

See AO 2006-123 (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- 123

1 AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL  
2 EASEMENT TO CHUGACH ELECTRIC ASSOCIATION, INC. ACROSS TAX  
3 PARCEL NO. 008-111-02, LOCATED WITHIN SECTION 34, T13N, R3W, S.M.  
4 AT FAR NORTH BICENTENNIAL PARK, SOUTH OF TUDOR ROAD.

5  
6 WHEREAS, as part of its Overhead to Underground Primary Electric Line  
7 Conversion Program, Chugach Electric Association, Inc. (CEA) requests a 20-  
8 foot-wide (in part) and a 10-foot-wide (in part) non-exclusive electrical easement,  
9 totaling 12,360 square feet, through municipal property, in order to underground  
10 an overhead electrical line; and

11  
12 WHEREAS, the proposed electrical easement is located in Far North  
13 Bicentennial Park, on property managed by the Parks & Recreation Department;  
14 and

15  
16 WHEREAS, the proposed easement does not interfere with most current and future  
17 park activities; and

18  
19 WHEREAS, placing CEA electrical lines underground eliminates safety concerns  
20 surrounding above-ground lines and equipment, and enhances the physical and  
21 visual use of the park; and

22  
23 WHEREAS, the Parks & Recreation Department does not object to the proposed  
24 easement, and the Parks & Recreation Commission approved CEA's request for  
25 the electrical easement at its September 8, 2005, meeting; and

26  
27 WHEREAS, the granting of an easement across municipal park land, as more  
28 particularly set out in the accompanying Assembly Memorandum, requires a finding  
29 by the Assembly of no substantial value to the Municipality; now therefore,

30  
31 THE ANCHORAGE ASSEMBLY ORDAINS:

32  
33 **Section 1.** The granting of a non-exclusive easement to Chugach Electric  
34 Association, as more particularly described below and in the accompanying  
35 Assembly Memorandum, is without substantial value to the Municipality.

36  
37 **Section 2.** The Municipality is authorized to grant a non-exclusive electrical  
38 easement to CEA, containing approximately 12,360 square feet, on the terms and

conditions set out in the accompanying Assembly Memorandum, and more particularly described as:

A strip of land, Twenty Feet (20') in width, located within an unsubdivided parcel of land located within the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) and the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section Thirty-four (34), Township Thirteen North (T13N), Range Three West (R3W), Anchorage Recording District, Seward Meridian, Alaska, the centerline of said strip being more particularly described as follows: Commencing at the northwest corner of Tract F, Alaska State Land Survey 2002-34, according to Plat No. 2004-59, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska; thence along the north property line of said Tract F, S 89° 53' 53" E 91.17 Feet to the Point of Beginning; thence N 08° 47' 00" W 602.30 Feet to a point on the east property line of Tract C of said Alaska State Land Survey 2002-34 and the end of said strip.

AND

A strip of land, Ten Feet (10') in width, located within the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) Section Thirty-four (34), Township Thirteen North (T13N), Range Three West (R3W), Anchorage Recording District, Seward Meridian, Alaska, said strip lying to the left, looking in the direction of the traverse of the following described line: Beginning at the southwest corner of Tract A, Alaska State Land Survey 2002-34, according to Plat No. 2004-59, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska, said southeast corner also being a point on an east boundary of Tract C of said Alaska State Land Survey 2002-34; thence along said east boundary of said Tract C, S 00° 04' 36" E 67 Feet to the end of said strip.

**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 \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

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

AO Number: 2006-123 Title: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH ELECTRIC ASSOCIATION, INC. ACROSS TAX PARCEL NO. 008-111-02, LOCATED WITHIN SECTION 34, T13N, R3W, S.M. AT FAR NORTH BICENTENNIAL PARK, SOUTHWEST OF TUDOR ROAD.

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

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**CHANGES IN EXPENDITURES AND REVENUES:** (Thousands of Dollars)

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	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: 2.1

CAPITAL:

POSITIONS: FT/PT and Temp.

