

Submitted by: Chair of the Assembly  
at the Request of the Mayor  
Prepared by: Project Management & Engineering  
Department  
For Reading: September 7, 2004

CLERK'S OFFICE

APPROVED

Date: 9-7-04

ANCHORAGE, ALASKA  
AR NO. 2004-217

1 A RESOLUTION AUTHORIZING THE MUNICIPALITY TO GRANT A  
2 TELECOMMUNICATION EASEMENT TO MATANUSKA TELEPHONE ASSOCIATION,  
3 INC., IN THE NORTHEAST CORNER OF TRACT 3, EAGLERIDGE SUBDIVISION  
4 PHASE A, PLAT 81-292, WITHIN SECTION 13, T14N, R2W, S.M. ALASKA,  
5 LOCATED AT GRUENING MIDDLE SCHOOL SITE NEAR EAGLE RIVER ROAD, TAX  
6 #050-872-01

7  
8 WHEREAS, Matanuska Telephone Association, Inc. (MTA) has requested an  
9 easement to install an 8- by 12-foot telecommunications hut within the northeast corner  
10 of Tract 3, Eagleridge Subdivision Phase A; and

11  
12 WHEREAS, the subject easement is within Anchorage School District  
13 property; and

14  
15 WHEREAS, the subject easement does not interfere with the adjacent  
16 Gruening Middle School athletic fields and the Anchorage School District has no objection  
17 to the easement; and

18  
19 WHEREAS, the subject easement is within an existing platted easement to  
20 the Anchorage Water and Wastewater Utility's (AWWU) Eagle River Road Pump  
21 House; and

22  
23 WHEREAS, the subject easement does not interfere with the AWWU water  
24 supply facility and AWWU has no objection to the easement; and

25  
26 WHEREAS, MTA has designed a telecommunications hut that blends  
27 aesthetically with its surroundings, requires little maintenance, and contains no  
28 antennas or noisy machinery ; and

29  
30 WHEREAS, the subject easement is found to be of no substantial monetary  
31 value to the Municipality; now therefore,

32  
33 THE ANCHORAGE ASSEMBLY RESOLVES:

34  
35 Section 1. That the Administration is authorized to grant the requested  
36 telecommunication easement to MTA in the following location:

37  
38 Commencing at the north ¼ corner of Section 13, T14N, R2 W, S.M., a 3-1/4" diameter  
39 aluminum monument in a steel monument box; thence S81°12'35"E, 895.21 feet to the  
40 Point of Beginning of this telecommunications easement; from which point the northeast  
41 corner of Tract 3, Eagleridge Subdivision Phase A, reference Plat No. 81-292,


Resolution Granting a Telecommunication Easement to MTA

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1 Anchorage Recording District, a 1" diameter Survey Mark nail in a paved walkway,  
2 bears N89°59'13"E along the south right-of-way line of Eagle River Road, 433.70 feet;  
3 thence from the Point of Beginning, S0°00'47"E, 99.98 feet; thence N73°51'00"E, 9.79  
4 feet; thence S16°09'00"E, 30.00 feet; thence S73°51'00"W, 10.00 feet; thence  
5 S16°09'00"E, 30.00 feet; thence S73°51'00"W, 15.00 feet; thence N16°09'00"W, 60.00  
6 feet; thence N73°51'00"E, 4.79 feet; thence N0°00'47"W, 102.88 feet to the south right-  
7 of-way line of Eagle River Road; thence N89°59'13"E, 10.00 feet to the Point of  
8 Beginning. Containing 2,214 square feet more or less.

9  
10 Section 2. That this resolution shall take effect immediately upon passage and  
11 approval.

12  
13 PASSED AND APPROVED by the Anchorage Municipal Assembly this 7<sup>th</sup> day of  
14 September, 2004.

15  
16  
17   
18 \_\_\_\_\_  
19 Chair

20 ATTEST:

21  
22   
23 \_\_\_\_\_  
24 Municipal Clerk  
25



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

AM No. 673-2004

Meeting Date: \_\_\_\_\_

**FROM:** Mayor

**SUBJECT:** A Resolution Authorizing the Municipality to Grant an Easement to Matanuska Telephone Association, Inc. for a 12-foot telecommunications hut that includes buried telephones and cables. The hut has been designed to blend aesthetically with the surrounding landscape and contain no antennas or noisy machinery. The hut are buried. Accordingly, MTA requires the subject easement on Municipal property as identified on the attached parcel plat (Exhibit A).

Matanuska Telephone Association, Inc., (MTA) has requested an easement located in the northeast corner of Tract 3, Eagleridge Subdivision Phase 1, Plat 81-292, within Section 13, T14N, R2W, S.M., Alaska, for the installation of a 12-foot telecommunications hut that includes buried telephones and cables. The hut has been designed to blend aesthetically with the surrounding landscape and contain no antennas or noisy machinery. The hut are buried. Accordingly, MTA requires the subject easement on Municipal property as identified on the attached parcel plat (Exhibit A).

