

Submitted by: Chair of the Assembly At  
the Request of the Mayor  
Prepared by: Heritage Land Bank  
For Reading: October 12, 2004

CLERK'S OFFICE

APPROVED

Date: 10-26-04 ANCHORAGE, ALASKA

AO NO. 2004-144

AN ORDINANCE AUTHORIZING WITHDRAWAL FROM HERITAGE LAND BANK INVENTORY AND SALE OF 27.543 ACRES OF REAL PROPERTY FROM PARCELS 3-026, 3-027 AND 3-064 AT FAIR MARKET VALUE TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION, FOR RIGHT-OF-WAY FOR THE ABBOTT LOOP-BRAGAW STREET EXTENSION.

WHEREAS, Anchorage Municipal Code (AMC) section 25.40.015B. authorizes the mayor, with Assembly approval, to withdraw land from the Heritage Land Bank (HLB) for any lawful municipal purpose, consistent with a site specific land use study; and

WHEREAS, AMC section 25.40.015B. provides for compensation to be paid to the HLB for at least the current appraised fair market value of land withdrawn from the HLB inventory for use by a public agency not supported by municipal taxes. In addition, AMC section 25.30.040 also requires sale of municipal land "shall be for fair market value..."; and

WHEREAS, the State of Alaska, Department of Transportation, (DOT) a public agency not supported by municipal taxes, selected the preferred route for extension of Bragaw Street south of Tudor Road to Abbott Loop, which traverses HLB parcels 3-026, 3-027, and 3-064, as generally depicted on Exhibit A, attached hereto; and

WHEREAS, a site specific land use study was completed for HLB by Agnew::Beck Consultants in August, 2004, recommending disposal of those portions of HLB properties affected by the road corridor as a limited access parkway; and

WHEREAS, Affiliated Appraisers of Alaska prepared an appraisal valuing the portions of HLB parcels 3-026, 3-027 and 3-064, totaling 27.543 acres, at \$875,000. The DOT has offered to purchase the property for right-of-way at the appraised value; and

WHEREAS, AMC section 25.30.090A. authorizes disposal of municipal land by direct negotiation with a party seeking to acquire municipal land at fair market value. HLB negotiated the purchase price of \$875,000 directly with DOT, which is the appraised value;

WHEREAS, the Heritage Land Bank Advisory Commission, HLBAC Resolution 2004-05, supports this sale, which will implement extension of Bragaw Street to Abbott Loop, providing an additional and needed north-south corridor to ease traffic congestion in East and South Anchorage, and in compliance with planned road and utility improvements and Anchorage 2020; and

WHEREAS, in accordance with AMC sections 25.40.015B. and 25.40.030, on September 15, 2004, notice of the Mayor's intention to remove portions of parcels 3-026, 3-027 and 3-064 from the HLB inventory, was e-mailed to the members of the HLB Advisory Commission and affected community councils, and published in the Anchorage Daily News on September 16<sup>th</sup> and 17<sup>th</sup>. Notice of withdrawal of the property from the HLB inventory is effective after 30 days written notice, on October 16, 2004; now therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** The withdrawal of portions of HLB parcels 3-026, 3-027 and 3-064 from inventory, totaling 27.543 acres, for sale to DOT to utilize as right-of-way for the Bragaw Street-Abbott Loop extension, at fair market value, is hereby authorized.


**Section 2.** The sale of portions of parcels 3-026, 3-027 and 3-064, totaling 27.543 acres, withdrawn from HLB inventory, to DOT to utilize as right-of-way for the Bragaw Street-Abbott Loop extension, at fair market value, is hereby authorized.

**Section 3.** The purchase price for DOT to buy the portions of parcels 3-026, 3-027 and 3-064, totaling 27.543 acres, for the right-of-way for the Bragaw Street-Abbott Loop extension, shall be \$875,000 payable to HLB.

**Section 4.** Those portions of HLB Parcels 3-026, 3-027 and 3-064 not required by DOT for right-of-way shall remain in HLB inventory, and their HLB parcel identification numbers retained after deduction of right-of-way acreage.

**Section 5.** This ordinance shall take effect on October 18, 2004, or upon passage and approval by the Anchorage Assembly, whichever occurs later.

PASSED AND APPROVED by the Anchorage Assembly this 26<sup>th</sup> day of October, 2004.

  
Chairman of the Assembly

ATTEST:

  
Municipal Clerk



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 763-2004

MEETING DATE: October 12, 2004

FROM: MAYOR

SUBJECT: AN ORDINANCE AUTHORIZING WITHDRAWAL FROM HERITAGE LAND BANK INVENTORY AND SALE OF 27.543 ACRES OF REAL PROPERTY FROM PARCELS 3-026, 3-027 AND 3-064 AT FAIR MARKET VALUE TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION, FOR RIGHT-OF-WAY FOR THE ABBOTT LOOP-BRAGAW STREET EXTENSION.

With housing and other developments growing in recent years in the Abbott Loop area, the amount of traffic has also grown. Various transportation studies predicted the current and continuing traffic growth south of Midtown Anchorage.

In 2002, voters approved a statewide bond to construct the Bragaw-Abbott Loop extension to help ease growing traffic congestion. The route selected for the corridor by the State of Alaska traverses several parcels in the HLB inventory.

The State of Alaska – Department of Transportation (DOT) applied for an easement through the portions of HLB parcels needed for the extension and right-of-way:

HLB Parcels #3-026, 3-027 and 3-064, located between East 64<sup>th</sup> Avenue and the south end of Bragaw Street, all zoned PLI (Public Lands/Institutions).

The corridor through HLB properties is identified in Sheets R12-R16 (HLB properties noted as Parcels 1, 2 and 3 on maps), attached as **Appendix A-1** through **A-6**, and an overview of the corridor, attached to the ordinance as **Exhibit A**.