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**PUBLIC SECTOR ECONOMIC EFFECTS:**

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Revenue to Parks & Recreation for electrical easement is \$1,854 plus \$250 processing fee.

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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 594 -2006

Meeting Date: August 15, 2006

1 **FROM: MAYOR**

2  
3 **SUBJECT: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE**  
4 **ELECTRICAL EASEMENT TO CHUGACH ELECTRIC**  
5 **ASSOCIATION, INC. ACROSS TAX PARCEL NO. 008-111-02,**  
6 **LOCATED WITHIN SECTION 34, T13N, R3W, S.M. AT FAR**  
7 **NORTH BICENTENNIAL PARK, SOUTH OF TUDOR ROAD.**

8  
9 As part of its Overhead to Underground Primary Electric Line Conversion  
10 Program, Chugach Electric Association, Inc. (CEA) proposes to convert the  
11 existing primary overhead electric line within Far North Bicentennial Park to an  
12 underground line. The project requires installation of single-phase underground  
13 primary cable in conduit across a portion of the park. The alignment of the  
14 underground primary cable is relatively the same as the existing overhead  
15 alignment, reducing potential impact on future park use. In order to install the  
16 underground facilities, CEA requests a non-exclusive electrical easement on the  
17 tax parcel 008-111-02 (see parcel plat, attached as **Exhibit A**), 20-feet wide in  
18 part and 10-feet wide in part, as shown on **Exhibit B**. The Parks & Recreation  
19 Department does not object to the easement, and the Parks & Recreation  
20 Commission recommended approval of the easement at its September 8, 2005  
21 meeting.

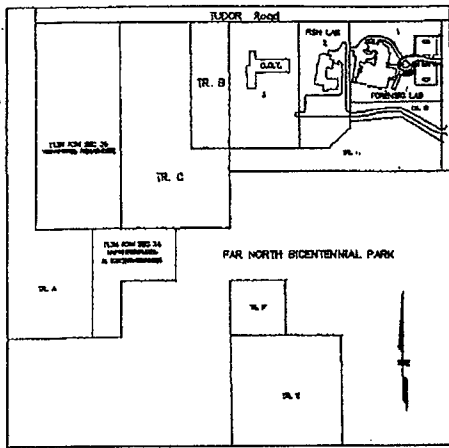
22  
23 The pertinent details of the easement are as follows:

24  
25 Grantee: Chugach Electric Association, Inc.  
26 Valuation Method: 25% of the market value, estimated by the Property Appraisal  
27 Division at \$.60 per square foot, for a total of \$1,854.00  
28 (12,360 square feet x \$.60 per square foot x 25%).  
29 Fee: \$1,854.00, plus a Parks & Recreation Department \$250  
30 processing fee, for total revenue of \$2,104.00.  
31 Parcel: Tax parcel No. 008-111-02, located south of Tudor Road,  
32 southwest of the Alaska State Trooper offices.  
33 Sq. footage: 12,360 square feet, more or less.  
34

35 In order for the easement to be granted on dedicated park land, the Assembly  
36 must find the easement to be without substantial value to the Municipality. CEA  
37 agrees to pay fair market value for the easement, plus a processing fee; in  
38 exchange the Municipality and users of the park benefit in terms of both  
39 elimination of overhead lines and poles or towers, and reduction of visual impact  
40 on the park. CEA is responsible for all costs and expenses of removal of existing  
41 lines and equipment, and installation of undergrounded equipment, as well as  
42 operations and maintenance costs for the life of the easement.

