

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

Prepared by: Project Management
& Engineering Department

For Reading: May 16, 2006

CLERK'S OFFICE

APPROVED

Date:

6-6-06

ANCHORAGE, ALASKA

AO NO. 2006- 76

1 AN ORDINANCE AUTHORIZING AN ELECTRICAL EASEMENT ACROSS MUNICIPAL
2 PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC., IN THE NW 1/4 SW 1/4
3 SECTION 34, T13N, R3W, S.M. ALASKA, LOCATED IN FAR NORTH BICENTENNIAL
4 PARK, TAX #008-141-03

5
6
7 WHEREAS, Chugach Electric Association, Inc. (CEA) has been asked by the
8 State of Alaska Department of Transportation & Public Facilities (ADOT&PF) to provide
9 electrical service to the load centers that are being installed in conjunction with
10 ADOT&PF's Abbott Loop Road Extension project; and

11
12 WHEREAS, in order to provide the line extension, CEA is requesting an
13 electrical easement to install the underground electrical facilities within the subject
14 property; and

15
16 WHEREAS, the subject 1,860-square-foot easement is located on municipal
17 property managed by the Parks & Recreation Department; and

18
19 WHEREAS, the subject easement is not expected to interfere with park
20 activities, and Parks & Recreation has no objection to the easement; and

21
22 WHEREAS, the Parks & Recreation Commission has approved CEA's request
23 for easement within Municipal property at its November 2005 meeting; and

24
25 WHEREAS, the Property Appraisal Division estimated the fee simple value of
26 the land to be \$.60 per square foot; and

27
28 WHEREAS, the non-exclusive easement is determined to be 25% of market
29 value, totaling \$280 (1,860 square feet x \$.60 per square foot x 25%); and

30
31 WHEREAS, the Parks & Recreation Department will receive a processing fee of
32 \$200 for the easement; and

33
34 WHEREAS, the subject easement is found to be of no substantial monetary
35 value to the Municipality; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Assembly finds the non-exclusive easement described herein to be of no substantial monetary value to the Municipality.

Section 2. A non-exclusive electrical easement to CEA is approved, within the subject property and more particularly described as:

A strip of land Twenty Feet (20') in width located within an un-subdivided parcel in the NW ¼ SW ¼ of Section 34, T13N, R3W, S.M. Alaska, according to the State of Alaska Patent No. 6258, recorded at Book 684 Page 952, on file in the office of the District Recorder, Anchorage Recording District, Third Judicial District, State of Alaska, the centerline of said strip more particularly described, as follows:

Commencing at the West One-Quarter (1/4) Section Corner of said Section 34; thence southerly along the West Section Line of said Section 34, 977.89 feet to the Point of Beginning; thence N 89° 44' 06" E 93.00 feet to the end of said strip. Containing 1,860 square feet (.04 acres), more or less.

Section 3: This ordinance shall be effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 6th day of June, 2006.

Daniel A. Sullivan
Chair

ATTEST:

Brian S. Muelroth
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2006-76 Title: AN ORDINANCE AUTHORIZING AN ELECTRICAL EASEMENT TO CHUGACH ELECTRIC ASSOCIATION, INC., ACROSS MUNICIPAL PROPERTY IN THE NW ¼ SW ¼ OF SECTION 34, T13N, R3W, S.M. ALASKA, LOCATED IN FAR NORTH BICENTENNIAL PARK, TAX #008-141-03

Sponsor: Project Management & Engineering Department
Preparing Agency: Project Management & Engineering Department
Others Impacted: Office of Economic & Community Development

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY06	FY07	FY08	FY09	FY10
--	------	------	------	------	------

Operating Expenditures
1000 Personal Services
2000 Supplies
3000 Other Services
4000 Debt Service
5000 Capital Outlay

TOTAL DIRECT COSTS:	0	0	0	0	0
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ADD: 6000 Charge from Others
LESS: 7000 Charge to Others

FUNCTION COST:

REVENUES:	.48
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CAPITAL:

POSITIONS: FT/PT and Temp.

