

CLERK'S OFFICE

APPROVED

Date: 9-27-05 ANCHORAGE, ALASKA  
No. AO. 2005- 120

Submitted by: Chair of the Assembly at the Request of  
the Mayor

Prepared by: Municipal Light & Power

For reading: September 13, 2005

1 **AN ORDINANCE AUTHORIZING THE DISPOSAL OF A MUNICIPAL INTEREST, VIA**  
2 **RELINQUISHMENT OF EASEMENT NO LONGER REQUIRED, ON LOT 7, BLOCK 5,**  
3 **SLM SUBDIVISION.**

4 THE ANCHORAGE ASSEMBLY ORDAINS:

5  
6 WHEREAS, Municipal Light and Power recommends release and relinquishment of the  
7 electrical easement identified in Section 1 below. The electrical and telecommunications easement  
8 is no longer required for public purpose and has been replaced by underground easements and  
9

10 WHEREAS, this disposal will remove and extinguish recorded electrical easement no  
11 longer required by ML&P and the Municipality; and  
12

13 WHEREAS, the Assembly finds that the municipal interest in real property to be disposed  
14 of hereunder is without substantial value to the Municipality.  
15

16 NOW THEREFORE, the Assembly of Anchorage ordains:  
17

18 **Section 1:** The Municipality may dispose, via relinquishment, of its electrical and  
19 telecommunications easement identified below and as depicted on the attached legal description.  
20

21 A Right-of-Way Easement recorded July 6, 1956, Book 133, Pages 371 and 372 on Lot 7,  
22 Block 5, SLM Subdivision, according to Plat 84-441, records of the Anchorage Recording District,  
23 Third Judicial District, State of Alaska.  
24

25 **Section 2:** This ordinance shall take effect upon passage and approval by the Assembly.  
26

27 PASSED AND APPROVED by the Anchorage Assembly this 27<sup>th</sup> day of Sept., 2005.  
28

29 Anna J. Fairclough  
30 Chairman

31 ATTEST:

32  
33 Dorcas L. Heim  
34 Municipal Clerk  
Deputy



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 654-2005

**Meeting Date:** September 13, 2005

1       **FROM:**       **Mayor**

2  
3       **SUBJECT:**   **Relinquishment of Easement Within Lot 7, Block 5, SLM**  
4                   **Subdivision**  
5  
6

7       The owner of subject property, Coven Land Company and Central Anchorage Land  
8       Company, requests relinquishment of certain electrical and telecommunications  
9       easement recorded against this property. Municipal Light and Power (ML&P) supports  
10      the request.

11  
12      The overhead electrical and telecommunications easement identified in the  
13      accompanying ordinance is no longer required for public purpose and has been  
14      replaced by underground easements.

15  
16      The easement was granted to Chugach Electric Association Inc. (CEA) in 1956 for  
17      overhead electric transmission and distribution lines and telephone lines. After the CEA  
18      and ML&P property exchange in 1985, said easements were transferred to ML&P.

19  
20      With subdivision and re-subdivision, said easements are located on Lot 7, SLM  
21      Subdivision per Plat 84-441.

22  
23      Alaska Communications Systems (ACS) has given a letter of non-objection to the  
24      relinquishment of said easements. ML&P recommends the easements be relinquished.

25  
26      The passage of this ordinance will have no fiscal impact on Municipal owned parcels.

27  
28  
29      **THE ADMINISTRATION RECOMMENDS APPROVAL OF AO 2005-\_\_\_\_\_.**

30  
31  
32      Prepared by: James M. Posey, General Manager, Municipal Light & Power  
33      Concur: Denis C. LeBlanc, Municipal Manager  
34      Respectfully submitted: Mark Begich, Mayor

July 20, 2005

Mr. Kim Watsjold  
Municipal Light & Power  
1200 East First Ave  
Anchorage, Alaska 99501-1685


RE: Easement Release

Dear Mr. Watsjold:

Alaska Communications Systems has no objection to the relinquishment of the following easement:

A 20' wide telecommunications and electrical easement recorded in Vol. 133,  
Pages 371 & 372 located on lot 7, block 5, SLM subdivision per plot 84-441.

Sincerely,

  
Greg Schmid, Foreman  
Outside Plant Engineering

CHUGACH ELECTRIC ASSOCIATION, INC.

