

Submitted by: Chair of the Assembly
at the request of the Mayor
Prepared by: Project Management
& Engineering Department
For Reading: July 25, 2006

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 8-15-06 ANCHORAGE, ALASKA
AO NO. 2006-111

1 AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRIC AND
2 TELECOMMUNICATIONS EASEMENT ACROSS MUNICIPAL PROPERTY TO
3 CHUGACH ELECTRIC ASSOCIATION, INC., WITHIN THE W½W½SW¼SW¼
4 SECTION 28, T12N, R3W, S.M., ALASKA AT RABBIT CREEK PARK LOCATED NEAR
5 DEARMOUN ROAD AND LAKE OTIS PARKWAY, TAX #018-391-39

6
7
8 WHEREAS, the subject easement is located on municipal property managed by the
9 Parks & Recreation Department; and

10
11 WHEREAS, Chugach Electric Association, Inc. (CEA), as part of its Overhead to
12 Underground Primary Electric Line Conversion Program, is requesting a twenty (20') foot
13 wide underground electric and telecommunications easement encompassing 24,632
14 square feet within the subject property; and

15
16 WHEREAS, the subject easement is expected to benefit future park activities and the
17 Parks & Recreation Department has no objection to the easement; and

18
19 WHEREAS, the Parks & Recreation Commission approved CEA's request for the electrical
20 easement at its May 11, 2006 meeting; and

21
22 WHEREAS, the Property Appraisal Division estimated the fee simple value of the land to
23 be \$1.48 per square foot; and

24
25 WHEREAS, the value of the easement is determined to be 25% of market land value,
26 totaling \$9,114 (24,633 square feet x \$1.48 per square foot x 25%); and

27
28 WHEREAS, the Parks & Recreation Department finds that the above value is substantially
29 less than the estimated CEA undergrounding cost of \$300,000 in addition to the value of
30 the expected visual and potential safety improvements to the park as a result of the
31 proposed project; and

32
33 WHEREAS, the Parks & Recreation Department will receive a processing fee of \$250 for
34 the easement; and

35
36 ~~WHEREAS, in light of the above, the subject easement may be found to be of no~~
37 ~~substantial monetary value to the Municipality; now therefore,~~

38 WHEREAS, the granting of an easement across municipal land requires a finding by
the Assembly of no substantial value to the Municipality; now, therefore,

1 THE ANCHORAGE ASSEMBLY ORDAINS:

2
3 **Section 1.** The Assembly finds the non-exclusive easement to CEA described herein
4 to be without substantial value to the Municipality.

5
6 **Section 2.** A non-exclusive electric and telecommunications easement to CEA is
7 approved within the subject property and more particularly described as:

8
9 The East Twenty Feet (E 20') of the West Forty-three Feet (W 43') of a parcel of land described
10 as the West Half (W ½) of the West Half (W ½) of the Southwest Quarter (SW ¼) of the
11 Southwest Quarter (SW ¼) of Section Twenty-eight (28), Township Twelve North (T12N)
12 Range Three West (R3W), Seward Meridian, Anchorage Recording District, Alaska.

13
14 This easement contains an area of 24,632 square feet, more or less.

15
16 **Section 3:** This ordinance shall be effective immediately upon passage and approval by
17 the Anchorage Assembly.

18
19 PASSED AND APPROVED by the Anchorage Municipal Assembly this 15th day of
20 August, 2006.

21
22
23 Daniel A. Sullivan
24 Chair

25
26 ATTEST:

27
28 Bonnie S. Gwendt
29 Municipal Clerk
30

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2006- 111 Title: AN ORDINANCE AUTHORIZING AN ELECTRIC AND TELECOMMUNICATIONS EASEMENT ACROSS MUNICIPAL PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC., WITHIN THE W½W½SW¼SW¼ SECTION 28, T12N R3W, S.M., AT RABBIT CREEK PARK LOCATED NEAR DEARMOUN ROAD AND LAKE OTIS PARKWAY, TAX #018-391-39

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:

CAPITAL:

POSITIONS: FT/PT and Temp.

PUBLIC SECTOR ECONOMIC EFFECTS:

None.

PRIVATE SECTOR ECONOMIC EFFECTS:

None

Prepared by: Christine Neal

Telephone: 343-8366



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 541 -2006

Meeting Date: July 25, 2006

1 **FROM:** Mayor

2
3 **SUBJECT:** An Ordinance Authorizing a Non-Exclusive Underground Electric and
4 Telecommunications Easement across Municipal Property to Chugach
5 Electric Association, Inc. within the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T12N,
6 R3W, S.M., at Rabbit Creek Park Located Near DeArmoun Road and
7 Lake Otis Parkway, Tax #018-391-39
8

9 Chugach Electric Association, Inc. (CEA), as part of its Overhead to Underground
10 Primary Electric Line Conversion Program, is proposing to convert the existing primary
11 overhead electric line within Rabbit Creek Park to an underground line. The project
12 entails installing single-phase buried cable in conduit across the subject property. The
13 underground cable will be installed within an existing general electric easement. The
14 current easement allows only overhead lines. Therefore, a non-exclusive twenty-foot-
15 wide (20) underground electric and telecommunications easement is required in the
16 location as shown on the exhibit map attached as Exhibit A and described by the
17 easement attached as Exhibit B. The total easement area contains 24,632 square feet.
18

