

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 2-15-00

Submitted by: Chairman of the Assembly  
at the Request of the Mayor  
Prepared by: Alaska Railroad Counsel  
For reading: Feb. 15, 2000

**ANCHORAGE, ALASKA**  
**AO NO. 2000-42(S)**

AN ORDINANCE APPROVING THE CONVEYANCE OF LANDS IN THE MUNICIPALITY'S BEACH LAKE PARK TO THE ALASKA RAILROAD CORPORATION IN EXCHANGE FOR EXISTING ALASKA RAILROAD RIGHT-OF-WAY LANDS IN BEACH LAKE PARK TO ACCOMMODATE STRAIGHTENING OF RAILROAD TRACK CURVES AND SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY AT THE REGULAR MUNICIPAL ELECTION APRIL 4, 2000 A BALLOT PROPOSITION TO APPROVE SAID CONVEYANCES.

WHEREAS, the Alaska Railroad Corporation seeks to improve the safety and efficiency of the Alaska Railroad by realigning and straightening tracks between Anchorage and Wasilla; and

WHEREAS, certain track curves to be straightened are at Alaska Railroad mile posts 132 and 133 and within the Municipality's Beach Lake Park generally near Beach Lake Road off of South Birchwood Loop Road as shown on the diagram attached hereto as Appendix A which is incorporated herein by reference; and

WHEREAS, the right-of-way required from the Municipality to straighten the curve at milepost 132 is approximately 2.29 acres as shown in detail on Page 1 of Appendix B and legally described on Page 2 of Appendix B which is incorporated herein by reference; and

WHEREAS, the right-of-way required from the Municipality to straighten the curve at milepost 133 is approximately 11.23 acres as shown in detail on Page 1 of Appendix C and legally described on Page 2 of Appendix C which is incorporated herein by reference; and

WHEREAS, a portion of the 11.23 acres may in the future be used to construct access to nearby lands of the Eklutna Native Corporation; and

WHEREAS, by letter dated February 4, 2000 to the Municipal Assembly Eklutna Native Corporation has committed to abide by all municipal regulations and pursue all municipal processes for the development of those lands and further to convey additional land to be incorporated into Beach Lake Park; and

WHEREAS, the Alaska Railroad right-of-way which will become surplus at mile post 133 and which will be conveyed to the Municipality for incorporation into Beach Lake Park is 4.54 acres as shown on Page 1 of Appendix C which is incorporated herein by reference; and

1 WHEREAS, the Alaska Railroad Corporation is obligated pursuant to 45 U.S.C. § 1209(c) to  
2 transfer abandoned right-of-way to the United States which is required to reconvey the land to owners of  
3 the adjacent private land; and  
4

5 WHEREAS, the Alaska Railroad intends to construct valuable public improvements, namely, a new  
6 grade-separated crossing at Beach Lake Road and a new pedestrian underpass to connect the Beach Lake  
7 trail system on either side of the Railroad all as additional consideration for the conveyance of the municipal  
8 park lands to it; and  
9

10 WHEREAS, pursuant to Anchorage Ordinance No. 84-199, the Municipality's Beach Lake Park is  
11 dedicated to park and recreational uses, the conveyance of which must be approved by the voters of the  
12 Municipality pursuant to Anchorage Municipal Charter §10.02(8); now therefore,  
13

14 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
15

16 Section 1: Subject to fulfillment of the conditions in Section 2. of this ordinance and Charter §10.02(8),  
17 the Municipality shall convey the fee title to the lands of the Beach Lake Park shown and legally described  
18 in Appendices B and C hereto to the Alaska Railroad Corporation in exchange for the conveyance of the fee  
19 simple title to the right-of-way which is to be abandoned also as shown and legally described in Appendix  
20 C hereto and the construction at the Alaska Railroad Corporation's expense of the following public  
21 improvements:  
22

- 23 a. A new grade-separated crossing at Beach Lake Road to American Association of  
24 State Highway and Transportation Officials standards which will be an underpass  
25 with at least a 14.6 foot high clearance; and
- 26 b. Movement of the Beach Lake Road crossing approximately 380 feet north of the  
27 existing Beach Lake Road crossing and elimination of the steep approach to the  
28 existing crossing; and
- 29 c. A pedestrian underpass to connect the Beach Lake Trail system on either side of the  
30 railroad and which will accommodate dog mushers and their teams, skiers and other  
31 users of the trail system; and
- 32 d. Contouring of the railroad lands conveyed to the Municipality to accommodate safe  
33 pedestrian and/or vehicular traffic connections and multi-use access.  
34

35 Section 2: The Municipality's obligation described in Section 1 of this ordinance is subject to the  
36 following conditions subsequent which shall occur on or before March 21, 2000:  
37

- 38 a. The lands to be exchanged pursuant hereto shall be appraised by competent appraiser  
39 to be selected and retained by the Municipality, the cost of which shall be reimbursed  
40 to the Municipality by the Alaska Railroad Corporation.
- 41
- 42 b. The Alaska Railroad Corporation shall provide the Municipality its written engineers  
43 estimates of cost and value of the improvements described in Section 1 above.  
44

- c. The Municipal Assembly shall by resolution make a finding, based on the appraisal and engineers' estimate, that the value of the consideration required from the Alaska Railroad Corporation exceeds the fair market value of the fee simple interest of the park land to be conveyed by the Municipality.

