

CLERK'S OFFICE

APPROVED

Date: 8-17-04

Submitted by: Chair of the Assembly
at the Request of the Mayor
Prepared by: Project Management & Engineering
Department
For Reading: August 17, 2004

ANCHORAGE, ALASKA

AR NO. 2004- 202

1 A RESOLUTION AUTHORIZING THE MUNICIPALITY TO GRANT A
2 TELECOMMUNICATION EASEMENT TO MATANUSKA TELEPHONE ASSOCIATION,
3 INC., IN THE SOUTHEASTERLY CORNER OF LOT 48, TRACT B, FIRST ADDITION
4 TO EAGLE CREST SUBDIVISION, LOCATED NEAR CREST VIEW LANE AND
5 EAGLE RIVER ROAD, TAX #050-291-01

6
7 WHEREAS, Matanuska Telephone Association, Inc. (MTA) has requested an
8 easement to install a telecommunications hut and an additional area for installation of
9 buried telephone, grounding and power cables in the southeasterly corner of Lot 48,
10 Tract B, First Addition to Eagle Crest Subdivision, adjacent to the Anchorage Water and
11 Wastewater Utility's (AWWU) Eagle River Road booster station; and

12
13 WHEREAS, the subject easement has a monetary value of \$5,000, and MTA
14 has agreed to pay AWWU for the easement right; now therefore,

15
16 THE ANCHORAGE ASSEMBLY RESOLVES:

17
18 Section 1. That the Administration is authorized to grant the requested
19 telecommunication easement to MTA in the following location:

20
21 A twenty-foot by thirty-six-foot (20'x36') easement more particularly described as
22 follows: The North 20.00 feet of the South 35.00 feet of the East 36.00 feet measured
23 perpendicular to and adjoining the East boundary of Lot 48, Tract B, First Addition to
24 Eagle Crest Subdivision, according to Plat 63-70, on file in the office of the District
25 Recorder, Anchorage Recording District, Seward Meridian, Alaska. Containing 720
26 square feet more or less;

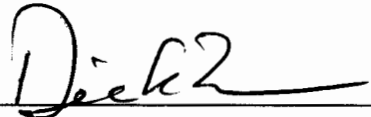
27 AND

28 A five-foot by fifteen-foot (5'x15') easement more particularly described as follows: The
29 West 5.00 feet of the East 24.00 feet of the South 15.00 feet of Lot 48, Tract B, First
30 Addition to Eagle Crest Subdivision, according to Plat 63-70, on file in the office of the
31 District Recorder, Anchorage Recording District, Seward Meridian, Alaska, the West
32 5.00 feet being measured perpendicular to the East property line and the South 15.00
33 feet being measured perpendicular to the South line of said Lot. Containing 75 square
34 feet more or less.

Resolution Granting Telecommunications Easements to Matanuska Telephone Association
Page 2 of 2

1 Section 2. That this resolution shall take effect immediately upon passage and
2 approval.

3
4 PASSED AND APPROVED by the Anchorage Municipal Assembly this 17th day of
5 August, 2004.

6
7
8 
9 Chair

10
11 ATTEST:

12
13 
14 Municipal Clerk
15



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 622-2004

Meeting Date: August 17, 2004

FROM: Mayor

SUBJECT: A Resolution Authorizing the Municipality to Grant a Telecommunication Easement to Matanuska Telephone Association, Inc., in the Southeasterly corner of Lot 48, Tract B, First Addition to Eagle Crest Subdivision, located near Crest View Lane and Eagle River Road, Tax #050-291-01

Matanuska Telephone Association, Inc., (MTA) has requested a twenty-foot by thirty-six-foot (20'x36') easement and a five-foot by fifteen-foot (5'x15') easement located in the southeasterly corner of Lot 48, Tract B, First Addition to Eagle Crest Subdivision, according to Plat 63-70, for the installation of a telecommunications hut with buried telephone, grounding and power cables. Accordingly, MTA requires the subject easement (Exhibit A) within the Municipal property as identified on the attached parcel plat (Exhibit B).

This easement is adjacent to the Anchorage Water & Wastewater Utility (AWWU) Eagle River Road booster station. The easement has a monetary value of \$5,000, and MTA has agreed to reimburse AWWU that amount for the easement right.

THE ADMINISTRATION RECOMMENDS APPROVAL OF AR NO. 2004- 202 AUTHORIZING THE MUNICIPALITY TO GRANT A TELECOMMUNICATION EASEMENT TO MTA, IN LOT 48, TRACT B, FIRST ADDITION TO EAGLE CREST SUBDIVISION.

Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department
Concur: Mark Premo, General Manager, AWWU
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully Submitted: Mark Begich, Mayor

After Recording Return to:
Matanuska Telephone Association, Inc.
P.O. Box 3550
Palmer, AK 99645-3550

W/O-044694027
G-NW0054
050-291-01
MTA-01-04

MATANUSKA TELEPHONE ASSOCIATION, INC.
Telecommunication Easement

The GRANTOR, Municipality of Anchorage, d/b/a Anchorage Water & Wastewater Utility, whose mailing address is P.O. Box 196650, Anchorage, AK 99519-6650, for good and valuable consideration, conveys and warrants to GRANTEE, MATANUSKA TELEPHONE ASSOCIATION, INC., a cooperative corporation, duly organized and existing under and by virtue of the laws of the State of Alaska, whose address is P.O. Box 3550, Palmer, Alaska 99645, and to its successors and assigns a non-exclusive easement to enter upon the lands of the following described real estate:

Located in the Anchorage Recording District, Third Judicial District, State of Alaska, Section 7, Township 14 North, Range 1 West, Seward Meridian, Alaska.

A twenty foot by thirty-six foot (20' x 36') easement more particularly described as follows: The North 20.00 feet of the South 35.00 feet of the East 36.00 feet measured perpendicular to and adjoining the East boundary of Lot 48, Tract B, First Addition to Eagle Crest Subdivision, according to Plat 63-70 on file in the office of the District Recorder. Containing 720 square feet more or less;

AND

A five foot by fifteen foot (5' x 15') easement more particularly described as follows: The West 5.00 feet of the East 24.00 feet of the South 15.00 feet of Lot 48, Tract B, First Addition to Eagle Crest Subdivision, according to Plat 63-70 on file in the office of the District Recorder the West 5.00 feet being measured perpendicular to the East property line and the South 15.00 feet being measured perpendicular to the South line of said Lot. Containing 75 square feet more or less.

To construct, reconstruct, lay, maintain, operate, alter, repair, remove, and replace aerial or buried telecommunications and/or electrification cables/lines, poles, or systems and appurtenances thereto, and make changes and additions thereto, to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said cables/lines or systems by any other firm or corporation for telecommunications and/or electrification purposes, utilizing such facilities, under, upon, over, and through lands which the undersigned owns or in which the undersigned has an interest and/or in, upon, or under all private or underlying interest streets, roads or highways abutting said lands. The said GRANTOR is to fully use and enjoy said premises provided that GRANTOR shall not construct or permit to

W/O-044694027
G-NW0054
050-291-01
MTA-01-04

be constructed any structures or obstructions on, under, or over that will interfere with the construction, maintenance or operation of any telecommunications and/or electrification cables/lines or systems, or appurtenances constructed hereunder.

TO HAVE AND TO HOLD unto the GRANTEE, its successors and assigns, with ingress to and egress from the premises for the purpose herein granted.

GRANTOR reserves the right to permit the use by others of this easement area provided that such use does not damage GRANTEE'S facilities, is compatible with and does not interfere with the rights or operations of GRANTEE, its successors, assigns and permittees, and said use is in compliance with GRANTEE'S Telecommunication Requirements.

GRANTEE shall indemnify, defend and hold GRANTOR harmless from any and all liability or loss arising from the exercise by GRANTEE, or GRANTEE'S contractors, of any of the rights granted herein.

GRANTOR covenants that it is the owner of the above-described premises, and that the said premises are free and clear of encumbrances and liens of whatsoever character, except those of record.

IN WITNESS WHEREOF, GRANTOR has set its hand and seal, or has caused these presents to be executed by its duly authorized representative or agent, on this _____ day of _____, 2004.

GRANTOR: MUNICIPALITY OF ANCHORAGE d/b/a
ANCHORAGE WATER WASTEWATER UTILITY

By: Denis C. LeBlanc
Its: Municipal Manager

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this
____ day of _____ 2004 by Denis C. LeBlanc, the Municipal Manager for
the Municipality of Anchorage.

Notary Public in and for Alaska
My Commission Expires: _____

SITUATED IN

REFERENCE PLAT No.63-70, ANCHORAGE RECORDING DISTRICT

LOCATED IN THE SW1/4 SEC.7, T.14 N., R.1 W., S.M., AK. - MOA GRID NW54



July 15, 2004
DATE

NOTE:

THIS IS A PRE-CONSTRUCTION PLAN, AND AS SUCH MAY BE SUBJECT TO SMALL CHANGES THAT WILL BE SHOWN ON THE AS-BUILT SURVEY DRAWING AFTER CONSTRUCTION.

