

CLERK'S OFFICE

APPROVED

Date: 9-23-03

Submitted by: Chair of the Assembly
at the Request of the Mayor
Prepared by: Project Management &
Engineering Department
For Reading: September 23, 2003

ANCHORAGE, ALASKA
AR NO. 2003-283

1 A RESOLUTION AUTHORIZING THE MUNICIPALITY TO GRANT AN EASEMENT TO
2 CHUGACH ELECTRIC ASSOCIATION, INC., ACROSS A PORTION OF BLM LOTS 38 AND
3 39, SECTION 10, T12N, R4W, SEWARD MERIDIAN, TO ACCOMMODATE UPGRADING OF
4 ITS FACILITIES FROM OVERHEAD TO UNDERGROUND WITHIN JEWEL LAKE PARK AT
5 WEST 88TH AVENUE, TAX CODE #011-152-05 AND 011-213-28

6
7 WHEREAS, as part of its Underground Conversion Project, Chugach Electric
8 Association, Inc. (CEA) is proposing an upgrade from overhead facilities to underground within
9 Jewel Lake Park; and

10
11 WHEREAS, pursuant to Alaska Statute 42.05.381, the underground conversion
12 requires retirement and/or replacement of some overhead electrical equipment with underground
13 equipment to provide the same service; and

14
15 WHEREAS, the Parks and Recreation Commission recommended granting the ten-
16 foot-wide easement at its August 14, 2003 meeting, subject to the following recommendations and
17 comments:

18
19 1. CEA shall coordinate construction and related site work, including site restoration,
20 with Parks and Recreation and other park users to maintain access to the park and assure the
21 safety of park users.

22
23 2. CEA shall restore disturbed areas to a condition equal to or better than prior to
24 construction.

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26 3. The easement proposal shall be reviewed by, and is subject to recommendation by
27 the Municipal Attorney.

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29 4. Work related to the project shall be done by CEA at no cost to the Municipality.
30 The proposed work has a value estimated by CEA to be approximately Thirty-eight Thousand
31 Dollars (\$38,000). CEA's proposed work is for compliance with Alaska statute requiring retirement
32 of some overhead electrical equipment and/or replacement with underground equipment to
33 provide the same service. Benefits to the Municipality shall include removal of existing overhead
34 lines and related equipment, installation of underground lines, replacement of three luminaires
35 and poles currently serving the park, and installation of a pedestal for future electrical service to
36 park facilities.

37
38 Parks and Recreation staff also understands that a) should the easement be granted,
39 equipment installed would incorporate design features appropriate for installation in the park, such
40 as luminaire design to prevent off-site glare; b) if the easement is not needed for the above-
41 described purposes, it shall revert to the Municipality of Anchorage; and c) minor revisions may be
42 made to the easement description as necessary.

NOW THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. That the Administration is authorized to grant the requested easement to CEA in the following location:

A strip of land Ten Feet (10') in width located within BLM Lots 38 and 39, said lots located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 10, T12N, R4W, Seward Meridian, Alaska, the centerline of said strip more particularly described, as follows:

Commencing at the southeast corner of said BLM Lot 38; thence along the east property line N 00° 01' 24" W 30.08 feet to the Point of Beginning, said Point of Beginning also a point on the west property line of Lot 9B, Jewel On The Lake Subdivision, according to Plat 82-388 on file in the Office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska; thence N 89° 57' 00" W 178.14 feet; thence S 73° 08' 15" W 103.40 feet to the south property line of said BLM Lot 38, also being the north property line of said BLM Lot 39; thence continuing in said BLM Lot 39 S 73° 08' 15" W 82.58 feet to the end of said strip.

AND

A strip of land Ten Feet (10') in width located within said BLM Lot 38, the centerline of said strip more particularly described as follows:

Commencing at the southeast corner of said BLM Lot 38; thence along the south property line N 89° 57' 00" W 360.97 feet to the Point of Beginning; thence N 11° 22' 34" W 101.51 feet to the end of said strip.

