


AD 99-78



CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 5-25-99

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Heritage Land Bank  
For Reading: May 11, 1999

**ANCHORAGE, ALASKA**  
AO NO. 99- 78

**AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE AUTHORIZING A  
SOLE SOURCE SALE BY THE HERITAGE LAND BANK (HLB) TO THE ALASKA  
RAILROAD CORPORATION OF UP TO 8.65 ACRES OF LAND FROM HLB  
PARCELS 1-026, 1-027, 1-042 AND 1-043, AND GRANTING A RIGHT OF WAY  
EASEMENT TO THE ALASKA RAILROAD CORPORATION ACROSS AN  
APPROXIMATE .59 ACRE PORTION OF HLB PARCEL 1-009 FOR THE APPRAISED  
FAIR MARKET VALUE.**

**WHEREAS**, the Heritage Land Bank 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" (AMC 25.40.010); and

**WHEREAS**, the proposed disposal of HLB Parcels 1-042 (2.51± acres), 1-043 (2.5± acres), 1-026 (1.15± acres) and 1-027 (2.49± acres) and HLB Parcel 1-009 (.59± acres) have been reviewed by all municipal agencies and have been determined as excess to municipal purposes and needs; and

**WHEREAS**, the proposed acquisition in addition to other realignment plans will enhance public safety in the railroad corridor; and

**WHEREAS**, the Heritage Land Bank Advisory Commission met on March 10, 1999 in a public hearing whose public notice was published before the 21-day limit, and approved HLBAC Resolution #3-99 for the sale of portions of HLB Parcels 1-042, 1-043, 1-026 and 1-027 and easement through a portion of HLB Parcel 1-009; and

**WHEREAS**, Heritage Land Bank staff met with all community councils of the surrounding area: Birchwood, Chugiak, Eagle River and Eagle River Valley regarding the proposed purchase and realignment; and

**WHEREAS**, the proposed railroad corridor realignment program undertaken by the Alaska Railroad Corporation is federally funded through the Taxpayer Relief Act of 1997 and will provide for improved rail transportation efficiencies including a decrease in travel time for passenger and freight service between Anchorage and Wasilla;

**NOW, THEREFORE, THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Notwithstanding Anchorage Municipal Code 25.40.010E. and 25.40.025, the Heritage Land Bank is hereby authorized to sell up to 8.65± acres of land within HLB Parcels 1-026, 1-027, 1-042 and 1-043 on a sole source basis to the Alaska Railroad Corporation for the appraised market value as stated in the Accuval-Resco Appraisal Company, Inc., Market Value Appraisal dated April 1, 1999, as revised in Appraisal Revision Letter #1 dated April 9, 1999.

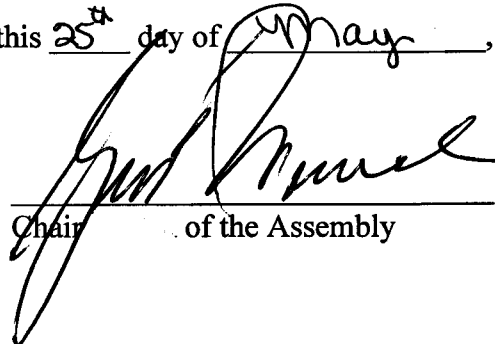
**Section 2.** A Right-Of-Way Easement is granted to the Alaska Railroad Corporation across a .59 acre portion of HLB Parcel 1-009 for purposes of railroad right-of-way realignment for a one time fee equal to the market value as stated in the Accuval-Resco Appraisal Company, Inc., Market Value Appraisal dated April 1, 1999, as revised in Appraisal Revision Letter #1 dated April 9, 1999.

**Section 3.** The costs of survey, appraisal, replat, recording and any related closing costs to be borne by the Alaska Railroad Corporation.

Section 4 and Section 5 \*See below

**Section 4. 6.** This ordinance shall be effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this 25<sup>th</sup> day of May, 1999.

  
Chair of the Assembly

ATTEST:

  
Municipal Clerk

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\* Section 4. The purchaser shall fully comply with all applicable municipal zoning, environmental, and other fire and life safety ordinances and regulations in connection with use and occupancy of the property.

Section 5. Existing trails (whether adopted, dedicated or permitted) that are impacted by use and occupancy of the property by the purchaser shall be restored to their original condition, subject to municipal inspection.

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**Floor amendment to AO 99-78 (proposed):**

Two new sections are added to read:

Sec. 14 The purchaser shall fully comply with all applicable municipal zoning, environmental, and other fire and life safety ordinances and regulations in connection with use and occupancy of the property.

Sec. 5 Existing trails (whether adopted, dedicated or permitted) that are impacted by use and occupancy of the property by the purchaser shall be restored to their original condition, subject to municipal inspection.

*David*