

Submitted by: Chairman of the Assembly at
The Request of the Mayor
Prepared by: Heritage Land Bank
For reading: September 21, 2004

CLERK'S OFFICE

APPROVED

Date: 10-12-04

ANCHORAGE, ALASKA

AR NO. 2004- 240

A RESOLUTION APPROVING ACQUISITION OF REAL PROPERTY AND/OR BUSINESS INTERESTS AT THE INTERSECTION OF LAKE OTIS PARKWAY AND TUDOR ROAD FOR RIGHT-OF-WAY AT FAIR MARKET VALUE AND APPROPRIATING FROM HERITAGE LAND BANK OPERATING FUND (221) BALANCE TO THE HERITAGE LAND BANK CAPITAL FUND (421) FOR AN AMOUNT NOT TO EXCEED TWO MILLION, SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS (\$2,776,000) FOR RIGHT-OF-WAY ACQUISITIONS.

WHEREAS, the Municipality of Anchorage has seen the increasingly urgent need to improve traffic conditions at the Lake Otis and Tudor Road intersection; and

WHEREAS, in addition to the acquisition approved by AR 2004-199 (former Chevron station), this administration has an opportunity to acquire six additional real properties and/or businesses, identified on the map attached hereto as **Exhibit A**, and further identified by legal description in the accompanying Assembly Memorandum, that abut the northeast and southeast corners of the intersection; and

WHEREAS, the Municipality has or is currently negotiating through real estate brokerage services to purchase properties and businesses under Standard Purchase and Sale Agreements; and

WHEREAS, pursuant to Anchorage Municipal Code (AMC) section 25.40.035D., revenue in the Heritage Land Bank operating fund may be appropriated by the mayor for acquisition of land for municipal use; and

WHEREAS, acquisition of the businesses and properties is a municipal use, providing the Municipality with an opportunity to widen and ease current levels of traffic congestion at the Lake Otis Parkway and Tudor Road intersection; and

WHEREAS, the funds to acquire the property are available from the Heritage Land Bank Fund (221) Balance; and

WHEREAS, if funds become available to the Municipality for purchase of the properties and businesses through current state and/or federal highway fund appropriation efforts, the Heritage Land Bank Fund will be reimbursed for the purchase of the properties and businesses; now therefore,

THE ANCHORAGE ASSEMBLY RESOLVES:


Section 1. Acquisition of the six properties and/or businesses identified on Exhibit A and described in the accompanying Assembly Memorandum, for widening the intersection of Lake Otis Parkway and Tudor Road is approved, subject to and conditioned negotiation and execution of written Agreements for Purchase and Sale.

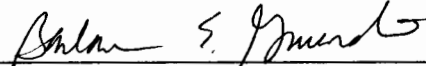
Section 2. Appropriation from the Heritage Land Bank Fund Balance (221) to the Heritage Land Bank Capital Fund (421) is approved in an amount not to exceed Two Million, Seven Hundred Seventy-Six Thousand Dollars (\$2,776,000.00) for acquisition of the six properties and/or businesses identified on Exhibit A and described in the accompanying Assembly Memorandum.

Section 3. In the event state and/or federal highway funds are appropriated for purchase of the property and/or businesses and widening the intersection of Lake Otis Parkway and Tudor Road, the Heritage Land Bank Fund Balance (221) shall be reimbursed to the extent those monies are designated for acquisition costs.

PASSED AND APPROVED by the Anchorage Assembly this 12th day of October, 2004.

ATTEST:

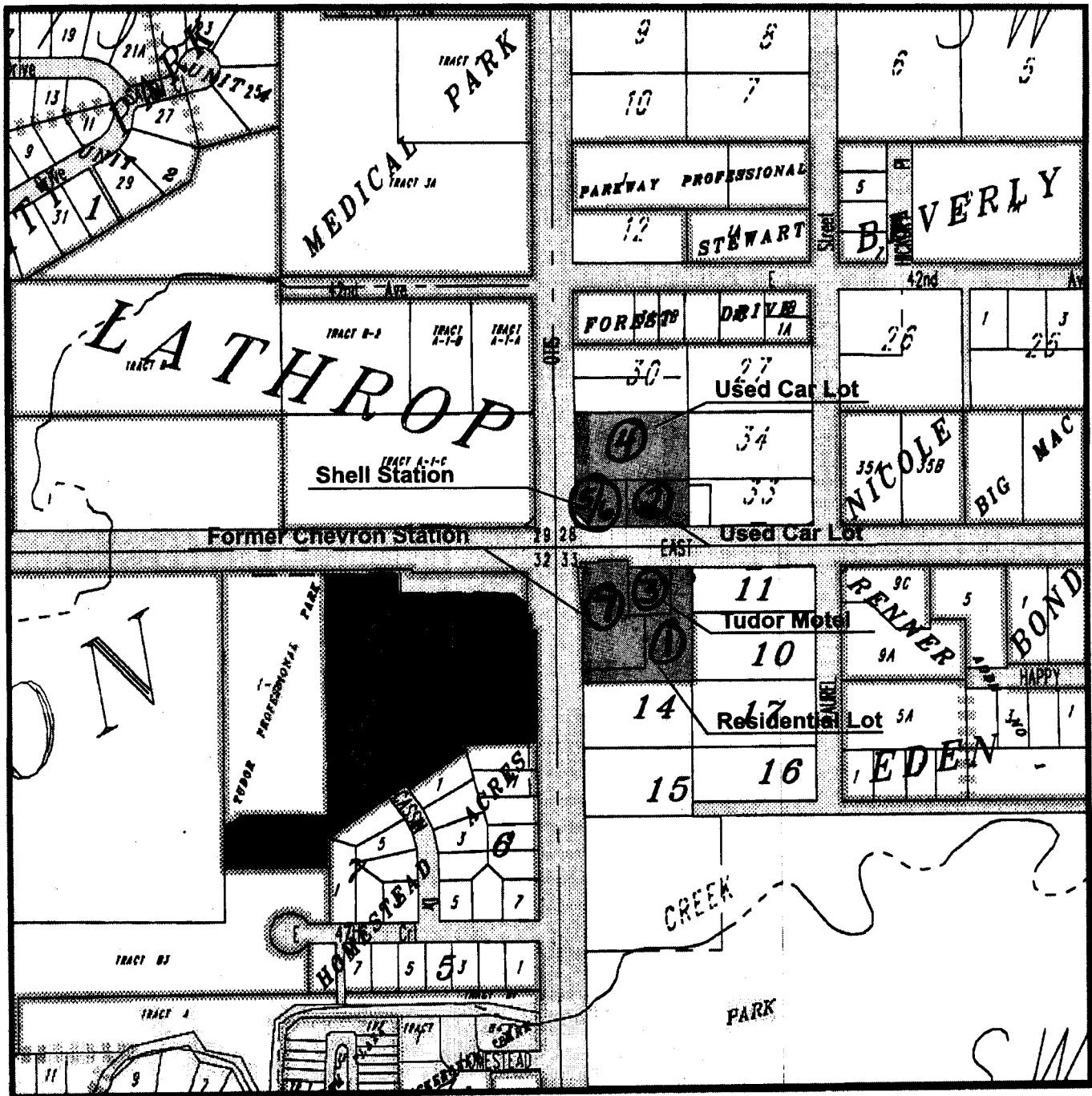

Chair of the Assembly


Municipal Clerk



Departmental Appropriation:

Heritage Land Bank Fund \$2,776,000
221-0740 (HLB Fund Balance)

