

**PLANNING DEPARTMENT**  
**CURRENT PLANNING STAFF ANALYSIS**

**PLATTING**

**DATE:** August 1, 2018

**CASE:** S-12423 - Carol Creek Subdivision, Tracts 1-4

**SITE:** 91.41 acres

**LAND USE:** Undeveloped

**UTILITIES:** Public water and sanitary sewer are not available to portions of the petition site.

**TOPO:** Variable and steeply sloped topography

**VEGETATION:** Undisturbed natural vegetation

**ZONING:** CE-PLI - Chugiak-Eagle River Public Lands and Institutions District

**PARCEL ID No.** 051-361-44

**GRID:** NW0453

**COMPREHENSIVE PLAN:**

Classification: A Site-Specific Land Use Plan has been adopted as a Comprehensive Plan Amendment

**SURROUNDING AREA**

	NORTH	EAST	SOUTH	WEST
Zoning:	CE-I-1 SL	CE-R-2M	CE-R-1A/ CE-R-8	CE-B-3
Land Use:	Harry J. McDonald Recreation Center/Fire Lake Elementary School/	Undeveloped residential property	Undeveloped residential property	Town Center/ Fred Meyer/ Spenard Builders Supply

## **FINDINGS**

1. Utility easements have been requested:
  - a. Chugach Electric Association, Inc. has no comment on the platting activity as described in the preliminary plat for Case S-12423 Recreation Center Subdivision, Tract B4. The property is located outside of the Chugach service area and plat reviews will not be required.
  - b. GCI Cable, Inc. approved the preliminary plat as shown.
  - c. MEA has requested an easement along the north boundary.
2. Private Development comments:
  - a. To the north, Old Glenn Highway, an Alaska DOT&PF maintained right-of-way is classified as a Class III Major Arterial in the current Official Streets and Highways Plan (OS&HP). The Old Glenn Highway appears to be asphalt surfaced with a single travel lane in each direction, multiple turning lanes, curb & gutter on the east (subdivision) side, asphalt surfaced paths on both sides, and ADOT&PF street lighting where it abuts the proposed subdivision.
  - b. To the north, Harry McDonald Road, is a Chugiak Birchwood Eagle River Rural Road Service AREA (CBERRRSA) maintained right-of-way and is classified a Class 1B Collector on the OS&HP that appears to be strip paved to a width of ±30' feet.
  - c. To the north, Mendenhall Street is a CBERRRSA maintained right-of-way classified as a Local Street in the current OS&HP which appears to be strip paved or chip sealed with a ±20-foot width where it abuts the proposed subdivision.
  - d. To the east, Knob Hill, maintained by CBERRRSA, is classified as a Local Street in the OS&HP.
  - e. Beaujolais Drive is classified as a local street in the OS&HP, and is maintained by CBERRRSA. Beaujolais Drive was dedicated for only on-half the right-of-way with an asphalt width of ±26 feet (back-of-curb to back-of-curb), Type 2 curb & gutter on both sides and a paved concrete sidewalk on the

north (subdivision) where it abuts the proposed subdivision. This does not meet requirements.

f. Plat Notes:

i. "The property owners and utilities shall not raise, lower, or regrade the property in a manner that will alter drainage patterns without prior approval from the Municipality of Anchorage Building Safety Office."

ii. "Property owners and utilities shall not obstruct, impede or alter approved drainage facilities (e.g. swales, ditches) in any way that will adversely impact adjacent properties or rights-of-way."

g. The Private Development Section has no objection to the proposed subdivision, subject to the above recommendations and conditions.

3. Municipal Right-of-Way Section comments:

a. Provide utility easements as required.

b. Clarify and correct the Existing Public Use Easement encompassing the access road to the center. If the MOA information indicating it is 30' wide, it is incorrect, please notify the MOA Surveying Section to correct the MOA grid Map and the GIS information.

c. Indicate whether the easements on lot boundaries are existing or dedicated this plat. Clarify whether the 15' Screening Easement is inside or additional to the 30' T&E Easement on the northwest corner of proposed Tract 1.

d. More clearly identify the wetlands classification and boundaries.

e. Resolve with the MOA Traffic Department the need for notes addressing the location, number, and size of the driveway entries to the street right-of-way.

4. Municipal Traffic Department comments:

a. Plat shows a Public Use Easement on a future road alignment. Recommend dedication, if possible.

5. Anchorage Water & Wastewater Utility (AWWU) comments:

- a. AWWU water is not available to the proposed tracts; sanitary sewer is available to proposed Tract 1 only. Sanitary sewer is available is not available to Tracts 2 – 4.
- b. If public water and wastewater services are desired by the owner or required by the platting authority in accordance with AMC 21.85.160 (water) and 21.85.170 (sewer), the owner will be required to enter into main line extension agreements with AWWU.
- c. Proposed Tract 1 has an estimated \$26,000.00 Sanitary Sewer Trunk assessment due upon connection.
- d. AWWU has no objection to this platting action.

6. Non-Motorized Transportation Coordinator comments:

- a. Advisory Comment: Please ensure that the 100' Creek Maintenance & Development Setback includes opportunities for any future non-motorized development. The *Areawide Trails Plan* recommends a non-motorized trail, in addition to the stream protection setback shall be established along every stream where stream setbacks are required in the Chugiak-Eagle River Area.
- b. Easement Requests: Provide a 20' relocatable public use/trail easement within the proposed Tract 1 to access the 100' Creek Maintenance & Development setback from the 60' PUE along Harry McDonald Recreation Center.
- c. Provide a 20' relocatable public use/trail easement within proposed Tract 4 connecting the Beaujolais Drive/Chardonney Circle area to the 100' Creek Maintenance & Development Setback.

7. Addressing comments:

- a. Label Malaspina St.



- a. Eagle River Street Maintenance has reviewed the case and has no comments on the plat. In the event that the CBERRRSA Board of Supervisors has additional comments they will be forwarded.
11. On-Site Water and Wastewater Services (OSWWWS) comments:
    - a. Prior to recording the final plat, this property will require watercourse mapping and approval by WMS. Any streams or drainageways discovered during the mapping will be required to be shown on the plat with appropriate setback plat notes.
    - b. Add Plat Note: There are streams located on this plat and the stream protection setbacks will be as specified in AMC 21.07.020 or as specified in future adopted provisions of AMC 21. Portions of streams contained within mapped wetlands are subject to setbacks as described in the *Anchorage Wetlands Management Plan*.
  12. Alaska Department of Transportation (ADOT/Public Facilities) comments:
  13. No new access to the Old Glenn Highway will be allowed. Request plat note to read, "No direct access to the Old Glenn Highway will be granted for Tract A." Access should be obtained through existing roads as shown on Map 7 of Chugiak Eagle River Site Specific Land Use Plan: 2016 Update."
  14. Ensure post-construction drainage, both surface and groundwater, maintain current natural drainage pattern. Do not add water/ice directly to Old Glenn Highway.
  15. On-Site Water and Wastewater Services (OSWWS) comments:
  16. An evaluation of on-site water and wastewater systems for proposed lots will be required when the tracts are further subdivided. No objection.
  17. Eagle River Street Maintenance has reviewed the case and has no comments on the plat. In the event that the CBERRRSA Board of Supervisors has additional comments they will be forwarded.
  18. Community Councils:

- a. Comments were not received from the Birchwood, Eagle River, and Eagle River Valley community councils as of this writing.
  - b. The Chugiak Community Council opposes the plat as drafted, specifically Tract 1. During the planning process the council was very involved. Tract 1 was originally 4 tract(s) with densities in the northwest corner being the highest, while densities in the northeast corner were much lower. This allowed for transition from lower to higher densities in concert with the Chugiak Eagle River Comprehensive Plan. The Council understands the need to approve a plat to allow for AWWU to move forward with their proposed water storage tank which the council does not oppose. The council worked closely with P&Z to come to agreement regarding the overall number of units that could be built on the parcels. The council believes HLB's revision to consolidate what was presented publicly as four (4) tracts into one (1) was done without regard to the council's input.
19. Public Comments: There were 612 public hearing notices mailed. Four notices were returned unclaimed. One comment was returned in opposition to the proposed preliminary plat, a copy of which is included in the packet.

**SURROUNDING PROPERTY HISTORY**

01/12/67	Plat 67-3	Final plat recorded for Fire Lake Alaska Subdivision, Block 1, Lots 1A, 4A, 6A, 8, 10A, 12A, 14A, 17A; Block 2, 1A, 3A, 5A, 7A, 9A, 11A, 13A, 15A; Block 3, Lots 1A, 3A, 5A, 7A, 9A, 11A, 13A, 15A, and Tract A. Adjoins the eastern and northern boundaries of the petition site.
04/06/84	Plat 84-95 Case S-6248	Final plat recorded for Recreation Center Subdivision, Tract B, with vacation of rights-of-way previously dedicated with Plat 67-3 containing 134.4 acres, more or less.
04/10/85	Plat 85-82 Case S-7748	Final plat recorded for Recreation Center Subdivision, Tracts B1, B2, B3, and B4, a 134 acre subdivision of Tract B, Recreation Center Subdivision (Plat 84-95), located within the E 1/2 Section 36, T15N, R2W, S.M., Alaska.

## COMMENTS

This preliminary plat is a 91.41 acre subdivision of Tract B4, Recreation Center Subdivision (Plat 85-82) into four (4) tracts for proposed Tracts 1-4, Carol Creek Subdivision. The property is owned by the Municipality of Anchorage and administered by the Heritage Land Bank. The property is zoned Chugiak-Eagle River Public Lands and Institutions District (CE-PLI).

The petition site is identified as a Special Study Area in the Chugiak-Eagle River Comprehensive Plan Update, adopted on December 12, 2006 by AO 2006-93 (S-1). "There are several Heritage Land Bank parcels for which a specific use has yet to be determined. These areas are subject to a site-specific land use study before use designation or development." The Land Use Plan map depicts the petition site as a Special Study Area. A site-specific land use plan was approved in 2010 and updated in 2018.

The Recreation Center Subdivision adjoins a portion of the northern boundary of the petition site. It is developed with the Harry J. McDonald Recreation Center and the Fire Lake Elementary School. Residential development adjoins the northeastern property boundary immediately north of proposed Tracts 2 and 3.

A Town Center abuts the west petition site boundary. The *Chugiak-Eagle River Land Use Plan* classifies the property adjoining the north and east petition site boundaries as Residential at a density of 1-2 dwelling units per acre. The south petition site boundary is also classified as residential at densities ranging from <1-1 dwelling unit per acre and 3-6 dwelling units per acre.

The petition site is an environmentally sensitive parcel of land. A creek bisects the parcel flowing from the northeast corner of the property to the southwest corner of the tract. There are wetlands associated with the creek. A 100-foot Creek Maintenance and Development Setback is shown on the preliminary plat.

The property is steeply sloped from the southeast corner of the parcel which declines in elevation toward the creek from 725 feet to 400 feet, a drop in elevation of approximately 325 feet. Along the stream, the property declines from 525 feet to 325 feet from the northeast corner to the southwest corner of the site. "Roads, water and sewer, and other infrastructure improvements are required to service any new residential development."

"The overall land use policies in the site-specific 2018 Update are very similar to the 2010 Plan, which include the following:

- Focus residential development of the northern and western portion of the parcel with retention of a large band of open space along Carol Creek.
- Allow for higher densities in the western portion of the project area, and lower densities in the northeastern section to better match the character of the adjoining, existing neighborhood.
- Reserve a route for a road connection between the existing neighborhood to the north and the access road coming into the Harry McDonald Center off the Old Glenn Highway.
- Provide for a generous system of trails and open space connections between future residential development and the Carol Creek Corridor.