HLB authorized a site-specific land use study for its parcels, which was completed in August 2004. The land use plan, conducted by Agnew::Beck Consultants, recommended disposal of portions of affected HLB properties for the road corridor as limited access parkway; see summary, **Appendix B**.

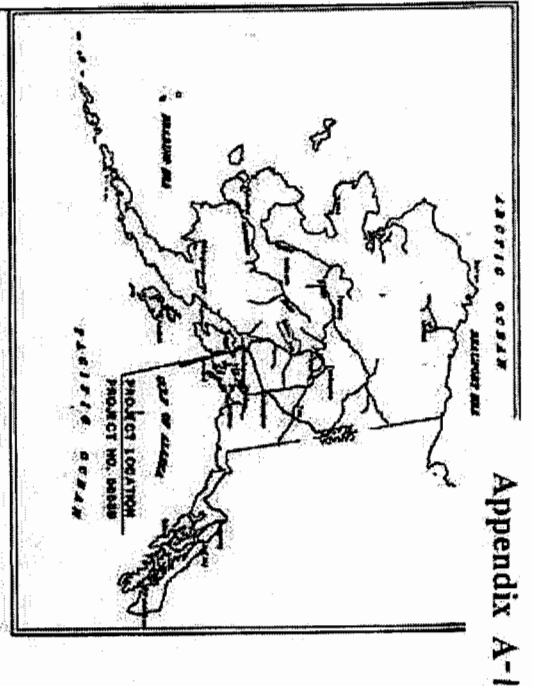
Affiliated Appraisers of Alaska prepared an appraisal for the minimum amount of HLB property required for the extension, at the request of DOT, valuing the net acreage to be taken (27.543 acres) at \$875,000; see **Appendix C**. DOT has offered to purchase the net acreage required for the corridor right-of-way from HLB for the appraised value.

1 On September 8, 2004, the Heritage Land Bank Advisory Commission held a public hearing for the  
2 proposed disposal of portions of HLB parcels required for the Bragaw-Abbott Loop extension right-of-  
3 way. The commission passed HLBAC Resolution 2004-05, approving the disposal; see **Appendix D**.  
4 The portions of HLB parcels 3-026, 3-027 and 3-064 which are not required by DOT for right-of-way  
5 shall remain in HLB inventory, and retain after deduction for right-of-way acreage, their HLB parcel  
6 identification numbers.

7  
8 THE ADMINISTRATION RECOMMENDS AUTHORIZATION OF WITHDRAWAL FROM HLB  
9 INVENTORY AND SALE OF 27.543 ACRES OF REAL PROPERTY FROM PARCELS 3-026, 3-  
10 027 AND 3-064 AT FAIR MARKET VALUE TO THE STATE OF ALASKA, DEPARTMENT OF  
11 TRANSPORTATION, FOR RIGHT-OF-WAY FOR THE ABBOTT LOOP-BRAGAW STREET  
12 EXTENSION FOR \$875,000.

13  
14 Prepared by: Robin E. Ward, Executive Director, Heritage Land Bank  
15 Concur: Mary Jane Michael, Executive Director,  
16 Economic & Community Development  
17 Concur: Denis C. LeBlanc, Municipal Manager  
18 Respectfully submitted: Mark Begich, Mayor

# Appendix A



Appendix A-1

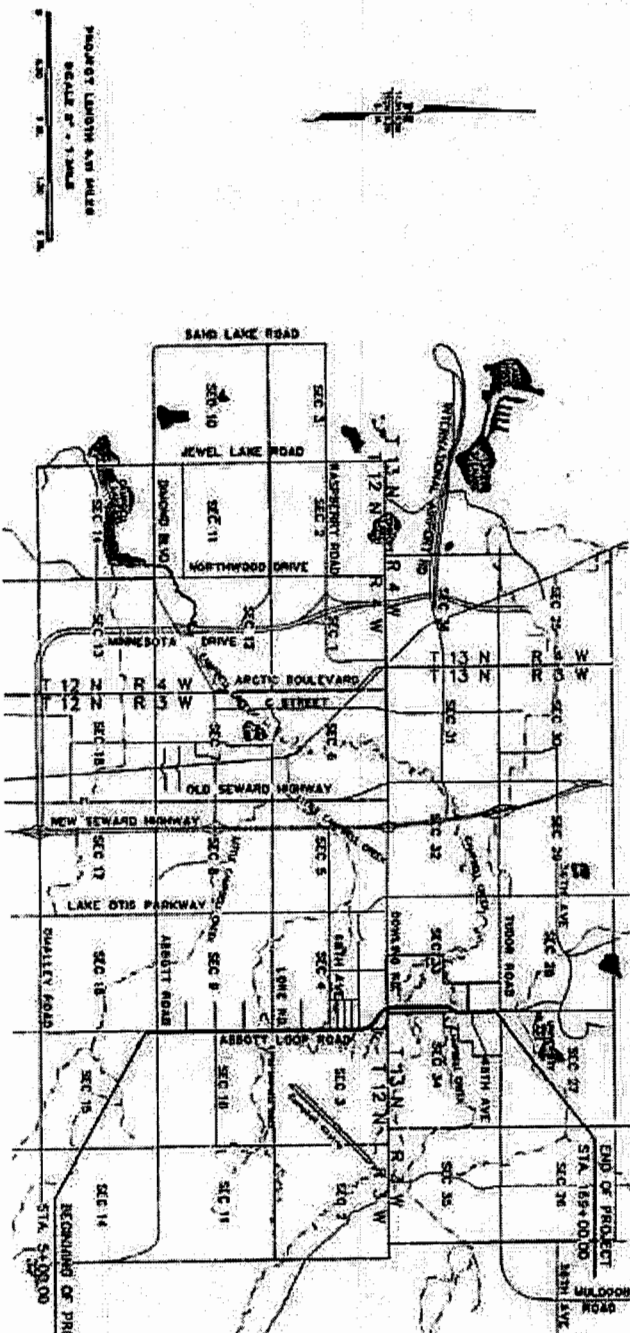
## STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

