

CLERK'S OFFICE

APPROVED

Date: 7-11-06 **ANCHORAGE, ALASKA**
AR No. 2006-167

**A RESOLUTION AUTHORIZING THE DISPOSAL OF MUNICIPAL INTERESTS
ON LOT 2A, HUCKABAY SUBDIVISION (PER PLAT 85-129) VIA
RELINQUISHMENT, THE PARCEL GENERALLY LOCATED IN THE NW¼ OF
SECTION 30, T13N, R3W, S.M., ALASKA (SOUTHWEST OF THE BENSON
BOULEVARD AND EIDE STREET INTERSECTION)**

WHEREAS, the Anchorage Municipal Charter Section 10.02(8) provides that any action to convey or lease or authorizing the conveyance or lease of any interest in lands of the Municipality must be by ordinance, but Charter Section 17.13(e) excepts and excludes from said requirement revocable permits and licenses, rights-of-way and easements which the Assembly finds to be without substantial value to the Municipality; and

WHEREAS, the Anchorage Water & Wastewater Utility (AWWU) recommends release and relinquishment of sewer easements identified in Section 1 below; and

WHEREAS, these disposals will remove and extinguish, in full or in part, documented and recorded sewer easements no longer required by AWWU and the Municipality; and

WHEREAS, the Assembly finds that the municipal interest in real property to be disposed of hereunder is without substantial value to the Municipality.

NOW THEREFORE, the Assembly of Anchorage resolves:

Section 1. The Municipality may dispose of five (5) sewer easements, via relinquishment, identified below and as depicted on the attached illustration in part or in their entirety also as indicated below. **Collectively the relinquishment is described as the sewer easement located on the North 140 feet of the West 20 feet of the East 130 feet of subject Lot 2A.**

Relinquishment #1: **THE ENTIRE** sewer easement recorded March 27, 1962 in Misc. Book 45, Page 163 for the west ten (10) feet of Lots 9 and 10, Eide Subdivision, located in the NE ¼ NW ¼ Section 30, T13N, R3W, S.M., according to the official map and plat thereof on file in the office of the District Magistrate and Recorder, Anchorage Recording Precinct, Alaska (a.k.a. Plat P-55, Arthur H. Eide, SR. Subdivision).

Relinquishment #2: **THOSE PORTIONS** in the North 40 feet of the sewer easement recorded March 27, 1962 in Misc. Book 45, Page 164 for the west ten (10) feet of Lot 11, Eide Subdivision, located in the NE ¼ NW ¼, Section 30, T13N, R3W, S.M., according to the official map and plat thereof on file in

the office of the District Magistrate and Recorder, Anchorage Recording Precinct, Alaska (a.k.a. Plat P-55, Arthur H. Eide, SR. Subdivision).

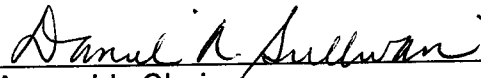
Relinquishment #3: THOSE PORTIONS in the North 40 feet of the sewer easement recorded March 27, 1962 in Misc. Book 45, Page 167 for the east ten (10) feet of Lot 14 of the Eide Subdivision, located in the NE ¼ NW ¼, Section 30, T13N, R3W, S.M, according to the official map and plat thereof on file in the office of the District Magistrate and Recorder, Anchorage Recording Precinct, Alaska (a.k.a. Plat P-55, Arthur H. Eide, SR. Subdivision).

Relinquishment #4: THE ENTIRE sewer easement recorded March 27, 1962 in Misc. Book 45, Page 168 for the east ten (10) feet of Lot 15 of the Eide Subdivision, located in the NE ¼ NW ¼, Section 30, T13N, R3W, S.M., according to the official map and plat thereof on file in the office of the District Magistrate and Recorder, Anchorage Recording Precinct, Alaska (a.k.a. Plat P-55, Arthur H. Eide, SR. Subdivision).

Relinquishment #5: THE ENTIRE sewer easement recorded March 27, 1962 in Misc. Book 45, Page 151 for the east ten (10) feet of Lot 16 of the Eide Subdivision, located in the NE ¼ NW ¼, Section 30, T13N, R3W, S.M., according to the official map and plat thereof on file in the office of the District Magistrate and Recorder, Anchorage Recording Precinct, Alaska (a.k.a. Plat P-55, Arthur H. Eide, SR. Subdivision).

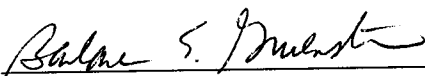
Section 2. This resolution shall take effect upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly, this 11th day of July, 2006.