AND

A strip of land Ten Feet (10') in width located within said BLM Lot 39, the centerline of said strip more particularly described as follows:

Commencing at the northeast corner of said BLM Lot 39; thence along the north property line N 89° 57' 00" W 360.97 feet to the Point of Beginning; thence S 11° 22' 34" E 124.63 feet to the end of said strip.


AND

A strip of land Five Feet (5') in width located within said BLM Lot 38, said strip lying to the left looking in the direction of the traverse of the following described line:

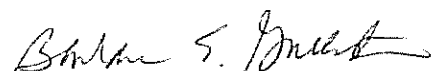
Commencing at the southeast corner of said BLM Lot 38; thence along the east property line N 00° 01' 24" W 30.08 feet to the Point of Beginning, said Point of Beginning also a point on the west property line of said Lot 9B, Jewel on The Lake Subdivision; thence N 00° 01' 24" W 33.00 feet to the end of said strip.

Section 2. This resolution shall take effect immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 23rd day of September, 2003.


Chair

ATTEST:


Municipal Clerk

After Recording Return to:
Chugach Electric Association, Inc.
P.O. Box 196300
Anchorage, Alaska 99519
Attn: Land Services Department

1204-10D
G-2325
E0312234
011-152-05 & 011-213-28

CHUGACH ELECTRIC ASSOCIATION, INC.

Underground, Overhead and Surface Facilities Electrical System Easement

The MUNICIPALITY OF ANCHORAGE, an Alaska municipal corporation, whose mailing address is P.O. Box 196650, Anchorage, Alaska 99519-6650, hereinafter referred to as GRANTOR, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey, set-over and deliver to CHUGACH ELECTRIC ASSOCIATION, INC., an Alaska non-profit electric cooperative, whose mailing address is P.O. Box 196300, Anchorage, Alaska 99519-6300, hereinafter referred to as GRANTEE, and to its successors, assigns, licensees and permittees, an easement and right of way through, over, in, under and across the lands of GRANTOR, situated in the Anchorage Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

A strip of land Ten Feet (10') in width located within BLM Lots 38 and 39, said lots located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 10, T12N, R4W, Seward Meridian, Alaska, the centerline of said strip more particularly described, as follows:

Commencing at the southeast corner of said BLM Lot 38; thence along the east property line N 00° 01' 24" W 30.08 feet to the Point of Beginning, said Point of Beginning also a point on the west property line of Lot 9B, Jewel on The Lake Subdivision, according to Plat 82-388 on file in the Office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska; thence N 89° 57' 00" W 178.14 feet; thence S 73° 08' 15" W 103.40 feet to the south property line of said BLM Lot 38, also being the north property line of said BLM Lot 39; thence continuing in said BLM Lot 39 S 73° 08' 15" W 82.58 feet to the end of said strip.

AND

A strip of land Ten Feet (10') in width located within said BLM Lot 38, the centerline of said strip more particularly described as follows:

Commencing at the southeast corner of said BLM Lot 38; thence along the south property line N 89° 57' 00" W 360.97 feet to the Point of Beginning; thence N 11° 22' 34" W 101.51 feet to the end of said strip.

AND

A strip of land Ten Feet (10') in width located within said BLM Lot 39, the centerline of said strip more particularly described as follows:

Commencing at the northeast corner of said BLM Lot 39; thence along the north property line N 89° 57' 00" W 360.97 feet to the Point of Beginning; thence S 11° 22' 34" E 124.63 feet to the end of said strip.

AND

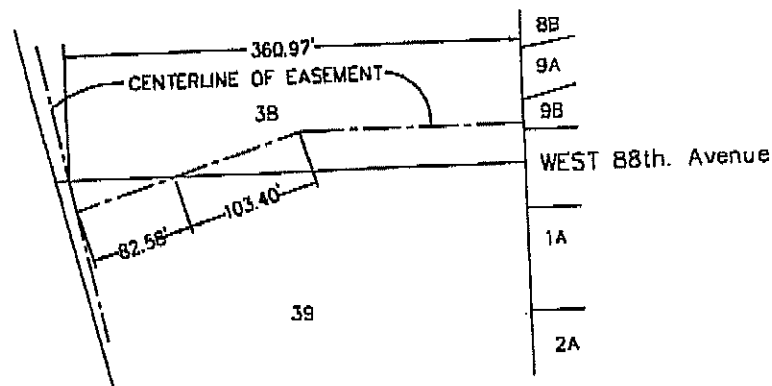
A strip of land Five Feet (5') in width located within said BLM Lot 38, said strip lying to the left looking in the direction of the traverse of the following described line:

