

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Public Works Department
For Reading: November 19, 2013

**ANCHORAGE, ALASKA
AO 2013-134**

**AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE TELECOMMUNICATIONS
AND ELECTRICAL EASEMENT WITHIN A PARCEL OF LAND LOCATED
WITHIN GLADYS WOOD ELEMENTARY SCHOOL SITE, ACCORDING TO PLAT
NO. 73-120, ON FILE IN THE ANCHORAGE RECORDING DISTRICT, THIRD
JUDICIAL DISTRICT, STATE OF ALASKA.**

WHEREAS, this easement is located on municipal property across a portion of land located within Gladys Wood Elementary School Site, according to Plat No. 73-120; the Anchorage School District (ASD) has authority and responsibility for the day-to-day management of this portion of said lot, and the Real Estate Department has authority and responsibility for any action which conveys a permanent interest in the subject property; and

WHEREAS, ASD has been requested by Chugach Electric Association, Inc. (CEA) to install a three-phase underground primary electric cable in conduit; and

WHEREAS, CEA will also provide an alternative feed to the school; and

WHEREAS, in order to install this electrical service to the property CEA requires a telecommunications and electrical easement as a condition of providing service; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Assembly finds the telecommunications and electrical easement authorized herein is without substantial value to the Municipality.

Section 2. A telecommunications and electrical easement is approved, more particularly described as:

A parcel of land located within Gladys Wood Elementary School Site, according to Plat No. 73-120, on file in the Anchorage Recording District, Third Judicial District, State of Alaska, and being more particularly described as follows:

Commencing at the northeast corner of said Gladys Wood Elementary School Site; thence along the north property of line said site, S 89°53'00" W 10.0 Feet to the Point of Beginning; thence S 89°53'00" W 5.0 Feet; thence S 00°06'23" W 114.4 Feet; thence S 89°53'37" W 95.0 Feet; thence S 00°06'23" W 20.0 Feet;

1 thence N 89°53'37" E 100.0 Feet; thence N 00°06'23" E 134.4 Feet returning to
2 the Point of Beginning and containing approximately 2,572 square feet, more or
3 less.

4
5 Said easement is subject to a 20' sanitary sewer easement as noted on Plat No.
6 73-20.

7
8 **Section 3:** This ordinance shall be effective immediately upon passage and
9 approval by the Anchorage Assembly.

10
11 PASSED AND APPROVED by the Anchorage Municipal Assembly this _____ day
12 of _____, 2013.

13
14
15 _____
16 Chair of the Assembly

17 ATTEST:

18
19
20 _____
21 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2013-134

Title: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE
TELECOMMUNICATIONS AND ELECTRICAL EASEMENT WITHIN A
PARCEL OF LAND LOCATED WITHIN GLADYS WOOD ELEMENTARY
SCHOOL SITE, ACCORDING TO PLAT NO. 73-120, ON FILE IN THE
ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT,
STATE OF ALASKA

Sponsor: MAYOR
Preparing Agency: Project Management & Engineering Division
Others Impacted: Real Estate Department
Others Impacted: Anchorage School District

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	FY13	FY14	FY15	FY16	FY17
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$0	\$0	\$0	\$0	\$0
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$0	\$0	\$0	\$0	\$0
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp					
PUBLIC SECTOR ECONOMIC EFFECTS:					
N/A					

PRIVATE SECTOR ECONOMIC EFFECTS:

N/A



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 652-2013

Meeting Date: November 19, 2013

1 **FROM: MAYOR**

2
3 **SUBJECT: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE**
4 **TELECOMMUNICATIONS AND ELECTRICAL EASEMENT WITHIN**
5 **A PARCEL OF LAND LOCATED WITHIN GLADYS WOOD**
6 **ELEMENTARY SCHOOL SITE, ACCORDING TO PLAT NO. 73-120,**
7 **ON FILE IN THE ANCHORAGE RECORDING DISTRICT, THIRD**
8 **JUDICIAL DISTRICT, STATE OF ALASKA.**
9

10 Chugach Electric Association, Inc. (CEA) is requesting that the Anchorage School
11 District grant a non-exclusive telecommunications and electrical easement for
12 installation of three-phase underground primary electric cable in conduit, within
13 Gladys Wood Elementary School Site, according to Plat No. 73-120; (Tax #012-532-
14 55), as identified in the attached easement document (Exhibits A, B and C).
15

16 The requested easement will also provide alternative feed to the school. The
17 easement area contains approximately 2,572 square feet, more or less (Exhibits A
18 and B). The telecommunications and electrical easement described herein is without
19 substantial value to the Municipality.
20

21 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

22

23 Prepared by: J. W. Hansen, Deputy Director
24 Project Management & Engineering Division

25 Approved by: Ron Thompson, P.E., Director
26 Public Works Department

27 Concur: Tammy Oswald, Director, Real Estate Department

28 Concur: Dennis A. Wheeler, Municipal Attorney

29 Concur: George J. Vakalis, Municipal Manager

30 Respectfully submitted: Daniel A. Sullivan, Mayor

CEA FORM 21
(Revised 10-15-12)

CHUGACH ELECTRIC ASSOCIATION, INC.

