

See AO 2006-119 (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- 119

1 AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT
2 ACROSS MUNICIPAL PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC., AT
3 CHESTER VALLEY SCHOOL SUBDIVISION, PLAT NO. 69-137, WITHIN SE 1/2 NW
4 1/4 OF SECTION 24, T13N, R3W, S.M., ALASKA, LOCATED AT THE CHESTER
5 VALLEY SCHOOL SITE ADJACENT TO PATTERSON STREET, TAX #006-218-02
6

7
8 WHEREAS, the subject easement is located on municipal property managed by the
9 Anchorage School District (ASD); and
10

11 WHEREAS, ASD has requested that Chugach Electric Association, Inc. (CEA) relocate
12 the existing guy wires/anchors to accommodate a new driveway at the Chester Valley
13 Elementary School site; and
14

15 WHEREAS, in order to relocate the service to Chester Valley Elementary School, CEA
16 requires an easement for the electrical facilities within the subject property; and
17

18 WHEREAS, the requested easement is considered to be of benefit to the Municipality
19 and the Anchorage School District; and
20

21 WHEREAS, the subject easement is found to be of no substantial monetary value to the
22 Municipality; now therefore,
23

24 THE ANCHORAGE ASSEMBLY ORDAINS:
25

26 **Section 1.** The Assembly finds the non-exclusive easement described herein to be of
27 no substantial monetary value to the Municipality.
28

29 **Section 2.** A non-exclusive electrical easement to CEA is approved within the subject
30 property and more particularly described as:
31

32 A strip of land Ten Feet (10.00') in width located within Chester Valley School Subdivision,
33 according to Plat 69-137, on file in the Anchorage Recording District, Anchorage, Alaska,
34 said strip lying to the right looking in the direction of the traverse of the following described
35 line:

1 Commencing at the southwest corner of said Chester Valley School Subdivision; Thence
2 adjoining the west boundary line N 00° 02' 24" W 45.00 feet to the Point of Beginning;
3 Thence adjoining said west boundary line, N 00° 02' 24" W 30.00 feet to the end of said
4 strip lying to the right of said west boundary line.

5
6 Containing 300.00 square feet more or less.

7
8 **Section 3:** This ordinance shall be effective immediately upon passage and approval by
9 the Anchorage Assembly.

10
11 PASSED AND APPROVED by the Anchorage Municipal Assembly this ____ day of
12 _____, 2006.

13
14
15 _____
16 Chair

17
18 ATTEST:

19
20
21 _____
22 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2006- 119

Title: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT ACROSS MUNICIPAL PROPERTY TO CHUGACH ELECTRIC ASSOCIATION, INC., AT CHESTER VALLEY SCHOOL SUBDIVISION, PLAT NO. 69-137, WITHIN SE1/2 NW1/4 OF SECTION 24, T13N, R3W, S.M., ALASKA, LOCATED AT THE CHESTER VALLEY SCHOOL SITE ADJACENT TO PATTERSON STREET, TAX #006-218-02

Sponsor: Project Management & Engineering Department
Preparing Agency: Project Management & Engineering Department
Others Impacted: Anchorage School District

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: Vicki Gerken

Telephone: 343-8187



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 565 -2006

Meeting Date: August 15, 2006

1 **FROM:** Mayor

2
3 **SUBJECT:** An Ordinance Authorizing a Non-Exclusive Electrical Easement Across
4 Municipal Property to Chugach Electric Association, Inc., at Chester
5 Valley School Subdivision, Plat No. 69-137, Within SE $\frac{1}{2}$ NW $\frac{1}{4}$ of Section
6 24, T13N, R3W, S.M., Alaska, Located at the Chester Valley School Site
7 Adjacent to Patterson Street, Tax #006-218-02
8

9 Chugach Electric Association, Inc. (CEA) has been requested by the Anchorage School
10 District to relocate the existing guy wires/anchors to accommodate a new driveway at
11 the Chester Valley Elementary School site. In order to relocate the service, CEA
12 requires an easement (Exhibit B) on municipal property for relocation of its electrical
13 facilities as identified on the attached parcel plat (Exhibit A). The subject easement
14 contains 300 square feet, more or less.
15

