

*Postponed indefinitely 2/15/05*

Submitted by: Chair of the Assembly at the Request of  
the Mayor  
Prepared by: Municipal Light & Power  
For reading: February 15, 2005

ANCHORAGE, ALASKA  
AR No. 2005- 31

**A RESOLUTION AUTHORIZING THE DISPOSAL OF A MUNICIPAL INTEREST, VIA  
RELINQUISHMENT, ON LOT 5A, BLOCK 5, SLM SUBDIVISION.**

WHEREAS, the Anchorage Municipal Charter 10.02(8) provides that any action to convey or lease or authorizing the conveyance or lease of any interest in lands of the Municipality must be by ordinance, but Charter 17.13(e) excepts and excludes from said requirement revocable permits or licenses, rights-of-way and easements which the Assembly finds to be without substantial value to the Municipality; and

WHEREAS, Municipal Light and Power recommends release and relinquishment of the electrical easements identified in Section 1 below; and

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

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

NOW THEREFORE, the Assembly of Anchorage resolves:

**Section 1:** The Municipality may dispose, via relinquishment, of its electrical and telecommunications easements identified below and as depicted on the attached legal descriptions.

A Right-of-Way Easement recorded July 6, 1956, Book 133, Pages 371 through 372 on Lot 5A, Block 5, SLM Subdivision, according to Plat 2003-179, records of the Anchorage Recording District, Third Judicial District, State of Alaska.

A Right-of-Way Easement recorded July 16, 1975, Book 34, Pages 98 on Lot 5A, Block 5, SLM Subdivision, according to Plat 72-206, records of the Anchorage Recording District, Third Judicial District, State of Alaska.

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

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Municipal Clerk



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 93-2005

Meeting Date: February 15, 2005

1       **FROM: Mayor**

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3       **SUBJECT: Relinquishment of Easements Within Lot 5A, Block 5, SLM**  
4       **Subdivision**

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7       The owner of subject property, Anchorage Residences, LLC, requests relinquishment of  
8       certain electrical and telecommunications easements recorded against these properties.  
9       Municipal Light and Power (ML&P) supports the request.

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11       The easements were granted to Chugach Electric Association Inc. (CEA) in 1956 and  
12       1975 for overhead electric transmission and distribution lines and telephone lines. After  
13       the CEA and ML&P property exchange in 1985, said easements were transferred to  
14       ML&P.

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16       With subdivision and re-subdivision, said easements are located on Lot 5A, SLM  
17       Subdivision per Plat 2003-179.

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19       The electrical and telecommunications easements identified in the accompanying  
20       resolution are no longer required for public purpose as new easements have been  
21       acquired with new facilities constructed.

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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.

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

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29       **THE ADMINISTRATION RECOMMENDS APPROVAL OF THIS RESOLUTION.**

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

04-52  
Lt5A, Blk5  
SLM

## RELINQUISHMENT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, the **GRANTOR, ANCHORAGE** a municipal corporation organized and existing under it's Charter and the laws of the State of Alaska, for and in consideration of One Dollar (\$1.00) and other goods and valuable considerations, does hereby **CONVEY AND QUITCLAIM** to **ANCHORAGE RESIDENCES, LLC**, whose address is 1105 Porter Way, Milton, WA 88354 or their successors in interests may appear, all interest which the **GRANTOR** has, if any in that portion of an easement for electrical and telecommunication facilities granted to Chugach Electric Association Inc. per document dated July 6, 1956 and recorded in Book 133, Pages 371 through 372, Anchorage Recording District, and subsequently transferred to the **MUNICIPALITY OF ANCHORAGE, d/b/a MUNICIPAL LIGHT AND POWER**, that is more particularly described as follows and depicted on Exhibit "A" attached hereto and made a part thereof:

**A certain strip of land, 20 foot wide as shown on Lot 5A, Block 5, SLM Subdivision according to the official plat thereof, filed under Plat 2003-179, records of the Anchorage Recording District, Third Judicial District, State of Alaska.**

This instrument relinquishes only the aforescribed easement and does not intend to convey or quitclaim any other interest, if any, that ANCHORAGE may have in the aforescribed premises.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2005

MUNICIPALITY OF ANCHORAGE

Kurt Vause, Manager of Engineering, AWWU  
(P&P 1-4, Dated 1-27-1998)

[illegible]

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by KURT VAUSE the MANAGER OF ENGINEERING, AWWU of the Municipality of Anchorage, on behalf of the corporation.