Anchorage, Alaska

1204-02D
Grid 2127
E1213286
012-532-55

RIGHT-OF-WAY EASEMENT

Municipality of Anchorage / Anchorage School District

P.O. Box 196650, Anchorage, Alaska 99519

“Grantor,” for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain sell, convey, set-over, and deliver to CHUGACH ELECTRIC ASSOCIATION, INC., an Alaska non-profit electric cooperative of Anchorage, Alaska, “Grantee,” and to its successors, assigns, licensees, and permittees, an easement through, over, in, under, and across the lands of Grantor, situate in the Anchorage Recording District, State of Alaska, and more particularly described as follows:

SEE ATTACHED EXHIBIT “A” and EASEMENT EXHIBIT

TO erect, construct, reconstruct, and install, and to continue to operate, maintain, repair, alter, inspect, replace, improve, and relocate, and to remove, such electric transmission and distribution lines, and their related facilities, including foundations, footings, pilings, guys, anchors, crossarms and other attachments and equipment, telephone lines, and telecommunication lines, and their related facilities, through, over, in, under, and across the aforesaid premises as may from time to time be necessary or desirable for the use, occupation, and enjoyment of such right-of-way, including the right of ingress and egress to said premises, and the right to excavate, remove soils or fill on said premises, and the right to cut and keep clear of all trees, shrubbery, under-growth, and other obstructions on said premises as may be reasonably required for the construction, reconstruction, relocation, installation, operation, and maintenance of such facilities.

TO HAVE AND TO HOLD the same to Grantee, its successors, assigns, licensees, and permittees, FOREVER, subject to any existing easements and any existing facilities. The Parties hereto agree to make reasonable accommodations to resolve conflicts in the location or relocation of facilities if any such conflicts arise.

Grantor agrees that all poles, wire, conductors, and other facilities, including any main service entrance equipment, which may be installed on the above-described premises by or for Grantee or its successors, assigns, licensees, and permittees, shall remain the property of Grantee, or the property of such successors, assigns, licensees, or permittees, as the case may be, and removable at its or their option.

Grantor covenants that it will not interfere with the lateral support of the right-of-way and will not excavate or fill in any portion of the above described easement without written approval of Grantee.

Grantor reserves the right to permit the use by others of this easement area provided that such use does not damage Grantee’s facilities, is compatible with and does not interfere with the rights or operations of Grantee, its successors, and assigns and permittees, and said use is in compliance with Grantee’s Electrical Facility Clearance Requirements.

Grantee shall indemnify, defend and hold Grantor harmless from any and all liability or loss arising from the exercise by Grantee, or Grantee’s contractors, of any of the rights granted herein.

Grantor Covenants that it is the owner of the above-described premises, and that the said premises are free and clear of encumbrances and liens of whatsoever character, except those of record.

IN WITNESS WHEREOF, Grantor has set his / her / their hand and seal, or has caused these presents to be executed by his /her / their duly authorized representative or agent, all as of the ____ day of _____, _____.

MUNICIPALITY OF ANCHORAGE

By _____, its Municipal Manager.
George Vikalis

STATE OF ALASKA, THIRD JUDICIAL DISTRICT

This instrument was acknowledged before me on this _____ day of _____, _____
by _____.

After Recording, Return to:

Chugach Electric Association, Inc.
P.O. Box 196300
Anchorage, Alaska 99519-6300
Land Services Department

Notary Public in and for the State of Alaska
My commission expires: _____

1204-02D
Grid: 2127
E1213286
012-532-55

EXHIBIT “A” (Page 1 of 1)

A parcel of land located within Gladys Wood Elementary School Site, according to Plat No. 73-120, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska, and being more particularly described as follows:

Commencing at the northeast corner of said Gladys Wood Elementary School Site; thence along the north property of line said site, S 89°53'00" W 10.0 Feet to the Point of Beginning; thence N 89°53'00" W 5.0 Feet; thence S 00°06'23" W 114.4 Feet; thence S 89°53'37" W 95.0 Feet; thence S 00°06'23" W 20.0 Feet; thence N 89°53'37" E 100.0 Feet; thence N 00°06'23" E 134.4 Feet returning to the Point of Beginning and containing approximately 2,572 square feet, more or less.

Said easement is subject to a 20' sanitary sewer easement as noted on Plat No. 73-120.

