

Postponed Indef

Submitted by: Chair of the Assembly
at the Request of the Mayor
Prepared by: Public Works Department
For Reading: March 21, 2000

ANCHORAGE, ALASKA
AR NO. 2000-77

1 A RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEEDINGS AND
2 ACCEPTANCE OF THE DECISIONAL DOCUMENT, PART III, FOR THE
3 CONSTRUCTION OF THE 15TH AVENUE SAFETY IMPROVEMENTS, INGRA STREET
4 TO SITKA STREET, PART 2
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7 WHEREAS, the Municipality has engaged in negotiations regarding the
8 acquisition of property rights for the parcels listed in the attached Exhibit A, and;
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10 WHEREAS, the Municipality has made every reasonable effort to acquire
11 the properties described in Exhibit A by negotiated agreement in accordance with
12 applicable law, and;
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14 WHEREAS, the Assembly has previously authorized eminent domain
15 proceedings and approval of the Decisional Document, Parts I and II, and;
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17 WHEREAS, the Municipality has filed for eminent domain for the parcels
18 listed in the attached Exhibit A, and;
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20 WHEREAS, the defendants in said previously filed eminent domain cases
21 have objected to the takings on the basis of alleged omissions in the Decisional
22 Document, and;
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24 WHEREAS, further delay would have a detrimental effect upon the cost and
25 scheduling of the project, and;
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27 WHEREAS, the Assembly has received, as of the date of the public
28 hearing on this resolution, a request for the approval of the exercise of the Municipality's
29 eminent domain power,
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31 NOW THEREFORE, the Anchorage Assembly resolves:
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33 SECTION 1. The property interests described in Exhibit A are to be
34 acquired for the construction of the 15th Avenue Safety Improvements, a public project,
35 the design of which has been determined to provide the greatest public good for the least
36 private injury. The Municipality is hereby authorized to acquire necessary property rights
37 in regard to the following parcels for right of way for the 15th Avenue Safety Improvements
38 between Ingra Street and Sitka Street, more specifically described in Exhibit A.

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2 SECTION 2. The Municipality is authorized to institute and/or continue
3 eminent domain proceedings, including the use of a Declaration of Taking, against the
4 properties described in Exhibit A.

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6 SECTION 3. Part III of the Decisional Document for this project, attached
7 hereto as Exhibit B, is incorporated into the previously approved Decisional Document,
8 Parts I and II. As supplemented, the Decisional Document sets forth the Municipality's
9 determination of the necessity for the taking of the interests in land described in Exhibit A.

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11 SECTION 4. This resolution shall take effect immediately upon passage
12 and approval by the Anchorage Assembly.

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14
15 PASSED AND APPROVED by the Anchorage Municipal Assembly this _____ day of
16 _____, 2000.

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21 _____
22 Chair

23
24 ATTEST:

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28 _____
29 Municipal Clerk