### RIGHT OF WAY MAP

#### ALASKA PROJECT

## ABBOTT LOOP EXTENSIC ABBOTT ROAD TO 48TH AVENUE

56559

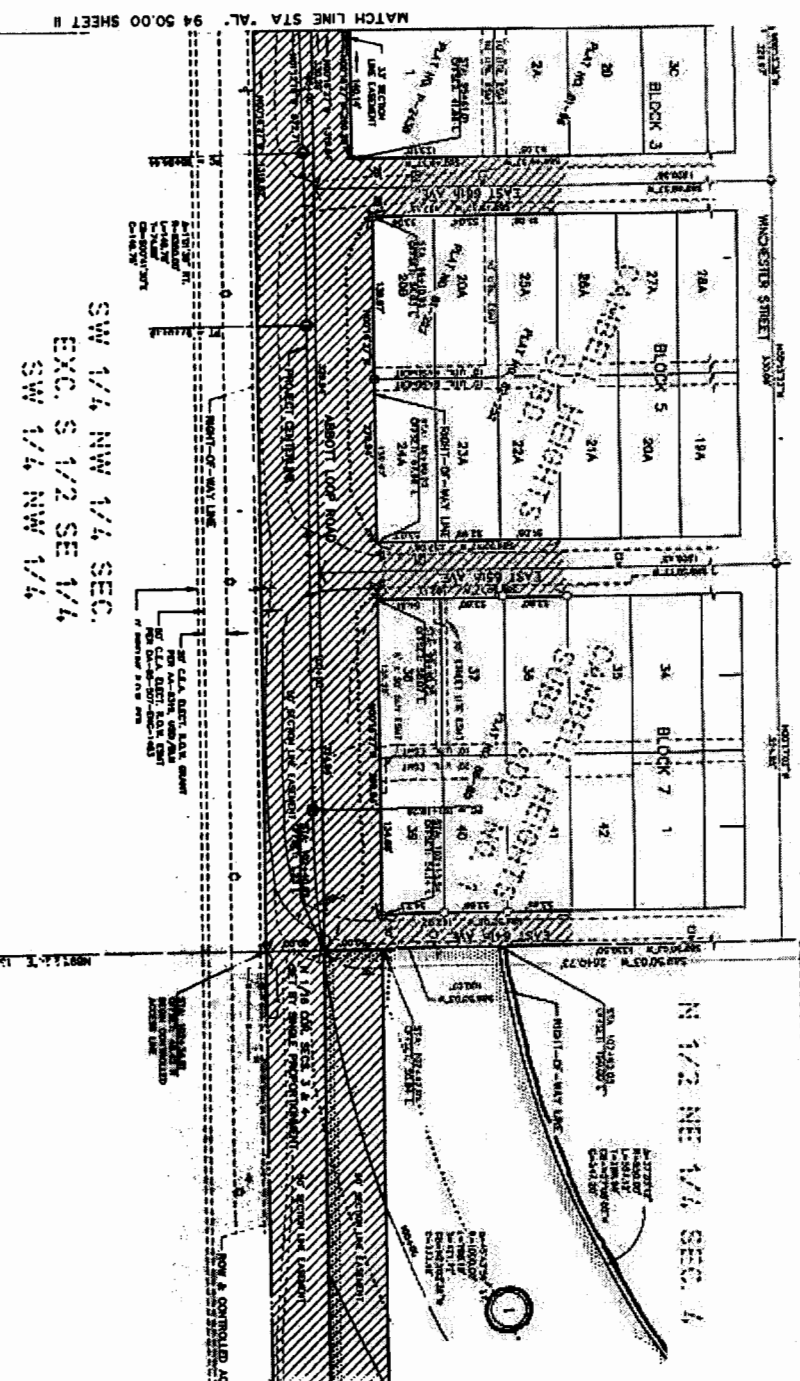




C-4 1/4 COR. SEC. 4  
Rd. ALA. CO. (1981)

NE COR. LI. IN CHASCO ESTATES SUB.  
Rd. ALA. CO. (1981)