Commencing at the southeast corner of said BLM Lot 38; thence along the east property line N 00° 01' 24" W 30.08 feet to the Point of Beginning, said Point of Beginning also a point on the west property line of said Lot 9B, Jewel On The Lake Subdivision; thence N 00° 01' 24" W 33.00 feet to the end of said strip.

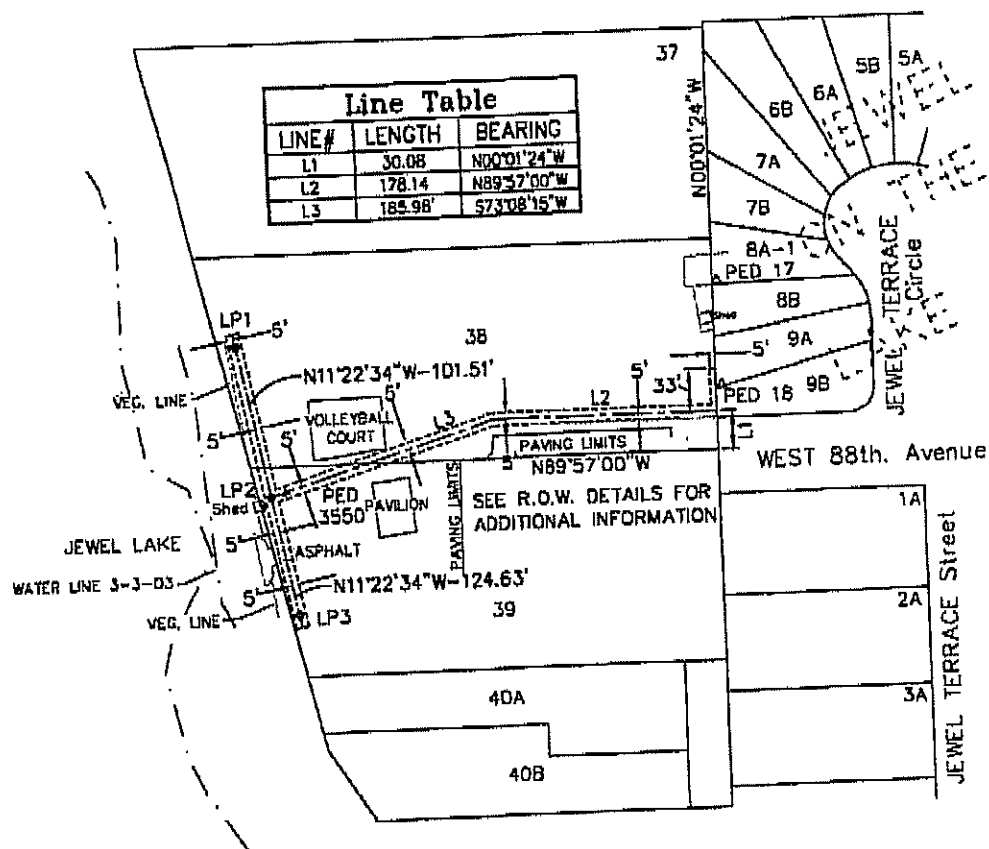
To erect, construct, reconstruct, and install, and to continue to operate, maintain, repair, alter, inspect, replace, improve, and relocate, and to remove such electrical transmission and distribution lines, and their related facilities, including foundations, footings, pilings, guys, anchors, crossarms and other attachments and equipment, and their related facilities, through, over, in, under and across the aforesaid premises as may from time to time be necessary or desirable for the use, occupation, and enjoyment of such right-of-way, including the right of ingress and egress to said premises, and the right to excavate, remove soils or fill on said premises, and the right to cut and keep clear of all trees, shrubbery, under-growth and other obstructions on said premises as may be reasonably required for the construction, reconstruction, relocation, installation, operation and maintenance of such facilities.