The land use recommendations for the Carol Creek parcel are summarized in the table below:

<b>Area</b>	<b>Land Use Classification</b>	<b>Land Use Classification Description</b>
Tract 1	Residential, Medium Density (7-15 DUA)	Provides for a range of single- and multi-family housing in neighborhoods and offers a diversity of housing choices. Recommended residential uses include townhouses and multi-family, including row or cottage homes.
Tract 2	Residential, Low Density (1-2 DUA) <i>Note: density above 2 DUA requires connection to the public water system.</i>	Provides for neighborhoods with a semi-rural atmosphere consisting generally of single-family homes on half acre or larger sized lots. Allows the option for accessory dwelling units.
Tract 3		Sell this parcel to AWWU for the purpose of reservoir(s) construction, at fair market value, to help supply the overall

		water needs of Eagle River. Purchase agreement to outline the framework for a memorandum of understanding about shared infrastructure costs.
Tract 4	PLI	Retain a substantial open space corridor along Carol Creek, including the creek itself and adjoining wetlands and forested areas. Provide for active and passive recreation, conservation of natural areas, and trail corridors connecting neighborhoods. Provides for large-lot, single-family residences in a rural environment, much of which is served by onsite wells and septic systems.

This tract plat is before the Platting Board in advance of sale of the property for future development. Proposed Tract 1 contains 30.5 acres and is identified for medium density residential development. Tract 2 is an 8.4 acre parcel and is recommended for low density residential development at a density of 1-2 dwelling units per acre (DUA). Tract 3 is to be developed with an AWWU facility.

Tract 4 is an Open Space tract that encompasses the creek, associated wetlands and the required setbacks, as well as, the steep slope in the southeast corner of the parcel. The Open Space tract will provide recreational opportunities for the proposed residential development in Tracts 1 and 2 and surrounding neighborhood. Management of this corridor should be substantially undisturbed, to protect water quality, to ensure the integrity of the wetlands, to provide non-motorized trails, and to maintain an open space buffer between the residential neighborhoods on either side of this green space.

Mendenhall Street is a 60-foot wide right-of-way that adjoins the east-west northern boundaries of proposed Tracts 2 and 3. Mendenhall Street intersects with Knob Hill Drive, a north-south right-of-way. A 30-foot wide right-of-way is shown as dedicated with this plat for the eastern half of Knob Hill Drive adjoining proposed Tract 3. The additional dedication will provide a 60-foot wide right-of-way for Knob Hill Drive. North of Mendenhall Street, the Knob Hill Drive right-of-way is 80 feet.

There are four access points to the site. A 60-foot wide Public Use Easement (PUE) extends from the Old Glenn Highway that curves around the southwestern boundary of Tracts B2 and B3, Recreation Center Subdivision. The PUE provides vehicular access from the Old Glenn Highway to the western boundary of proposed Tract 2. There are two access points from the north; one from Knob Hill Drive terminating at the northeast corner of Tract 4 and another from Mendenhall Street via Malaspina Street. Mendenhall Street follows the north and west boundaries of Tract 2. A fourth access point via Beaujolais Drive to the south boundary of Tract 3, which is the Open Space tract.

Working with the Traffic Department and Project Management and Engineering, recommended access strategies and improvements were developed:

- Consider all modes of transportation including pedestrians, cyclists and automobiles to maximize the efficiency and safety of the circulation system.
- Upgrade Harry McDonald Road to municipal standards for a collector street up to the Harry J. McDonald Memorial Center, timing the improvements to coincide with AWWU's installation of the water line needed for the new reservoir.
- Shift the 80-foot right-of-way for the Harry McDonald Road to land shared between HLB, the Anchorage School District and the Parks and Recreation Department which would free up HLB land for housing while provide for an improved road for all users.
- Extend Harry McDonald through Tract 2 to the existing rural residential area – Mendenhall and Malaspina. Provide a circuitous route and construct to rural standards.
- Provide for safe pedestrian facilities – sidewalk and/or multi use trail on both sides of the road;
- Provide safe pedestrian access along the Harry McDonald Road and across the Old Glenn Highway.
- Build new residential areas to local residential street standards.

- Individual developer will determine the specific layout of residential areas, including roads, trails, storm water conveyance, etc, consistent with the policies established in this Plan Update.
- A road to serve the southeast slope, low-density residential development may be needed if that development occurs in the future.

A Traffic Impact Analysis (TIA) may be needed if the new development will generate 100 trips in the peak hour of the adjacent roadway. A TIA will help to determine whether a signalized intersection is required for the proposed development.

The Carol Creek project will likely rely on several different drainage strategies including on-site infiltration, and flow of water into the adjoining Carol Creek open space. The northwestern corner of Tract 1 may need to rely on subsurface storm water drains. The storm water pipe along the Old Glenn Highway is owned by the state. ADOT&PF indicated that storm water could likely be piped from the development into the pipe within the Old Glenn Highway.

Recommended storm water strategies and improvements include:

- Use of different approaches to manage storm water based on site conditions;
- Minimize amount of impervious surfaces;
- Coordinate installation of a storm water system with the sanitary sewer installation to reduce costs by sharing the trench;
- Subdivision or development adjoining Carol Creek may require analysis to determine the elevation and extent of the 100-year flood along the creek.

Development Standards:

Tract 1: Compact development that will be served by public utilities and infrastructure. No more than 115 dwelling units shall be developed on this portion of the parcel.

Tract 2: Low-density residential to preserve the character of existing low-density, residential rural neighborhood.

Tract 3: AWWU reservoir site. This parcel will be sold to AWWU to accommodate development of a water reservoir(s).

Tract 4: Carol Creek open space corridor that is preserved as an undeveloped corridor in public ownership. The parcel will be managed to ensure the integrity of the wetlands, preserve important drainage functions, and protect water quality; provide non-motorized trails and recreation opportunities to area residents. The southeast portion of Tract 4 is steeply sloped. This portion of the parcel has several more flat areas that might allow for development of carefully engineered house sites. If this site is developed in the future, careful siting and roadway development standards will be necessary.

### **DEPARTMENT RECOMMENDATION**

Approval of the plat for 24 months subject to the following conditions:

1. Resolve utility easements.
2. Add the following plat notes:
  - a. “There are streams located on this plat and the stream protection setbacks will be as specified in AMC 21.070.20 or as specified in future adopted provisions of AMC 21. Portions of streams contained within mapped wetlands are subject to setbacks as described in the Anchorage Wetlands Management Plan.”
  - b. “No direct access to the Old Glenn Highway will be granted for Tract 1. Access should be obtained through existing roads as shown on Map 7 of Chugiak Eagle River Site Specific Land Use Plan: 2016 Update.”
  - c. “The property owners and utilities shall not raise, lower, or regrade the property in a manner that will alter drainage patterns without prior approval from the Municipality of Anchorage Building Safety Office.”
  - d. “Property owners and utilities shall not obstruct, impede or alter approved drainage facilities (e.g. swales, ditches) in any way that will adversely impact adjacent properties or rights-of-way.”
3. Resolve with the Non-Motorized Transportation Coordinator the following:

- a. The need to provide a 20' public use/trail easement within the proposed Tract 1 to access the 100' Creek Maintenance & Development Setback from the 60' PUE along Harry McDonald Recreation Center.
  - b. The need to provide a 20' public use/trail easement within proposed Tract 4 connecting the Beaujolais Drive/Chardonney Circle area to the 100' Creek Maintenance & Development setback.
4. Make the following drafting changes:
- a. Indicate whether the easements on lot boundaries are existing or dedicated this plat. Clarify whether the 15' Screening Easement is inside or additional to the 30' T&E Easement on the northwest corner of proposed Tract 1.
  - b. Verify the width of the Public Use Easement of the access road to the Recreation Center with the Municipal Surveying Section.
  - c. Clearly identify the wetlands classification and boundaries.
  - d. Label Malaspina St.
  - e. Check legal descriptions for verification (as documentation for the legal descriptions could not be found) Walker, Collett, Dee, and Dobler Tracts (they appear to be un-subdivided lots).
5. Advisory Comments:
- a. An evaluation of on-site water and wastewater systems for proposed lots will be required when the tracts are further subdivided.
  - b. Proposed Tract 1 has an estimated \$26,000.00 Sanitary Sewer Trunk assessment due upon connection.

Reviewed by:

  
Michelle McNulty, AICP  
Director

Prepared by:

  
For Margaret O'Brien  
Senior Planner

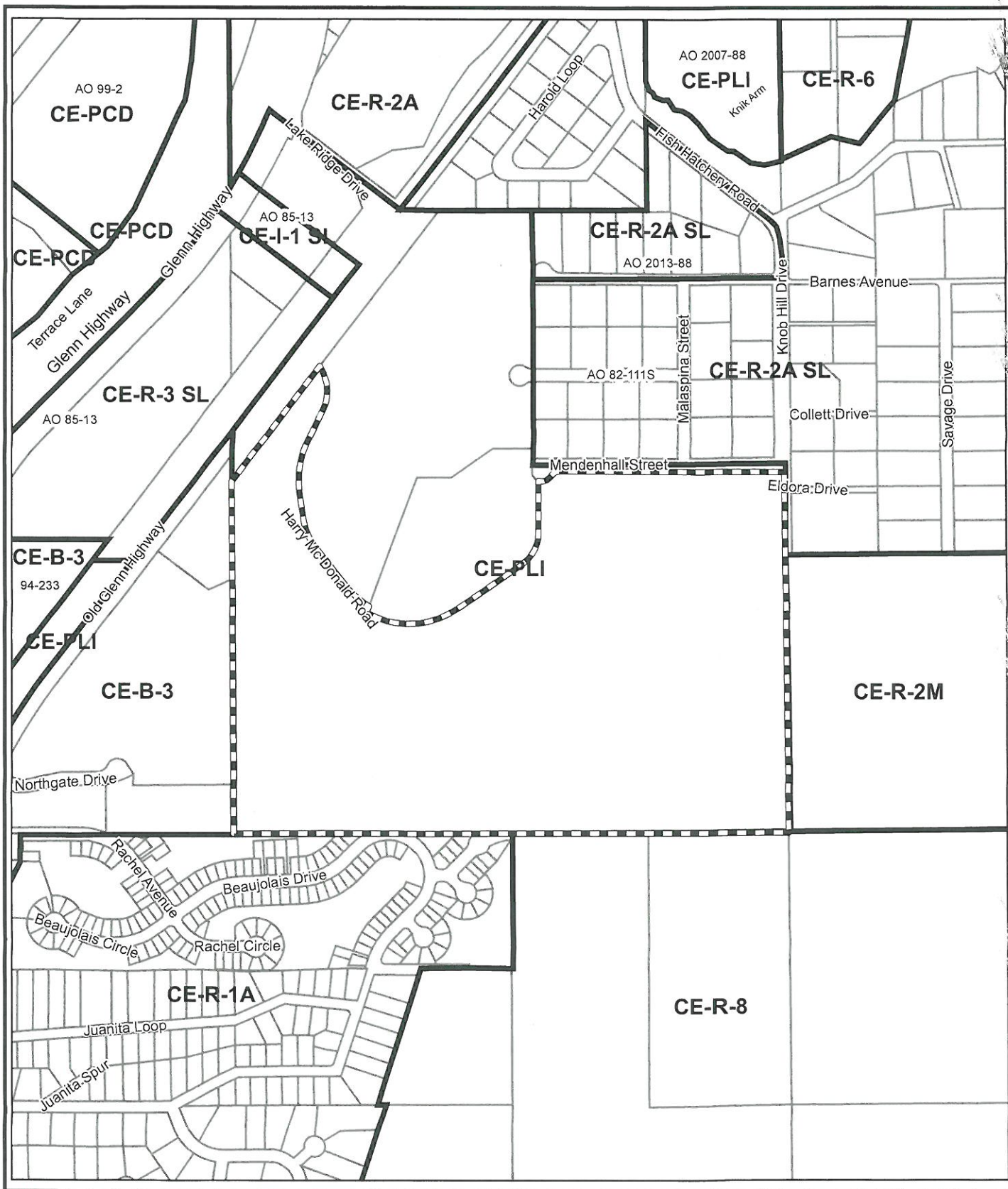
**1**

# **MAPS**





# Case # S12423



Municipality of Anchorage  
Planning Department  
Date: June 08, 2018

**2**

# **APPLICATION**

# Application for Preliminary Plat

Municipality of Anchorage  
 Planning Department  
 PO Box 196650  
 Anchorage, AK 99519-6650