SECTION 4



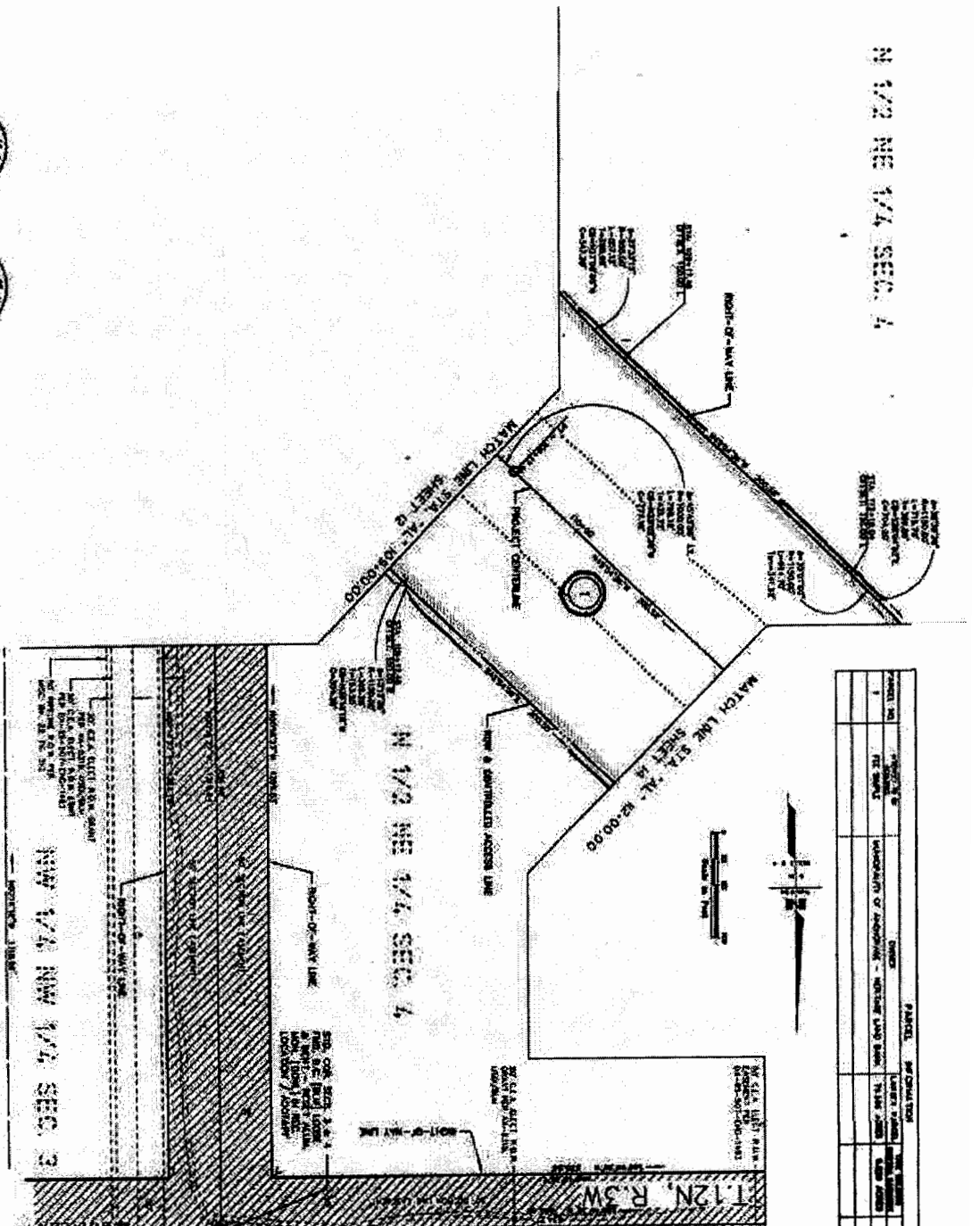
SW 1/4 NW 1/4 SEC.  
EXC. S 1/2 SE 1/4  
SW 1/4 NW 1/4

NO.	DESCRIPTION	DATE	BY	REMARKS
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
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10	...	...	...	...

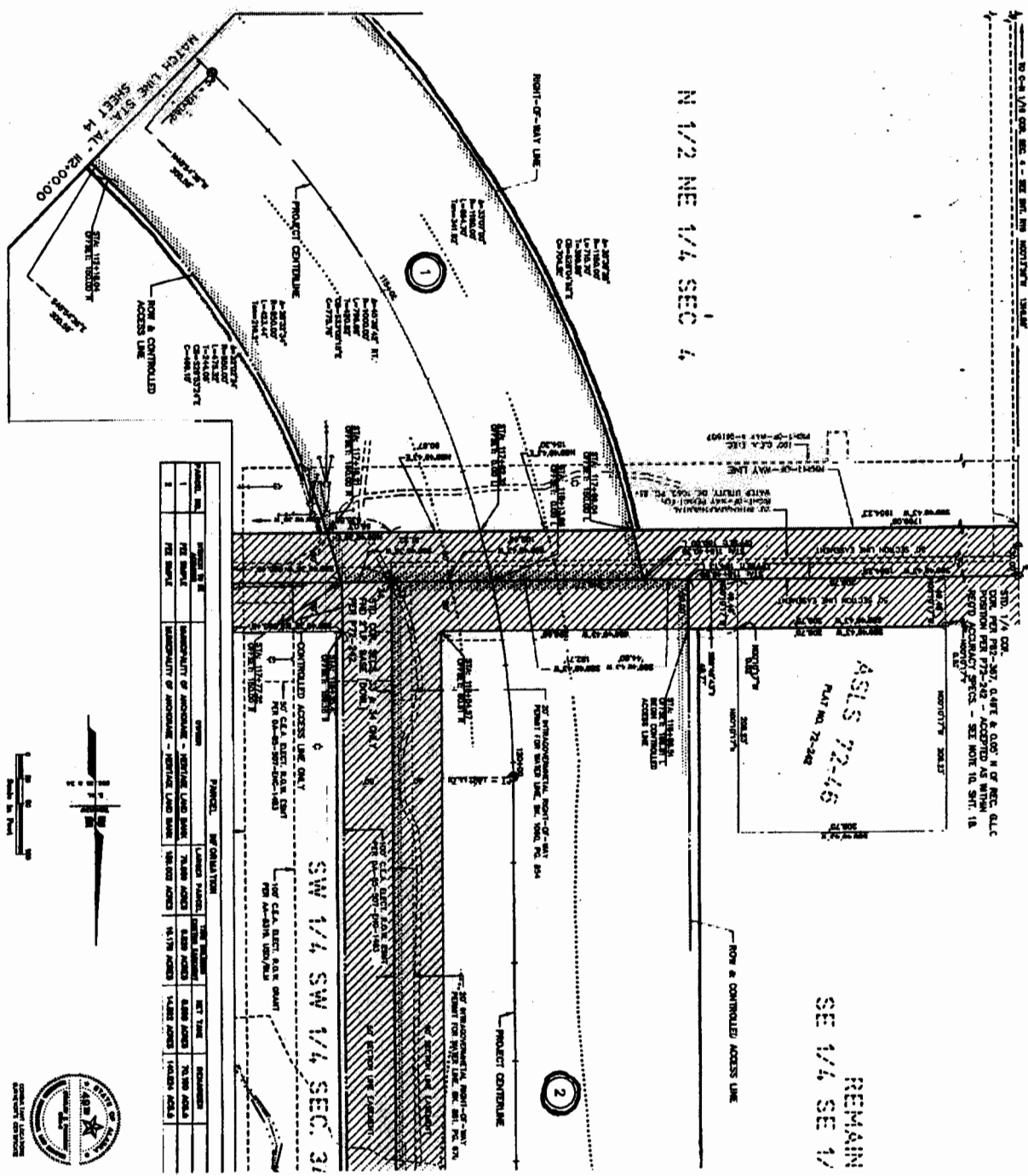
NE 1/4 COR. SEC. 3  
Rd. ALA. CO. (1981)