## 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 $\frac{1}{4}$  NE $\frac{1}{4}$  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. ⑦

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

27<sup>th</sup> day of June, 1956.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

[Signature]

[Signature]

[Signature] (L.S.)

[Signature] (L.S.)

(L.S.)

(L.S.)

UNITED STATES OF AMERICA  
Territory of Alaska

THIS IS TO CERTIFY that on this 27<sup>th</sup> day of June, 1956 before me, a Notary Public in and for the Territory of Alaska, residing therein, duly commissioned and sworn, personally appeared 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 (we) (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.

TEST BLOCK

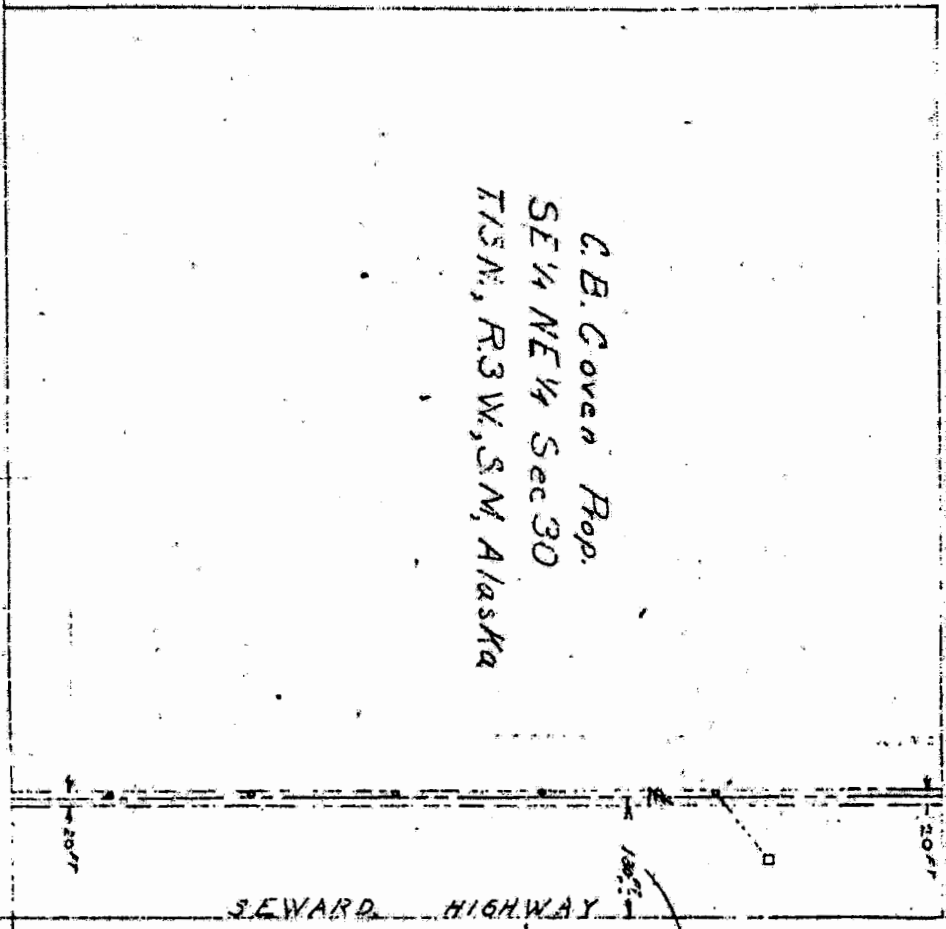
CHECKER

NOTARIAL  
SEAL

Notary Public for Alaska, residing at 2210 1<sup>st</sup> Avenue S.E.  
My commission expires: Nov. 1958

