

CLERK'S OFFICE

APPROVED

Date: 6-13-00

Submitted by: Chairman of the Assembly
At the Request of the Mayor

Prepared by: Dept. of Law
For reading: JUNE 13, 2000

ANCHORAGE, ALASKA
AR NO. 2000-171

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE AUTHORIZING EXECUTION OF A CONSENT TO EASEMENT AND CONSENT TO REVOCABLE USE PERMIT REQUIRED BY THE UNITED STATES DEPARTMENT OF EDUCATION FOR ROAD ACCESS EASEMENT OVER AND REVOCABLE USE PERMIT OF MUNICIPAL PROPERTY AT THE BARTLETT HIGH SCHOOL SITE BY THE ALASKA NATIVE HERITAGE CENTER.

WHEREAS, the U. S. Department of Education (Dept. of Education), conveyed a portion of the former Fort Richardson consisting of 118.0 +/- acres of land (herein the "Property") to the Greater Anchorage Area Borough (GAAB) and to the Municipality of Anchorage (Municipality); by succession of assets to the latter upon unification; and

WHEREAS, the conveyance of the Property was made subject to certain covenants and conditions, including a requirement that, for 30 years from the date of the Deed, the Property would be used solely and continuously for educational purposes; and

WHEREAS, the Deed further required the consent in writing of the Dept. of Education for the lease or other disposal of the Property; and

WHEREAS, the Assembly finds that the Road Access Easement and Revocable Use Permit between the Municipality and the Alaska Native Heritage Park (predecessor to the Alaska Native Heritage Center) is part of the Property; and

WHEREAS, the Municipality must obtain written consent to the Road Access Easement from the Dept. of Education, in the form attached as **Exhibit A**, to granting an easement to the Alaska Native Heritage Center (ANHC) across Municipal property at the Bartlett High School Site; and

WHEREAS, the Municipality must obtain the written consent to the Revocable Use Permit from the Dept. of Education, in the form attached as **Exhibit B**, to granting a revocable use permit for an outdoor display site to the ANHC of approximately 12.3 acres in the northeast corner of Municipal property at the Bartlett High School Site; and

WHEREAS, the Dept. of Education has found the form of the prior Assembly consent was not specifically approved in adequate form by the prior Assembly action; NOW THEREFORE

2 The Anchorage Municipal Assembly hereby resolves as follows:

3 **Section 1.** That the Municipality is hereby authorized to execute the Consent To
4 Easement requested by the Dept. of Education for road access across Municipal property at the
5 Bartlett High School Site, attached as Exhibit A, and that the Municipality is hereby further
6 authorized to execute the Consent to Revocable Use Permit requested by the Dept. of Education
7 for an outdoor display site on approximately 12.3 acres in the northeast corner of Municipal
8 property at the Bartlett High School Site, attached as Exhibit B. The Municipal Office authorized
9 to execute said consents for and on behalf of the Municipality according to existing Municipal
10 Law.

12 **Section 2:** This resolution shall become effective immediately upon passage and
13 approval by the Anchorage Municipal Assembly.

15 PASSED and APPROVED this 13th day of June, 2000.

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21 *Fay Von Henningsen*
22 Chair of the Assembly

23 ATTEST:

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26 *Lizano Ferguson*
27 Municipal Clerk
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Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

Ac 2000 - 170

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT Authorizing execution of a consent to easement and consent to revocable use permit required by the US Department of Education for road access easement over and revocable use permit at Bartlett HS site by Native Heritage Center	DATE PREPARED May 25, 2000
		Indicate Documents Attached <input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Legal	DIRECTOR'S NAME Mary Hughes
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Bill Greene	HIS/HER PHONE NUMBER 343-4545
4	COORDINATED WITH AND REVIEWED BY	INITIALS
<input checked="" type="checkbox"/>	Mayor	
	Municipal Clerk	
<input checked="" type="checkbox"/>	Municipal Attorney	<i>[Signature]</i>
	Employee Relations	
<input checked="" type="checkbox"/>	Municipal Manager	<i>[Signature]</i>
	Cultural & Recreational Services	
	Fire	
	Health & Human Services	
	Merrill Field Airport	
	Municipal Light & Power	
	Office of Management and Budget	
	Police	
	Port of Anchorage	
	Public Works	
	Solid Waste Services	
	Transit	
	Water & Wastewater Utility	
<input checked="" type="checkbox"/>	Executive Manager	<i>[Signature]</i>
	Community Planning & Development	
	Finance, Chief Fiscal Officer	
	Heritage Land Bank	
	Management Information Services	
	Property & Facility Management	
	Purchasing	
	Other	
5	Special Instructions/Comments <div style="text-align: right; padding-top: 20px;"> RECEIVED Office of Municipal Clerk JUN 5 2000 P.O. Box 196650 Anchorage, AK 99519-6650 </div> <div style="text-align: center; padding-top: 20px;"> <i>20. Action</i> </div>	
6	ASSEMBLY HEARING DATE REQUESTED June 13, 2000	7 PUBLIC HEARING DATE REQUESTED