

See AO 2006-118(S)

Submitted by: Chair of the Assembly
at the request of the Mayor
Prepared by: Project Management
& Engineering Department
For Reading: August 15, 2006

ANCHORAGE, ALASKA
AO NO. 2006- 118

1 AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRIC EASEMENT
2 ACROSS MUNICIPAL PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC.,
3 WITHIN TRACT B, SOCCER AND BASEBALL SUBDIVISION, PLAT NO. 98-53, AT
4 THE SOUTH ANCHORAGE SPORTS COMPLEX LOCATED NEAR WEST KLATT
5 ROAD AND TOWER ROAD, TAX #019-011-10
6

7
8 WHEREAS, the subject easement is located on municipal property managed by the
9 Parks & Recreation Department; and
10

11 WHEREAS, the Municipality of Anchorage requested that Chugach Electric Association,
12 Inc. (CEA) provide three-phase underground electric service to the South Anchorage
13 Sports Complex; and
14

15 WHEREAS, CEA is requesting a twenty (20) foot-wide easement to provide the electric
16 service to the facility, within the subject property; and
17

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

21 WHEREAS, the requested easement is considered to be of benefit to the operation of the
22 Municipal South Anchorage Sports Complex; and
23

24 WHEREAS, the subject easement is found to be of no substantial monetary value to the
25 Municipality; now therefore,
26

27 THE ANCHORAGE ASSEMBLY ORDAINS:
28

29 **Section 1.** The Assembly finds the non-exclusive easement to CEA described herein,
30 to be without substantial value to the Municipality.
31

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

1 A strip of land, Twenty Feet (20') in width, located within Tract B, Soccer & Baseball
2 Subdivision, according to Plat No. 98-53, on file in the office of the District Recorder,
3 Anchorage Recording District, Third Judicial District, State of Alaska, the centerline of said
4 strip being more particularly described as follows: Commencing at the southwest corner of
5 Tract A, Tower Subdivision on file in the Anchorage District Recorder's Office under Plat
6 No. 78-109; thence S 89° 59' 57" E 30.00 feet to a corner on the western boundary of said
7 Tract B, said corner adjoins the north right of way boundary of Tower Road and the south
8 boundary of said Tract A; thence adjoining the west boundary line of said Tract B, S 00° 01'
9 23" E 10 feet; thence adjoining said west boundary line in a southeasterly direction,
10 through a curve concave to the southwest having a radius of 50 feet, a distance of 14.19
11 feet to the True Point of Beginning; thence parallel with the south boundary line of said
12 Tract A, S 89° 59' 57" E 939.26 feet; thence N 00° 00' 03" E parallel with the east boundary
13 line of said Tract A 506 Feet; thence S 89° 59' 57" E 170 feet to the end of said centerline
14 and the end of this description.

15
16 This easement contains an area of 32,478 square feet, more or less.

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

20
21 PASSED AND APPROVED by the Anchorage Municipal Assembly this _____ day of
22 _____, 2006.

23
24
25
26 _____
27 Chair

28 ATTEST:

29
30
31 _____
32 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2006-118 Title: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRIC EASEMENT ACROSS MUNICIPAL PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC., WITHIN TRACT B, SOCCER AND BASEBALL SUBDIVISION, PLAT NO. 98-53, AT THE SOUTH ANCHORAGE SPORTS COMPLEX LOCATED NEAR WEST KLATT ROAD AND TOWER ROAD, TAX #019-011-10

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 |
|---------------------|---|---|---|---|---|

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 564 -2006

Meeting Date: August 15, 2006

1 **FROM:** Mayor

2
3 **SUBJECT:** An Ordinance Authorizing a Non-Exclusive Electric Easement Across
4 Municipal Property to Chugach Electric Association, Inc. Within Tract B,
5 Soccer and Baseball Subdivision, Plat No. 98-53, at the South Anchorage
6 Sports Complex Located Near West Klatt Road and Tower Avenue, Tax
7 #019-011-10
8