PUBLIC SECTOR ECONOMIC EFFECTS:

Revenue to Parks & Recreation for electrical easement is \$280, plus \$200 processing fee.

PRIVATE SECTOR ECONOMIC EFFECTS:

None

Prepared by: Christine Neal

Telephone: 343-8366



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 341 -2006

Meeting Date: May 16, 2006

1 **FROM:** Mayor

2
3 **SUBJECT:** An Ordinance Authorizing an Electrical Easement Across Municipal
4 Property to Chugach Electric Association, Inc., in the NW ¼ SW ¼ Section
5 34, T13N, R3W, S.M. Alaska, Located within Far North Bicentennial Park,
6 Tax #008-141-03
7

8 Chugach Electric Association, Inc. (CEA), on behalf of the Alaska Department of
9 Transportation & Public Facilities (ADOT&PF) is requesting an easement for an
10 underground electrical line though a portion of Far North Bicentennial Park. The location
11 of the proposed easement is approximately 130 feet north of the South Fork of Campbell
12 Creek at the westerly boundary of the park. The electrical line will serve facilities planned
13 for ADOT&PF's Abbott Loop Road Extension project, the construction of which is
14 expected to begin mid-2006. The proposed easement is approximately 93 feet long and
15 20 feet wide and lies within an existing overhead-line easement that crosses park land.
16 Records indicate that a portion of the proposed easement overlaps an existing section
17 line easement along the park boundary.
18

19 CEA requires the easement (Exhibit B) on municipal property as identified on the
20 attached parcel plat and vicinity map (Exhibit A). The Parks & Recreation Department has
21 no objection to the proposed CEA easement, subject to the following conditions and
22 recommendations:

- 23 1. CEA shall pay to the MOA applicable fees in addition to fair market value and
24 associated administrative costs (it is understood, pursuant to CEA's tariff, that these
25 fees shall be collected from its customer, ADOT&PF).
26 2. CEA shall obtain Corps of Engineers and all other required permits and approvals for
27 the proposed project, including resolving any possible patent or other restrictions.
28 3. CEA shall minimize any aboveground equipment/facilities that may interfere with park
29 use.
30 4. CEA shall restore all disturbed areas and coordinate construction and related site
31 work, including landscaping and other restoration, with Parks & Recreation and other
32 park users.
33

34 Compensation for the 1,860-square-foot easement is 25% of the market value, which the
35 Property Appraisal Division estimated at \$.60 per square foot. The easement is valued at
36 \$280 (1,860 s.f. x \$.60/s.f. x 25%). In addition, the Parks & Recreation Department
37 charges a \$200 processing fee, providing the Municipality a total revenue of \$480.

1
2 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
3 AUTHORIZING AN ELECTRICAL EASEMENT TO CHUGACH ELECTRIC
4 ASSOCIATION, INC. WITHIN THE NW ¼ SW ¼ OF SECTION 34, T13N R3W, S.M.
5

6 Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department
7 Concur: Mary Jane Michael, Director, Office of Economic & Community Development
8 Concur: Denis C. LeBlanc, Municipal Manager
9 Respectfully submitted: Mark Begich, Mayor

NTS

R.O.W. AND CONTROLLED
ACCESS LINE

NE 1/4 SEC 1/4 SEC. 33
GRID 1935
1303-33D

ABBOTT LOOP ROAD

A.W.W.U. L.C. #4
THAW WIRE L.C. PM 9760 PM 9860

977.89'

S. 1/16 COR. 33
34

SECTION LINE

N89°44'16"-93.0'

R.O.W. AND CONTROLLED
ACCESS LINE

100' CEA OR
ELECT. ROW

20
(0475)

NW 1/4 SW 1/4 SEC. 34
GRID 1936
1303-34C

PROPOSED
EASEMENT
AREA

TOTAL AREA OF PROPOSED
EASEMENT = 1860 SQ.FT.