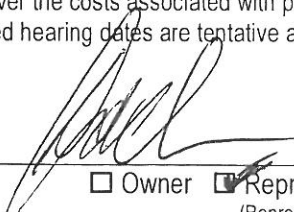
PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first)	MOA Heritage Land Bank	Name (last name first)	Dave Hale, R&M Consult.
Mailing Address	PO Box 196650	Mailing Address	9101 Vanguard Dr.
	Anchorage, AK. 99519		Anchorage, AK. 99507
Contact Phone – Day	907-343-7533	Contact Phone – Day	907-646-9651
Evening		Evening	
Fax	907-343-7953	Fax	
E-mail	wwwhlb@muni.gov	E-mail	dhale@rmconsult.com

\*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION			
Property Tax # (000-000-00-000): 051-361-44-000			
Site Street Address: No address			
Current legal description: (use additional sheet if necessary) Tract B4, Recreation Center Subdivision			
Zoning: CE PLI	Acreage: 91.41	Underlying Plat #: 85-82	Grid #: NW 0453
# Lots: None	# Tracts: 1	Total # parcels: 1	


PROPOSED SUBDIVISION INFORMATION		
Proposed legal description: (use additional sheet if necessary) Tracts 1 thru 4, Carol Creek Subdivision		
# Lots: None	# Tracts: 4	Total # parcels: 4

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to subdivide it in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the subdivision. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff or the Platting Authority for administrative reasons.

Signature   Owner  Representative  
 (Representatives must provide written proof of authorization)

5/29/18  
 Date

Print Name  
 Dave Hale

Accepted by: 	Poster & Affidavit: 4+1	Fee: 4950.00	Case Number: S12423	Requested Meeting Date: 8/1/2018
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**COMPREHENSIVE PLAN INFORMATION**

Anchorage 2020 Urban/Rural Services:  Urban  Rural

Anchorage 2020 Major Elements – site is within or abuts:

Major employment center  Redevelopment/mixed use area  Town center

Neighborhood commercial center  Industrial reserve

Transit - supportive development corridor  District/area plan area: \_\_\_\_\_

Chugiak-Eagle River Land Use Classification:

Commercial  Industrial  Parks/open space  Public lands/institutions  Town center

Transportation/community facility  Alpine/slope affected  Special study area  Development reserve

Residential at \_\_\_\_\_ dwelling units per acre  Environmentally sensitive area

Girdwood- Turnagain Arm Land Use Classification

Commercial  Industrial  Parks/open space  Public lands/institutions  Resort

Transportation/community facility  Alpine/slope affected  Special study area  Reserve

Residential at \_\_\_\_\_ dwelling units per acre  Mixed use  Rural homestead

**ENVIRONMENTAL INFORMATION** (All or portion of site affected)

Wetland Classification:  None  "C"  "B"  "A"

Avalanche Zone:  None  Blue Zone  Red Zone

Floodplain:  None  100 year  500 year

Seismic Zone (Harding/Lawson):  "1"  "2"  "3"  "4"  "5"

**RECENT REGULATORY INFORMATION** (Events that have occurred in last 5 years for all or portion of site)

Rezoning - Case Number: \_\_\_\_\_

Preliminary Plat  Final Plat - Case Number(s): \_\_\_\_\_

Conditional Use - Case Number(s): \_\_\_\_\_

Zoning variance - Case Number(s): \_\_\_\_\_

Land Use Enforcement Action for \_\_\_\_\_

Building or Land Use Permit for \_\_\_\_\_

Wetland permit:  Army Corp of Engineers  Municipality of Anchorage

**POTABLE WATER AND WASTE WATER DISPOSAL**

Potable Water provide by:  Public utility  Community well  Private well

Wastewater disposal method:  Public utility  Community system  Private on-site

**APPLICATION REQUIREMENTS**

1 copy required:  Signed application (original)  
 Watershed sign off form, completed  
 8½" by 11" reduced copy of plat  
 Certificate to Plat

4 copies required:  Subdivision drainage plan

9 copies required:  Topographic map of platted area on preliminary plat

45 copies required:  Signed application (copies)  
 (35 copies for a  Preliminary plat  
 short plat)  Summary of community meeting(s) (not required for short plat)  
 (Additional information may be required)

Additional required documents unless specifically waived by Platting Officer:  
 Soils investigation and analysis reports (4 copies) Waived by D. Whitfield





# Municipality of Anchorage

Ethan Berkowitz, Mayor

- Real Estate Department -

February 27, 2018

Current Project Legal Description: Tract B4 Recreation Center Subdivision; PID 051-361-44  
Proposed Legal Descriptions: Tracts 1 – 5 Carol Creek Subdivision  
Type of Authorization: Platting Action

Statement:

I hereby authorize R&M Consultants, Inc. to represent the Municipality of Anchorage, Real Estate Department Heritage Land Bank Division in the platting action for the above referenced parcel.

A handwritten signature in cursive script that reads "Robin E. Ward".

Robin E. Ward  
Director



**First American**

**First American Title Insurance Company**

3035 C Street  
Anchorage, AK 99503  
Phn - (907)561-1844 (800)770-0510  
Fax - (907)562-0540

## CERTIFICATE TO PLAT

To: R&M Consultants Inc  
9101 Vanguard Drive  
Anchorage, AK 99507

Order No.: 0209-3018715  
Plat: RECREATION CENTER SUBDIVISION /  
Project No. 2375.10

Attn: Dave Hale

Fee: \$300.00

This is a Certificate as of March 05, 2018 at 8:00 A.M. for a proposed plat of the following described property:

Tract B4, RECREATION CENTER SUBDIVISION, according to the official plat thereof, filed under Plat Number 85-82, Records of the Anchorage Recording District, Third Judicial District, State of Alaska.

The Company certifies that title is vested in:

Municipality of Anchorage

free from all liens, encumbrances and objections EXCEPT AS FOLLOWS:


1. Reservations or exceptions in patents or in acts authorizing the issuance thereof.
2. Reservations and exceptions as contained in the State of Alaska Patent.
3. Taxes and/or Assessments, if any, due The Municipality of Anchorage.
4. Reservation of section line easement 50 feet in width along each side of section line as provided by A.S. 19.10.010.
5. Easements as dedicated and shown on the plat of said subdivision. (Copy attached)
6. The effect of the notes which appear on the plat of said subdivision. (Copy attached)
7. Slope easements as dedicated and reserved on the plat of said subdivision as follows;  
  
"There shall be reserved adjacent to the dedicated streets shown hereon a slope reservation easement sufficient to contain cut and fill slopes of 1.5 feet horizontal for each 1 foot vertical (1.5 to 1) of cut or fill for the purpose of providing and maintaining the lateral support of the constructed streets. There is reserved to the grantors, their successors and assigns, the right to use such areas at any time upon providing and maintaining other adequate lateral support, as approved by the Municipality."
8. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Unnamed creek.
9. Any question that may arise due to the shifting and/or changing in the course of Unnamed creek.

First American Title  
S 1 2 4 2 3 - - AUG 0 1 2018

10. Easement Agreement and the terms and conditions thereof:  
Between: Anchorage, an Alaska municipal corporation  
And: Fred Meyer of Alaska, Inc., an Alaska corporation  
Recording Information: Serial Number 2002-028964-0

This report is restricted to the use of the addressee, and is not to be used for closing any transaction affecting title to said property. Liability of the Company is limited to the amount of fee paid herein.

***First American Title Insurance Company***

A handwritten signature in black ink that reads "Lorenzo Nolan". The signature is written in a cursive, flowing style.

Lorenzo Nolan, Title Officer

Limitation of Liability for Informational Report

**IMPORTANT - READ CAREFULLY:** THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.



**First American**

**First American Title Insurance Company**

3035 C Street

Anchorage, AK 99503

Phone: (907)561-1844 / Fax: (907)562-0540

PR: N WEST

Ofc: 0209 (3426)

**Final Invoice**

To: R&M Consultants Inc  
9101 Vanguard Drive  
Anchorage, AK 99507

Invoice No.: 3426 - 20951445

Date: 02/28/2018

Our File No.: 0209-3018715

Title Officer:

Escrow Officer:

Customer ID: AK03477

Attention: Dave Hale

Liability Amounts

Owners: \$300.00

Lenders:

Your Ref.: Project No. 2375.10

RE: Property:  
NHN NSN, Anchorage, AK

Buyers:

Sellers: Municipality of Anchorage, Heritage Land Bank

Description of Charge	Invoice Amount
Guarantee: Subdivision/Plat Certificate	\$250.00

**INVOICE TOTAL \$250.00**

**Comments:**

**Thank you for your business!**

*To assure proper credit, please send a copy of this Invoice and Payment to:*

*Attention: Accounts Receivable Department*

*PO Box 31001-2281*

*Pasadena, CA 91110-2281*

# State of Alaska



## Patent

No. 5388

201181

Know All Men By These Presents that the State of Alaska, in consideration of the sum of TEN AND NO/100 DOLLARS lawful money of the United States, and other good and valuable considerations, now paid, the receipt whereof is hereby acknowledged, does hereby grant to MUNICIPALITY OF ANCHORAGE Pouch 6-650, Anchorage, Alaska 99502 and to its successors, all that real property situated in the County of Municipality of Anchorage, State of Alaska, and described as follows:

TOWNSHIP 15 NORTH, RANGE 2 WEST, SEWARD MERIDIAN

SECTION 36: S4SE4W4E4. Excluding the Old Glenn Highway Right-of-Way.

W4SE4. Excluding the Old Glenn Highway Right-of-Way and Lots 3 and 4 according to the plat of survey for the East half of Section 36, Township 15 North, Range 2 West, Seward Meridian, filed in the Anchorage Recording District on December 4, 1963 as Plat No. 63-115. Subject to Right-of-Way Permit ADL 00135.

GLO LOT 4. Excluding Lots 1A, 4A, 6A, 8A, 10A, 12A, 14A, 17A of Block 1; Lots 1A, 3A, 5A, 7A, 9A, 11A, 13A, 15A of Block 2; Lots 1A, 3A, 5A, 7A, 9A, 11A, 13A, 15A of Block 3; and Tract "A", according to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133. Subject to Right-of-Way Permit ADL 00263.

S4SW4SE4NE4.

GLO LOT 5. Excluding Tract "A", according to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.

Subject to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.

Tract "A". Containing 10.718 acres, more or less. According to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.

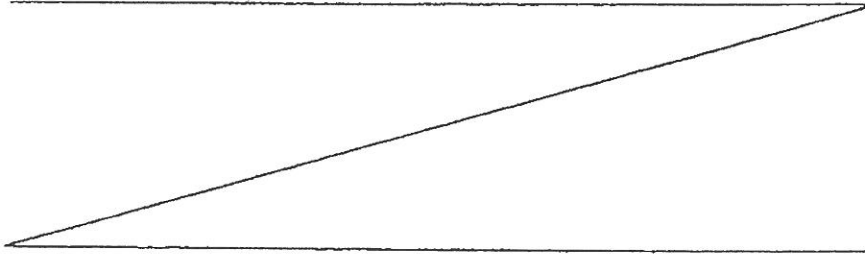
Subject to valid existing trails, roads and easements.

