

CLERK'S OFFICE

APPROVED

Date: 2-17-04

IMMEDIATE RECONSIDERATION

FAILED 2-17-04

Submitted by: Assemblyman Tremaine

Prepared by:

For Reading: February 3, 2004

ANCHORAGE, ALASKA

AO 2004-55

1 AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY
2 AT THE REGULAR MUNICIPAL ELECTION APRIL 6, 2004, A BALLOT PROPOSITION
3 APPROVING THE LONG-TERM, NON-EXCLUSIVE LEASE OF THE SECTION 16
4 EQUESTRIAN CENTER, ALSO KNOWN AS THE WILLIAM CLARK CHAMBERLIN
5 EQUESTRIAN CENTER, TO ANCHORAGE HORSE COUNCIL, INC., A NON-PROFIT
6 CORPORATION FOR LESS THAN FAIR MARKET VALUE.

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9 WHEREAS, the Anchorage Horse Council, Inc., a non-profit corporation, has managed the
10 Section 16 Equestrian Center (hereinafter "Center"), also known as the William Clark Chamberlin
11 Equestrian Center, located in a portion of Ruth Arcand Park, under a management agreement
12 administered by the Department of Parks and Recreation since 1985; and

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14 WHEREAS, over the course of the management agreement, the Anchorage Horse Council, Inc.
15 has constructed permanent improvements for the benefit of the Municipality; and

16
17 WHEREAS, at the request of, and in consideration of, the Anchorage Horse Council, Inc.'s
18 continued and effective management and operation of the Center for Anchorage and its citizens,
19 the Municipality proposes to lease the Center to the Anchorage Horse Council, Inc., for a term not
20 to exceed 35 years at less than fair market value, in an effort to aide further development and
21 enhancement of the Center facilities for a public purpose beneficial to the Municipality and the
22 public; and

23
24 WHEREAS, the Center consists of approximately 334.57 acres m/l in Ruth Arcand Park, at Tract
25 D, Section 16 Subdivision, Plat No. 86-824; and

26
27 WHEREAS, pursuant to Anchorage Ordinance 90-71(S), Ruth Arcand Park is dedicated to park
28 and recreational uses, the lease of which must be approved by the voters of the Municipality of
29 Anchorage pursuant to Anchorage Municipal Charter §10.02(8) and Anchorage Municipal Code
30 Section 25.30.020;

31
32 WHEREAS, a companion ordinance, Anchorage Ordinance 2004-56, authorizing a long-term,
33 non-exclusive lease (not exceeding 35 years) of dedicated park land known as Section 16
34 Equestrian Center, by the Municipality of Anchorage to the Anchorage Horse Council, Inc., a non-
35 profit corporation, at less than fair market value, as permitted by Anchorage Municipal Code
36 Subsection 25.30.040B. is pending, and must be approved by the Assembly prior to placing this
37 ballot proposition before the voters; now therefore,

38
39 THE ANCHORAGE MUNICIPAL ASSEMBLY ORDAINS:

Section 1. Submission of this ballot proposition to the voters is subject to the adoption of Anchorage Ordinance 2004-56, approving the long-term, non-exclusive lease of the Section 16 Equestrian Center by Anchorage Horse Council, Inc., a non-profit corporation.

Section 2. Pursuant to Anchorage Municipal Charter §10.02, at the regular Municipal election April 6, 2004, a ballot proposition in substantially the following form shall be submitted to the qualified voters of the Municipality of Anchorage:

Proposition _____

APPROVING A LONG TERM LEASE (NOT TO EXCEED 35 YEARS) OF 334.57 ACRES OF DEDICATED MUNICIPAL PARK LAND LOCATED IN RUTH ARCAND PARK, TRACT D, SECTION 16 SUBDIVISION, TO ANCHORAGE HORSE COUNCIL, INC., A NON-PROFIT CORPORATION, AT LESS THAN FAIR MARKET VALUE, TO CONSTRUCT, MANAGE AND OPERATE AN EQUESTRIAN TRAINING FACILITY.

Shall the Municipality of Anchorage enter into a long-term, non-exclusive lease (not to exceed 35 years) of 334.57 acres of dedicated municipal park land located in Ruth Arcand Park, Section 16 Equestrian Center, also known as the William Clark Chamberlin Equestrian Center, for construction, management and operation of an equestrian training facility, effective upon approval by a majority of the voters?

Yes []

No []

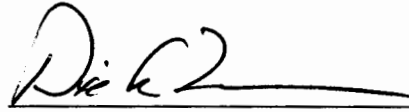
Property affected by this proposition is located in Ruth Arcand Park, described more specifically as the Section 16 Equestrian Center, also known as William Clark Chamberlin Equestrian Center, Tract D, Section 16 Subdivision, according to Plat 86-724, Anchorage Recording District, Third Judicial District at Anchorage, Alaska.

The taxpayers of the Municipality of Anchorage will not incur an increase in property taxes as a result of this lease, and the Municipality will gain a valuable facility at the end of the lease term.

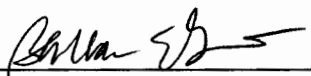
Section 3. Section 1 of this ordinance shall become effective if, and only if, the companion ordinance authorizing the long-term lease, AO 2004-56, is adopted by the Assembly.

Section 4. Section 2 of this ordinance shall become effective if, and only if, said proposition is passed by a majority of Municipality of Anchorage voters voting on the proposition.

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2 PASSED AND APPROVED by the Anchorage Municipal Assembly this 17th day of
3 February, 2004.
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9 Chair

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11 ATTEST:

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15 Municipal Clerk
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