NW 1/4 SW 1/4 SEC. 34
T13N, R3W, SM, AK.
ABBOTT LOOP ROAD PROJECT
GRID: 1936 MAP: 1303-34C
W.O. E0512573

J:\Design\E05\12573\rowexhibit1.dwg

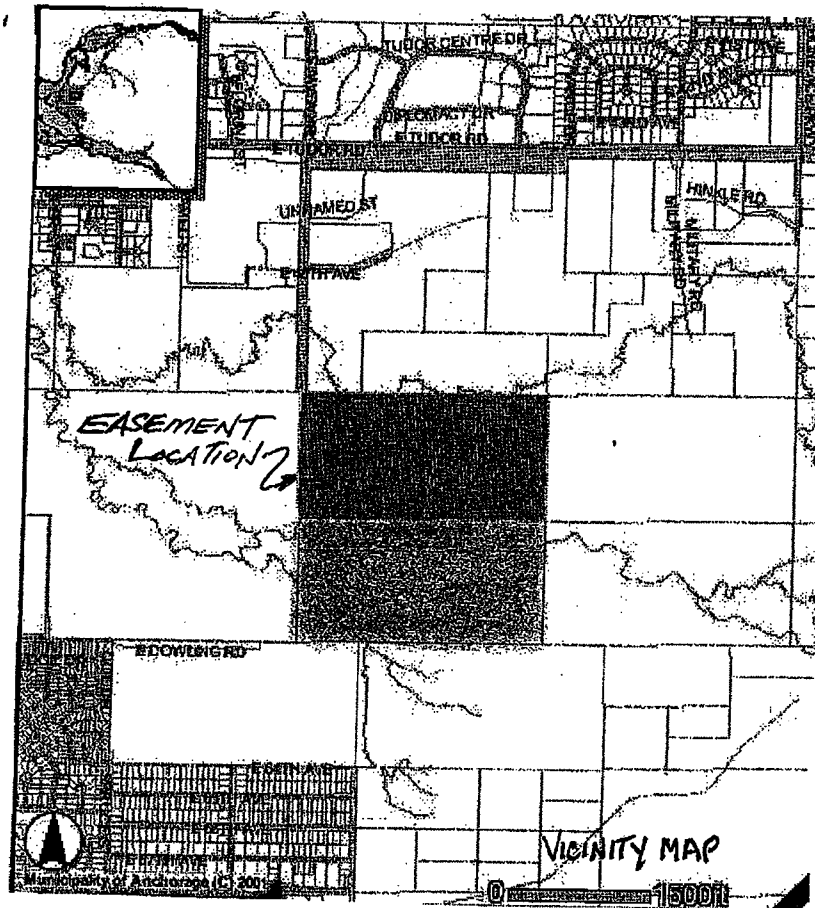


EXHIBIT A - Page 2 of 2

After Recording Return to:
Chugach Electric Association, Inc.
P.O. Box 196300
Anchorage, Alaska 99519
Attn: Land Services Department

1303-34C
G-1936
E0512573
008-141-03

CHUGACH ELECTRIC ASSOCIATION, INC.

Electric System Facilities Easement

The MUNICIPALITY OF ANCHORAGE, an Alaska municipal corporation, whose mailing address is P.O. Box 196650, Anchorage, Alaska 99519-6650, hereinafter referred to as GRANTOR, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey, set-over and deliver to CHUGACH ELECTRIC ASSOCIATION, INC., an Alaska non-profit electric cooperative, whose mailing address is P.O. Box 196300, Anchorage, Alaska 99519-6300, hereinafter referred to as GRANTEE, and to its successors, assigns, licensees and permittees, an easement and right of way through, over, in, under and across the lands of GRANTOR, situated in the Anchorage Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

A strip of land Twenty Feet (20') in width located within an un-subdivided parcel in the NW ¼ SW ¼ of Section 34, T13N, R3W, S.M. Alaska, according to the State of Alaska Patent No. 6258, recorded at Book 684 Page 952, on file in the office of the District Recorder, Anchorage Recording District, Third Judicial District, State of Alaska, the centerline of said strip more particularly described, as follows:

Commencing at the West One-Quarter (1/4) Section Corner of said Section 34; thence southerly along the West Section Line of said Section 34, 977.89 feet to the Point of Beginning; thence N 89° 44' 06" E 93.00 feet to the end of said strip.

