

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. 2006-112

1 AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE UNDERGROUND ELECTRIC AND  
2 TELECOMMUNICATIONS EASEMENT ACROSS MUNICIPAL PROPERTY TO  
3 CHUGACH ELECTRIC ASSOCIATION, INC., WITHIN BLM LOT 47, SECTION 13,  
4 T13N, R3W, S.M., ALASKA, AT TURPIN PARK LOCATED NEAR OKLAHOMA AND  
5 PECK AVENUES, TAX #006-033-01

6  
7  
8 WHEREAS, the subject easement is located on municipal property managed by the  
9 Parks & Recreation Department; and **formally dedicated as park land; 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 10-foot-wide  
13 underground electric and telecommunications easement encompassing 2,975 square feet  
14 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 electric  
20 easement at its May 11, 2006 meeting; and

21  
22 WHEREAS, the Property Appraisal Division estimated the value of the land to be \$3.68 per  
23 square foot; and

24  
25 WHEREAS, the value of the easement is determined to be 25% of market land value,  
26 totaling \$2,737 (2,975 square feet x \$3.68 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 \$25,000 in addition to the value of the  
30 expected visual and potential safety improvements to the park as a result of the proposed  
31 project; and

32  
33 WHEREAS, the Parks & Recreation Department will receive a processing fee of \$250 for  
34 the easement; and  
35

1 ~~WHEREAS, in light of the above, the subject easement may be found to be of no~~  
2 ~~substantial monetary value to the Municipality; now therefore,~~  
3

4 **WHEREAS, the granting of an easement across land dedicated as park land**  
5 **requires a finding by the Assembly of no substantial value to the Municipality;**  
6 **now, therefore,**  
7

8 THE ANCHORAGE ASSEMBLY ORDAINS:  
9

10 **Section 1.** The Assembly finds the non-exclusive easement to CEA described herein  
11 to be without substantial value to the Municipality.  
12

13 **Section 2.** A non-exclusive electric and telecommunications easement to CEA is  
14 approved within the subject property and more particularly described as:  
15

16 The East Ten Feet (E 10') of the West Forty Three Feet (W 43') of the South Two  
17 Hundred Ninety Seven and Fifty Two Hundredths Feet (297.52') of BLM Lot Forty-seven  
18 (47), Section Thirteen (13) Township Thirteen North (T13N), Range Three West (R3W),  
19 Seward Meridian, Anchorage Recording District, Alaska.  
20

21 This easement contains an area of 2,975 square feet, more or less.  
22

23 **Section 3:** This ordinance shall be effective immediately upon passage and approval by  
24 the Anchorage Assembly.  
25

26 PASSED AND APPROVED by the Anchorage Municipal Assembly this 15<sup>th</sup> day of  
27 August, 2006.  
28

29  
30 Daniel A. Sullivan  
31 Chair  
32

33 ATTEST:  
34

35 Sandra S. Diment  
36  
37 Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects - General Government**

AO Number: 2006-112 Title: AN ORDINANCE AUTHORIZING AN ELECTRICAL EASEMENT ACROSS MUNICIPAL PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC., WITHIN BLM LOT 47, SECTION 13, T13N, R3W, S.M., ALASKA, AT TURPIN PARK LOCATED NEAR OKLAHOMA AND PECK AVENUES, TAX #006-033-01

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

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<b>CHANGES IN EXPENDITURES AND REVENUES:</b>	(Thousands of Dollars)				
	FY06	FY07	FY08	FY09	FY10

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

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

FUNCTION COST:

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REVENUES:

---

CAPITAL:

---

POSITIONS: FT/PT and Temp.

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**PUBLIC SECTOR ECONOMIC EFFECTS:**

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None.