CONTAINING AN AGGREGATE OF 151.6 ACRES, MORE OR LESS.

Subject to A.S. 38.05.127 access to navigable or public waters.

Net chargeable acreage under A.S. 29.18.201 is 143.8 acres.

AS PORTRAYED ON THE ATTACHED MUNICIPAL LAND NOMINATIONS/ SELECTIONS MAP.



Township 15 NORTH Range 2 WEST SEWARD Meridian

Alaska, according to the official survey thereof numbered \_\_\_\_\_

But And Except those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title;

And Further, Alaska, as Grantor, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissile materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissile materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working in, on or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissile materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

We Have And We Hold the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantor and its successors and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Forest, Land and Water Management, Department of Natural Resources, State of Alaska, this 17th day of November, A.D., 1980.

*George K. Hollett*  
for Director, Division of Forest, Land and Water Management

State of Alaska }  
THIRD Judicial District } ss.

Who do Certify that on the 17th day of November, 1980, appeared before me

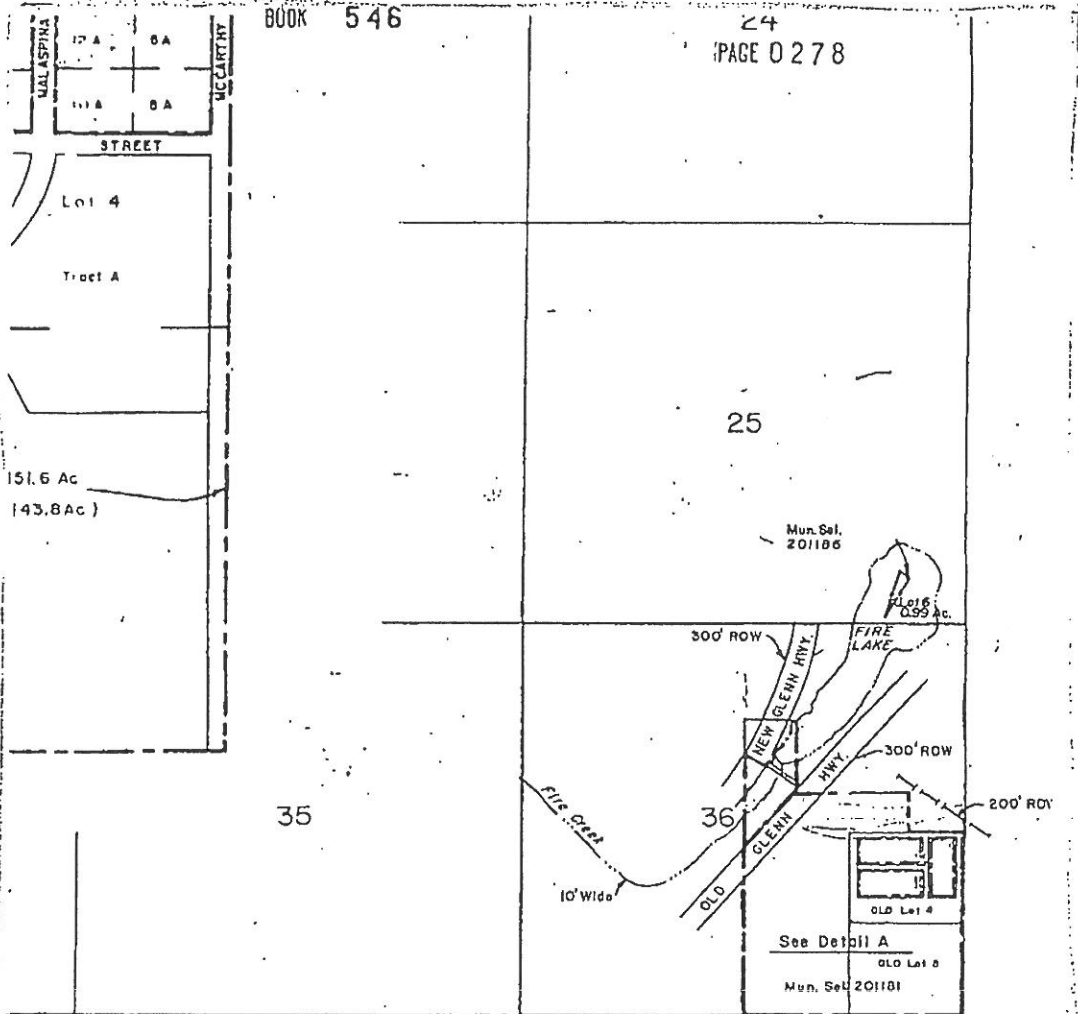
GEORGE K. HOLLETT who is known to me to be the Director of the Division of Forest, Land and Water Management, Department of Natural Resources, State of Alaska, or the person who has been lawfully delegated the authority of said Director to execute the foregoing document; that he executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.



*George K. Hollett*  
Notary Public in and for Alaska  
My Commission expires May 16, 1984

State Record of Patents  
Vol. LIV  
Page 88  
ADL No. 201181





BOOK 546

24  
PAGE 0278

80-053030  
14-

THIS MAP  
DATA NOT  
WARRANTED

RECORDED-FILED  
ANCHORAGE REC.  
DISTRICT

Nov 19 11 28 AM '80

REQUESTED BY *Municipal*  
ADDRESS *Dist of Law*

11-5-80	Revise description to exclude B1 GLO Lot 4
DATE	REVISION

A  
L  
A  
S  
K  
A

**2010-070681-0**

Recording Dist: 301 - Anchorage  
12/29/2010 12:24 PM Pages: 1 of 3



## State Business – No Charge

**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR THE RECORDING DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

Return To:  
Department of Natural Resources  
Division of Mining, Land, and Water  
Contracts Administration Unit  
550 West 7<sup>th</sup>, Suite 640  
Anchorage, AK 99501-3576

**DO NOT DETACH**

# State of Alaska



## Patent

This is to certify that the foregoing is a full, true and correct copy of the original as the same appears in the files of Contract Administration.

Signed R.M. Dal

Title RESA

Date 12/21/70

No. 5388

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lawful money of the United States, and other good and valuable considerations, now paid, the receipt whereof is hereby acknowledged, does hereby grant to

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Pouch 6-650, Anchorage, Alaska, 99502 and to

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Subject to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.



2 of 3  
2010-070681-0

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT AS RECORDED BY THE RECORDS MAINTAINED UNDER THE SUPERVISION OF THE DIVISION OF FOREST, LAND & WATER MANAGEMENT, DEPT. OF NATURAL RESOURCES, STATE OF ALASKA.  
NAME [Signature]  
HEAD, CONTRACT ADMINISTRATION  
DATE November 17, 1970

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to certify that the foregoing is a full, true and correct copy of the original as the same appears in the files of Contract Administration.

Signed R. McNeil  
Title NRS #  
Date 12/28/80

Township 15 NORTH Range 2 WEST SEWARD Meridian

Alaska, according to the official survey thereof numbered \_\_\_\_\_

Save And Except those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title;

And Further, Alaska, as Grantor, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, flammable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described; or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, flammable materials, geothermal resources, and fossils; and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, flammable materials, geothermal resources, and fossils; and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

We Have And Do Hold the said land together with the tenements, hereditaments, and appurtenances therunto appertaining, unto the said Grantee and its successors, heirs and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Forest, Land and Water Management, Department of Natural Resources, State of Alaska, this 17th day of November, A.D., 1980.

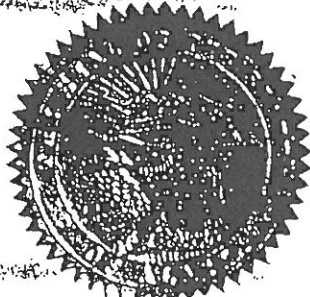
George K. Hollett  
Director, Division of Forest, Land and Water Management

State of Alaska  
THIRD Judicial District

Who Is To Certify that on the 17th day of November, 1980, appeared before me

GEORGE K. HOLLETT who is known to me to be the Director of the Division of Forest, Land and Water Management, Department of Natural Resources, State of Alaska, or the person who has been lawfully delegated the authority of said Director to execute the foregoing document; that he executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

Mary A. Senni  
Notary Public in and for Alaska  
My Commission expires May 16, 1984



State Record of Patents  
Vol LIV  
Page 88  
ADL No. 201181



3 of 3  
2010-070681-0

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT AS RECEIVED BY THE RECORDS MAINTAINED UNDER MY SUPERVISION IN THE DIVISION OF FOREST, LAND & WATER MANAGEMENT, DEPT. OF NATURAL RESOURCES, STATE OF ALASKA.  
NAME George K. Hollett  
HEAD, CONTRACT ADMINISTRATION  
DATE November 17, 1980

Anchorage 051787

62-9348  
8-1048

BOOK 242 PAGE 341  
Anchorage Recording District

## The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, There are now deposited in the Bureau of Land Management of the United States, an application by the State of Alaska and a decision of the Land Office at Anchorage, Alaska, directing that a patent issue to the State of Alaska under the provisions of the Act of Congress approved June 21, 1934 (48 Stat. 1185), entitled "An Act Authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the Act approved February 22, 1889, by the Act approved January 25, 1927 (44 Stat. 1026), and by any other Act of Congress," for the following numbered school section lands in place, granted for the support of common schools and the title to which vested in the State of Alaska under the Act of March 4, 1915 (38 Stat. 1214), upon its admission into the union on January 3, 1959, by Presidential Proclamation (73 Stat. c16):

Seward Meridian, Alaska.  
T. 15 N., R. 2 W.,  
Sec. 36, Lots 4, 5 and 6, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The area described contains 209.39 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW, THEREFORE, KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the said Act of Congress of June 21, 1934 and as evidence of the title which was granted to and vested in the State of Alaska to the above described lands on January 3, 1959, for the support of common schools, as aforesaid, and in confirmation of such title for such purpose, HAS

Patent Number 1220932

U. S. GOVERNMENT PRINTING OFFICE 16-22747-9

BOOK 342 PAGE 342  
Anchorage Recording District  
Anchorage 051787

4-1044  
(July 1967)

GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said State of Alaska, and to its assigns the lands above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature thereunto belonging, unto the said State of Alaska and to its assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States. There is, also, reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines in accordance with the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. Sec. 305); and also, as to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  said Sec. 36, subject to the easement of 150 feet on each side of the centerline of the Glenn Highway, as established by Public Land Order 1613 (23 F.R. 2376), pursuant to the Act of August 1, 1956 (70 Stat. 898; 48 U.S.C. sec. 420-420c), for highway purposes, including appurtenant protective, scenic and service areas.

RECORDED - FILED	
<i>Lynch</i> REC. DIST.	
DATE <u>6-18</u> 19 <u>62</u>	
TIME <u>10:55</u> <u>A</u> M	
By <u>Director of Land</u>	
Address <u>344 North</u>	
<u>Anchorage</u>	
(SEAL)	

STATE BUSINESS - NO CHARGE

IN TESTIMONY WHEREOF, the undersigned officer of the Bureau of Land Management, in accordance with section 1 of the act of June 17, 1948 (62 Stat. 476, 43 U. S. C. sec. 15), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the EIGHTEENTH day of MAY in the year of our Lord one thousand nine hundred and SIXTY-TWO and of the Independence of the United States the one hundred and EIGHTY-SIXTH.

For the Director, Bureau of Land Management.

By Elizabeth B. Hucker  
Acting Chief, Patents Section.