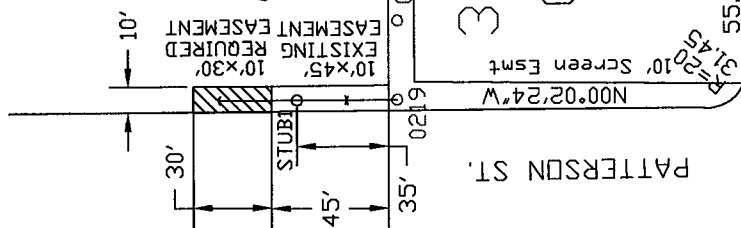
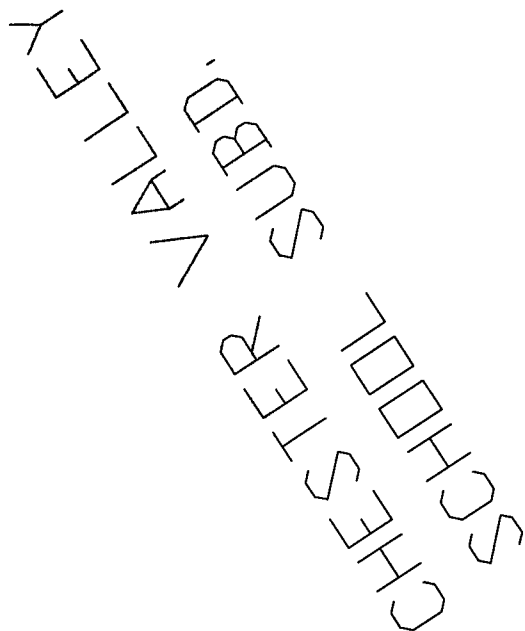
16 The Administration recommends that no compensation be required for granting the
17 easement because the land represents no substantial value to the Municipality.
18

19 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
20 AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH
21 ELECTRIC ASSOCIATION, INC. WITHIN THE CHESTER VALLEY SCHOOL
22 SUBDIVISION.
23

24 Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department

25 Concur: Denis C. LeBlanc, Municipal Manager

26 Respectfully Submitted: Mark Begich, Mayor



TOTAL AREA OF PROPOSED
EASEMENT = 300 SQ.FT.

CHESTER VALLEY SUBD.
T13N, R3W, SEC. 24
PATTERSON ST. PROJECT
GRID: 1440 MAP 1303-24B
J.D. 118921

CHUGACH
POWERING ALASKA'S FUTURE

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

1303-24B
G-1440
E06JO118921
006-218-02

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 electric and telecommunications 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 ten (10') feet in width located within Chester Valley School Subdivision, according to Plat 69-137, on file in the Anchorage Recording District, Anchorage, Alaska. Said strip lying to the right looking in the direction of the traverse of the following described line:

Commencing at the southwest corner of said Chester Valley School Subdivision; Thence adjoining the west boundary line N 00° 02' 24" W 45.00 feet to the Point of Beginning; Thence adjoining said west property line, N 00° 02' 24" W 30.00 feet to the end of said strip lying on and to the right of said property line.

Containing 300.00 square feet 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, cross-arms and other attachments and equipment, and telephone lines, and telecommunication lines, 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 prior 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.

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.

1303-24B
G-1440
E06JO118921
006-218-02

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 : 004177

Type: Ordinance - AO

Title: An Ordinance Authorizing a Non-Exclusive Electrical Easement Across Municipal Property to Chugach Electric Association, Inc., at Chester Valley School Subdivision, Located at the Chester Valley School Site Adjacent to Patterson Street, Tax #006-218-02

Author: rerkosp

Initiating Dept: PME

Description: An Ordinance Authorizing a Non-Exclusive Electrical Easement Across Municipal Property to Chugach Electric Association, Inc., at Chester Valley School Subdivision, Located at the Chester Valley School Site Adjacent to Patterson Street, Tax #006-218-02

Date Prepared: 7/18/06 10:03 AM

Director Name: Howard C. Holtan

Assembly

Meeting Date 8/15/06

MM/DD/YY:

Public Hearing 8/29/06

Date MM/DD/YY:

M.O.A.
 2006 AUG - 7 PM 1:15
 CLERK'S 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 | 7/18/06 10:07 AM | Checkin | rerkosp | Public | 004177 |
| PME_SubWorkflow | 7/18/06 10:44 AM | Approve | hansenjw | Public | 004177 |
| OMB_SubWorkflow | 7/19/06 11:39 AM | Approve | mitsonjl | Public | 004177 |
| AllOrdinanceWorkflow | 7/19/06 4:02 PM | Reject | gatesdt | Public | 004177 |
| AllOrdinanceWorkflow | 7/25/06 9:54 AM | Checkin | rerkosp | Public | 004177 |
| PME_SubWorkflow | 7/25/06 10:58 AM | Approve | hansenjw | Public | 004177 |
| OMB_SubWorkflow | 7/28/06 2:03 PM | Approve | foutzrs | Public | 004177 |
| Legal_SubWorkflow | 7/28/06 2:12 PM | Approve | fehlenrl | Public | 004177 |
| MuniManager_SubWorkflow | 8/4/06 8:22 AM | Approve | leblancdc | Public | 004177 |
| MuniMgrCoord_SubWorkflow | 8/4/06 8:30 AM | Approve | abbottmk | Public | 004177 |