

Submitted by: Chair of the Assembly
At the Request of the Mayor
Prepared by: Heritage Land Bank
For Reading: May 6, 2008

ANCHORAGE, ALASKA
AO No. 2008-65

1 **AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE RELOCATABLE**
2 **TRAIL EASEMENT TO THE U. S. FOREST SERVICE ACROSS**
3 **HERITAGE LAND BANK PARCELS 6-254, 6-255, 6-268, 6-273, 6-275, 6-**
4 **279, 6-294, 6-296 LOCATED IN AND AROUND GIRDWOOD.**

5
6 **WHEREAS**, the Heritage Land Bank (HLB) was established to...“manage uncommitted
7 municipal land and the Heritage Land Bank Fund in a manner designed to benefit the
8 present and future citizens of Anchorage, promote orderly development, and achieve the
9 goals of the Comprehensive Plan. The Heritage Land Bank shall acquire, inventory,
10 manage, withdraw, transfer and dispose of municipal land which has not been dedicated
11 or transferred to a specific municipal agency for one or more municipal uses.”
12 (AMC section 25.40.010); and

13
14 **WHEREAS**, “The disposal responsibility of the Heritage Land Bank is, at the direction of
15 the mayor and Assembly, to convey from municipal ownership Heritage Land Bank land
16 or interests in land which is not needed for specific public facilities or purposes. Each
17 disposal shall be in the municipal interest, and based at or above appraised fair market
18 value or for other equivalent municipal values or objectives, under the procedures
19 specified in AMC Section 25.40.025.” (AMC section 25.40.010E.); and

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21 **WHEREAS**, HLB conducted an agency review by all potentially interested Municipal
22 agencies to establish that the subject easement is in the best interest of the Municipality;
23 and

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25 **WHEREAS**, on March 27, 2008, the Heritage Land Bank Advisory Commission held a
26 public meeting as specified in AMC section 25.40.030 and approved HLBAC
27 Resolution 2008-03, recommending the Assembly approve the easement; and

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29 **WHEREAS**, pursuant to the Charter, the Assembly must find this non-exclusive
30 easement is without substantial value to the municipality; now, therefore,

31
32 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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34 **Section 1.** This non-exclusive relocatable easement over Heritage Land Bank parcels
35 6-254, 6-255, 6-268, 6-273, 6-275, 6-279, 6-294, 6-296, located and around
36 Girdwood, does not prevent future use by the Municipality or impact the public use of the
37 property, and it is the finding of the Assembly this easement is without substantial value
38 to the municipality.

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40 **Section 2.** Pursuant to the basic terms and conditions set out in the accompanying
41 Assembly Memorandum, Heritage Land Bank may grant a non-exclusive relocatable

1 easement over portions of Parcels 6-254, 6-255, 6-268, 6-273, 6-275, 6-279, 6-294,
2 6-296.

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4 **Section 3.** This ordinance shall be effective immediately upon passage and approval
5 by the Assembly.

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8 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
9 _____, 2008.

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12 _____
13 Chair

14
15 ATTEST:
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17
18 _____
19 Municipal Clerk