1  
2 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**  
3 **AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH**  
4 **ELECTRIC ASSOCIATION, INC. ACROSS TAX PARCEL NO. 008-111-02,**  
5 **LOCATED WITHIN SECTION 34, T13N, R3W, S.M. AT FAR NORTH**  
6 **BICENTENNIAL PARK, SOUTH OF TUDOR ROAD.**  
7

8  
9 Prepared by: Project Management & Engineering Department  
10 Approved by: Howard C. Holtan, Director  
11 Project Management & Engineering Department  
12 Concur: Mary Jane Michael, Executive Director  
13 Office of Economic & Community Development  
14 Concur: Frederick H. Boness, Municipal Attorney  
15 Concur: Denis C. LeBlanc, Municipal Manager  
16 Respectfully Submitted: Mark Begich, Mayor

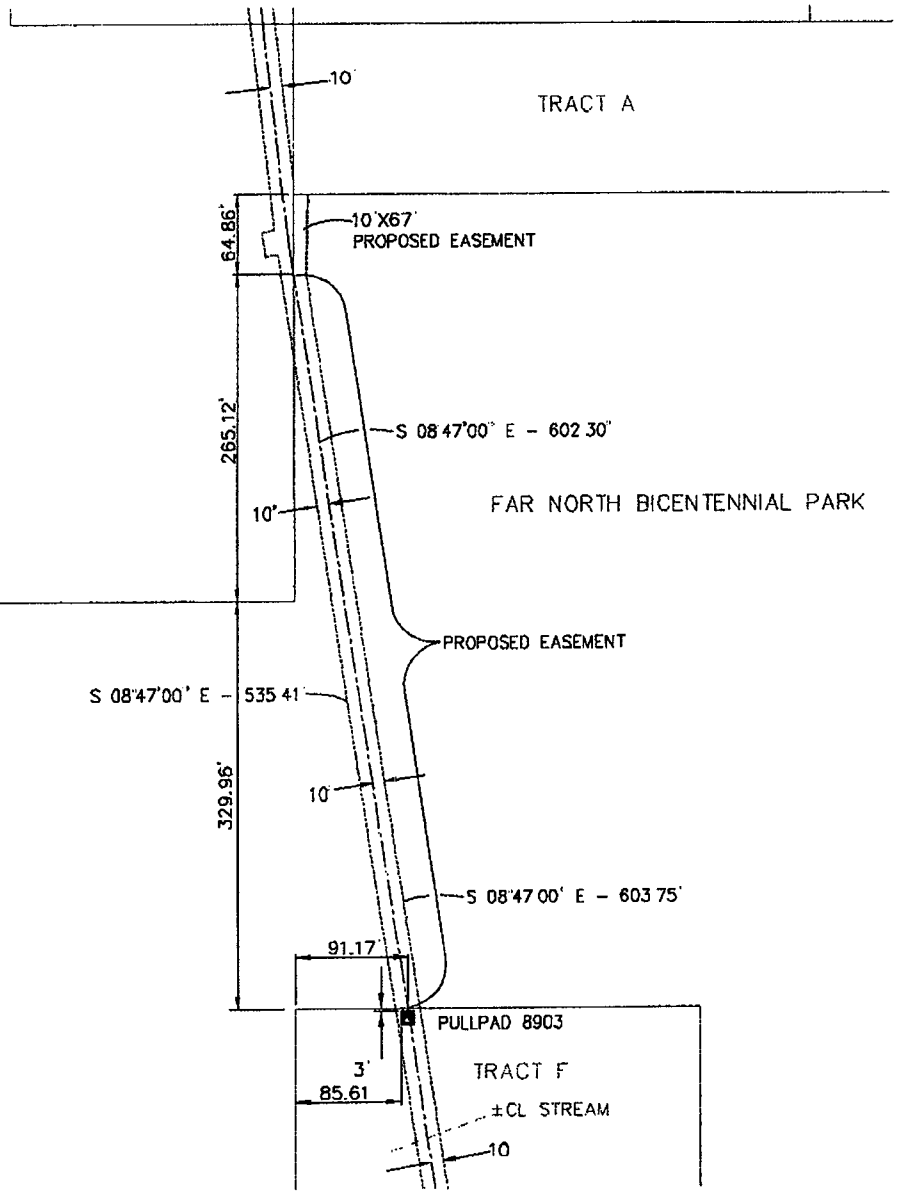


Vicinity Map  
N.T.S.