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**PRIVATE SECTOR ECONOMIC EFFECTS:**

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None

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Prepared by: Christine Neal

Telephone: 343-8366



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 542 -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 BLM Lot 47, Section 13, T13N, R3W, S.M.,  
6 Anchorage Recording District, Alaska, at Turpin Park located near  
7 Oklahoma and Peck Avenues, Tax #006-033-01

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 Turpin Park to an underground line. The project entails  
12 installing single-phase buried cable in conduit across the subject property. The  
13 underground cable will be installed within the existing ten-foot-wide overhead easement.  
14 The current easement allows only overhead lines. Therefore, a non-exclusive ten-foot-  
15 wide underground electric and telecommunications easement is required in the location  
16 as shown on the exhibit map attached as Exhibit A and described by the easement  
17 attached as Exhibit B. The total easement area contains 2,975 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 \$3.68 per square  
21 foot, totaling \$2,737 (2,975s.f. x \$3.68/s.f. X 25%).

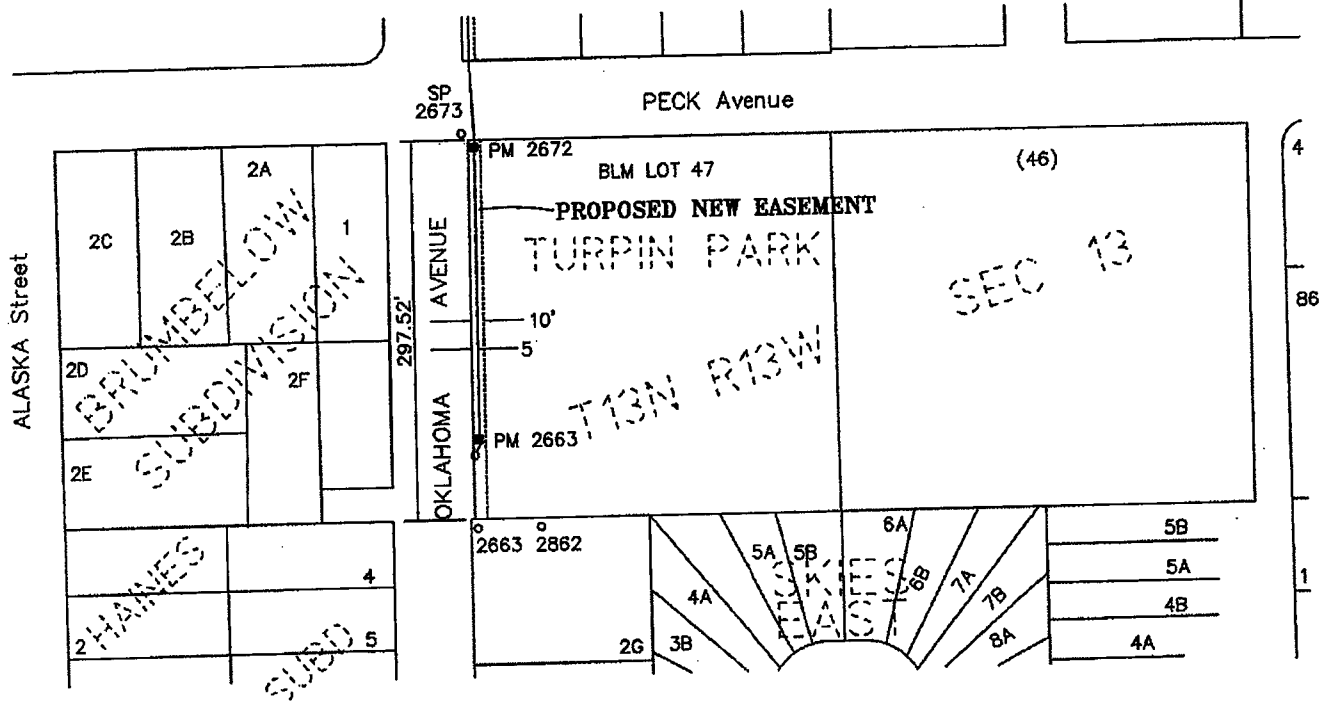
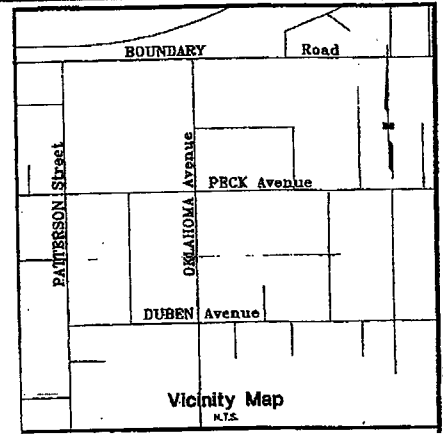
22  
23 The Parks & Recreation Commission reviewed CEA's request for undergrounding at their  
24 May 11, 2006 meeting and found that the undergrounding will benefit the Municipality  
25 with the expected visual and potential safety improvements to the park. CEA's  
26 estimated cost for undergrounding the line is \$25,000. Therefore, the Commission  
27 recommended approval of the easement and levy CEA a \$250 processing fee for  
28 granting the new easement.