FAIRVIEW, ALASKA 1303-30A (6)

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that I (We) the undersigned CHARLES R. COVEN

and ANN E. COVEN

for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant unto the CHUGACH ELECTRIC ASSOCIATION, INC., a cooperative corporation, (hereinafter called the "Cooperative") of Fairview, Alaska, and to its successors or assigns, a sole and exclusive easement, for the purpose of constructing, operating, and maintaining electric transmission and distribution lines, and telephone lines, through, over, in, and across the lands of the undersigned, situated in the Anchorage Recording Precinct, Third Division, Territory of Alaska and more particularly described as follows:

SE 1/4 NE 1/4 Section 30 T13N R3W S.M., a right-of-way 20 feet wide, ten feet on each side of the center line of a pole line substantially as shown on the attached drawing. Service drops may be installed from this line as necessary to serve buildings now or to be located adjacent to the line.

Said installation to conform with previously specified street reserve pattern.

AND specifically, there is hereby granted to the said Cooperative the sole and exclusive right to construct, operate, and maintain any and all facilities for said electric transmission and distribution lines, and telephone lines, through, over, in, and across said property as may be from time to time necessary or desirable for the exclusive use and enjoyment of such easement, including the right of ingress and egress to said property, and the right to cut and keep clear all trees and shrubbery, and undergrowth, and other obstructions on said property as may be required for the construction, operation and maintenance of such facilities.

TO HAVE AND TO HOLD the same to the Cooperative, its successors and assigns, FOREVER.

THE COOPERATIVE agrees, in constructing and maintaining said lines or facilities to do such work in such a way as not to damage said real property any more than is necessary to carry out the purposes of this easement.

THE UNDERSIGNED agree(s) that all poles, wires and other facilities, including any main service entrance equipment, installed on the above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative, upon termination of service to or on said lands.

THE UNDERSIGNED covenant(s) that (they are) (he is) the owner(s) of the above-described lands, and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons: NONE

IN WITNESS WHEREOF, the undersigned (have) (has) set (their) (his) hand(s) and seal(s) this

27th day of June, 1956

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Handwritten signatures of witnesses: Shirley Keane

Handwritten signatures of Charles R. Coven and Ann E. Coven, each followed by (L.S.)

UNITED STATES OF AMERICA TERRITORY OF ALASKA

ss.

THIS IS TO CERTIFY that on this 27th day of June, 1956 before me, a Notary Public in and for the Territory of Alaska, residing therein, duly commissioned and sworn, personally appeared before me - Charles R. Coven and Ann E. Coven (husband and wife), known to me to be the identical individual(s) described in and who executed the foregoing instrument, and (he) (they) personally acknowledged to me that (he) (they) executed the same freely and voluntarily for the uses and purposes therein specified.

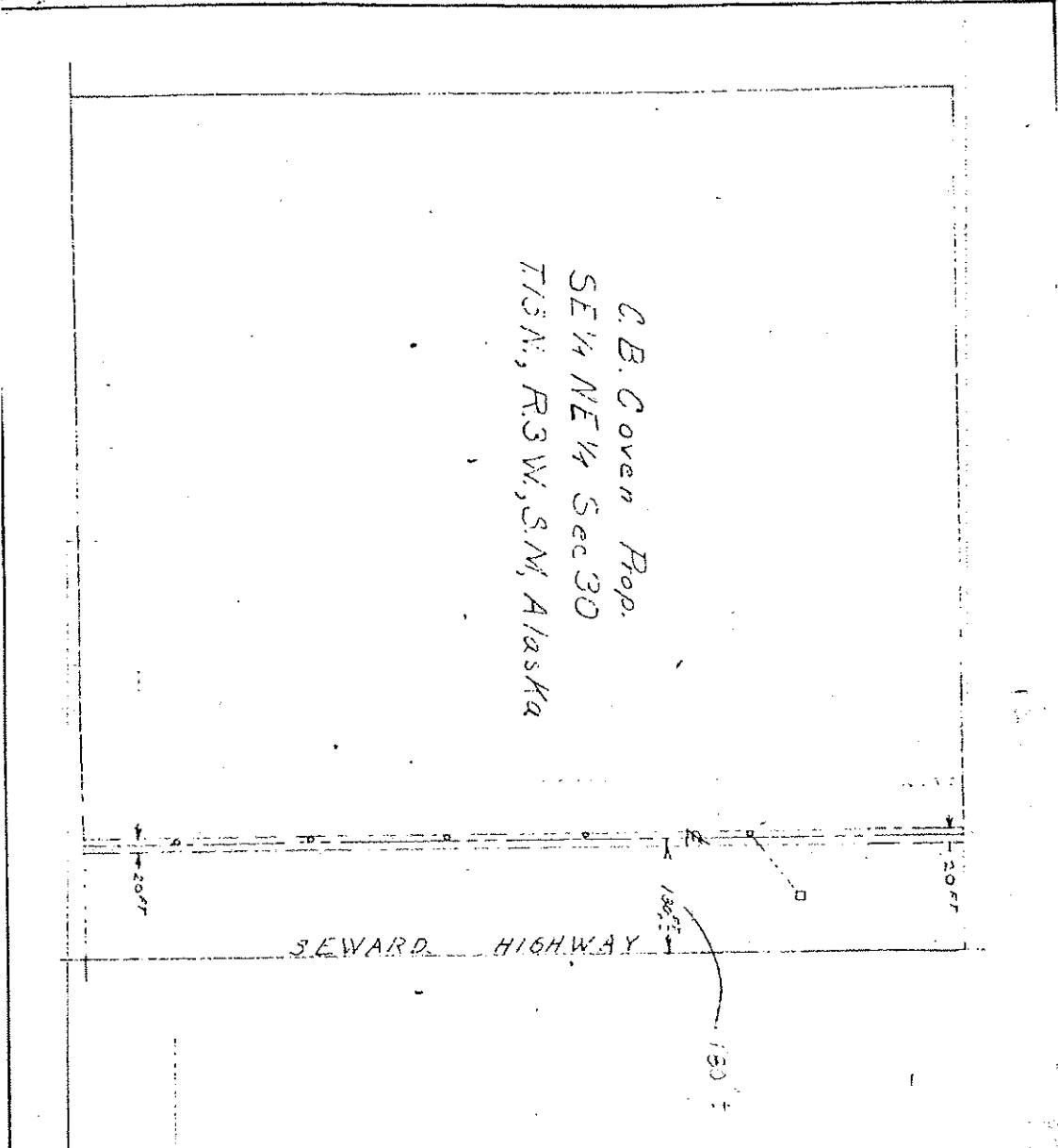
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the above-named Territory the day and year in this certificate first above written.