Appendix A-2

[illegible]

312. 1/4 CON. 22  
PUB. A.C. [1941]

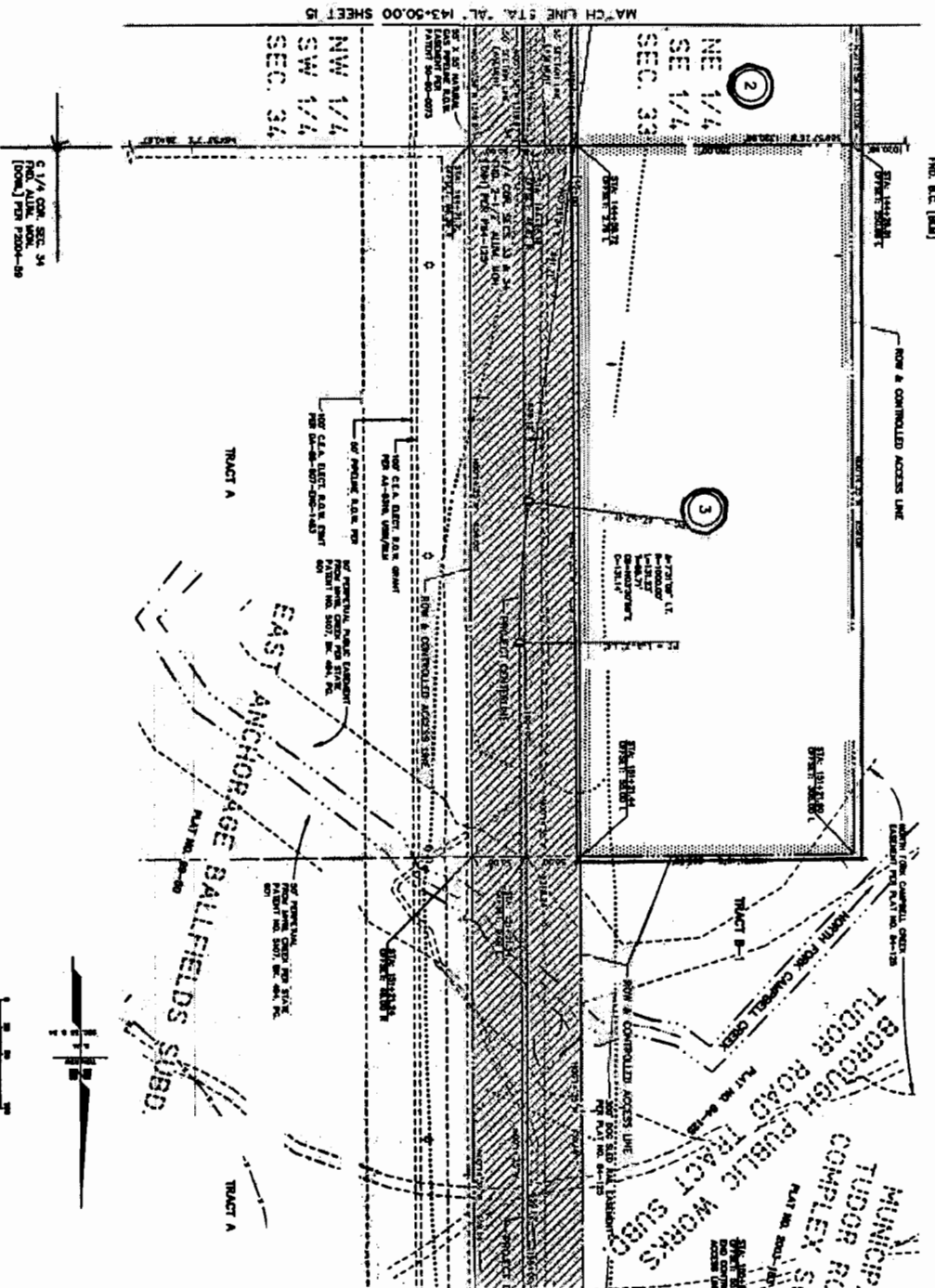


Appendix A-4





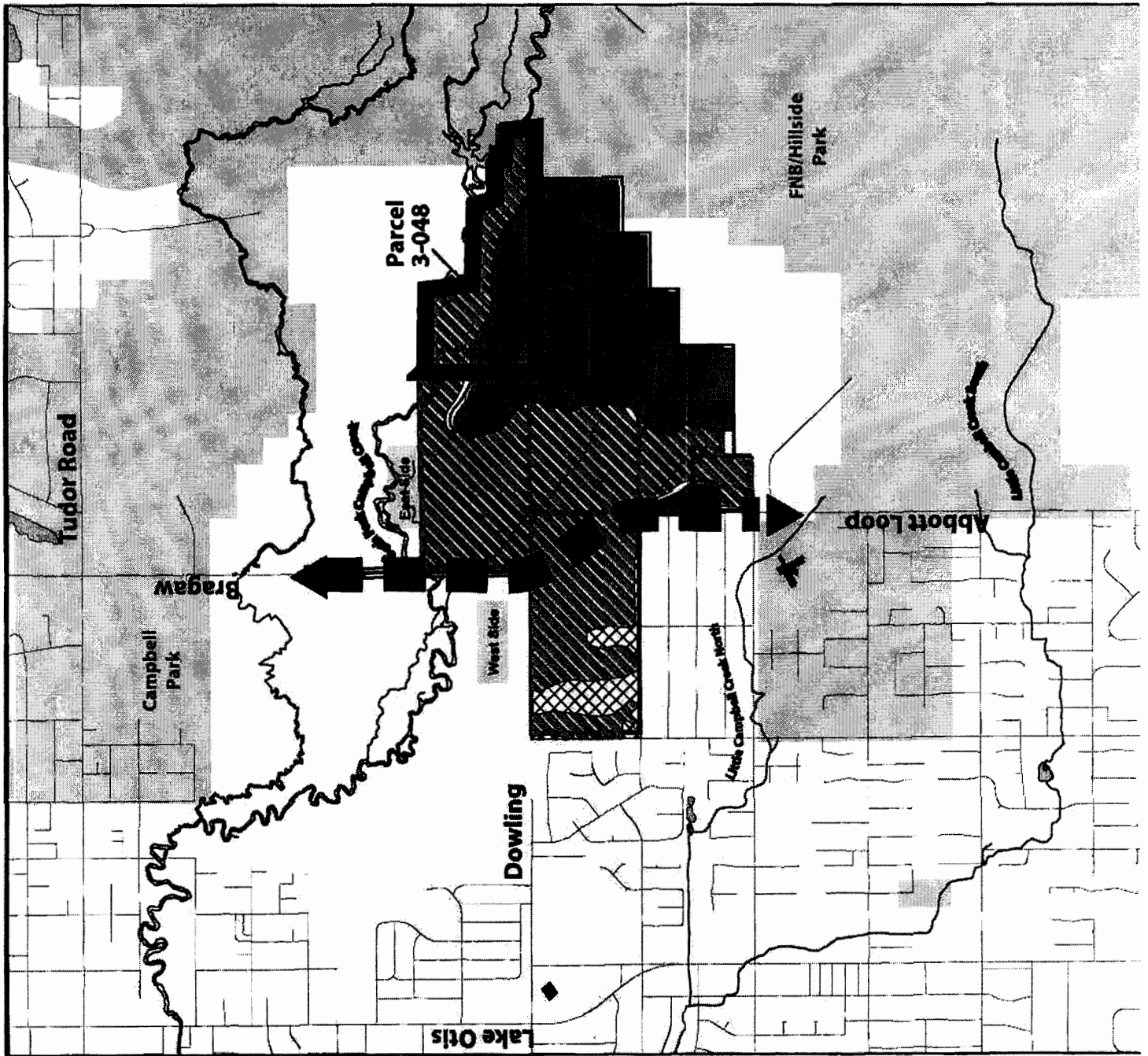
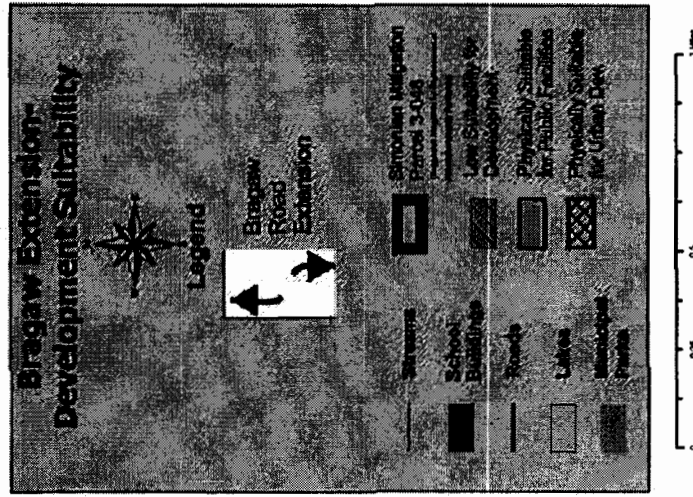
C-1/4 COR. SEC. 33  
TOW. 12. (S.W.)



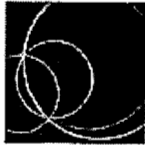
TRACT NO.	TRACT NAME	TRACT AREA	TRACT TYPE	TRACT STATUS	TRACT NOTES
1	TRACT A	10.00 ACRES	10.00 ACRES	10.00 ACRES	10.00 ACRES
2	TRACT B-1	10.00 ACRES	10.00 ACRES	10.00 ACRES	10.00 ACRES
3	TRACT B-2	10.00 ACRES	10.00 ACRES	10.00 ACRES	10.00 ACRES

Appendix A-6

Figure 2



## Appendix B



AGNEW  
:: BECK

August 5, 2004

Municipality of Anchorage  
Heritage Land Bank  
632 W. 6th Ave.  
Anchorage, AK 99501

### **Subject: Bragaw Site Specific Land Use Plan**

Members of the Heritage Land Bank Advisory Commission,  
Robin Ward, Executive Director  
Art Eash,

This letter provides an update on the status of the Bragaw Site Specific Land Use Plan, and outlines recommended changes to the draft plan, based on public and agency input.