**Section 3:** That, pursuant to Charter §10.02(8), a ballot proposition in substantially the following form shall be submitted to the qualified voters of the Municipality at the regular municipal election to be held April 4, 2000:

Proposition \_\_\_\_\_  
**APPROVING CONVEYANCE OF LANDS WITHIN BEACH LAKE PARK TO THE ALASKA  
RAILROAD CORPORATION TO STRAIGHTEN RAILROAD CURVES  
AND CREATE POTENTIAL ACCESS TO ADJACENT LANDS**

Shall Anchorage Ordinance 2000-42(S) authorizing the Municipality of Anchorage to convey approximately <sup>13.52</sup>~~13.57~~ acres of land in Beach Lake Park to the Alaska Railroad Corporation to straighten track curves at Alaska Railroad mile posts 132 and 133 to improve safety and efficiency and to create potential access to adjacent lands in exchange for the conveyance to the Municipality of abandoned right-of-way and construction of valuable public improvements by the Alaska Railroad Corporation be approved?

Yes [ ]

No [ ]

**Section 4:** Upon conveyance of the railroad lands to the Municipality in accordance with this ordinance, said lands are hereby dedicated to park and recreational uses as part of Beach Lake Park.

**Section 5:** The Proposition set forth in Section 3 of this ordinance shall become effective upon certification of the election at which presented if, but only if, said Proposition is approved by a majority of the qualified voters voting on the Proposition. All other Sections of this ordinance shall become effective immediately upon passage and approval.

**PASSED AND APPROVED** by the Anchorage Assembly this 15 day of FEBRUARY, 2000.

  
Chair of the Assembly

**ATTEST:**

  
Municipal Clerk





$\Delta = 23^{\circ}51'00''$   
 $R = 1031.90'$   
 $L = 429.54'$   
 $T = 217.93'$   
 $CB = N45^{\circ}47'30''E$   
 $CD = 426.45'$

Curve No. 132

U.S. SURVEY No. 9020  
EXISTING ARRC  
RIGHT-OF-WAY  
 $N57^{\circ}43'E$   
276.47'

AREA  
99,620 S.F.  
2.29 ACRES

PROPOSED  
RIGHT-OF-WAY

$N33^{\circ}52'E$   
378.18'

$S52^{\circ}36'00''W$   
587.61'

$S89^{\circ}48'E$   
12.34'

1319.27'

$S89^{\circ}48'E$

1331.62'

Sec 24

1/4

Sec 25

T 15 N R 2 W

Sec 23

Sec 24

Sec 26

Sec 25

1104.11'

$S89^{\circ}49'E$

1332.21'

W 1/16

SCALE



( IN FEET )

1 INCH = 200 FT.



ALASKA RAILROAD CORPORATION  
OFFICE OF THE CHIEF ENGINEER  
P.O. BOX 107500, ANCHORAGE, ALASKA 99510-7500 (907) 265-2456

**EAGLE RIVER TO WASILLA**

**PROPOSED REALIGNMENTS TO  
CURVE 132**

**LEGAL DESCRIPTION  
CURVE No. 132  
PROPOSED RIGHT-OF-WAY**

A portion of the SW 1/4, Section 24, Township 15 North, Range 2 West, Seward Meridian, Anchorage Recording District, Alaska and more particularly described as follows:

Commencing at the one-quarter (1/4) corner common to Section 24 and Section 25, Township 15 North, Range 2 West, Seward Meridian, Alaska; Thence N 89°48' W along the line between Section 24 and Section 25 a distance of 1319.27 feet to a point on the easterly boundary of the Alaska Railroad Corporation Right-of-Way shown as Lot 1 on the United States Department of the Interior, Bureau of Land Management plat titled "U.S. Survey No. 9020, Alaska" and dated October 29, 1992, the TRUE POINT OF BEGINNING; Thence N 33°52' E along said easterly Right-of Way a distance of 378.18 feet; Thence continuing along said Right-of-Way a distance of 429.54 feet on the arc of a curve to the right, with a radius of 1031.90 feet, through a central angle of 23°51'00" and whose chord bears N 45°47'30" E a distance of 426.45 feet; Thence continuing along said Right-of-Way N 57°43' E a distance of 276.47 feet; Thence S 35°10'12" W a distance of 491.94 feet; Thence S 52°36'00" W a distance of 587.61 feet to the TRUE POINT OF BEGINNING. Containing 99,620 square feet (2.29 acres) more or less.



