

Submitted by: Chair of the Assembly
at the Request of the Mayor
Prepared by: Project Management &
Engineering Department
For Reading: September 21, 2004

CLERK'S OFFICE

APPROVED

Date: 9-21-04

ANCHORAGE, ALASKA

AR NO. 2004- 231

1 A RESOLUTION AUTHORIZING THE MUNICIPALITY TO GRANT AN EASEMENT TO
2 ENSTAR NATURAL GAS COMPANY TO PROVIDE INCREASED GAS VOLUME TO
3 THE NEW EAGLE RIVER HIGH SCHOOL WITHIN SECTION 14, T14N, R2W,
4 SEWARD MERIDIAN, ALASKA, LOCATED BETWEEN THE NEW GLENN HIGHWAY
5 AND YOSEMITE DRIVE AND NORTH OF HILAND ROAD, TAX NOS. 060-041-16,
6 060-041-17, 060-041-18, 060-061-05, AND 060-061-06
7

8
9 WHEREAS, the Anchorage School District requires that Enstar Natural Gas
10 Company (ENSTAR) provide natural gas service to the new Eagle River High School
11 located within Section 14, T14N, R2W, S.M. Alaska; and
12

13 WHEREAS, time is of the essence and in order to provide the necessary
14 underground natural gas service to the school, ENSTAR requires an easement across
15 municipal Maintenance and Operations Department properties; and
16

17 WHEREAS, ENSTAR agrees to restore the affected area according to the
18 direction and concurrence of the Municipal Planning Department to encourage rapid re-
19 vegetation blending along the affected area; and
20

21 WHEREAS, the subject easement is found to be of no monetary value, but
22 will provide a necessary service to both the Anchorage School District and the
23 Municipality, now therefore;
24

25 THE ANCHORAGE ASSEMBLY RESOLVES:
26


27 **Section 1.** That the Administration is authorized to grant the requested natural gas
28 easement to ENSTAR in the following location:

29 A general location easement over all that part of Lots 112, 113, 114, 115 and
30 116 located within Section 14, Township 14 North, Range 2 West, Seward Meridian,
31 Anchorage Recording District, Third Judicial District, State of Alaska. The general
32 location easement shall be reduced to a fifteen-foot-wide (15') natural gas easement
33 centered on the natural gas main line, once installed under, upon, over and through
34 said property, the true location to be determined by field survey and record drawing
35 certified by an Alaskan Licensed Surveyor and recorded at the Anchorage State District
36 Recorder's Office.

Resolution Granting Natural Gas Easement to ENSTAR, Eagle River High School
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Section 2. That this resolution shall take effect immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 21st day of September, 2004.


Chair

ATTEST:


Municipal Clerk



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 706 -2004

Meeting Date: September 21, 2004

FROM: Mayor

SUBJECT: A Resolution Authorizing the Municipality to Grant an Easement to Enstar Natural Gas Company to Provide Increased Gas Volume to the New Eagle River High School, within Section 14, T14N, R2W, Seward Meridian, Alaska, Located between the New Glenn Highway and Yosemite Drive Lying North of Hiland Road, Tax Nos. 060-041-16, 060-041-17, 060-041-18, 060-061-05, and 060-061-06

Enstar Natural Gas Company (ENSTAR) has been requested by the Anchorage School District to provide gas service to the new Eagle River High School prior to the winter of 2004/2005. The current volume of natural gas service supplied to the school is not sufficient to heat the building during the winter months. The proposed easement for the new 4-inch gas line will cross BLM Small Tract lots 116, 115, 114, 113 and the northwesterly portion of lot 112, terminating at the western right of way limit of Yosemite Drive. These lots are being developed and used by Eagle River Street Maintenance as the Hiland Road Street Maintenance Facility material storage yard.

Enstar is requesting an interim 15-foot-wide general location easement crossing these lots to facilitate construction of the line before the onset of cold weather. The exact location of the easement will be mutually agreed upon by Street Maintenance and Enstar, and will be reflected in an easement document to be recorded for public record after installation of the line has been completed.

Installing the line involves crossing a 100-foot-wide non-disturbance vegetative buffer easement along the eastern edge of the northwesterly portion of Lot 112 that was established by the material site plan conditions of approval. Recent history demonstrates that public utilities are allowed to cross the buffer easement to serve public purposes. Enstar agrees to place the eastern portion of the 4-inch gas main, that will cross the buffer easement, within an existing Anchorage Water & Wastewater Utility water corridor Intragovernmental Permit area, and to restore the disturbed area to as natural a condition as can be achieved with the guidance and concurrence of the Municipal Planning Department.

Accordingly, Enstar requires the subject easement within Municipal property as identified on the attached easement document (Exhibit A) and map detail (Exhibit B).