TO HAVE AND TO HOLD the same to GRANTEE, its successors, assigns, licensees and permittees, forever, subject to any existing easements and any existing facilities. The parties hereto agree to make reasonable accommodations to resolve conflicts in the location of facilities if any such conflicts arise.

GRANTOR agrees that all poles, wire, conductors and other facilities, including any main service entrance equipment, which may be installed on the above-described premises by or for GRANTEE or its successors, assigns, licensees and permittees, shall remain the property of GRANTEE, or the property of such successors, assigns, licensees or permittees, as the case may be, and removable at its or their option.



RIGHT-OF-WAY DETAIL
NTS



RIGHT-OF-WAY

EASEMENT REQUIREMENTS FOR 10 UG SERVICE CABLE

BLM LOTS 38 & 39

W1/2 SE1/4 OF SECTION 10, T12N, R4W, S.M., ALASKA

GRID: 2325 MAP: 1204-10D

APPROX. 6003 SQ. FT.

CEA W.O. E0312234



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 736-2003

Meeting Date: September 23, 2003

FROM: Mayor

SUBJECT: Resolution Regarding Authorization of the Municipality to Grant an Easement to Chugach Electric Association, Inc. Across a Portion of BLM Lots 38 and 39, Section 10, T12N, R4W, Seward Meridian, to Accommodate Upgrading of Facilities from Overhead to Underground Within Jewel Lake Park at West 88th Avenue, Tax Code # 011-152-05 and 011-213-28

Chugach Electric Association, Inc. (CEA) has identified existing overhead facilities for underground conversion in the Municipality's Jewel Lake Park located within BLM Lots 38 and 39, Section 10, T12N, R4W, Seward Meridian. As part of its Underground Conversion Project, CEA is proposing an upgrade to its electrical facilities and requests an easement across a portion of the Park. Accordingly, CEA requires a ten-foot-wide underground easement within the site as identified on the attached easement document (Exhibit A) and map detail (Exhibit B).

THE ADMINISTRATION RECOMMENDS APPROVAL OF AR NO. 2003-283 AUTHORIZING A TEN-FOOT-WIDE EASEMENT ACROSS A PORTION OF BLM LOTS 38 AND 39, SECTION 10, R12N, R4W, SEWARD MERIDIAN, TO CHUGACH ELECTRIC ASSOCIATION, INC.

Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department
Concur: John Rodda, Director, CRS
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully submitted, Mark Begich, Mayor

Content Information

Content ID : 001075

Title: Resolution Authorizing an Easement to Chugach Electric Assn.
Across a Portion of BLM Lots 38 and 39, Section 10, to
Accommodate Upgrading Facilities from Overhead to Underground
Within Jewel Lake Park at 88th Avenue

Description: A resolution granting an easement to Chugach Electric Assn.
across a portion of BLM Lots 38 and 29, Section 10, T12N, R4W,
S.M., to accommodate upgrading of facilities from overhead to
underground within Jewel Lake Park at W. 88th Ave.

Keywords: Chugach, easement, Jewel Lake

Date Prepared: 8/27/03 8:54 AM

Requested

Assembly Meeting 9/23/03 12:00 AM

Date MM/DD/YY:

Document Number: AR 2003-283

Assembly Meeting 9/23/03 12:00 AM
Date MM/DD/YY:

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOtherARWorkflow	8/27/03 9:08 AM	Checkin	schuringmj	Public	001075
PME_SubWorkflow	8/27/03 11:13 AM	Approve	holtanhc	Public	001075
PDPW_SubWorkflow	8/27/03 2:31 PM	Approve	leblancdc	Public	001075
MuniManager_SubWorkflow	9/3/03 5:26 PM	Approve	leblancdc	Public	001075
MuniMgrCoord_SubWorkflow	9/15/03 11:44 AM	Approve	abbottmk	Public	001075

RESOLUTIONS FOR ACTION - OTHER

2003 SEP 15 PM 5:03
149A