TYPE BLOCK

NOTARIAL SEAL

Notary Public for Alaska, residing at Anchorage, Alaska My commission expires: Nov. 1958

CHECKER



CHUGACH ELECTRIC  
ASSOCIATION INC  
ALASKA 8-CHUGACH

RT. OF WAY EASEMENT

Scale: 1" = 200'  
Drawn by: PPK

DATE: \_\_\_\_\_  
SHEET: 1 of 2

ANCHORAGE PRECINCT, ANCHORAGE, ALASKA

7/4  
\$5.00

JUL - 6 1956

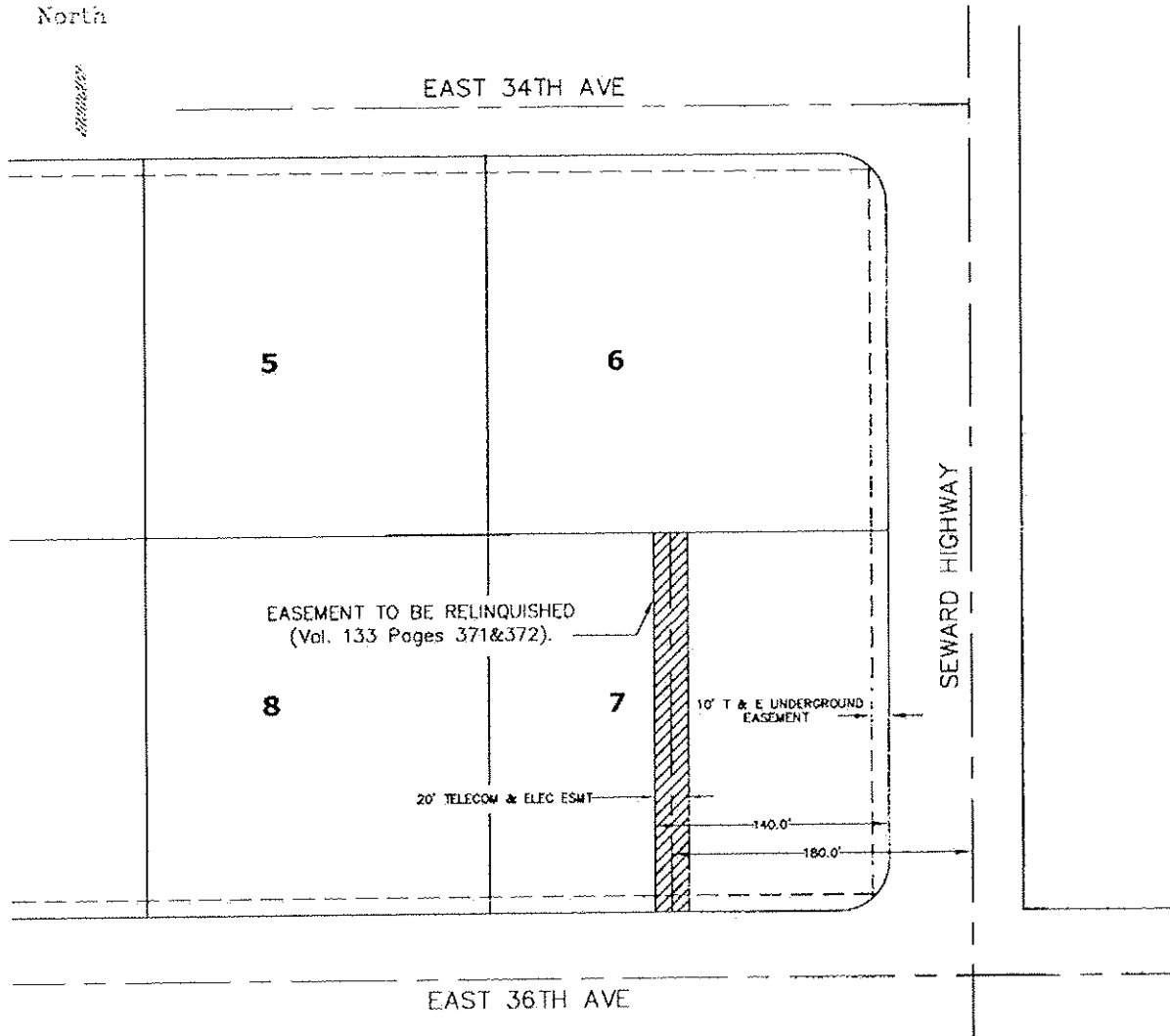
FILED FOR RECORD 1:00 P.M.  
DAVID R. DAIRES DISTRICT RECORDER  
By: *Chugach Electric*  
MAIL TO: *Chugach Electric*