29  
30 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE  
31 AUTHORIZING AN UNDERGROUND ELECTRICAL AND TELECOMMUNICATIONS  
32 EASEMENT IS GRANTED TO CEA WITHIN BLM LOT 47, SECTION 13, T13N, 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

N.T.S.



NEW EASEMENT AREA = 2975 SF

## RIGHT-OF-WAY

**CHUGACH**  
POWERING ALASKA'S FUTURE

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

DRAWING NAME:

TURPIN PARK / BROWNS RESUB. FACILITIES REPLACEMENT  
1Ø OVERHEAD TO 1Ø UNDERGROUND  
GRID: 1240 MAP: 1303-13D  
FEEDER: DEBARR 142

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

W.O. E0512624

J:\Design\205\12624\Exhibits\exhibit-1a.dwg

SHEET 2 OF 2

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

1303-13B  
G-1240  
E0512624  
006-033-01

## 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 Ten Feet (E 10') of the West Forty-three Feet (W 43') of the South Two Hundred Ninety Seven and Fifty Two Hundredths Feet (S 297.52') of BLM Lot Forty-Seven (47), Section Thirteen (13) Township Thirteen North (T13N), Range Three West (R3W), Seward Meridian, Alaska.

Containing 2,975 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 Electric 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.

1303-13B  
G-1240  
E0512624  
006-033-01

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 :** 004160**Type:** Ordinance - AO

**Title:** An Ordinance Authorizing a Non-Exclusive Underground Electric and Telecommunications Easement across Municipal Property to Chugach Electric Association, Inc. at Turpin Park located near Oklahoma and Peck Avenues, Tax #006-033-01

**Author:** rerkosp**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 Turpin Park located near Oklahoma and Peck Avenues, Tax #006-033-01

**Date Prepared:** 7/13/06 10:25 AM**Director Name:** Howard C. Holtan**Assembly****Meeting Date** 7/25/06**MM/DD/YY:****Public Hearing** 8/15/06**Date MM/DD/YY:**

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

**Workflow History**

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
AllOrdinanceWorkflow	7/13/06 10:31 AM	Checkin	rerkosp	Public	004160
PME_SubWorkflow	7/13/06 10:56 AM	Approve	hansenjw	Public	004160
ECD_SubWorkflow	7/18/06 10:16 AM	Approve	thomasm	Public	004160
OMB_SubWorkflow	7/19/06 11:46 AM	Approve	mitsonjl	Public	004160
Legal_SubWorkflow	7/19/06 2:42 PM	Approve	gatesdt	Public	004160
MuniManager_SubWorkflow	7/21/06 11:35 AM	Approve	leblancdc	Public	004160
MuniMgrCoord_SubWorkflow	7/21/06 11:35 AM	Approve	abbottmk	Public	004160

*Addendum -*

CONSENT AGENDA - INTRODUCTION