⑥

C. B. Coven Prop.  
SE 1/4 NE 1/4 Sec 30  
T35N, R33W, S4M, Alaska



RT. OF WAY EASEMENT

CHUGACH ELECTRIC  
ASSOCIATION INC  
MUSKIE & CHUGACH

SCALE: 1" = 200'  
DRAWN BY: PJK

DATE: 7/4/56  
SHEET: 1 of 2

RECORDS SECTION, ANCHORAGE, ALASKA

JUL - 6 1956

7/4  
\$5.00

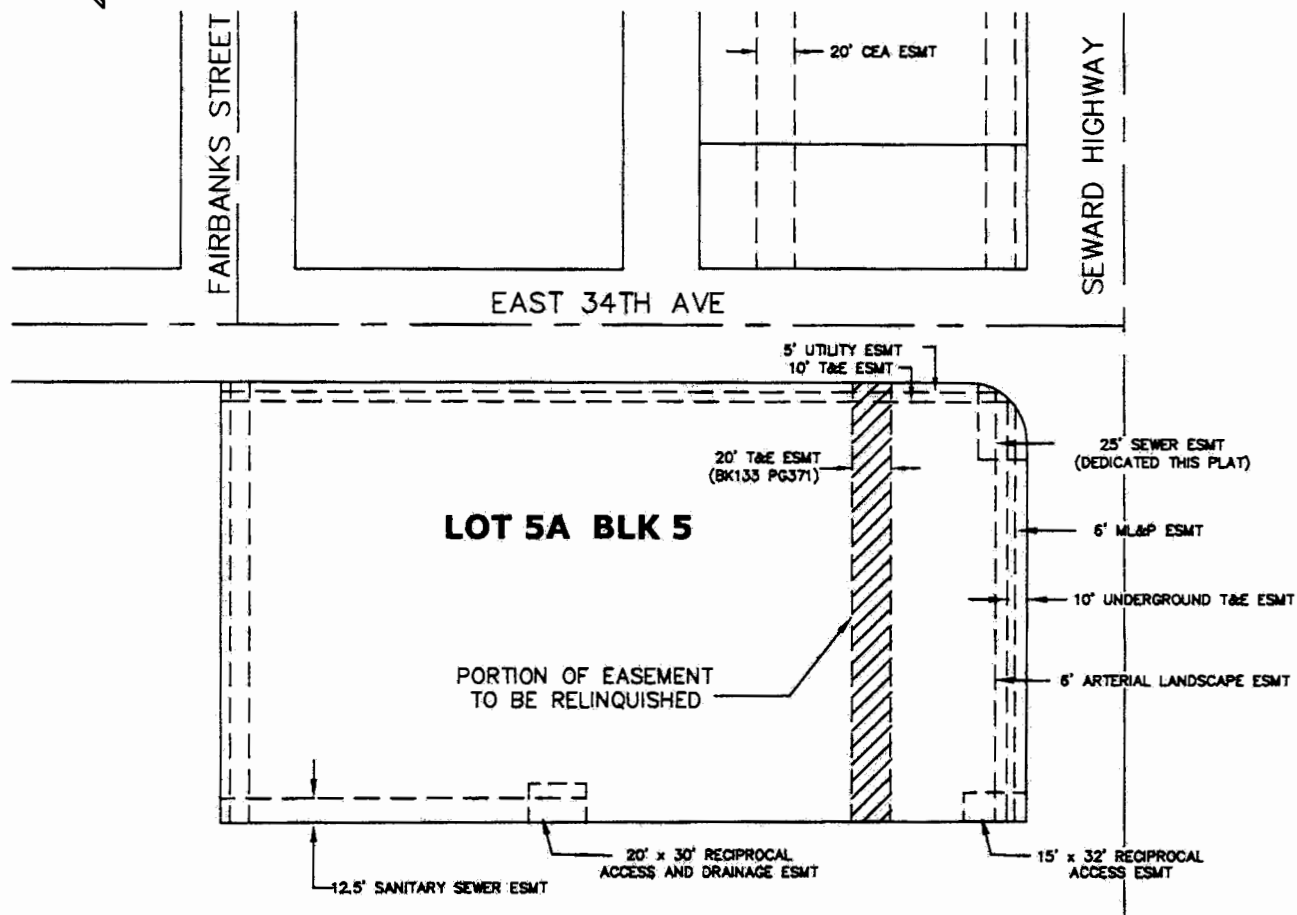
FILED FOR RECORD 1:00 P.M.  
DAVID H. DUNN DISTRICT RECORDER  
MAIL TO: *Chugach Electric*