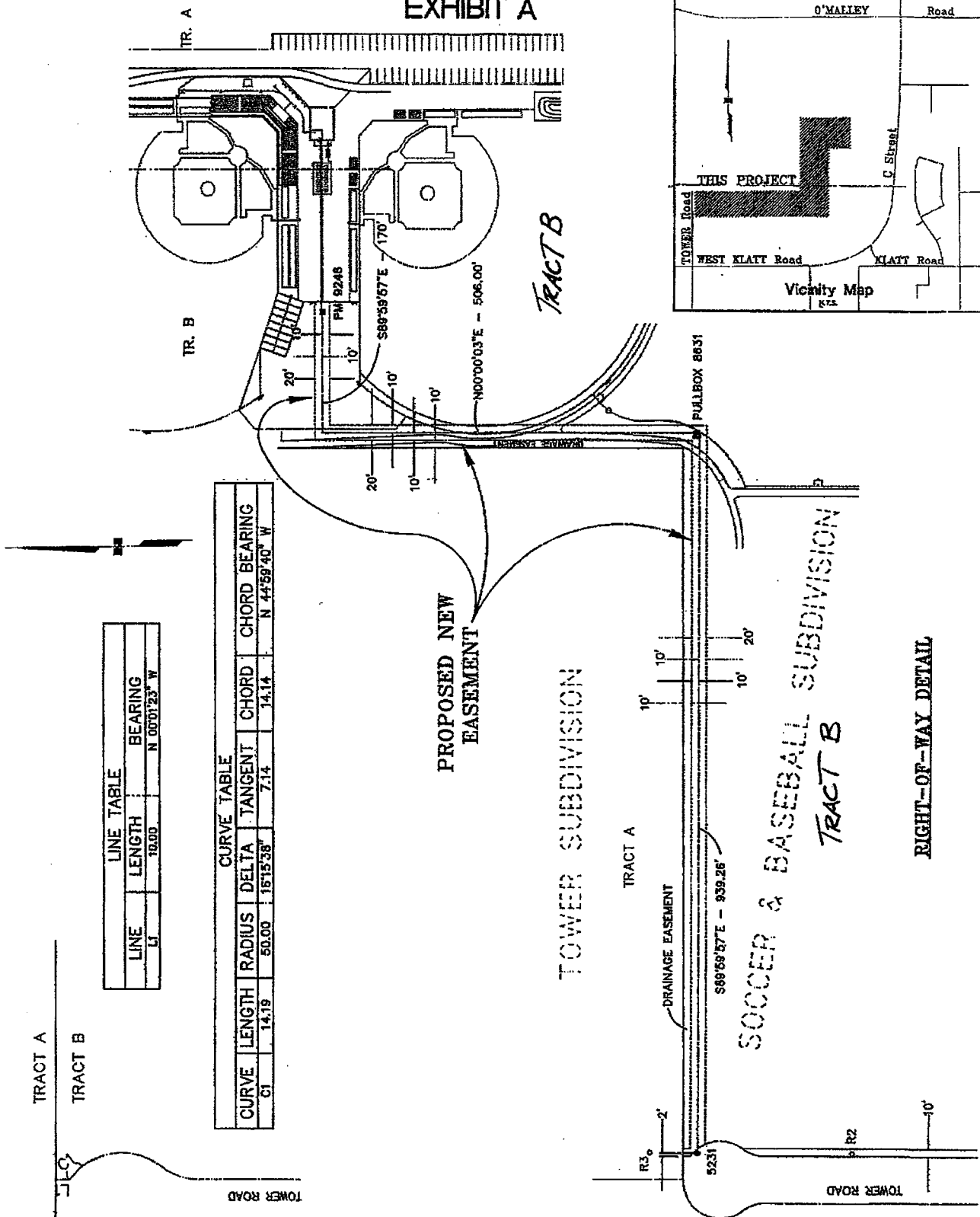
9 The Municipality of Anchorage has requested that Chugach Electric Association, Inc.
10 (CEA) provide three-phase underground electric service to the South Anchorage Sports
11 Complex. This service will provide electricity to the concession and grandstands
12 proposed to be constructed this summer. In order to install the underground facilities,
13 CEA requests a twenty (20) foot-wide electric easement (Exhibit B) within the subject
14 property as identified on the attached parcel plat (Exhibit A). The total easement area
15 contains 32,478 square feet. The Parks & Recreation Commission recommended
16 approval of the easement at its May 11, 2006 meeting.
17

18 The Administration recommends that no compensation be required for granting the
19 32,478-square-foot easement. We also recommend that the associated application
20 fees should be waived because the Municipality has requested the service.
21

22 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
23 AUTHORIZING A NON-EXCLUSIVE ELECTRIC EASEMENT TO CEA WITHIN TRACT B,
24 SOCCER AND BASEBALL SUBDIVISION.
25

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

A vicinity map showing the project location. The map is oriented with North at the top. A large, irregularly shaped area is shaded black, representing the project site. This site is bounded by Toner Road to the west and West Klatt Road to the south. To the east of the project site is Klatt Road, which curves around the corner. Further east is C Street. At the top of the map is O'Malley Road. A north arrow is located in the upper left quadrant. The text 'THIS PROJECT' is written across the shaded area. The text 'Vicinity Map' is at the bottom center, with 'K7.2' below it.