### **Summary of Plan Recommendations**

The Draft Site Specific Land Use Plan makes three general recommendations, outlined below. Details and a map are included in the Draft Plan.

- *Road Corridor* – convey land for the extension of Bragaw to the State of Alaska; develop the road as a limited access parkway.
- *East side* - follow the policies of the existing Far North Bicentennial Park Plan, i.e., retain in public ownership in the near term, and retain the option for a range of public uses on portion of this land in the future.
- *West side* – use the northern portion of west side parcel for the future extension of Dowling; retain the remainder of this land in the near term, and reserve the option for developed uses and/or sales on portions with physical capability for such uses.

### **Public and Agency Review Process**

The plan was prepared with extensive public involvement. Key to this process were two public workshops, held at Trailside Elementary School, one on May 12<sup>th</sup>, and a second on June 16<sup>th</sup>. Publicity for these events was generated using a range of media:

- o E-postcards were sent to nearly 500 interested parties.

## **Recommendations to the HLB Advisory Commission**

### **1. Overall**


The existing Draft Plan should be accepted by the Advisory Commission, and used as the basis for the decision to convey land to the State of Alaska for the Bragaw Extension.

### **2. Detailed changes to the Draft Plan**

Based on public comments it is recommended that a handful of relatively minor corrections, additions and clarifications be made to the draft plan, as outlined below:

- Page 14 – update references to the “Living with Wildlife Plan” to make clear that the plan has been adopted, and some of its strategies implemented.
- Page 15 – references to the MOA Draft Parks Plan should make clear that that plan is not yet adopted. Clarify that while the Draft SSLUP references recommended policies in the Draft Parks Plan, the land use policies recommends in the Site Specific Land Use Plan are not based on that draft.
- Page 30-31 (Fish and Wildlife Data) – clarify that the moose data collected to date as part of the Bragaw Extension Environmental Assessment are limited and preliminary. Add information regarding the use of the general area by moose, bear and coyote.
- Page 43-46 (Chapter 5 – response to specific SSLUP Municipal Code requirements) – clarify that the conclusions presented in Draft Plan uses are responsive to the need for community facilities (section 1), and consistent with the Comprehensive Plan and Zoning for the area (section 6)
- Page 44 – correct spelling of Kurt Vause (not Voss), revise text to indicate the AWWU project cost \$100 million (not \$80 million), and extends 14,000 feet (not 13,000)

# Appendix C

	STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	PROJECT NAME: <u>ABBOTT LOOP EXTENSION</u> <u>ABBOTT ROAD TO 48<sup>TH</sup> AVENUE</u>
	NARRATIVE APPRAISAL REPORT SUMMARY	STATE PROJECT #: <u>56559</u> FEDERAL AID PROJECT #: <u>NA</u> PARCEL #: <u>1, 2 AND 3</u> UNIT #: <u></u>

## PROJECT & OWNER INFORMATION

Name of Owner Municipality of Anchorage / Heritage Land Bank  
 Address HC 03, Box 9600, Palmer, Alaska 99645  
 Telephone Number 907-343-4333  
 Parcel Location Land extending north from Abbott Road to Tudor Road ROW Map Date 8/04/04  
 Legal Description Lengthy- -No title report supplied  
 Zoning PLI Public Land and Institution Current Use Vacant Highest & Best Use As privately owned single-family residential development and wetlands mitigation  
 Rights Appraised Fee Simple  
 Inspection Date 3/11/04 & 4/28/04  
 Date of Value 5/01/04

## PARCEL DESCRIPTION SUMMARY

Parcel	1	2	3	
Parcel Area	79.989 ac	159.002 ac	32.622 ac	Easement Acquired <u>None</u>
Area of Acquisition	9.829 ac*	18.178 ac*	3.783 ac*	Temporary Construction Easement Acquired <u>None</u>
Remainder	70.160 ac	140.824 ac	28.839 ac	
Area of Parcel Subject to Existing Road Easement				<u>4.247 ac</u>

## ACQUISITION SUMMARY (See Section 4.16.1 of ROW Manual)

1. Market Value Before Acquisition	Land	\$		
	Improvements	+\$ 0	=	\$
2. LESS Acquisition Value As Part of The Whole	Land	\$		
	Improvements	+\$ 0	=	\$
3. Remainder Value As Part of The Whole			=	\$ NA
4. Estimated Market Value of Remainder	Land	\$		
	Improvements	+\$ 0	=	\$ NA
5. Damages (if any)	\$ 0			
6. Special Benefits (if any)	-\$ NA	=	\$ 0	**

7. Acquisition Value as Part of the Whole (Amount with * from above)	\$ 875,000
8. Net Damages (Amount with ** from above)	+ \$ 0
9. Cost-to-Cure	+ \$ 0
10. Temporary Construction Easement	+ \$ NA
11. Easements	+ \$ NA
12. Area of Parcel subject to Existing Road Easement	+ \$ 0
13. Other	+ \$ NA
14. MARKET VALUE OF ACQUISITION	= \$ 875,000

Date \_\_\_\_\_ Prepared By \_\_\_\_\_

\*Area of acquisition includes existing road easements. Total area net of existing road easements to be acquired is 27.543 ac

*Affiliated Appraisers of Alaska*



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

CERTIFICATE OF APPRAISER

PROJECT NAME: ABBOTT LOOP EXTENSION  
ABBOTT ROAD TO 48<sup>TH</sup> AVENUE

STATE PROJECT #: 56559

PARCEL #: MOA

Name of Appraiser Thomas R. Dunagan, MAI

I CERTIFY THAT:

I personally inspected the property appraised in this report on March 11, 2004 and April 28, 2004.

I personally verified the facts, prices, terms, and conditions of sales used as comparable data with the parties to each transaction except to the extent otherwise indicated in my report.