Containing 1,860 square feet (.04 acres), more or less.

To erect, construct, reconstruct, and install, and to continue to operate, maintain, repair, alter, inspect, replace, improve, and relocate, and to remove such electric transmission and distribution lines, and their related facilities, including foundations, footings, pilings, guys, anchors, crossarms and other attachments and equipment, and their related facilities, through, over, in, under and across the aforesaid premises as may from time to time be necessary or desirable for the use, occupation, and enjoyment of

such right-of-way, including the right of ingress and egress to said premises, and the right to excavate, remove soils or fill on said premises, and the right to cut and keep clear of all trees, shrubbery, under-growth and other obstructions on said premises as may be reasonably required for the construction, reconstruction, relocation, installation, operation and maintenance of such facilities.

TO HAVE AND TO HOLD the same to GRANTEE, its successors, assigns, licensees and permittees, forever, subject to any existing easements and any existing facilities. The parties hereto agree to make reasonable accommodations to resolve conflicts in the location of facilities if any such conflicts arise.

GRANTOR agrees that all poles, wire, conductors and other facilities, including any main service entrance equipment, which may be installed on the above-described premises by or for GRANTEE or its successors, assigns, licensees and permittees, shall remain the property of GRANTEE, or the property of such successors, assigns, licensees or permittees, as the case may be, and removable at its or their option.

GRANTOR covenants that it will not interfere with the lateral support of the right-of-way and will not excavate or fill in any portion of the above-described easement without written approval of GRANTEE.

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 Electrical Facility Clearance 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.

1303-34C
G-1936
E0512573
008-141-03

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 _____, 2006.

GRANTOR: MUNICIPALITY OF ANCHORAGE

BY:
ITS:

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2006 by _____, the _____ for the Municipality of Anchorage, on behalf of the corporation.

Notary Public in and for Alaska
My Commission Expires: _____

Content Information**Content ID :** 003883**Type:** Ordinance - AO

Title: An Ordinance Authorizing an Electrical Easement Across Municipal Property to Chugach Electric Association, Inc., in the NW ¼ SW ¼ Section 34, T13N, R3W, S.M. Alaska, Located within Far North Bicentennial Park, Tax #008-141-03

Author: rerkosp**Initiating Dept:** PME**Review Depts:** ECD

Description: An Ordinance Authorizing an Electrical Easement Across Municipal Property to Chugach Electric Association, Inc., in the NW ¼ SW ¼ Section 34, T13N, R3W, S.M. Alaska, Located within Far North Bicentennial Park, Tax #008-141-03

Date Prepared: 4/10/06 3:27 PM**Director Name:** Howard C. Holtan**Assembly****Meeting Date** 5/16/06**MM/DD/YY:****Public Hearing****Date MM/DD/YY:** 6/6/06

2006 MAY -5 PM 3:01
CLEMIS OFFICE

Workflow History

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	4/10/06 3:32 PM	Checkin	rerkosp	Public	003883
PME_SubWorkflow	4/11/06 9:30 AM	Approve	holtanhc	Public	003883
ECD_SubWorkflow	4/11/06 9:46 AM	Approve	thomasm	Public	003883
OMB_SubWorkflow	4/24/06 5:33 PM	Approve	mitsonjl	Public	003883
Legal_SubWorkflow	4/26/06 9:31 AM	Approve	bonessfh	Public	003883
MuniManager_SubWorkflow	5/5/06 11:23 AM	Approve	leblancdc	Public	003883
MuniMgrCoord_SubWorkflow	5/5/06 11:45 AM	Approve	curtiscr	Public	003883