BEACH LAKE PARK

$\Delta = 8^{\circ}54'33''$   
 $R = 5629.65'$   
 $L = 875.38'$   
 $T = 438.57'$   
 $CB = N32^{\circ}35'16''E$   
 $CD = 874.49'$

PROPOSED  
 RIGHT-OF-WAY

$\Delta = 3^{\circ}52'51''$   
 $R = 5779.58'$   
 $L = 391.46'$   
 $T = 195.81'$   
 $CB = S30^{\circ}04'25''W$   
 $CD = 391.39'$

N  $37^{\circ}02'33''$  E  
 202.15'

S  $39^{\circ}30'00''$  E  
 108.13'

S  $28^{\circ}08'00''$  W 1088.25'

290.41'  
 S  $28^{\circ}08'00''$  W

AREA  
 489,320 S.F.  
 11.23 ACRES

N  $28^{\circ}08'00''$  E 1323.81'

N  $56^{\circ}34'33''$  E  
 148.16'

371.76'

BEACH LAKE PARK

AREA (2):  
 197,555.27 S.F.  
 4.54 ACRES

BEACH LAKE ROAD

Assumed Right-of-Way Line  
 (100' Right of Centerline Existing Tracks)

AREA (3):  
 222,246.98 S.F.  
 5.1 ACRES

NO U.S. R.O.W. SURVEY EXISTS EAST OF THIS LINE  
 ARRC RIGHT OF WAY ASSUMED TO BE 100'  
 OFFSET FROM THE EXISTING TRACK CENTERLINE.

SECTION & PROPERTY LINES ARE BASED  
 ON SUMMER 1998 SURVEY INFORMATION.

SCALE



( IN FEET )  
 INCH = 300 FEET



**ALASKA RAILROAD CORPORATION**

OFFICE OF THE CHIEF ENGINEER

P.O. BOX 107500, ANCHORAGE, ALASKA 99510-7500 (907) 265-2456

**EAGLE RIVER TO WASILLA**

**PROPOSED REALIGNMENTS TO  
 CURVE 133**

**LEGAL DESCRIPTION  
CURVE No. 133  
PROPOSED RIGHT-OF-WAY**

A portion of the SE 1/4, Section 13, and the NE 1/4, Section 24, Township 15 North, Range 2 West, Seward Meridian, Anchorage Recording District, Alaska and more particularly described as follows:

Commencing at the Section Corner common to Sections 13 and 24, Township 15 North, Range 2 West, and Sections 18 and 19, Township 15 North, Range 1 West, Seward Meridian, Alaska, marked by an Aluminum BLM Monument dated 1984; Thence N 0°04'00" E along the line between Section 13, T15N, R2W, SM and Section 18, T15N, R1W, SM a distance of 371.76 feet to the TRUE POINT OF BEGINNING; Thence continuing along said section line N 0°04'00" E a distance of 609.45 feet; Thence a distance of 391.46 feet on the arc of a curve to the left, with a radius of 5779.58 feet, through a central angle of 3°52'51", and whose chord bears S 30°04'25" W a distance of 391.39 feet; Thence S28°08'00" W a distance of 1088.25 feet; Thence S 39°30'00" E a distance of 108.13 feet; Thence S28°08'00" W a distance of 290.41 feet; Thence a distance of 875.38 feet on the arc of a curve to the right, with a radius of 5629.65 feet, through a central angle of 8°54'33", and whose chord bears S 32°35'16" W a distance of 874.49 feet to a point on, and tangent to, the northwesterly boundary of the Alaska Railroad Corporation Right-of-Way shown as Lot 1 on the United States Department of the Interior, Bureau of Land Management plat titled "U.S. Survey No. 9020, Alaska" and dated October 29, 1992; Thence N 37°02'33" E along said Right-of-Way a distance of 202.15 feet; Thence continuing along said Right-of-Way a distance of 521.08 feet on the arc of a curve to the right, with a radius of 1528.44 feet, through a central angle of 19°32'00", and whose chord bears N 46°48'33" E a distance of 518.56 feet; Thence continuing along said Right-of-Way N 56°34'33" E a distance of 148.16 feet; Thence N 28°08'00" E a distance of 1323.81 feet to the TRUE POINT OF BEGINNING. Containing 489,320 square feet (11.23 acres) more or less.