CHUGACH
POWERING ALASKA'S FUTURE

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

DRAWING NAME:

SOCCKER AND BASEBALL SUBDIVISION, TRACT B
36 U.G LINE EXTENSION TO SPORTS COMPLEX
GRIDS: 2629, 2630 MAPS: 1203-19B & 1204-24A
FEEDER: CAMPBELL LAKE 512

FILE NO.:
C.M.P. REF. NO.:

W.O. E0612671

J:\Design\206\12677\Exhibits\exhibit-1d.dwg

SHEET 3 of 3

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

1204-24A
G-2629
E0612671
019-011-10

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, a non-exclusive underground electric easement 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 (20') feet in width, located within Tract B, Soccer & Baseball Subdivision, according to Plat No. 98-53, on file in the Anchorage District Recorder's Office, State of Alaska. The centerline of said strip being more particularly described as follows:

Commencing at the southwest corner of Tract A, Tower Subdivision on file in the Anchorage District Recorder's Office under Plat No. 78-109; Thence S 89° 59' 57" E 30.00 feet to a corner on the western boundary of said Tract B, said corner adjoins the north right of way boundary of Tower Road and the south boundary of said Tract A; Thence adjoining the west boundary line of said Tract B, S 00° 01' 23" E 10 feet; Thence adjoining said west boundary line in a southeasterly direction through a curve concave to the southwest having a radius of 50 feet, a distance of 14.19 feet to the True Point of Beginning; Thence parallel with the south boundary line of said Tract A, S 89° 59' 57" E 939.26 feet; Thence N 00° 00' 03" E parallel with the east boundary line of said Tract A 506 Feet; Thence S 89° 59' 57" E 170 feet to the end of said centerline and the end of this description.

This easement contains an area of 32,478 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, other attachments and equipment, 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 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.

1204-24A
G-2629
E0612671
019-011-10

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 : 004161

Type: Ordinance - AO

Title: An Ordinance Authorizing a Non-Exclusive Electric Easement Across Municipal Property to Chugach Electric Association, Inc. at the South Anchorage Sports Complex Located Near West Klatt Road and Tower Avenue, Tax #019-011-10

Author: rerikosp

Initiating Dept: PME

Review Depts: ECD

Description: An Ordinance Authorizing a Non-Exclusive Electric Easement Across Municipal Property to Chugach Electric Association, Inc. at the South Anchorage Sports Complex Located Near West Klatt Road and Tower Avenue, Tax #019-011-10

Date Prepared: 7/13/06 10:42 AM

Director Name: Howard C. Holtan

Assembly

Meeting Date 8/15/06

MM/DD/YY:

Public Hearing

Date MM/DD/YY: 8/29/06

M.O.A.
 2006 AUG - 7 PM 1:15
 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 | 7/13/06 10:45 AM | Checkin | rerikosp | Public | 004161 |
| PME_SubWorkflow | 7/13/06 10:56 AM | Approve | hansenjw | Public | 004161 |
| ECD_SubWorkflow | 7/18/06 10:16 AM | Approve | thomasm | Public | 004161 |
| OMB_SubWorkflow | 7/19/06 11:38 AM | Approve | mitsonjl | Public | 004161 |
| AllOrdinanceWorkflow | 7/19/06 4:02 PM | Reject | gatesdt | Public | 004161 |
| AllOrdinanceWorkflow | 7/25/06 9:52 AM | Checkin | rerikosp | Public | 004161 |
| PME_SubWorkflow | 7/25/06 10:56 AM | Approve | hansenjw | Public | 004161 |
| ECD_SubWorkflow | 7/25/06 2:21 PM | Approve | thomasm | Public | 004161 |
| OMB_SubWorkflow | 7/28/06 2:02 PM | Approve | foutzrs | Public | 004161 |
| Legal_SubWorkflow | 7/28/06 4:48 PM | Approve | fehlenrl | Public | 004161 |
| MuniManager_SubWorkflow | 8/4/06 8:22 AM | Approve | leblancdc | Public | 004161 |
| MuniMgrCoord_SubWorkflow | 8/4/06 8:29 AM | Approve | abbottmk | Public | 004161 |