**THE ADMINISTRATION RECOMMENDS APPROVAL OF AR NO. 2004- 231
AUTHORIZING THE MUNICIPALITY TO GRANT AN EASEMENT TO ENSTAR
NATURAL GAS CO. TO SUPPLY SERVICE TO THE NEW EAGLE RIVER HIGH
SCHOOL WITHIN SECTION 14, T14N, R2W, SEWARD MERIDIAN, ALASKA.**

Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department
Concur: Alan J. Czajkowski, Director, Maintenance & Operations Department
Concur: Mark Premo, General Manager, Anchorage Water & Wastewater Utility
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully submitted: Mark Begich, Mayor

Please return to:
ENSTAR Natural Gas Company
P.O. Box 190288
Anchorage, AK 99519-0288
Attn: Engineering Dept. R/W Section

Eagle River High School
Grid #SW0150 and SW 0151
MOA Project #ASD-02-04
Tax # 060-041-16, 060-041-17, 060-041-18
060-061-05 and 060-061-06

**ENSTAR Natural Gas Company
EASEMENT**

The GRANTOR, **Municipality of Anchorage**, whose mailing address is P.O. Box 196650, Anchorage, AK 99519-6650, for good and valuable consideration, does hereby convey and warrant nunc pro tunc to ENSTAR Natural Gas Company, a division of SEMCO Energy Inc., whose address is P.O. Box 190288, Anchorage, Alaska 99519-0288, its successors and assigns, a NON-EXCLUSIVE right-of-way easement to construct, lay, maintain, operate, alter, repair, remove, and replace pipelines and appurtenance, including metering and regulation facilities, thereto for the transportation of natural gas under, upon, over and through lands which the Grantor owns or in which the Grantor has an interest, situated in the Anchorage Recording District, Third Judicial District, State of Alaska, described as follows:

A blanket easement over all that part of Lots 112, 113, 114, 115 and 116 located within Section 14, Township 14 North, Range 2 West, Seward Meridian, Anchorage Recording District, Third Judicial District, State of Alaska. The blanket easement shall be reduced to a fifteen-foot-wide (15') natural gas easement centered on the natural gas main line, once installed under, upon, over and through said property, the true location to be determined by field survey and record drawing certified by an Alaskan Licensed Surveyor.

The Grantee, its successor and assigns, is hereby expressly given and granted the right to assign said right-of-way easement herein granted and conveyed, or any part thereof or interest herein. The same shall be divisible among two or more owners as to any right or rights granted hereunder so that each assignee or owner shall have the rights and privileges herein granted, to be enjoyed either in common or in severalty.

This easement is given to the Grantee, its successors and assigns, with right of ingress and egress from the premises for the purposes herein granted:

The said Grantor is to fully use and enjoy said premises except for the purposes herein granted to the said Grantee and the said Grantor shall not construct or permit to be constructed any house, structures or obstructions on or over said gas main lines that will interfere with the construction, maintenance, repair or operation of pipelines or appurtenance, including metering and regulation facilities, constructed hereunder and will not change the grade of such pipelines.

Grantee hereby agrees to bury all pipeline improvements to sufficient depth in accordance with Natural Gas Line Safety Standards and to not interfere with cultivation of the soil and agrees to repair or replace damaged landscaping, fences and other improvements which may arise from the construction, maintenance, operation of said lines, and upgrading or addition of new gas lines.

GRANTOR: Municipality of Anchorage

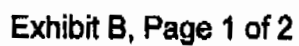
BY: _____ Date: _____
ITS: _____

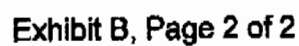
STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2004 by _____, the _____ for the Municipality of Anchorage, on behalf of the corporation.

Notary Public in and for Alaska
My Commission Expires: _____

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Content Information**Content ID :** 002123**Type:** AR_AllOther - All Other Resolutions

A Resolution authorizing an easement to Enstar to provide increased

Title: gas volume to the new Eagle River H.S., located between the New Glenn Hwy. and Yosemite Dr. lying north of Highland Rd.**Author:** rerkosp**Initiating Dept:** PME**Review Depts:** StreetMaint, AWWU

A Resolution authorizing an easement to Enstar to provide increased

Description: gas volume to the new Eagle River H.S., located between the New Glenn Hwy. and Yosemite Dr. lying north of Hiland Rd.**Keywords:** easement,enstar,high school,eagle river**Date Prepared:** 8/26/04 8:25 AM**Director Name:** Howard C. Holtan**Assembly Meeting**
Date MM/DD/YY: 9/21/04

2004 SEP 10 01:34:48
 2004 SEP 10 01:34:48
 2004 SEP 10 01:34:48

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	8/26/04 9:04 AM	Checkin	rerkosp	Public	002123
PME_SubWorkflow	8/26/04 11:08 AM	Approve	holtanhc	Public	002123
AllOtherARWorkflow	8/27/04 4:30 PM	Reject	czajkowskij	Public	002123
AllOtherARWorkflow	9/7/04 3:51 PM	Checkin	rerkosp	Public	002123
AllOtherARWorkflow	9/8/04 1:16 PM	Reject	holtanhc	Public	002123
AllOtherARWorkflow	9/9/04 10:09 AM	Checkin	rerkosp	Public	002123
PME_SubWorkflow	9/9/04 12:51 PM	Approve	holtanhc	Public	002123
StreetMaint_SubWorkflow	9/10/04 10:38 AM	Approve	robinsonmf	Public	002123
AWWU_SubWorkflow	9/10/04 10:57 AM	Approve	premomc	Public	002123
MuniManager_SubWorkflow	9/10/04 3:13 PM	Approve	leblancdc	Public	002123
MuniMgrCoord_SubWorkflow	9/10/04 3:13 PM	Approve	katkusja	Public	002123