SUBJECT PROPERTIES MAP



LEGEND

-  = PROPERTIES TO BE ACQUIRED
-  = NO ACQUISITION

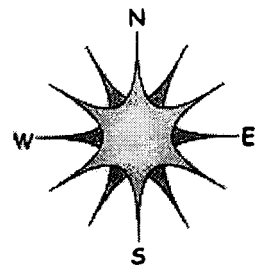
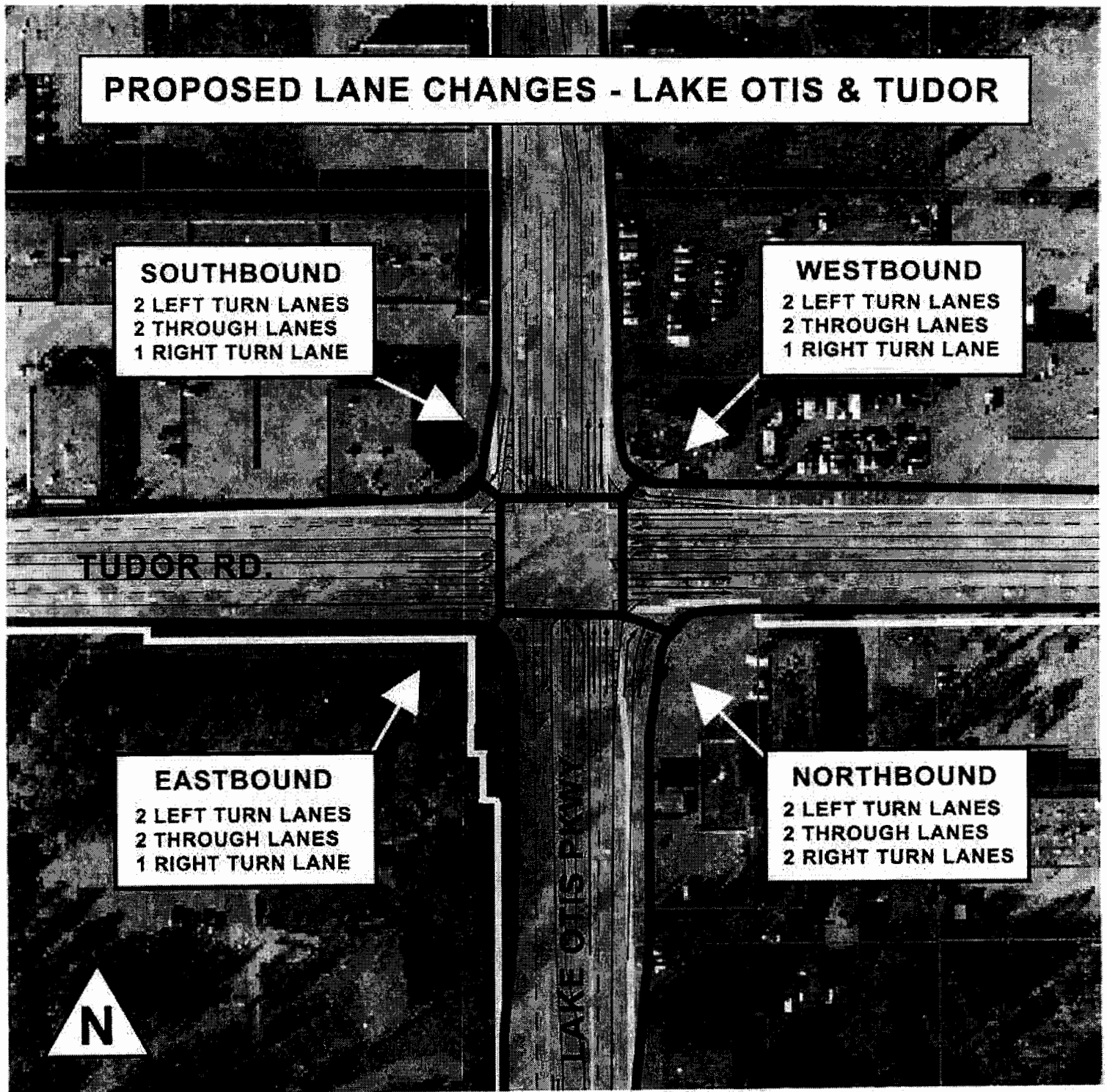


Exhibit A-1

PROPOSED ROAD IMPROVEMENTS DIAGRAM





MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 727-2004

MEETING DATE: September 21, 2004

FROM: MAYOR

SUBJECT: A RESOLUTION APPROVING ACQUISITION OF REAL PROPERTY AND/OR BUSINESS INTERESTS AT THE INTERSECTION OF LAKE OTIS PARKWAY AND TUDOR ROAD FOR RIGHT-OF-WAY AT FAIR MARKET VALUE AND APPROPRIATING FROM HERITAGE LAND BANK OPERATING FUND (221) BALANCE TO THE HERITAGE LAND BANK CAPITAL FUND (421) AN AMOUNT NOT TO EXCEED TWO MILLION SEVEN HUNDRED SEVENTY SIX THOUSAND DOLLARS (\$2,776,000.00) FOR SAID RIGHT-OF-WAY ACQUISITIONS.