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## EXHIBIT 'A'

ELECTRICAL AND TELECOMMUNICATIONS  
EASEMENT AS SHOWN ON PLAT 2003-179



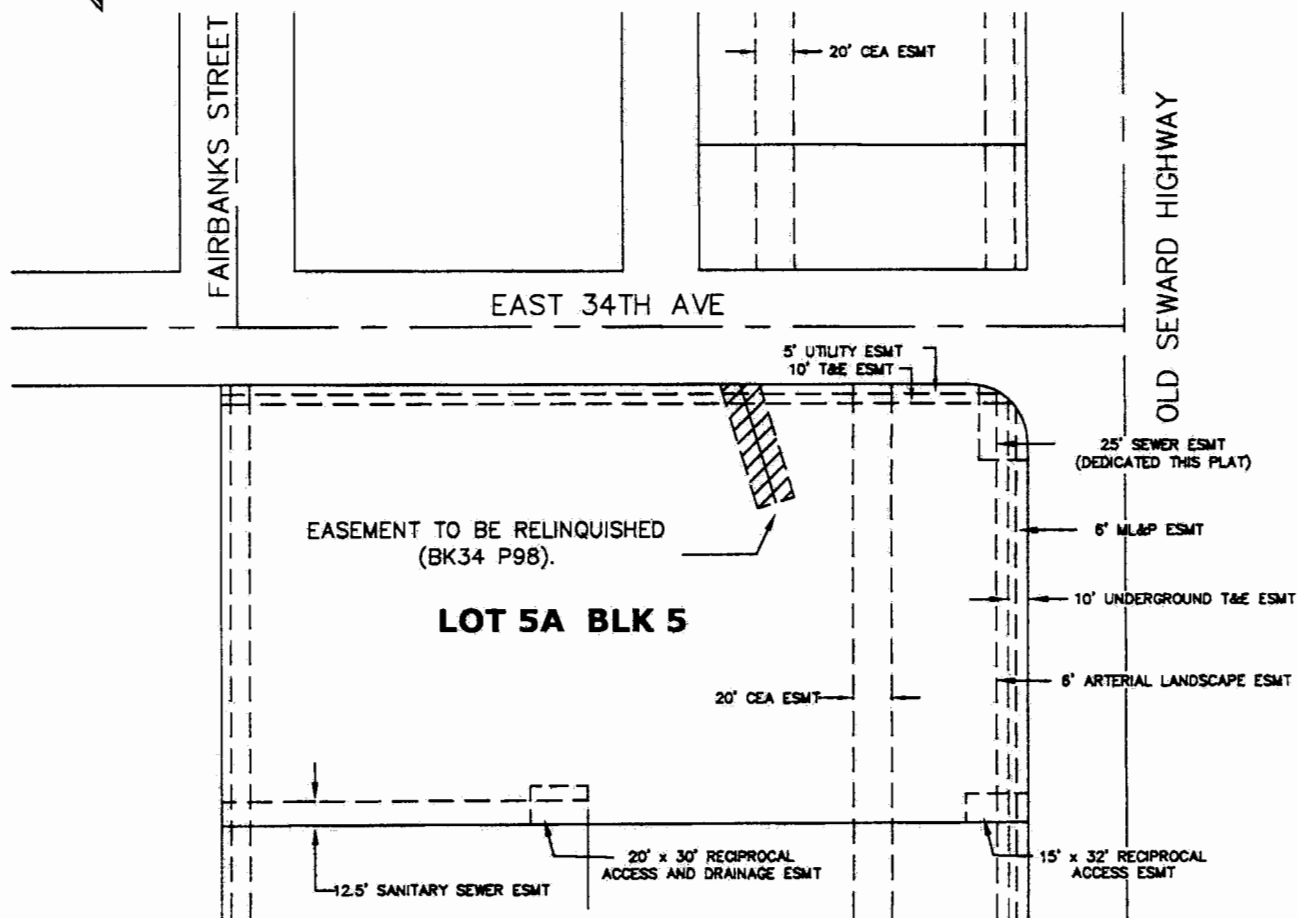
### MUNICIPALITY OF ANCHORAGE MUNICIPAL LIGHT & POWER

LOT <b>5A</b>		BLOCK <b>5</b>	
SUBDIVISION <b>SLM</b>			
SCALE: 1:100	DR. BY KAH	FILE NO. 04-52	
DATE: 01-07-05	CKD. BY KAW	M:\psrv9\dwg\EASEMENT\ease_04-52.dwg	



## EXHIBIT 'B'

ELECTRICAL AND TELECOMMUNICATIONS EASEMENT AS DEPICTED ON  
LOT 5A BLOCK 5 SLM SUBDIVISION ACCORDING TO PLAT 2003-179, A  
RESUBDIVISION OF TRACT C, SLM SUBDIVISION, PLAT 72-206/73-50.



### MUNICIPALITY OF ANCHORAGE MUNICIPAL LIGHT & POWER

LOT <b>5A</b>	BLOCK <b>5</b>
SUBDIVISION <b>SLM</b>	
SCALE: 1:100	DR. BY KAH FILE NO. 04-53
DATE: 01-20-05	CKD. BY KAW M:\psrv9\dwg\EASEMENT\ease_04-53.dwg



December 29, 2004

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

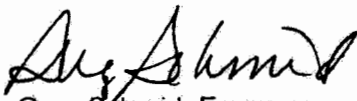
RE: Easement Release

Dear Mr. Watsjold:

ACS has no objection to the relinquishment of the following easements:

1. A 20' wide electrical and telecommunications easement recorded in Book 103, Page 142, and located on Lot 1, Moose's Tooth Subdivision, per Plat 2003-199, previously platted as Lot 2, Block 2, Coven Village Subdivision, per Plat 457A.
