for do-it-yourself cabin site selection and staking. A limited number of staking authorizations will be allowed in a designated staking area. During the filing period, you may apply for as many staking areas as you like. However, to let as many Alaskans participate as possible, there is a limit of one cabin site per person in each offering. If there are more applications than staking authorizations for an area, the winner will be determined by a lottery. There is a \$25 fee per application.

If your name is drawn for an area in the lottery, you will receive a staking authorization and instructions on how to stake a cabin site. This gives you the opportunity to stake a site and file a lease application during a specified staking period.

If you followed the staking rules and were the first to apply for the site you staked, you will then receive a lease for that site.

How do I qualify?

You must be at least 18 years of age and be able to show you have been an Alaska resident for at least one year immediately before the date of the lottery. Even if you previously obtained state land as an open-to-entry site, remote parcel, homesite, homestead, subdivision lottery parcel, or auction parcel, you are eligible to participate in the remote recreational cabin site program.

However, a person is ineligible to participate in the program if the person:

- Held a contract or lease that was administratively terminated for cause within the past three years;
- Is currently in default for not payment; or
- Is currently in default for nonpayment of municipal taxes or assessments after the municipality notifies the division of nonpayment.

A brochure will be available that explains the program in detail, describes the areas offered, and announces the time period for applying for a staking authorization.

What areas will be offered for staking? How do I get there?

The Department of Natural Resources (DNR) will offer areas that have been designated for remote settlement in the state's land use plans. Generally, a remote settlement area is a place that is suitable for low-density settlement. Typically it will not be easily accessible. In some cases, additional staking will be allowed in past remote parcel and homestead offering areas.

New remote cabin site staking areas will be selected from land use plan recommendations and offered in the future in the Northern and Southcentral regions of the state. State land use plans have not designated any remote settlement areas in Southeast Alaska because the amount of state land there is limited and mostly allocated for community development.

Access to remote settlement areas is generally by all-terrain vehicle (ATV), snow machine, floatplane, or boat. Legal access is reserved along all surveyed or unsurveyed section-line easements, along all public water bodies, along existing trails, and around existing surveyed parcels. Stakers may not obstruct or prevent public access within these easements. However, legal access does not mean that a trail or road has already been developed on the easements. Under state law, the state has no legal obligation to build roads or provide services to or within these areas.

How many acres can I stake?

The minimum size for a remote recreational cabin site is five acres and the maximum size is 20 acres. Each staking area may have additional restrictions on parcel size and configuration. The staking map shows the staking area boundaries, locations of survey monuments, and existing surveyed parcels in the area, plus any staking setbacks from water bodies or trails, water frontage limitations, public access easements, reserved areas and exclusions. You won't be allowed to stake outside the staking boundary, within existing surveyed parcels, or within areas reserved or excluded for wood lots, airstrips, public use or other uses.

What can I use the land for?

Cabins site leases allow for recreational use only. Commercial use or permanent residency is not allowed while under the lease. Once the land is under purchase contract or conveyed into private ownership, these restrictions do not apply.

Will I have to build a cabin?

You are allowed, but not required to build a cabin in order to lease or purchase the remote recreational cabin site. You should contact the municipal authority for any permits or any required building setbacks from water bodies, lot lines and easements before constructing any structure or waste disposal system.

How long can I lease the Land? What are the fees? Can I buy the land?

When submitting your completed staking authorization packet, there is a lease application fee of \$100. The first lease term will be three years. The annual rental will be \$100 and will be paid quarterly. During the first term of the lease, you will also be making quarterly deposit payments toward your estimated survey, platting, and appraisal costs. The total amount of these deposits may vary from area to area. The first quarterly payment will be due when you are notified that the lease application has been approved.

During the three-year lease, DNR will survey and appraise your parcel. DNR reserves the right to extend the three-year lease for one year if necessary to complete the survey and appraisal. At any time after the survey and appraisal, and during your lease, if you are in good standing, you can enter into a purchase contract with DNR or pay off the full purchase price of the parcel. Any remaining lease rental for that year will be prorated and applied towards the purchase price. The deposit for survey and platting, but not appraisal, will be credited against the purchase price.

If you do not wish to purchase the parcel during the three-year lease period you can renew the lease for a single five-year term as long as you are in good standing. Lease payments during this second term automatically increase to \$1,000 per year. At any time during this one time five-year renewal, if you are in good standing, you can enter into a purchase contract with DNR or pay off the full purchase price of the parcel. Lease payments will not be credited toward the purchase price.

If the lessee does not purchase the site by the end of the second term, the lease will expire and the lessee must remove any improvements and personal property from the parcel. The law does not allow leases to be transferred.

How much does the land cost? Can I “prove up” by living on the site?

The land must be purchased at fair market value as of the date of entry and cannot be obtained by “proving up”. A “base appraisal” of the land will be prepared for each staking area at the time the area is offered. The base appraisal will provide approximate fair market values for hypothetical sites within the staking area. The appraisal

of actual cabin sites will occur after the sites are surveyed. The appraisal will reflect the qualities of the individual cabin site, such as length of water frontage, topography, parcel size, access, view, etc., and will also reflect any changes in market conditions that may have occurred between the date of the base appraisal and the date of entry. A qualified veteran may apply for a 25% discount of the purchase price (minus survey and platting costs), if he or she has not used the discount previously. There are no other discounts on the purchase price of the parcel. The purchase price will be at least \$1,000.

Do I get the mineral rights for the property?

The State of Alaska retains ownership of all oil, gas, coal, ore, minerals, fissionable materials, geothermal resources, and fossils that may be in or upon the land that it sells. (AS 38.05.125). The state reserves the right to enter onto the land to explore for and develop these mineral resources. The state may lease them to mineral developers or allow mining locations to be staked. However, Alaska law also provides that the surface owner will be compensated for damages resulting from mineral exploration and development. Most land disposal areas are closed to staking mining locations. They are closed to other forms of mineral development.

Can state employees participate in the Remote Recreational Cabin Site Program?

State employees, employees of state-funded agencies (such as the University of Alaska), or employees of a contract employer by the state or a state-funded agency, who gained knowledge of a land offering area at state expense or were in a position to obtain inside information about the offering process may not file an application during the last 15 days of the application filing period.

Is there a mailing list for upcoming land disposal offerings?

The department does not maintain a mailing list for land disposals. Information regarding the various land disposal programs is available on line at: dnr.alaska.gov/mlw/landsale/. DNR notifies the public through news advertisements; media releases and also publishes brochures for each land offering.

Where can I get more information?

DNR Public Information Center
550 W. 7th Ave., Suite 1260, Anchorage, AK 99501
Phone: 907-269-8400
TDD: 907-269-8411
E-Mail: dnr.pic@alaska.gov

DNR Public Information Center
3700 Airport Way, Fairbanks, AK 99709
Phone: 907-451-2705
TDD: 907-451-2770
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DNR Land Information Office
400 Willoughby Ave., 4th Floor, Juneau, AK 99801
Phone: (907) 465-3400
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