Traffic congestion at the intersection of Lake Otis Parkway and Tudor Road has long been a problem for commuters in the Anchorage area. This Administration has pledged to make every effort to bring relief to the situation. Acquiring properties lining the northeast and southeast corners of the intersection for right-of-way will provide much-needed improvement for travelers (see maps attached to the accompanying resolution as **Exhibit A-1** and **Exhibit A-2**, proposed road project diagram, attached to this memorandum).

The Assembly approved acquisition of the former Chevron Station on August 17, 2004 (AR 2004-199); the properties and/or businesses included in this acquisition are described as follows:

- 1 – A residential lot owned by Tyonek Native Corporation, described as Lot 13B, Urbanek Kerkove Subdivision, and the East 50 feet of Lot 12, T13N, R3W, Section 33, S.M.;
- 2 – A used car lot owned by John Collinge, described as the East 150 feet of Lot 32, T13N, R3W, Section 28, S.M.;
- 3 – The Tudor Motel business and real property owned by Insook Baik, described as Government Lot 12, T13N, R3W, Section 33, S.M., except for the west 175 feet and the northerly 50 feet;
- 4 – A used car lot owned by Haydar Turker, described as Lot 31, T13N, R3W, Section 28, S.M.;
- 5 – The Shell gas station business owned by Insook Baik; and
- 6 – The real property under the Shell gas station business, owned by Shell Products USA, described as the West 180 feet of Lot 32, T13N, R3W, Section 28, S.M.

(The former Chevron Service Station is identified as parcel No. 7.)

Total offer prices for the six properties and/or businesses equals \$2,776,000.00, and constitutes the Not To Exceed amount for this appropriation.

Funds for acquiring the properties/businesses is available from the Heritage Land Bank Fund (221) balance, and the Mayor is authorized to appropriate from the Heritage Land Bank fund to acquire land for municipal use. The Mayor authorizes this appropriation with the expectation that the HLB Fund will be reimbursed with future state and/or federal highway funds for acquisition costs related to widening the intersection of Lake Otis Parkway and Tudor Road.

The accounting detail is as follows:

REVENUE	NAME		AMOUNT
221-0740	HLB Fund Balance	\$	2,776,000
421-1252-9601	Contributions from other Funds	\$	2,776,000

EXPENDITURES	NAME		AMOUNT
221-1221-3901	Contribution to other Funds	\$	2,776,000
421-1252-5101	Land	\$	2,776,000

THE ADMINISTRATION RECOMMENDS APPROVAL OF THE RESOLUTION FOR ACQUISITION OF REAL PROPERTIES AND/OR BUSINESSES AT LAKE OTIS PARKWAY AND TUDOR ROAD AND APPROPRIATION FROM HERITAGE LAND BANK FUND 221 AN AMOUNT NOT TO EXCEED TWO MILLION SEVEN HUNDRED SEVENTY SIX THOUSAND DOLLARS FOR RIGHT-OF-WAY.

Fund Certification: Jeffrey E. Sinz, Chief Fiscal Officer
Total Funds Certified - \$2,776,000
221-0740-BY2004

Prepared by: Robin E. Ward, Executive Director, Heritage Land Bank
Concur: Mary Jane Michael, Director,
Office of Economic & Community Development
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully submitted: Mark Begich, Mayor

Content Information**Content ID :** 002174**Type:** AR_FundsApprop - Funds Approp Resolution**Title:** Tudor/Lake Otis Properties Acquisition**Author:** vanhornlr**Initiating Dept:** HLB**Description:** Acquisition of Real Property/Businesses at Tudor/Lake Otis Intersection via Loan Appropriation from HLB Fund**Keywords:** Tudor/Lake Otis**Date Prepared:** 9/15/04 2:11 PM**Director Name:** Robin Ward**Assembly Meeting** 09/21/04**Date MM/DD/YY:****Public Hearing Date** 10/12/04**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>
FundsAppropWorkflow	9/15/04 2:13 PM	Checkin	vanhornlr	Public	002174
HLB_SubWorkflow	9/16/04 10:06 AM	Approve	wardre	Public	002174
ECD_SubWorkflow	9/16/04 10:51 AM	Approve	thomasm	Public	002174
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MuniManager_SubWorkflow	9/17/04 12:04 PM	Approve	katkusja	Public	002174
MuniMgrCoord_SubWorkflow	9/17/04 12:04 PM	Approve	katkusja	Public	002174