19 The land value of the underground easement was determined by the Property Appraisal
20 Division to be twenty-five percent of the market value of the land at \$1.48 per square
21 foot, totaling \$9,114 (24,632s.f. x \$1.48/s.f. X 25% = \$9,114).
22

23 The Parks & Recreation Commission reviewed CEA's request for undergrounding at its
24 May 11, 2006 meeting and found that the undergrounding occupies the same area as the
25 current above ground easement and will benefit the Municipality with the expected visual
26 and potential safety improvements to the park. CEA's estimated cost for
27 undergrounding the line is \$300,000. Therefore, the Commission recommended approval
28 of the easement and to levy CEA a \$250 processing fee for granting the new easement.
29

30 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
31 AUTHORIZING A NON-EXCLUSIVE ELECTRIC AND TELECOMMUNICATIONS
32 EASEMENT TO CEA WITHIN THE W1/2W1/2SW1/4SW1/4 SECTION 28, T12N, R3W,
33 S.M., ALASKA.
34

35 Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department
36 Concur: Mary Jane Michael, Director, Office of Economic & Community Development
37 Concur: Denis C. LeBlanc, Municipal Manager
38 Respectfully Submitted: Mark Begich, Mayor



EXHIBIT A

PROPOSED EASEMENT
AREA = 24632.26 SF

RABBIT CREEK
SCHOOL

PM 1

RABBIT
CREEK
PARK

W1/2 W1/2 SW1/4 SW1/4
SECTION 28
T12N. R3W

L9L3
PM 4001
L.C.

23'
43'

L9L2
SC 000

HUFFMAN
SUBD
NO. 1

PED 1
PM 2391 1
10'
10'
2
10'
3
PM 1591
10'
4
10'

50'
LAKE OTIS Parkway
23'
43'

L9L1
31.03'

GRID 2933

GRID 2934

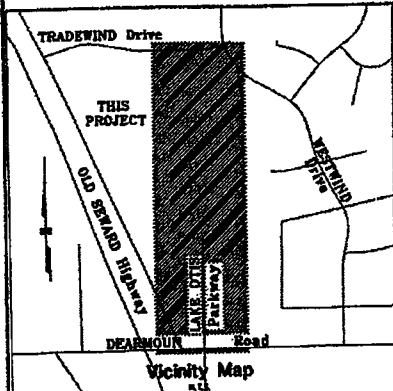
23 18' 025 R
36.94'
19.64'
77.90'

PM 0204
L.C.
DEARMOUN Road

SECTION LINE 29 28

RIGHT-OF-WAY

23A
24
6
7
8
9
10
11
12
13
14



CHUGACH
POWERING ALASKA'S FUTURE

Chugach Electric Association, Inc.
5601 Minnesota Drive - P.O. Box 196300
Anchorage, Alaska 99519-6300

DRAWING NAME:

RABBIT CREEK PARK
30' O.H. TO 30' U.G. CONVERSION
GRIDS: 2933, 2934 MAPS: 1203-28C & 28D
FEEDER: HUFFMAN 312

W.O. NO.
C.W.P. REF. NO.

W.O. E0312244

J:\Design\EDS\12244\Exhibits\exhibit-1b.dwg

SHEET 2 OF 2

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

1203-28C
G-2934
E0312244
018-391-39

CHUGACH ELECTRIC ASSOCIATION, INC.

Electric and Telecommunications 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, a non-exclusive easement through, over, 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:

The East Twenty Feet (E 20') of the West Forty-three Feet (W 43') of a parcel of land described as the West Half (W ½) of the West Half (W ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Twenty-eight (28), Township Twelve North (T12N) Range Three West (R3W) Seward Meridian, Alaska.

Containing 24,632 square feet, more or less.

TO 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, and other attachments and equipment, and telephone lines, and telecommunication lines, and their related facilities through, over, 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 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.

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.

1203-28C
G-2934
E0312244
018-391-39

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 : 004158

Type: Ordinance - AO

Title: An Ordinance Authorizing a Non-Exclusive Underground Electric and Telecommunications Easement across Municipal Property to Chugach Electric Association, Inc. at Rabbit Creek Park Located Near DeArmoun Road and Lake Otis Parkway, Tax #018-391-39

Author: rerkos

Initiating Dept: PME

Review Depts: ECD

Description: An Ordinance Authorizing a Non-Exclusive Underground Electric and Telecommunications Easement across Municipal Property to Chugach Electric Association, Inc. at Rabbit Creek Park Located Near DeArmoun Road and Lake Otis Parkway, Tax #018-391-39

Date Prepared: 7/13/06 9:31 AM

Director Name: Howard C. Holtan

Assembly

Meeting Date 7/25/06 1

MM/DD/YY:

Public Hearing 8/15/06

Date 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>
AllOrdinanceWorkflow	7/13/06 9:38 AM	Checkin	rerkos	Public	004158
PME_SubWorkflow	7/13/06 10:06 AM	Approve	hansenjw	Public	004158
ECD_SubWorkflow	7/18/06 10:16 AM	Approve	thomasm	Public	004158
OMB_SubWorkflow	7/19/06 11:46 AM	Approve	mitsonjl	Public	004158
Legal_SubWorkflow	7/19/06 2:20 PM	Approve	gatesdt	Public	004158
MuniManager_SubWorkflow	7/21/06 11:35 AM	Approve	leblancdc	Public	004158
MuniMgrCoord_SubWorkflow	7/21/06 11:35 AM	Approve	abbottmk	Public	004158

2006 JUL 21 PM 12:45
 CLERKS OFFICE
 M.O.A.