

CLERK'S OFFICE  
**AMENDED AND APPROVED**

Date: 6-20-00

Submitted by: Chair of the Assembly  
at the Request of the Mayor  
Prepared by: Public Works Department  
For Reading: MAY 23, 2000

ANCHORAGE, ALASKA  
AR NO. 2000-150

1 A RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEEDINGS AND  
2 ACCEPTANCE OF THE DECISIONAL DOCUMENT FOR THE CONSTRUCTION OF  
3 THE TEA-21 PEDESTRIAN SAFETY IMPROVEMENTS FOR BUSINESS BOULEVARD  
4 IN EAGLE RIVER  
5

6  
7 WHEREAS, the Municipality has engaged in negotiations regarding the  
8 acquisition of property rights for the parcels listed in 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;  
13

14 WHEREAS, further delay as a result of continued nonproductive  
15 negotiations would have a detrimental effect upon the cost and scheduling of the project;  
16

17 NOW THEREFORE, the Anchorage Assembly resolves:  
18

19 SECTION 1. The property interests described in Exhibit A are to be  
20 acquired for the construction of the Business Boulevard Pedestrian Safety Improvements,  
21 a public project, the design of which has been determined to provide the greatest public  
22 good for the least private injury. The Municipality is hereby authorized to acquire  
23 necessary property rights in regard to the following parcels for right of way for the TEA-21  
24 Business Boulevard Pedestrian Safety Improvements, more specifically described in  
25 Exhibit A.  
26

27 SECTION 2. The Municipality is authorized to institute eminent domain  
28 proceedings, including the use of a Declaration of Taking, against the properties  
29 described in Exhibit A.  
30

31 SECTION 3. The Decisional Document attached as Exhibit B, has been  
32 reviewed and accepted by the Assembly and is approved for use in filing a Declaration of  
33 Taking for the properties described in Exhibit A.  
34

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

1 PASSED AND APPROVED by the Anchorage Municipal Assembly this 20<sup>th</sup> day of  
2 June, 2000.  
3  
4

5  
6 Taylor Von Hennigen  
7 Chair  
8  
9

10 ATTEST:  
11  
12

13  
14 Leyane Ferguson  
15 Municipal Clerk

**BUSINESS BOULEVARD PEDESTRIAN SAFETY IMPROVEMENTS PROJECT****EMINENT DOMAIN EXHIBIT A - REVISED**

<b><u>PARCEL</u></b>	<b><u>LEGAL DESCRIPTION</u></b>	<b><u>OWNER</u></b>	<b><u>RIGHTS*</u></b>
E-1/P-1A, P-1B, P-1C	Tr. A-1, Regional Park Unit #1	CGF Properties	PUE/TCP
E-6/P-6	Tr. B-1, Regional Park Unit #1	CGF Properties	PUE
E-7/P-7A, P-7B	Tr. P-1A, Regional Park Unit #2	Hickel Investments	PUE/TCP
E-16/P-16A, P-16B	Tr. L, Regional Park Unit #2	Hickel Investments	PUE/TCP
E-21/P-21A, P-21B, P-21C, P-21D	Tr. K, Regional Park Unit #2	Hickel Investments	PUE/TCP
E-27/P-27A, P-27B, P-27C	T-1, Regional Park Unit #2	Panagis/Giannulis	PUE/TCP

\*PUE = Public Use Easement

TCP = Temporary Construction Permit

**REVISED EXHIBIT A**

# **BUSINESS BOULEVARD PEDESTRIAN SAFETY IMPROVEMENTS PROJECT**

## **EMINENT DOMAIN EXHIBIT A**

<b><u>PARCEL</u></b>	<b><u>LEGAL DESCRIPTION</u></b>	<b><u>OWNER</u></b>	<b><u>RIGHTS*</u></b>
E-1/P-1A, P-1B, P-1C	Tr. A-1, Regional Park Unit #1	CGF Properties	PUE/TCP
E-6/P-6	Tr. B-1, Regional Park Unit #1	CGF Properties	PUE
E-15	Tr. Q-1, Regional Park Unit #3	Regional Center Fund	PUE
E-16	Tr. L, Regional Park Unit #2	Hickel Investments	PUE/TCP
E-17	Tr. A, Timberidge	Regional Center Fund	PUE
E-21/P-21A, P-21B, P-21C, P-21D	Tr. K, Regional Park Unit #2	Hickel Investments	PUE/TCP
E-27/P-27A, P-27B, P-27C	T-1, Regional Park Unit #2	Panagis/Giannulis	PUE/TCP

\*PUE = Public Use Easement

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SEE REVISED EXHIBIT A WHICH WAS ATTACHED TO THE DOCUMENT BY ASSEMBLY ACTION.

## **EXHIBIT A**