RECORD OF PATENTS: Patent Number 1226962

U. S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT 16-7270a-1

# State of Alaska



## Patent

No. 5388

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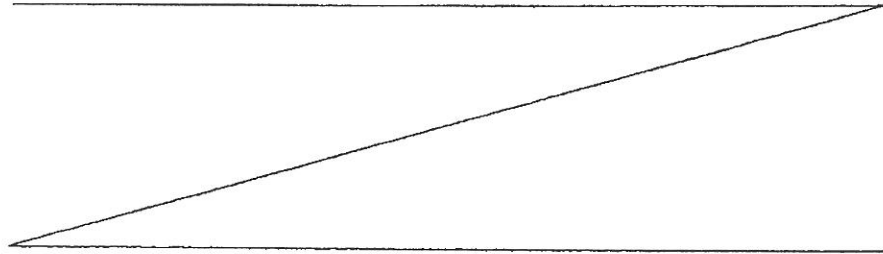
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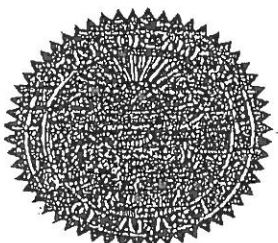
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*George K. Hollett*  
Director, Division of Forest, Land and Water Management

State of Alaska }  
THIRD Judicial District } ss

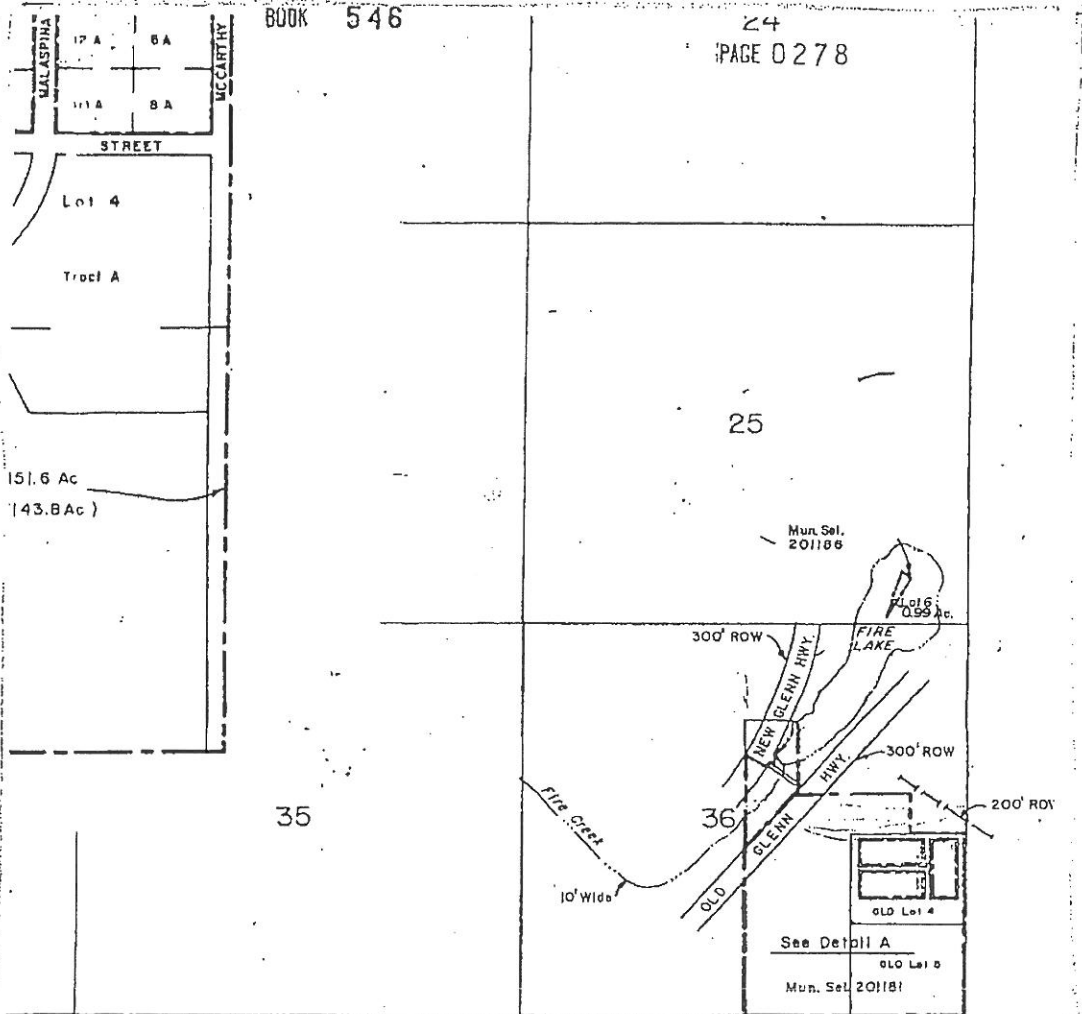
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State Record of Patents  
Vol. LIV  
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ADL No. 201181





80-053030  
14-

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DISTRICT  
Nov 19 11 16 AM '80  
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ADDRESS *Dept of Law*

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A  
L  
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K  
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**2010-070681-0**

Recording Dist: 301 - Anchorage  
12/29/2010 12:24 PM Pages: 1 of 3



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Department of Natural Resources  
Division of Mining, Land, and Water  
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550 West 7<sup>th</sup>, Suite 640  
Anchorage, AK 99501-3576

**DO NOT DETACH**

# State of Alaska



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Title RSW

Date 12/24/10

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Pouch: 6-650, Anchorage, Alaska, 99502 and to

its ~~heirs~~ <sup>successors</sup> and assigns, all that real property situated in the ~~County of~~ Municipality of Anchorage, State of Alaska, and described as follows:

TOWNSHIP 15 NORTH, RANGE 2 WEST, SEWARD MERIDIAN

SECTION 36: S $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$  Excluding the Old Glenn Highway Right-of-Way  
W $\frac{1}{2}$ SE $\frac{1}{2}$  Excluding the Old Glenn Highway Right-of-Way and Lots 3 and 4 according to the plat of survey for the East half of Section 36, Township 15 North, Range 2 West, Seward Meridian, filed in the Anchorage Recording District on December 4, 1963 as Plat No. 63-115. Subject to Right-of-Way Permit ADL 00135.

GLO LOT 4. Excluding Lots 1A, 4A, 6A, 8A, 10A, 12A, 14A, 17A of Block 1; Lots 1A, 3A, 5A, 7A, 9A, 11A, 13A, 15A of Block 2; Lots 1A, 3A, 5A, 7A, 9A, 11A, 13A, 15A of Block 3; and Tract "A", according to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133. Subject to Right-of-Way Permit ADL 00263.

S $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ .

GLO LOT 5. Excluding Tract "A", according to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.

Subject to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.



2 of 3  
2010-070681-0

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT AS RECORDED BY THE RECORDS MAINTAINED UNDER SUPERVISION OF THE DIVISION OF FOREST, LAND & WATER MANAGEMENT, DEPT. OF NATURAL RESOURCES, STATE OF ALASKA.  
NAME R. M. De  
HEAD, CONTRACT ADMINISTRATION  
DATE November 17, 1980

Tract "A". Containing 10.718 acres, more or less. According to the Fire Lake Alaska Subdivision Plat filed in the Anchorage Recording District on December 29, 1964 as Plat No. 64-133.

Subject to valid existing trails, roads and easements.

CONTAINING AN AGGREGATE OF 151.6 ACRES, MORE OR LESS.

Subject to A.S. 38.05.127 access to navigable or public waters.

Net chargeable acreage under A.S. 29.18.201 is 143.8 acres.

AS PORTRAYED ON THE ATTACHED MUNICIPAL LAND NOMINATIONS/ SELECTIONS MAP.

I certify that the foregoing is a full, true and correct copy of the original as the same appears in the files of Contract Administration.

Signed R.M. De  
Title NRG  
Date 12/28/80

Township 15 NORTH Range 2 WEST SEWARD Meridian

Alaska, according to the official survey thereof numbered \_\_\_\_\_

Save And Except those restrictions appearing in the Federal Patent or other conveyances by which the Grantor acquired title;

And Further, Alaska, as Grantor, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ore, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described; or any part thereof, and the right to explore the same for such oils, gases, coal, ore, minerals, fissionable materials, geothermal resources, and fossils; and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ore, minerals, fissionable materials, geothermal resources, and fossils; and to that, and it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally, all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

To Have And To Hold the said land, together with the tenements, hereditaments, and appurtenances thereto appertaining, unto the said Grantee and its SUCCESSORS heirs and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Forest, Land and Water Management, Department of Natural Resources, State of Alaska, this 17th day of November, A.D. 1980.

George K. Hollett  
Director, Division of Forest, Land and Water Management

State of Alaska  
THIRD JUDICIAL DISTRICT

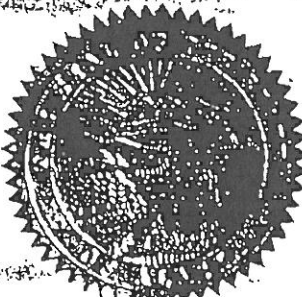
This Is To Certify that on the 17th day of November, 1980, appeared before me

GEORGE K. HOLLETT who is known to me to be the Director of the Division of Forest, Land and Water Management, Department of Natural Resources, State of Alaska, or the person who has been lawfully delegated the authority of said Director to execute the foregoing document; that he executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

Mary P. Sims  
Notary Public in and for Alaska  
My Commission expires May 16, 1984

State Record of Patents  
Vol. LIV  
Page 88  
ADL No. 201181

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT AS RECEIVED BY THE RECORDS MAINTAINED UNDER MY SUPERVISION IN THE DIVISION OF FOREST, LAND & WATER MANAGEMENT, DEPT. OF NATURAL RESOURCES, STATE OF ALASKA.  
NAME George K. Hollett  
HEAD, CONTRACT ADMINISTRATION  
DATE November 17, 1980



3 of 3  
2010-070681-0



**2002-028964-0**

Recording Dist: 301 - Anchorage  
4/30/2002 3:22 PM Pages: 1 of 8

A  
L  
A  
S  
K  
A



**Recording requested by and  
After recording, return to:**

Fred Meyer Stores, Inc.  
Attn: Maureen Flanagan  
3800 SE 22<sup>nd</sup> Avenue, Portland, OR 97202  
PO Box 42121  
Portland, OR 97242-0121

cc

99-554

**EASEMENT AGREEMENT**  
(Eagle River, Alaska Fred Meyer Development)

**BETWEEN**

**ANCHORAGE, an Alaska municipal corporation  
as "GRANTOR"**

**and**

**FRED MEYER OF ALASKA, INC., an Alaska corporation  
as "GRANTEE"**

**EASEMENT AGREEMENT**  
(Eagle River, Alaska Fred Meyer Development)

This EASEMENT AGREEMENT ("**Agreement**") between ANCHORAGE, an Alaska municipal corporation whose address is P.O. Box 196650, Anchorage, Alaska 99519-6650 ("**Grantor**") and **FRED MEYER OF ALASKA, INC.**, an Alaska corporation whose address is P.O. Box 42121, Portland, Oregon 97242-0121 ("**Grantee**") is effective this 15<sup>th</sup> day of February, 2002.

**RECITALS**

- A. Grantor owns the real property legally described on the attached **Exhibit A** (alternatively referenced herein as the "**Servient Estate**" or the "**Easement Area**").
- B. Grantee owns the property adjacent to the Servient Estate which property is more particularly described on the attached **Exhibit B** ("**Property**").
- C. The creation of a terraced and/or sloped landscape area on the Servient Estate would mutually benefit the parties.
- D. In consideration of the mutual benefits and promises contained herein, Grantor desires to grant to Grantee, an easement to create the above referenced landscape area under the terms and conditions set forth below.

