

AR 99-100(s)

CLERK'S OFFICE  
**AMENDED AND APPROVED**

Date: 6-15-99

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Department of Public Works  
For Reading: June 15, 1999

ANCHORAGE, ALASKA  
AR NO. 99-100 (S)

1 A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING FOUR  
2 HUNDRED THOUSAND DOLLARS (\$400,000) AS A LOAN FROM THE AREAWIDE GENERAL  
3 OPERATING FUND (101) TO THE MISCELLANEOUS CAPITAL/PASS-THRU CAPITAL  
4 IMPROVEMENT PROGRAM FUND (409) FOR COSTS ASSOCIATED WITH THE RE-SURVEY  
5 AND RE-PLAT OF RABBIT CREEK HEIGHTS AND RABBIT CREEK VIEW SUBDIVISIONS TO  
6 BE REPAID BY THE RABBIT CREEK SURVEY IMPROVEMENT DISTRICT 1V96  
7

8 WHEREAS, on March 4, 1997 the Anchorage Assembly approved the  
9 appropriation of \$350,000 of South Anchorage Special Assessment Revenues to Fund the Rabbit  
10 Creek Survey Improvement District (AM 205-97, AR 97-35).  
11

12 WHEREAS, the Rabbit Creek Survey Improvement District 1V96 was established  
13 for the purpose of re-surveying the Rabbit Creek Heights and Rabbit Creek View Subdivisions to  
14 correct surveying errors from the original subdivision survey and thereby establish accurate  
15 boundaries of all subdivision lots; and  
16

17 WHEREAS, the original \$350,000 appropriation has been expended to complete  
18 the survey; and,  
19

20 WHEREAS, the Municipality of Anchorage has filed a civil suit with the Anchorage  
21 Superior Court to determine and recognize the new boundaries as established by the re-survey;  
22 and  
23

24 WHEREAS, the anticipated litigation, re-plat and related costs which may be  
25 necessary before final assessment may be levied are estimated at \$400,000; and  
26

27 WHEREAS, sufficient equity is available from the Areawide General Operating  
28 Fund (101) to provide financing for Rabbit Creek Survey Improvement District 1V96 and  
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30 WHEREAS, the Anchorage Assembly believes that the re-survey and re-plat must  
31 be completed but has not yet determined whether the entire cost should be borne by the Rabbit  
32 Creek Survey Improvement District.  
33

34 NOW, THEREFORE, THE ANCHORAGE MUNICIPAL ASSEMBLY HEREBY RESOLVES:  
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36 Section 1. That a sum not to exceed Four Hundred Thousand Dollars (\$400,000)  
37 is hereby appropriated as a loan from the Areawide General Operating Fund (101) to the  
38 Miscellaneous Capital/Pass-Thru Capital Improvement Program Fund (409) for costs associated  
39 with the re-survey and re-plat of Rabbit Creek Heights and Rabbit Creek View Subdivisions.

**Resolution Appropriating \$400,000 as a Loan from Areawide General Operating Fund (101) to Miscellaneous Capital/Pass-Thru Capital Improvement Program Fund (409) for costs related to the re-survey and re-plat of Rabbit Creek Heights and Rabbit Creek View Subdivisions.**

**Section 2.** The term of the loan will be for ten years and interest charged will be at the general cash pool earnings rate. Annual repayment will begin sixty days following Assembly approval of the final assessment roll of the Rabbit Creek Survey Improvement District 1V96.

Section 3. That the contract with Kean and Associates for assisting the Municipality of Anchorage through the Court processes shall be based upon hours worked at an hourly rate.

Section 4. That the legal work necessary will be directed by the office of the Municipal Attorney.


Section 5. That the re-staking and monumentation of the subdivisions be re-bid/re-  
negotiated.

Section 6. That approval of the final assessment roll by the Assembly precede Court determination of costs to be borne by the Rabbit Creek Survey Improvement District.

**Section 7. That this matter proceed expediently.**

**Section [3] 8.** This resolution shall be effective immediately upon passage.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 15th day of June, 1999.

Vice-Chair 

**ATTEST:**

*Lynne Ferguson*  
Municipal Clerk

**Departmental Appropriation:**  
**Public Works      \$400,000**