6

### EXHIBIT 'A'

ELECTRICAL AND TELECOMMUNICATIONS EASEMENT  
DEPICTED PER PLAT 84-441

North



|                                    |            |         |                    |
|------------------------------------|------------|---------|--------------------|
| <b>MUNICIPALITY OF ANCHORAGE</b>   |            |         |                    |
| <b>MUNICIPAL LIGHT &amp; POWER</b> |            |         |                    |
| LOT                                | <b>7</b>   | BLOCK   | <b>5</b>           |
| SUBDIVISION                        | <b>SLM</b> |         |                    |
| SCALE:                             | 1:100      | DR. BY  | KAW FILE NO. 05-32 |
| DATE:                              | 8-02-05    | CKD. BY | ECB                |

**Content Information**

**Content ID :** 003156

**Type:** Ordinance - AO

**Title:** Coven Land Company

**Author:** cartercl

**Initiating Dept:** MLP

**Review Depts:** Legal, MuniManager

**Description:** Relinquishment of easement requested by Coven Land Company and Central Anchorage Land Company.

**Keywords:** Coven Land Company

**Date Prepared:** 8/4/05 3:12 PM

**Director Name:** James M. Posey

**Assembly Meeting Date**  
MM/DD/YY: 9/13/05

**Requested Public Hearing**  
Date MM/DD/YY: 9/27/05

M.O.A.  
 2005 SEP - 6 PM 3:32  
 CLERKS OFFICE

**Workflow History**

| <u>Workflow Name</u>     | <u>Action Date</u> | <u>Action</u> | <u>User</u> | <u>Security Group</u> | <u>Content ID</u> |
|--------------------------|--------------------|---------------|-------------|-----------------------|-------------------|
| AllOrdinanceWorkflow     | 8/4/05 3:20 PM     | Checkin       | cartercl    | Public                | 003156            |
| MLP_SubWorkflow          | 8/14/05 12:39 PM   | Approve       | poseyjm     | Public                | 003156            |
| OMB_SubWorkflow          | 8/15/05 3:31 PM    | Approve       | mitsonjl    | Public                | 003156            |
| Legal_SubWorkflow        | 8/15/05 3:43 PM    | Approve       | fehlenrl    | Public                | 003156            |
| MuniManager_SubWorkflow  | 9/3/05 11:39 AM    | Approve       | leblancdc   | Public                | 003156            |
| MuniMgrCoord_SubWorkflow | 9/4/05 8:49 PM     | Approve       | abbottmk    | Public                | 003156            |