TRACT C  
ASLS 2002-34

T13N R3W SEC 34 NW4NE4SW4NE4  
& E2E2NW4SW4NE4

N.T.S.



RIGHT-OF-WAY

EXHIBIT A

**CHUGACH**  
POWERING ALASKA'S FUTURE

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

DRAWING NAME:

ASLS 2002-34 - TRACTS B, C, E & F  
1Ø OVERHEAD TO 1Ø UNDERGROUND - REPLACEMENT  
GRID 3139, MAP 1303-34  
R.O.W EXHIBIT

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

W.O.E0512529

j:\design\c05\12529\exhibit-1d.dwg

SHEET 4 OF 4

After recording, Return to:  
Chugach Electric Association, Inc.  
P.O. Box 196300  
Anchorage, AK 99519-6300

1303-34A  
G-1837  
E0512529  
008-111-02  
Page 1

## 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 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 unsubdivided parcel of land located within the Northeast Quarter (NE  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) and the Southeast Quarter (SE  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Thirty-four (34), Township Thirteen North (13N), Range Three West (R3W), Anchorage Recording District, Seward Meridian, Alaska, the centerline of said strip being more particularly described as follows: Commencing at the northwest corner of Tract F, Alaska State Land Survey 2002-34, according to Plat No. 2004-59, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska; thence along the north property line of said Tract F, S  $89^{\circ} 53' 53''$  E 91.17 Feet to the Point of Beginning; thence N  $08^{\circ} 47' 00''$  W 602.30 Feet to a point on the east property line of Tract C of said Alaska State Land Survey 2002-34 and the end of said strip.

AND

A strip of land, Ten Feet (10') in width, located within the Northeast Quarter (NE  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) Section Thirty-four (34), Township Thirteen North (13N), Range Three West (R3W), Anchorage Recording District, Seward Meridian, Alaska, said strip lying to the left, looking in the direction of the traverse of the following described line: Beginning at the southwest corner of Tract A, Alaska State Land Survey 2002-34, according to Plat No. 2004-59, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska, said southeast corner also being a point on an east boundary of Tract C of said Alaska State Land Survey 2002-34; thence along said east boundary of said Tract C, S  $00^{\circ} 04' 36''$  E 67 Feet to the end of said strip.

This easement contains an area of 12,360 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, crossarms 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 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.



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: \_\_\_\_\_

EXHIBIT B

**Content Information****Content ID :** 004251**Type:** Ordinance - AO**Title:** CEA Utility Easement FNBP**Author:** stanley-harrisel**Initiating Dept:** ParksRec**Description:** Easement Request**Keywords:** CEA, easement**Date Prepared:** 8/4/06 11:55 AM**Director Name:** Jeff Dillon**Assembly Meeting Date**  
**MM/DD/YY:** 8/15/06**Public Hearing Date:** 8/29/06M.O.A.  
2006 AUG 11 AM 8:23  
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	8/4/06 12:08 PM	Checkin	stanley-harrisel	Public	004251
ParksRec_SubWorkflow	8/4/06 12:34 PM	Approve	stanley-harrisel	Public	004251
ECD_SubWorkflow	8/8/06 9:18 AM	Approve	thomasm	Public	004251
OMB_SubWorkflow	8/8/06 5:43 PM	Approve	mitsonjl	Public	004251
Legal_SubWorkflow	8/9/06 9:33 AM	Approve	fehlenrl	Public	004251
MuniMgrCoord_SubWorkflow	8/10/06 12:36 PM	Approve	abbottmk	Public	004251
MuniManager_SubWorkflow	8/10/06 12:36 PM	Approve	abbottmk	Public	004251

*Addendum -*

CONSENT AGENDA - INTRODUCTION