**AGREEMENT**

1. **GRANT OF EASEMENT.** Grantor hereby grants to Grantee an easement for the construction, use, maintenance, inspection and repair of terraces, slopes, fencing and landscaping ("**Improvements**") within the Easement Area (the "**Easement**") as may be necessary for development of the Property by Grantee
2. **SCOPE OF EASEMENT.** The Grantor shall not construct any permanent improvements in the Easement Area other than a fence, without the prior written consent of Grantee, except that the Grantor may use the Easement Area for any purpose which is consistent with Grantee's easement rights in this Agreement, such as landscaping the installation of utilities, or the installation of pedestrian and/or bicycle trails.
3. **MAINTENANCE AND REPAIRS; RESTORATION.** The Improvements shall be placed within the Easement Area pursuant to all governing local, municipal and state codes and regulations. If constructed, the Improvements shall be constructed, repaired and maintained in a good and workmanlike manner by Grantee. Grantee is solely responsible for the repair and maintenance of the Improvements.



4. **NON-EXCLUSIVE EASEMENT.** This Easement is granted subject to all prior easements and encumbrances of record.

5. **GENERAL PROVISIONS.**

5.1. **Protection of Rights of Mortgagees.** No breach of the provisions in this Agreement shall defeat or render invalid the lien of any mortgage(s) or deed(s) of trust now or hereafter executed which affects the parties' respective interests pursuant to this Agreement; provided, however, that upon any sale under foreclosure of any mortgage(s) or under the provisions of any deed(s) of trust, any purchaser at such sale, and its successors and assigns, shall hold any and all property interest so purchased subject to all of the provisions of this Agreement.

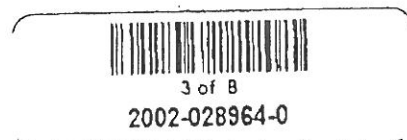
5.2. **Successors and Assigns.** This Agreement shall be appurtenant to the Servient Estate. Every obligation under this Agreement shall run with the land and shall be binding upon the parties and upon the heirs, personal representatives, successors and assigns of each of the foregoing.

5.3. **Indemnity.** Each party shall defend, indemnify and hold the other harmless from any claim, loss, liability, expense or third party claim (including reasonable attorneys' fees) arising out of or in connection with a party's, or a party's agents, contractor's or invitee's use of the Easement Area, or a party's negligence or failure to comply with the terms, restrictions and provisions of this Agreement.

5.4. **Notices.** Notices given under this Agreement shall be in writing and delivered by certified or registered U.S. Mail, postage paid with return receipt requested; by United States express mail or other established express delivery service (such as Federal Express), postage or delivery charge prepaid; by facsimile or other telecommunication device capable of transmitting or creating notice by written notice to the other party. In the absence of such notice of a party's address for notice purposes, any notice under this Agreement may be given to the address to which property tax statements are delivered by the taxing authority. Unless the parties subsequently designate another address for notice given pursuant to the Section, notices should be sent to the following address:

To Grantor:                      Roundup Co.  
   c/o Fred Meyer Stores, Inc.  
   3800 SE 22<sup>nd</sup> Avenue, Portland, Oregon 97202  
   Portland Box 42121, Portland, Oregon 97242  
   Attn: Group Vice President  
   Real Estate and Store Development 04002-33R  
   Facsimile No.: 503.797.3539

With a copy to:                  Fred Meyer Stores, Inc.



3800 SE 22<sup>nd</sup> Avenue, Portland, Oregon 97202  
PO Box 42121, Portland, OR 97242  
Attn: Corporate Law Department 04002-23C  
Facsimile No.: 503.797.5623

To Grantee: Municipality of Anchorage  
James P. Tilton  
Land Management Officer, Heritage Land Bank  
P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Facsimile No.: 907.343.4526

For the purposes of this Agreement, the term "receipt" shall mean the earlier of any of the following (i) the date of delivery of the notice or other document to the address specified pursuant to this Section as shown on the return receipt or by the records of the courier, (ii) the date of actual receipt of the notice or other document by the office of the person or entity specified pursuant to this Section, or (iii) in the case of refusal to accept delivery or inability to deliver the notice or other document, the earlier of (A) the date of the attempted delivery or refusal to accept delivery, (B) the date of the postmark on the return receipt, or (C) the date of receipt of notice of refusal or notice of nondelivery by the sending party.

5.5 **Amendments and Termination of Agreement.** Except as otherwise set forth herein, this Agreement may not be modified, amended, or terminated except by the written agreement of the parties or their respective successors and assigns. A party may waive one or more of its rights under this Agreement in writing signed by the party, and such writing need not be recorded. Otherwise, no modification or amendment of any provision of this Agreement shall be binding on the parties unless signed by the parties and recorded in the real property records of the county or recording district in which the property is situated.

5.6 **Effect of Invalidation.** If any provision of this Agreement is held to be invalid or unenforceable for any reason, such provision shall be ineffective to the extent of such invalidity or unenforceability, but the validity of the remaining provisions of this Agreement shall not be affected thereby. Furthermore, in lieu of each such invalid or unenforceable provision, there shall be added automatically as a part of this Agreement, a provision as similar in terms to such invalid or unenforceable provision as may be possible and be valid and enforceable.

5.7 **No Partnership; Disclaimer.** No provision of this Agreement or previous (or subsequent) conduct or activities of any party and/or present or subsequent parties will be construed: (i) as making the party and/or present or subsequent parties a partner, joint venturer, agent or principal of or with each other, (ii) as creating any express or implied obligation for a party to construct a building or other improvements on its property or for



Grantee to develop or operate the Property as a Fred Meyer development or otherwise, or (iii) as making Fred Meyer and/or present or subsequent parties responsible for payment or reimbursement of any costs incurred by each other, whether or not such development occurs (except as may be expressly set forth herein or as expressly set forth in the purchase and sale agreement and/or any formal development agreement or other written agreements mutually executed by the parties). Whether and how a party may operate its property is at its discretion.

5.8 **Attorneys' Fees.** In the event suit or action is instituted to interpret or enforce the terms of this Agreement, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorneys' fees at trial, on appeal of such suit or action, and on any petition for review, in addition to all other sums provided by law.

5.9 **Governing Law.** This Agreement will be governed and construed in accordance with the laws of the State of Alaska.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year indicated below.

GRANTOR:

MUNICIPALITY OF ANCHORAGE

By: *Dennis J. Conner*

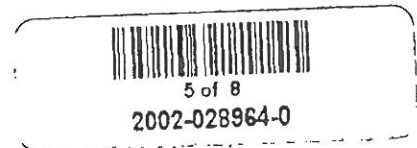
Title: EXECUTIVE DIRECTOR  
HERITAGE LAND BANK

GRANTEE:

FRED MEYER OF ALASKA, INC.

By: *Ralph C. Ullie*

Title: Vice President

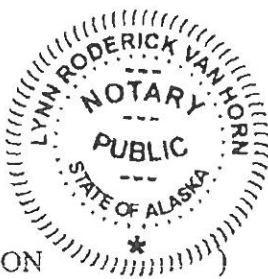


**ACKNOWLEDGMENTS**

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me this 21<sup>ST</sup> day of FEBRUARY, 2002, by GEORGE J. CANVELDS, the EXECUTIVE DIRECTOR OF THE HERITAGE LAND BANK of The Municipality of Anchorage, an Alaska municipal corporation, on behalf of the corporation.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal the day and year first above written.

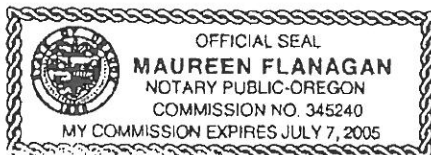


Lynn Roderick Van Horn  
Notary Public in and for the State of Alaska  
Residing at: ANCHORAGE, AK.  
My commission expires: December 1, 2005

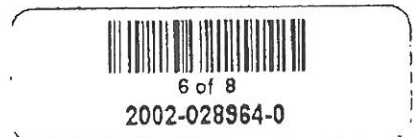
STATE OF OREGON )  
 ) ss.  
County of MULTNOMAH )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of February, 2002, by ROBERT T. CURREY-WILSON, the VICE PRESIDENT of FRED MEYER OF ALASKA, INC., an Alaska corporation, on behalf of the corporation.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal the day and year first above written.



Maureen Flanagan  
Notary Public in and for the State of Oregon  
Residing at: PORTLAND OR  
My commission expires: 7-7-2005

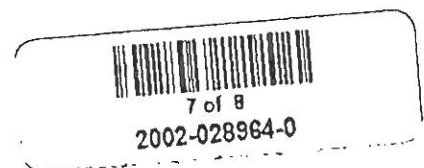


**EXHIBIT A**

**Legal Description of "Servient Estate" or "Easement Area"**

A TRACT OF LAND LOCATED WITHIN TRACT B4, RECREATION CENTER SUBDIVISION, FILED AS PLAT NO. 85-82 IN THE ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing at the southwest corner of said Tract B4; thence on the west line thereof N00°10'53"W 224.04 feet to the True Point of beginning for this description; thence N89°49'07"E 29.73 feet; thence N04°37'15"E 239.29 feet; thence N23°46'12"E 76.44 feet; thence N18°02'08"W 68.57 feet; thence N13°01'59"E 43.76feet; thence N03°21'59"W 170.29 feet; thence N16°42'54"W 98.15 feet; thence N02°56'42"E 104.92 feet; thence N17°01'09"W 47.83 feet; thence N35°01'49"E 59.23 feet; thence N28°01'56"W 125.01 feet to a point on the West line of Tract B4; thence on said west line S00°10'53"E 989.77 feet to the True Point of Beginning, embracing an area of 47,151 square feet, being 1.08 acres, more or less.



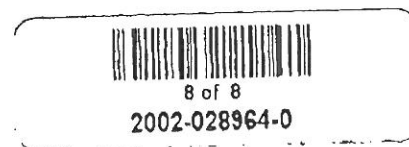
**EXHIBIT B**

Legal Description of Fred Meyer Property

PARCEL 1:

Tract 1D, NORTHGATE BUSINESS PARK, according to the official plat thereof, filed under Plat Number 2002- 45, Records of the Anchorage Recording District, Third Judicial District, State of Alaska.

EXCEPTING THEREFROM THE SUBSURFACE ESTATE and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska native Claims Settlement Act of 12-18-71 (85 Stat 688, 704; 43 U.S.C. 1601, 1613 (f) (1976) as reserved by the United States of America.)



**3**

**REVIEWING  
AGENCY &  
PUBLIC  
COMMENTS**



METROPOLITAN PLANNING ORGANIZATION  
4700 Elmore Road  
Anchorage, Alaska 99507  
Non-Motorized Transportation Coordinator  
e-mail: blessingbr@muni.org

**RECEIVED**

JUN 28 2018

PLANNING DEPARTMENT

DATE: June 28, 2018  
TO: David Whitfield, Platting Officer  
FROM: Brooke Blessing, Non-Motorized Transportation Coordinator  
SUBJECT: **S12423** Carol Creek Subdivision

Advisory Comment:

- Please ensure that the 100' Creek Maintenance & Development Setback includes opportunities for any future non-motorized development. The Areawide Trails Plan recommends a non-motorized trail, in addition to the stream protection setback shall be established along every stream where stream setbacks are required in the Chugiak-Eagle River Area.

Easement Requests:

- Provide a 20' relocatable public use/ trail easement within the Proposed Tract 1 to access the 100' Creek Maintenance & Development Setback from the 60' PUE along Harry McDonald Recreation Center.
- Provide a 20' relocatable public use/ trail easement within proposed Tract 4 connecting the Beaujolais Drive /Chardonney Circle Area to the 100' Creek Maintenance & Development Setback.

Cc: Craig Lyon, AMATS

# MUNICIPALITY OF ANCHORAGE



Development Services Department  
Private Development

Phone: 907-343-8301  
Fax: 907-343-8200

*Mayor Ethan Berkowitz*

## MEMORANDUM

### Comments to Preliminary Plat Applications/Petitions

RECEIVED

**DATE:** July 5, 2018

JUL 05 2018

**TO:** David Whitfield, Current Planning; Platting Officer

PLANNING DEPARTMENT

**FROM:** Brandon Telford, Private Development; Plan Review Engineer

**SUBJECT:** Comments for Platting Authority Public Hearing date August 01, 2018  
S12387; S12423

**Case No. S12387 – King Subdivision:** First 24 month Time Extension for a Subdivision Agreement.

#### Department Recommendations:

The Private Development Section has no objection to the time extension.