2. A 20' wide electrical and telecommunications easement recorded in Vol. 133, Page 371, and located on Lot 1, Moose's Tooth Subdivision per Plat 2003-199, previously platted as Lots 1-5, Block 2, Coven Village Subdivision and On Lot 6, Block 2, Coven Village Subdivision per Plat 457A, and on Lot 5A, Block 5, SLM Subdivision per Plat 2003-179.
3. A 20' wide electrical and telecommunications easement in Book 34, Page 98, and located on Lot 5A, Block 5, Subdivision per Plat 2003-179 SLM, previously platted as Tract C, SLM Subdivision per Plat 72-206/73-50.

Sincerely,



Greg Schmid, Foreman  
Outside Plant Engineering

**Content Information****Content ID :** 002560**Type:** AR\_AllOther - All Other Resolutions**Title:** Anchorage Residences, LLC**Author:** cartercl**Initiating Dept:** MLP**Review Depts:** MuniManager**Description:** Relinquishment of easements requested by Anchorage Residences, LLC**Keywords:** Anchorage Residences**Date Prepared:** 1/26/05 12:52 PM**Director Name:** James M. Posey**Assembly Meeting Date**  
**MM/DD/YY:** 2/15/05**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	1/26/05 1:10 PM	Checkin	cartercl	Public	002560
MLP_SubWorkflow	2/2/05 4:20 PM	Approve	poseyjm	Public	002560
MuniManager_SubWorkflow	2/3/05 8:33 PM	Approve	leblancdc	Public	002560
MuniMgrCoord_SubWorkflow	2/4/05 2:15 PM	Approve	katkusja	Public	002560

M.O.A.  
 2005 FEB -7 AM 11:06  
 CLERKS OFFICE