LEGEND:

DIRECTION OF DRAINAGE FLOW

SPOT ELEVATION

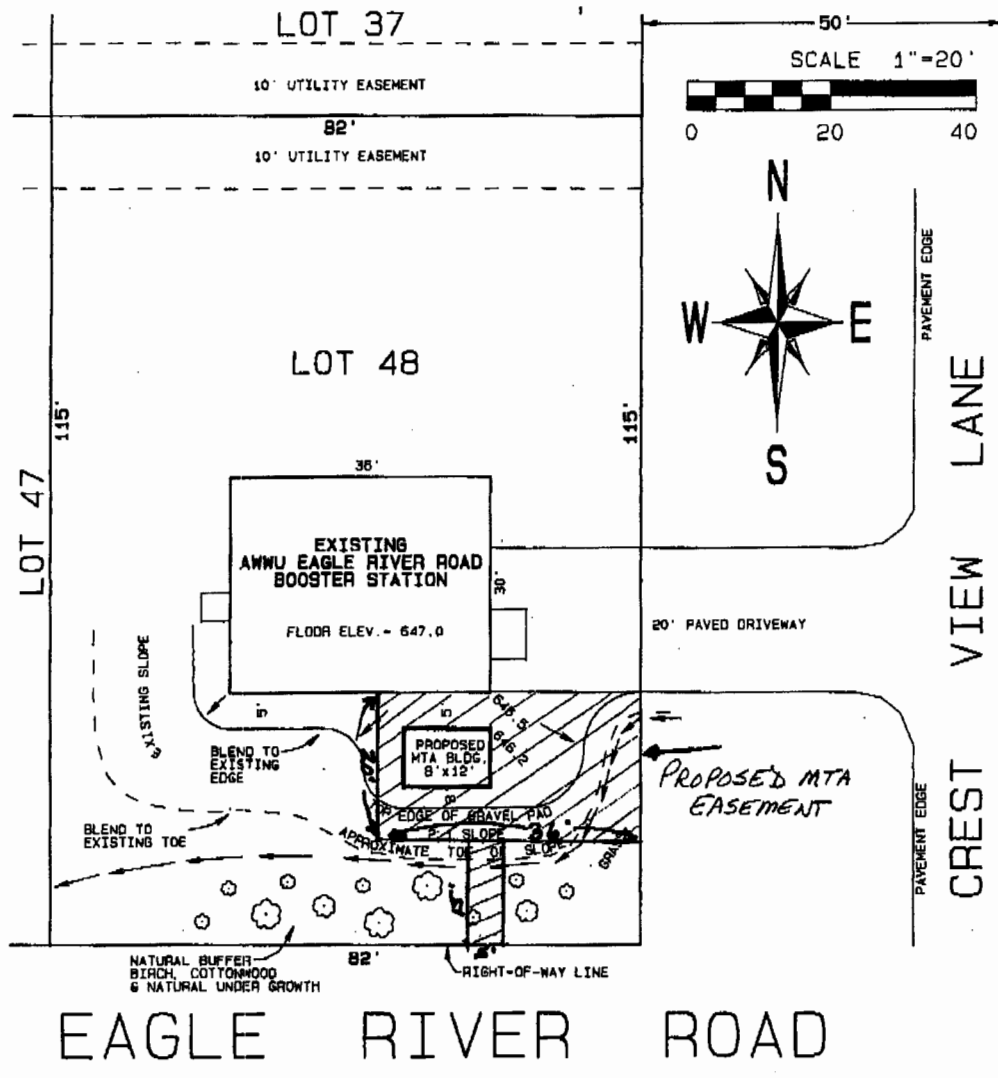


Exhibit B

Content Information**Content ID :** 002036**Type:** AR_AllOther - All Other ResolutionsA RESOLUTION AUTHORIZING THE MUNICIPALITY TO GRANT A
TELECOMMUNICATION EASEMENT TO MTA IN THE**Title:** SOUTEASTERLY CORNER OF LOT 48, TRACT B, FIRST ADDITION
TO EAGLE CREST SUBDIVISION, LOCATED NEAR CREST VIEW
LN. AND EAGLE RIVER RD.**Author:** rerkosp**Initiating Dept:** PME**Review Depts:** AWWU**Description:** A RESOLUTION AUTHORIZING THE MOA TO GRANT A
TELECOMMUNICATION EASEMENT TO MTA IN THE
SOUTEASTERLY CORNER OF LOT 48, TRACT B, FIRST ADDITION
TO EAGLE CREST SUBDIVISION, LOCATED NEAR CREST VIEW
LN. AND EAGLE RIVER RD., TAX#050-291-01**Keywords:** MTA,easement,ROW**Date Prepared:** 7/28/04 1:31 PM**Director Name:** Howard C. Holtan**Assembly****Meeting Date** 08/17/04**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	7/28/04 1:48 PM	Checkin	rerkosp	Public	002036
PME_SubWorkflow	7/29/04 8:43 AM	Approve	holtanhc	Public	002036
AWWU_SubWorkflow	7/29/04 1:32 PM	Approve	premomc	Public	002036
MuniManager_SubWorkflow	8/5/04 6:45 PM	Approve	leblancdc	Public	002036
MuniMgrCoord_SubWorkflow	8/6/04 8:02 AM	Approve	katkusja	Public	002036

CONSENT AGENDA – RESOLUTIONS FOR ACTION- OTHER