**Case No. S12423 – Recreation Center Subdivision:** To subdivide one (1) tract of land into four (4) tracts of land.

**Roads:** The proposed subdivision abuts the following rights-of-way:

- To the north, Old Glenn Highway, an Alaska DOT&PF maintained right-of-way that is classified as a Class III Major Arterial in the current OSHP. The Old Glenn Highway appears to be asphalt surfaced with a single travel lane in each direction, multiple turning lanes, curb & gutter on the east (subdivision) side, asphalt surfaced paths on both sides, and Alaska DOT&PF street lighting where it abuts the proposed subdivision.
- To the north, Harry McDonald Road, a Chugiak Birchwood Eagle River Rural Road Service Area maintained right-of-way that is classified as a Class IB Collector in the current OSHP. Harry McDonald Road appears to be strip paved with a width of approximately 30-feet and a separated pathway on the west (subdivision) side for the initial 950-feet where it abuts the proposed subdivision.
- To the north, Mendenhall Street, a Chugiak Birchwood Eagle River Rural Road Service Area maintained right-of-way that is classified as a Local Street in the current OSHP. Mendenhall Street appears to be strip paved or chip sealed with a width of approximately 20-feet where it abuts the proposed subdivision.

- To the east, Knob Hill Drive, a Chugiak Birchwood Eagle River Rural Road Service Area maintained right-of-way that is classified as a Local Street in the current OSHP. Knob Hill Drive appears to be undeveloped where it abuts the proposed subdivision.
- To the south, Beaujolais Drive, a Chugiak Birchwood Eagle River Rural Road Service Area maintained right-of-way that is classified as a Local Street in the current OSHP. Beaujolais Drive appears to be asphalt surfaced with a width of approximately 36-feet (back –of-curb to back-of-curb), Type 2 curb & gutter on both sides and a p.c.c sidewalk on the north (subdivision) side where it abuts the proposed subdivision.

### **Improvement Recommendations:**

Old Glenn Highway appears to be asphalt surfaced with a single lane in each direction, multiple turning lanes, curb & gutter on the east (subdivision) side, asphalt surfaced paths on both sides, and Alaska DOT&PF street lighting where it abuts the proposed subdivision. This does not meet municipal requirements for a Class III Major Arterial; a minimum of 4 lanes are required. Upgrading the Old Glenn Highway to 4 lanes would require a comprehensive project best achieved by an Alaska DOT&PF project. A traffic signal may be required at the intersection of the Old Glenn Highway and Harry McDonald Road to accommodate the additional trips that development of the land being platted may produce. The petitioner is alerted to the possibility of required improvements to the Old Glenn Highway and Harry McDonald Road intersection under any future subdivision or land use permit process as required by AMC 21.03.100.E or AMC 21.08.050. If improvements are required the petitioner shall enter into a Subdivision or Improvement to Public Place Agreement with Private Development.

Harry McDonald Road appears to be strip paved with a width of approximately 30-feet and a separated pathway on the west (subdivision) side for the initial 950-feet (from the Old Glenn Highway intersection) where it abuts the proposed subdivision. This does not meet municipal requirements for a Class IB Collector; Type 1 curb & gutter, municipal street lighting, and separated pathways are required on both sides of Harry McDonald Road. With the exception of proposed Tract 3 further subdivision and re-zoning are likely to occur before any development happens on the propose tracts. The petitioner is alerted to the possibility of required improvements to Harry McDonald Road under any future subdivision or land use permit process as required by AMC 21.03.100.E or AMC 21.08.050. If improvements are required the petitioner shall enter into a Subdivision or Improvement to Public Place Agreement with Private Development.

Mendenhall Street appears to be strip paved or chip sealed with a width of approximately 20-feet where it abuts the proposed subdivision. This does not meet municipal requirements for a Local street in a Class A area. With the exception of proposed Tract 3 further subdivision and re-zoning are likely to occur before any development happens on the propose tracts. The petitioner is alerted to the possibility of required improvements to Mendenhall Street under any future subdivision or land use permit process as required by AMC 21.03.100.E or AMC 21.08.050. If improvements are required the petitioner shall enter into a Subdivision or Improvement to Public Place Agreement with Private Development.

Knob Hill Drive appears to be undeveloped where it abuts the proposed subdivision. With the exception of proposed Tract 3 further subdivision and re-zoning are likely to occur before any development happens on the propose tracts. The petitioner is alerted to the

possibility of required improvements to Knob Hill Drive under any future subdivision or land use permit process as required by AMC 21.03.100.E or AMC 21.08.050. If improvements are required the petitioner shall enter into a Subdivision or Improvement to Public Place Agreement with Private Development.

Beaujolais Drive appears to be asphalt surfaced with a width of approximately 36-feet (back –of-curb to back-of-curb), Type 2 curb & gutter on both sides and a p.c.c sidewalk on the north (subdivision) side where it abuts the proposed subdivision. This does not meet municipal requirements for a Local street in a Class A area; Type 1 curb & gutter and sidewalks are required on both sides of Beaujolais Drive. The petitioner is alerted to the possibility of required improvements to Beaujolais Drive under any future subdivision or land use permit process as required by AMC 21.03.100.E or AMC 21.08.050. If improvements are required the petitioner shall enter into a Subdivision or Improvement to Public Place Agreement with Private Development.

**Right-of-Way Dedication:**

Right-of-way for Beaujolais Drive has been previously dedicated for only half of the required width where it abuts the proposed subdivision. The Beaujolais Drive improvements are constructed in a section line easement. Private Development recommends dedication of the remaining right-of-way needed for Beaujolais Drive. This does not meet municipal requirements for a Local street in a Class A area;

**Plat Notes:**

Private Development recommends the following notes be added to the final plat:

1. The property owners and utilities shall not raise, lower, or re-grade the property in a manner that will alter drainage patterns without prior approval from Municipality of Anchorage Building Safety Office.
2. Property owners and utilities shall not obstruct, impede or alter approved drainage facilities (e.g. swales, ditches) in any way that will adversely impact adjacent properties or rights of way.

**Department Recommendations:**

The Private Development Section has no objection to the proposed subdivision, subject to the above recommendations and conditions.

# Public Comments: S12423

Commenter	Email	Phone Number	Submitted
Chugiak Community Council PO Box 671350 Chugiak, AK 99567	chugiakcouncil@gmail.com		7/11/2018 10:16:21 PM
<p>The Chugiak community council apposes the plat as drafted, specifically tract 1. During the planning process the council was very involved. Tract 1 was originally 4 tract with densities on the north west corner being the highest, while densities north east corner were much lower. This allowed for transition from lower to higher densities in concert with the Chugiak Eagle River Comprehensive plan. The council understands the need to approve a plat to allow for AWWU to move forward with their proposed water storage tank which the council does not appose. To that end, the council worked closely with P&amp;Z to come to agreement regarding the overall number of units that could be built on the parcels. However, the council believes HLB's revision to consolidate what was presented publicly as 4 tracts into 1 was done without regard to the council's input.</p> <p>Comments were provided to HLB in the form of an email dated 13 June 2018 as follows. The council feels our comments were ignored by HLB in the process.</p> <p>"Dear HLB,</p> <p>Attached are the minutes from the May Chugiak Community Council (CCC) meeting whereby the CCC put forth and passed a motion of support only if Tract 1 could be divided back into 4 parcels as was originally planned thereby allowing for density transition from lower to higher. Without the transition areas, the CCC does not support the Plat as currently drafted. Please accept this as formal comment on the plat for the purposes of testimony for the June 14 meeting regarding this issue</p> <p>Thank you for consideration in this matter.</p> <p>Darryl Parks CCC Secretary</p> <p>CC to Jake Horazdovsky, Chugiak Community Council President Blake Merrifield, Chugiak Community Council Vice President"</p>			



**Municipality of Anchorage**  
**Project Management and Engineering**  
**MEMORANDUM**



**DATE:** June 29, 2018

**RECEIVED**

**To:** Dave Whitfield

JUN 29 2018

**FROM:** Kyle Cunningham

PLANNING DEPARTMENT

**SUBJECT:** S12387 & S12423: Comments from Watershed Management Services.

Watershed Management Services (WMS) has the following comments for the August 1, 2018 Platting Board hearing.

- S12387 – King Subdivision, Addition #3, Block 1, Lots 20A & 20B;
  - WMS has no comments regarding this case.
- S12423 – Recreation Center Subdivision, Tract B4;
  - Prior to recording the final plat, this property will require watercourse mapping and approval by WMS. Any streams or drainageways discovered during the mapping will be required to be shown on the plat with appropriate setback plat notes.
  - Add Plat Note: There are streams located on this plat and the stream protection setbacks will be as specified in AMC 21.07.020 or as specified in future adopted provisions of AMC 21. Portions of streams contained within mapped wetlands are subject to setbacks as described in the Anchorage Wetlands Management Plan.



**MEMORANDUM**

**RECEIVED**

DATE: July 9, 2018  
TO: Current Planning Division Supervisor.  
Planning Department  
THRU: Kristen A. Langley, Traffic Safety Section Supervisor,  
Traffic Department  
FROM: Randy Ribble, Assistant Traffic Engineer  
SUBJECT: Traffic Department Comments

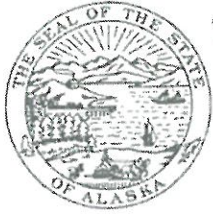
JUL 10 2018

**PLANNING DEPARTMENT**

~~S12343~~  
*S12423*  
**Recreation Center Subdivision  
Time extension**

The traffic department recommends approval of this preliminary plat with the following comments.

Plat shows a Public use easement on a future road alignment. Recommend dedication if possible.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Transportation and  
Public Facilities

DIVISION of PROGRAM DEVELOPMENT  
Anchorage Field Office

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, Alaska 99519-6900  
Main Phone: (907)269-0520  
Fax: (907)269-0521  
Web site: dot.state.ak.us

June 26, 2018

David Whitfield, Senior Planner  
MOA, Community Development Department  
Planning Division  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

**RECEIVED**

JUN 26 2018

PLANNING DEPARTMENT

RE: MOA Plat Review

Dear Mr. Whitfield:

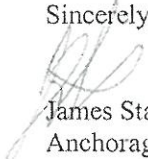
The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Planning Division has no comments on the following plat:

- o **S12387: King Subdivision, Addition #3, Block 1, Lots 20A & 20B**

The DOT&PF Platting and Zoning Review Committee has comments on the following plat:

- o **S12423: Recreation Center Subdivision, Tract B4**
  - No new access to the Old Glenn Highway will be allowed. Request plat note to read "No direct access to the Old Glenn Highway will be granted for Tract A. Access should be obtained through existing roads as shown on Map 7 of Chugiak Eagle River Site Specific Land Use Plan: 2016 Update".
  - Ensure post-construction drainage, both surface and groundwater, maintain current natural drainage pattern. Do not add water/ice directly to Old Glenn Highway.

Sincerely,

  
James Starzec  
Anchorage Area Planner

Cc: Tucker Hurn, Right of Way Agent, Right of Way, DOT&PF  
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF  
Jim Amundsen, P.E., Highway Design Group Chief, DOT&PF  
Morris Beckwith, Right of Way Agent II, Right of Way DOT&PF  
Paul Janke, P.E., Regional Hydrologist, Hydrology DOT&PF

*"Keep Alaska Moving through service and infrastructure."*



**Municipality of Anchorage  
Development Services Department  
Building Safety Division**



**MEMORANDUM**

**DATE:** June 28, 2018  
**TO:** Dave Whitfield, Platting Officer  
**FROM:** Deb Wockenfuss, On-Site Water and Wastewater Program  
**SUBJECT:** Comments on Cases due July 4, 2018

**RECEIVED**

JUN 28 2018

PLANNING DEPARTMENT

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

S12387      King Subdivision

No objection.