I made a personal field inspection of any comparable properties referred to in the report. The narrative analysis and conclusions contained within this appraisal report are my own. The names of assistants (if any) who provided support are None. I have limited their services to photography, basic research, and general data gathering.

I have afforded each property owner the opportunity to accompany me at the time of my inspection of the property.

To the best of my knowledge and belief, the statements contained in this appraisal report are true and correct, and the information upon which my opinions are based is accurate, subject only to the assumptions and limiting conditions set out in the report.

My appraisal report is intended to be used by the State of Alaska in connection with an acquisition for the above-referenced project to be constructed with the assistance of federal funds.

This appraisal report has been made in conformity with applicable federal standards, State of Alaska statutes, regulations, policies, and procedures and with accepted industry practices applicable to valuation of lands for such purposes. To the best of my knowledge, all values that I have assigned to the property are compensable under the established law of the State of Alaska. Values assigned do not reflect a decrease or increase due to the proposed project.

Neither my employment nor my compensation for making this appraisal report are in any way contingent upon the reporting of a predetermined value that favors the cause of the client, the attainment of a stipulated result, or the occurrence of a subsequent event.

I have no direct, indirect, present, or prospective interest in the subject property; and I have no personal interest or bias with respect to the parties involved, nor will I benefit in any way from the acquisition of this property.

I have not revealed the findings and results of this report to anyone other than the proper officials of the Alaska Department of Transportation and Public Facilities, the Federal Highway Administration, or the Federal Aviation Administration, and I will not do so until so authorized by proper officials, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

Based upon my independent, unbiased research and analysis, my professional opinion of market value is \$875,000 as of the 1st day of May, 2004.

Date

8/6/04

Appraiser's Signature

## Appendix D

### HERITAGE LAND BANK ADVISORY COMMISSION RESOLUTION 2004-05

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION (HLBAC) APPROVING THE DISPOSAL OF 27.543 NET ACRES FROM HLB PARCEL NO. 3-026, 3-027 AND 3-064 TO THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION, FOR PURPOSES OF A RIGHT-OF-WAY EASEMENT FOR THE ABBOTT LOOP – BRAGAW EXTENSION.

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**WHEREAS**, the Heritage Land Bank (HLB) was established to "manage uncommitted municipal land and the Heritage Land Bank Fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan. The Heritage Land Bank shall acquire, inventory, manage, withdraw, transfer and dispose of municipal land which has not been dedicated or transferred to a specific municipal agency for one or more municipal uses" (AMC 25.40.010); and,

**WHEREAS**, In 2002, voters approved a statewide bond to construct the Bragaw-Abbott Loop extension that would potentially bisect several HLB parcels; and

**WHEREAS**, the State of Alaska Department of Transportation applied for an easement through portions of HLB parcels 3-026, 3-027 and 3-064, all zoned PLI, constituting a net take of 27.543 acres to the State of Alaska; and

**WHEREAS**, a site-specific land use study was conducted, pursuant to AMC 25.40.025.C., that recommends disposal of this select acreage for the road corridor to be developed as a limited access parkway; and

**WHEREAS**, an appraisal of the acreage for the proposed Bragaw-Abbott Loop extension has determined a market value for the net acreage of \$875,000 to be paid by the State of Alaska to the Heritage Land Bank in compensation; and

**WHEREAS**, the HLB posted the property and provided public notice of the proposed disposal, and held a public hearing on September 8, 2004 in accordance with AMC 25.40.030.

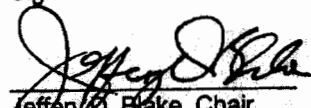
NOW, THEREFORE, THE HERITAGE LAND BANK ADVISORY COMMISSION RESOLVES TO APPROVE THE DISPOSAL OF 27.543 NET ACRES FROM HLB PARCEL NOS. 3-026, 3-027 AND 3-064 TO THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION, FOR PURPOSES OF A RIGHT-OF-WAY EASEMENT FOR THE ABBOTT LOOP – BRAGAW EXTENSION, AND THAT:

Section 1. The 2004 "Bragaw Extension HLB Properties: Sites Specific Land Use Study" by Agnew::Beck Consulting is hereby accepted and incorporated by reference.

Section 2. The

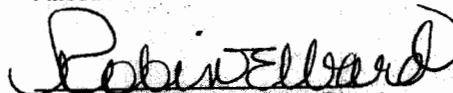
PASSED AND APPROVED the 8<sup>TH</sup> day of September 2004.

Signed:



Jeffery D. Blake, Chair  
Heritage Land Bank Advisory Commission

Attest:



Robin E. Ward, Executive Director  
Heritage Land Bank



**Content Information****Content ID :** 002166**Type:** Ordinance - AO**Title:** Right-of-Way Easement for Bragaw-Abbott Extension**Author:** vanhornlr**Initiating Dept:** HLB**Description:** Disposal of Portions of HLB properties for Right-of-way Easement for the Bragaw-Abbott Road Extension**Keywords:** Bragaw-Abbott**Date Prepared:** 9/13/04 10:53 AM**Director Name:** Robin E. Ward**Assembly Meeting Date**  
**MM/DD/YY:** 10/12/04**Public Hearing Date**  
**MM/DD/YY:** 10/26/042004 OCT -4 PM 12:06  
CLERK OF COURT**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	9/13/04 10:57 AM	Checkin	vanhornlr	Public	002166
HLB_SubWorkflow	9/13/04 11:15 AM	Approve	wardre	Public	002166
ECD_SubWorkflow	9/13/04 11:22 AM	Approve	thomasm	Public	002166
OMB_SubWorkflow	9/14/04 7:42 AM	Approve	pearcydl	Public	002166
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