After Recording Return to:
Chugach Electric Association, Inc.
P.O. Box 196300
Anchorage, Alaska 99519-6300
ATTENTION: LAND SERVICES

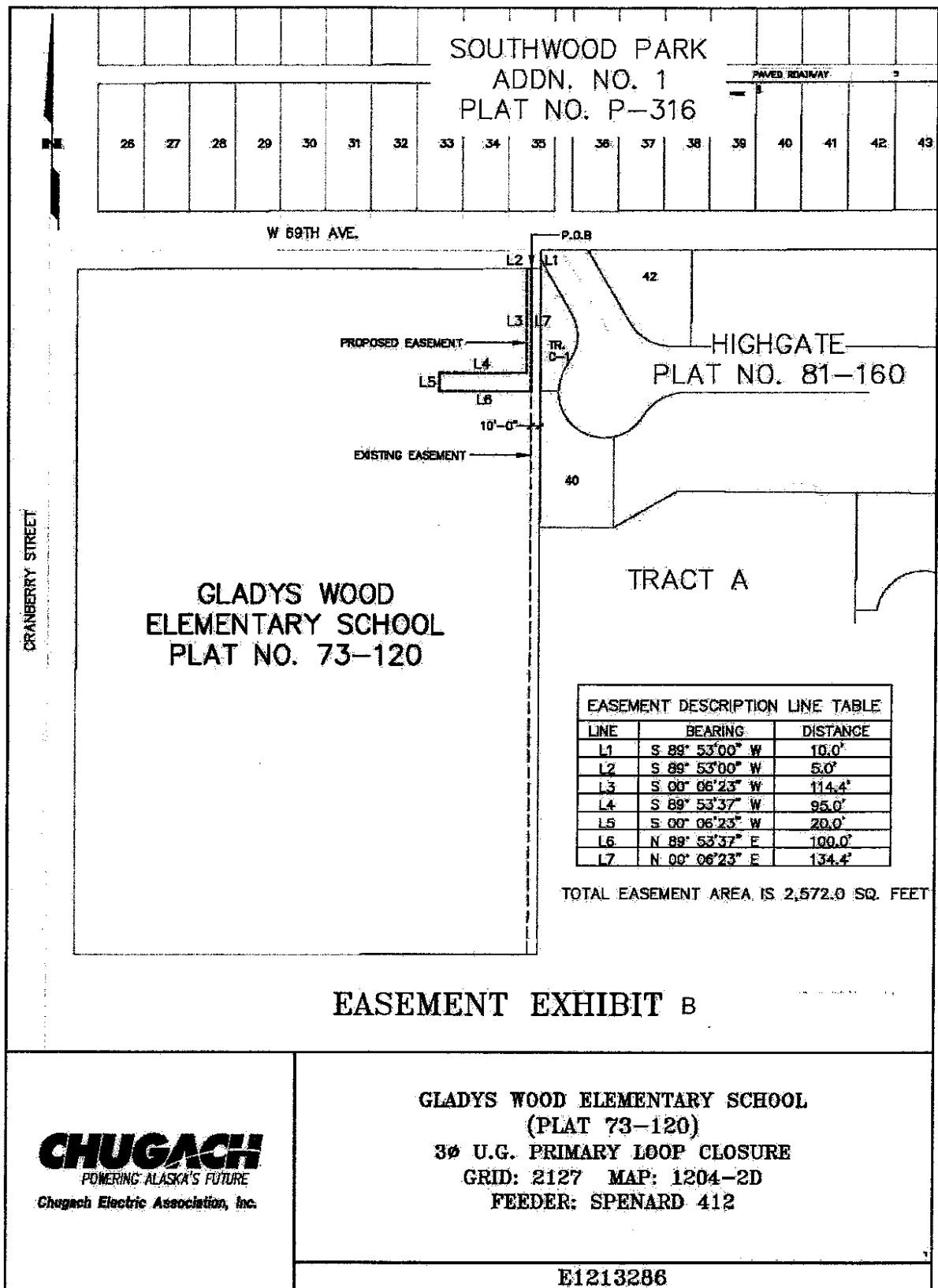




Exhibit C

**ANCHORAGE SCHOOL
DISTRICT**

Facilities Department
1301 Labar Street
Anchorage, Alaska 99515
Phone: (907) 348-5126
Fax: (907) 348-5227

September 17, 2013

Claudia Roberts
Right of Way Agent
Chugach Electric Association
5601 Electron Drive
Anchorage, AK 99519

Subject: Easement Request within Gladys Wood Elementary School Site
3 Phase Underground Primary Loop

Ms. Roberts,

The District has reviewed you're the information provided for the request of a new easement on the school property for the purposes of upgrading the electrical service to Gladys Wood Elementary School.

The District has no objection to this new easement as shown. The District is requesting that the construction portion of this work be scheduled as not to impact operations of the school if it scheduled to occur during the school year.

Sincerely,

Randy Ribble, PE
ASD Project Manager

Cc: Steve Schmitt, Municipal Surveyor
Gladys Wood ES Property File