S12423      Carol Creek Subdivision

An evaluation of on-site water and wastewater systems for proposed lots will be required when the tracts are further subdivided. No objection.

\_\_\_\_\_

\_\_\_\_\_



**MUNICIPALITY OF ANCHORAGE**  
**Development Services Department**  
**Right of Way Section**

**MEMORANDUM**

**RECEIVED**

JUL 11 2018

**DATE:** July 10, 2018  
**TO:** Community Planning and Development  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor  
**FROM:** Lynn McGee, Senior Plan Reviewer  
**SUBJ:** Request for Comments on Platting Board Case(s) for August 1, 2018.

**PLANNING DEPARTMENT**

Right of Way Section has reviewed the following cases due July 4, 2018.

**S-12387**      **King #3, Block 1, Lots 20A & 20B, grid 2330**  
Right of way has no objection to the requested time extension.  
Review time 15 min.

**S12423**      **Carol Creek, Tracts 1-4, grid NW0453.**  
Provide utility easements as required.

- 1 Clarify and correct the existing Public Uses Easement encompassing the access road to the center. If the MOA information indicating it is 30' wide, is incorrect, please notify the MOA Surveying Section to correct the MOA grid map and the GIS information.
- 2 Indicate whether the easements on lot boundaries are existing or dedicated this plat. Clarify whether the 15' Screening Easement is inside or additional to the 30' T&E Easement on the northwest corner of proposed Tract 1.
- 3 Resolve with Private Development the need to improve Knob Hill Drive to the parcel boundary via a subdivision agreement.
- 4 More clearly identify the wetlands classification and boundaries.
- 5 Provide the stream name.
- 6 Resolve with the MOA Traffic Department the need for notes addressing the location, number, and size of the driveway entries to the street right of way.

Review time 30 minutes.

# MEMORANDUM

**DATE:** June 22, 2018  
**TO:** Dave Whitfield, Platting Officer, Planning Section, Planning Division  
**FROM:** Paul Hatcher, Engineering Technician III, Planning Section, AWWU  
**RE:** Plat Case Comments  
Hearing Date: August 1, 2018  
Agency Comments Due: July 4, 2018

RECEIVED

JUL 02 2018

PLANNING DEPARTMENT

The Anchorage Water & Wastewater Utility has reviewed the reference plat(s) and has the following comments:

**S12387 KING ADDITION # 3, First 24 month Time Extension for a Subdivision Agreement, Grid SW2330**

1. AWWU water and sanitary sewer are available to Lot 20A, Lot 20B is not served by water or sanitary sewer.
2. AWWU water main is located in A Street.
3. AWWU sanitary sewer mains are located in A Street and Easement.
4. If public water and wastewater services are desired by the owner or required by the platting authority in accordance with AMC 21.85.160 (water) and 21.85.170 (sewer), the owner will be required to enter into main line extension agreements with AWWU to serve Lot 20B.
5. AWWU has no objection to this platting action.

**S12423 CAROL CREEK, To subdivide one (1) tract of land into four (4) tracts of land, Grid NW0453**

1. AWWU water is not available to proposed Tracts; sanitary sewer is available to proposed Tract 1 only, sanitary sewer is not available to proposed Tracts 2 – 4.
2. If public water and wastewater services are desired by the owner or required by the platting authority in accordance with AMC 21.85.160 (water) and 21.85.170 (sewer), the owner will be required to enter into main line extension agreements with AWWU.
3. Proposed Tract 1 has an estimated \$26,000.00 Sanitary Sewer Trunk assessment due upon connection.
4. AWWU has no objection to this platting action.

If you have any questions pertaining to public water or sewer, please call 564-2721 or send an e-mail to [paul.hatcher@awwu.biz](mailto:paul.hatcher@awwu.biz)



# MUNICIPALITY OF ANCHORAGE



Eagle River Street Maintenance  
Eagle River Town Center, Room 131  
12001 Business Blvd., Eagle River 99577

Mayor Ethan Berkowitz

Phone: 907-343-1510  
Fax: 907-694-1540

June 20, 2018

Planning Division  
Current Planning Section  
P.O. Box 196650  
Anchorage, AK 99519

RECEIVED

JUN 28 2018

PLANNING DEPARTMENT

RE: Case S12423

Recreation Center Subdivision, Tract B4

Subdivide one tract of land into 4 tracts of land

The Eagle River Street Maintenance staff has reviewed the case and has no comments on the plat.

In the event that the CBERRRSA Board of Supervisors has additional comments they will be forwarded.

Sincerely,



**Mark H. Littlefield**

**Deputy Officer**

Eagle River Street Maintenance

Administration, M.O.A.

Office: 343-1512

Email: [littlefieldmh@ci.anchorage.ak.us](mailto:littlefieldmh@ci.anchorage.ak.us)

# MUNICIPALITY OF ANCHORAGE



Development Services Department  
Addressing Section  
Addressing email: [addressing@muni.org](mailto:addressing@muni.org)

Phone: 907 343-8466  
Fax: 907 249-7868

*Mayor Ethan Berkowitz*

**RECEIVED**

**June 26, 2018**

**JUN 26 2018**

PLANNING DEPARTMENT

**S12423, Carol Creek Subdivision, Tracts 1-4, NW0453**

- a. Platted area
  - i. Please label Malaspina St
  - ii. Please check legal descriptions for verification (as I can't find any documentation for the legals) of Walker, Collett, Dee and Dobler Tracts (I see them as just un-subdivided lots)

Karleen Wilson  
Addressing Official  
907-343-8168



**ENSTAR Natural Gas Company**  
A DIVISION OF SEMCO ENERGY  
Right of Way Section  
401 E. International Airport Road  
P. O. Box 190288  
Anchorage, Alaska 99519-0288  
(907) 277-5551  
FAX (907) 334-7798

July 3, 2018

Municipality of Anchorage  
Planning Department  
P.O. Box 196650  
Anchorage Alaska 99519-6650

**RECEIVED**

**JUL 03 2018**

PLANNING DEPARTMENT

Re: Plat Reviews

Dear Sir/Madam:

ENSTAR has reviewed the following Preliminary Plat and Time Extension and has no comments, recommendations or objections:

**S12423**

**Recreation Center Sub, Tract B4**

**S12387**

**King Subdivision, Add. 3, Block 2, Lots 20A & 20B**

If you have any questions, please do not hesitate to contact me at 334-7944 or by email at [cassie.acres@enstarnaturalgas.com](mailto:cassie.acres@enstarnaturalgas.com).

Sincerely,

Cassie Acres  
Right of Way and Compliance Technician  
ENSTAR Natural Gas Company

RECEIVED

JUN 15 2018

PLANNING DEPARTMENT

Date: June 14, 2018  
To: MOA Current Planning  
From: Land Services Department,  
Chugach Electric Association, Inc. (Chugach)  
Subject: s-12423 Recreation Center Subdivision , Tract B4

Chugach has no comment on the platting activity as described in the preliminary plat referenced above.

The property is located outside of the Chugach service area and additional plat reviews will not be required.

Thank you for the opportunity to comment.

WMS WATERCOURSE MAPPING SUMMARY

Per the requirements for watercourse verification outlined in Project Management and Engineering Operating Policy and Procedure #8 and Planning Department Operating Policy and Procedure #1 (effective June 18, 2007), MOA Watershed Management Services has inspected the following location for the presence or absence of stream channels or other watercourses, as defined in Anchorage Municipal Code (21.35).

- Project Case Number or Subdivision Name: Carol Creek Sub (proposed)
- Project Location, Tax ID, or Legal Description: parcel #05136144
- Project Area (if different from the entire parcel or subdivision): \_\_\_\_\_

In accordance with the requirements and methods identified, WMS verifies that this parcel, project area, or application:

\_\_\_\_\_ DOES NOT contain stream channels and/or drainageways, as identified in WMS field or archival mapping information.\*

\_\_\_\_\_ DOES contain stream channels and/or drainageways AND these are located and identified on submittal documents in general congruence with WMS field and archival mapping information.

*New or additional mapping IS NOT REQUIRED.\**

*X KBC*

Contains stream channels and/or drainageways BUT one or more streams or other watercourses:

- are NOT shown on submittal documents, or
- are NOT depicted adequately on submittal documents for verification, or
- are NOT located or identified on submittal documents in general congruence with WMS field and archival mapping information.

*New or additional mapping IS REQUIRED and must be re-submitted for further review and verification.\**

*\* Client has submitted mapping request for field verification in 2018. KBC*

\_\_\_\_\_ Presence of stream channels and/or drainageways is unknown AND field verification is not possible at this time. WMS will verify as soon as conditions and prioritized resources allow.

\* Streams omitted in error by WMS or others remain subject to MOA Code and must be shown in new mapping upon identification of the error.

**ADDITIONAL INFORMATION:**

- |  |  |                                      |                                |
|--|--|--------------------------------------|--------------------------------|
| <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | WMS written drainage recommendations are available.      | <input type="checkbox"/> Preliminary | <input type="checkbox"/> Final |
| <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | WMS written field inspection report or map is available. | <input type="checkbox"/> Preliminary | <input type="checkbox"/> Final |
| <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | Field flagging and/or map-grade GPS data is available.   |                                      |                                |

Inspection Certified By:

Date:

*[Signature]*

5/18/18

Municipality of Anchorage  
P. O. Box 196650  
Anchorage, Alaska 99519-6650  
(907) 343-7943



05002267000  
RESIDENT  
17933 CHARDONNAY CIR  
EAGLE RIVER, AK, 99577

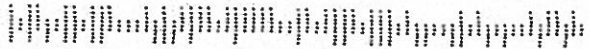
RECEIVED

JUN 22 2018

PLANNING DEPARTMENT

**NOTICE OF PUBLIC HEARING: Wednesday, August 1, 2018**

The Municipality of Anchorage Platting Board will consider the following:

CASE: S12423 9957737000 0012 

PETITIONER: MOA Heritage Land Bank  
REQUEST: To subdivide one (1) tract of land into four (4) tracts of land.  
TOTAL AREA: 91.41 acres  
SITE ADDRESS: N/A  
LOCATION: Generally lying east of Old Glenn Highway, south of Mendenhall Street, West of Knob Hill Drive and north of Beaujolais Drive.  
CURRENT ZONE: CE-PLI Public Lands and Institutions  
COM COUNCIL(S): Chugiak, Birchwood, Eagle River, Eagle River Valley  
LEGAL DESCR: Recreation Center Subdivision, Tract B4

The Platting Board will hold a public hearing on the above matter at 6:30PM, Wednesday, August 1, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name: Sharifa Hay  
Address: 17933 Chardonnay Circle Eagle River AK 99577

Comments: How many times do residents have to say no to this ~~for~~ before people finally listen and scrap the idea? This is a terrible idea, location, and concept. I do not support this

**4**

**AFFIDAVIT  
OF POSTING**



RECEIVED

JUN 05 2018


PLANNING DEPARTMENT

# AFFIDAVIT OF POSTING

CASE NUMBER: S 12423 (PLAT)

I, David C. Hale hereby certify that I have posted a Notice as prescribed by Anchorage Municipal Code 21.03.020H.5. on the property that I have petitioned for Subdivision. The notice was posted on 6/5/18 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 5<sup>th</sup> ~~18<sup>th</sup>~~ day of June, 2018.

Signature 

## LEGAL DESCRIPTION

Tract or Lot: Existing Tract B4

Block: -

Subdivision: Recreation Center Subd.