

CLERK'S OFFICE
APPROVED
Date: 2-23-99

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Heritage Land Bank
For Reading: February 2, 1999

ANCHORAGE, ALASKA
AO NO. 99-21

AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE ASSEMBLY APPROVING AN UNDERGROUND TELECOMMUNICATIONS EASEMENT ALONG A PORTION OF BLM LOTS 51, 52, 53, 54 AND TRACT A, EAGLE BLUFF SUBDIVISION, SECTION 14, TOWNSHIP 14 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, KNOWN AS A PORTION OF HERITAGE LAND BANK (HLB) PARCEL 1-085 IN EAGLE RIVER TO MATANUSKA TELEPHONE ASSOCIATION.

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

WHEREAS, "the disposal responsibility of the Heritage Land Bank is, at the direction of the mayor and Assembly, to convey from municipal ownership Heritage Land Bank land or interests in land which is not needed for specific public facilities or purposes. Each disposal shall be in the municipal interest, and based at or above appraised fair market value or for other equivalent municipal values or objectives, under the procedures specified in AMC Section 25.40.025." (A MC 25.40.010.E); and,

WHEREAS, on June 26, 1998, Matanuska Telephone Association requested an easement across a portions of HLB Parcel 1-085 for an underground telecommunications line; and,

WHEREAS, HLB Parcel 1-085 is zoned Single Family Residential Special Limitations/Planned Community- Special Limitations; and,

WHEREAS, AWWU has given permission for the telecommunications easement to overlap the existing sanitary sewer truck line easement; and,

WHEREAS, HLB Policy X.C.5 indicates a one time fee for easements based on Fair Market Value (FMV) or a \$1000 fee; and,

WHEREAS, the cost of an appraisal to establish FMV would exceed the value of the easement interest, therefore a \$1000 fee is appropriate; and,


WHEREAS, the HLB Advisory Commission provided public notice of the proposed easement, held a public hearing on August 12, 1998 in accord with AMC 25.40.030 and approved HLBAC Resolution 98-12 in support of the easement.

NOW THEREFORE, THE ANCHORAGE ASSEMBLY HEREBY RESOLVES TO APPROVE THE PROPOSED UNDERGROUND TELECOMMUNICATIONS EASEMENT, SUBJECT TO:

1 Section 1. Consideration of a fee of \$1000.

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3 Section 2. This resolution shall take effect immediately upon approval by the Assembly.
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6 PASSED AND APPROVED by the Anchorage Assembly this 23rd day of February,
7 1999.
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11 Chairman of the Assembly
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13 ATTEST:

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16 Municipal Clerk
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