This easement is located on Anchorage School District property. The easement is for a 12-foot telecommunications hut that includes buried telephones and cables. The hut are buried. Accordingly, MTA requires the subject easement on Municipal property as identified on the attached parcel plat (Exhibit A).

THE ADMINISTRATION RECOMMENDS APPROVAL OF A RESOLUTION AUTHORIZING THE MUNICIPALITY TO GRANT A 12-FOOT TELECOMMUNICATIONS HUT THAT INCLUDES BURIED TELEPHONES AND CABLES. THE HUT HAS BEEN DESIGNED TO BLEND AESTHETICALLY WITH THE SURROUNDING LANDSCAPE AND CONTAIN NO ANTENNAS OR NOISY MACHINERY. THE HUT ARE BURIED. ACCORDINGLY, MTA REQUIRES THE SUBJECT EASEMENT ON MUNICIPAL PROPERTY AS IDENTIFIED ON THE ATTACHED PARCEL PLAT (EXHIBIT A).

Prepared by: Howard C. Holtan, Director, Project Management  
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-043694003  
G-SW0053  
050-872-01  
MTA-02-04

MATANUSKA TELEPHONE ASSOCIATION, INC.  
Telecommunication Easement

The GRANTOR, Municipality of Anchorage, d/b/a Anchorage School District, 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, NE1/4 of Section 13, Township 14 North, Range 2 West, Seward Meridian, Alaska.

Commencing for reference at the north 1/4 corner of Section 13, T14N, R2W, Seward Meridian, a 3-1/4" diameter aluminum monument in a steel monument box; thence S81°12'35"E, 895.21 feet to the Point of Beginning of this telecommunications easement; from which point the northeast corner of Tract 3, Eagleridge Subdivision – Phase A, reference Plat No. 81-292, Anchorage Recording District, a 1" diameter Survey Mark nail in a paved walkway, bears N89°59'13"E along the south right-of-way line of Eagle River Road, 433.70 feet; thence from the POB, S0°00'47"E, 99.98 feet; thence N73°51'00"E, 9.79 feet; thence S16°09'00"E, 30.00 feet; thence S73°51'00"W, 10.00 feet; thence S16°09'00"E, 30.00 feet; thence S73°51'00"W, 15.00 feet; thence N16°09'00"W, 60.00 feet; thence N73°51'00"E, 4.79 feet; thence N0°00'47"W, 102.88 feet to the south right-of-way line of Eagle River Road; thence N89°59'13"E, 10.00 feet to the Point of Beginning. This telecommunications easement contains a total area of 2,214 square feet, equal to 0.051 acres. Basis for Bearings for this legal description derive from the recovery of the north 1/4 corner of Section 13 and the northeast corner of Section 13, having a bearing of N89°59'13"E according to Plat No. 81-292.

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

W/O-043694003  
G-SW0053  
050-872-01  
MTA-02-04

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 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 SCHOOL DISTRICT

\_\_\_\_\_  
By: Denis C. LeBlanc  
Its: Municipal Manager

\_\_\_\_\_  
Date: \_\_\_\_\_

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: \_\_\_\_\_

### Content Information

**Content ID :** 002112

**Revision:** 0

**Type:** AR\_AllOther - All Other Resolutions

A Resolution Granting a Telecommunications Easement to

**Title:** Matanuska Telephone Assn., NE Corner, Tract 3, Eagleridge  
S.D., Located at Gruening Middle School Site

**Author:** schuringmj

**Initiating Dept:** PME

**Review Depts:**

A Resolution Granting a Telecommunications Easement to

**Description:** Matanuska Telephone Assn., NE Corner, Tract 3, Eagleridge  
S.D., Located at Gruening Middle School Site, Tax ID 050-872-01

**Keywords:** MTA, easement, Eagleridge

**Date Prepared:** 8/25/04 12:45 PM

**Director Name:**

**Addnl Dept Review ?:** No

**Addnl Review Depts:**

**Mayor Review?:** No

**Requested Assembly**

**Meeting Date** 9/7/04 12:00 AM

**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>	<u>Revision</u>
AllOtherARWorkflow	8/25/04 12:53 PM	Checkin	schuringmj	Public	002112	0
PME_SubWorkflow	8/25/04 4:08 PM	Approve	holtanhc	Public	002112	0
MuniManager_SubWorkflow	8/26/04 9:06 AM	Approve	leblancdc	Public	002112	0
MuniMgrCoord_SubWorkflow	8/26/04 10:33 AM	Approve	katkusja	Public	002112	0