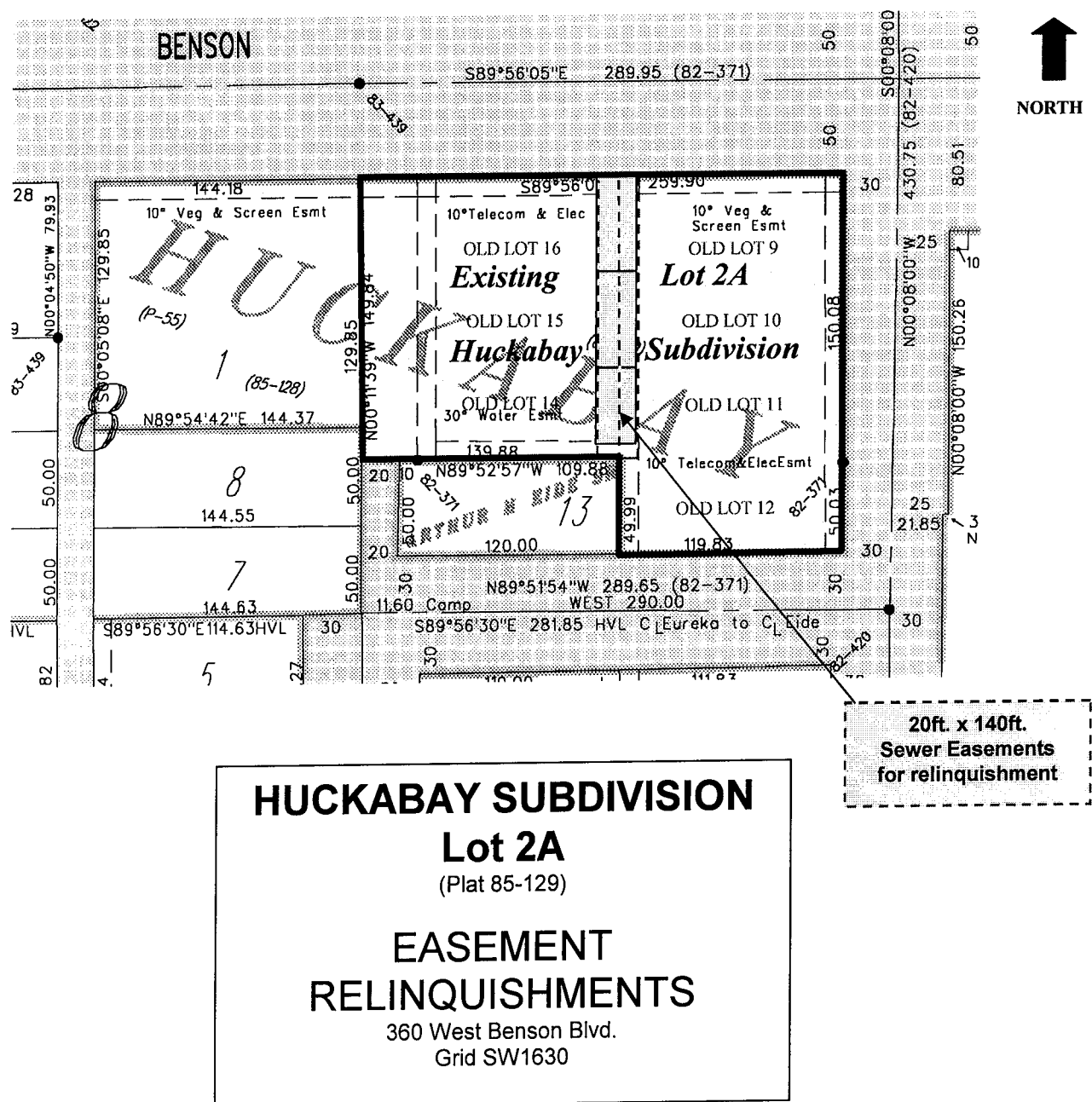


Assembly Chair

ATTEST:



Municipal Clerk



Note: Relinquishment of sewer easements on the north 140 feet of the west 20 feet of the east 130 feet of Lot 2A, Huckabay Subdivision (Plat 85-129). Easements for relinquishment were originally recorded on Lots 9, 10, 11, 14, 15, and 16 of the Arthur H. Eide Sr. Subdivision (Plat P-55, circa 1946).

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 481 -2006

Meeting Date: July 11, 2006

From: Mayor

Subject: **A RESOLUTION AUTHORIZING THE DISPOSAL OF MUNICIPAL INTERESTS ON LOT 2A, HUCKABAY SUBDIVISION (PER PLAT 85-129) VIA RELINQUISHMENT, THE PARCEL GENERALLY LOCATED IN THE NW¼ OF SECTION 30, T13N, R3W, S.M., ALASKA (SOUTHWEST OF THE BENSON BOULEVARD AND EIDE STREET INTERSECTION**

The Municipality of Anchorage, dba the Anchorage Water & Wastewater Utility (AWWU), has received a request to relinquish certain sewer easements recorded on property now known as Lot 2A, Huckabay Subdivision. AWWU supports the request.

In 1961, sewer easements were granted to Spenard Public Utility District No. 1 to provide a corridor for legal access "to construct, operate and maintain" a sanitary sewer system (a portion of the Fish Creek Trunk & Collection System) through, across and under property known as Lots 9, 10, 11, 14, 15, and 16 of the Arthur H. Eide, Sr. Subdivision (Plat P-55, circa. 1946). The Municipality of Anchorage, dba AWWU, is the successor in interest to these easements granted to Spenard Public Utility District No. 1.

In 1982, Lots 9, 10, 11, 14, 15, and 16 were combined by Plat 82-371 to Lot 9A, Arthur H. Eide, Sr. Subdivision. Concurrently, to resolve a conflict between proposed placement of a new building on Lot 9A and the existing (1961) sewer main, a new sewer main was constructed to reroute sewage flow around Lot 9A so that much of the 1961 sewer line through Lot 9A (and located within these easements) could be removed or decommissioned in place.

In 1985, by another platting action, Lot 9A, Arthur H. Eide, Sr. Subdivision became part of Lot 2A, Huckabay Subdivision. The sewer easements identified in the accompanying resolution, oriented north/south through the center of Lot 2A, Huckabay Subdivision (Plat 85-129), have not been required for public purpose since 1983. Portions of these easements are (and have been) beneath a retail/office building at 360 W. Benson Boulevard. Because the easements are specifically sewer easements, AWWU is the only utility with an interest in the prior dedications.

AWWU recommends the easements be relinquished.

The passage of this resolution will have no fiscal impact on Municipal owned parcels.

THE ADMINISTRATION SUPPORTS THE RELINQUISHMENT OF THE EASEMENTS DESCRIBED ABOVE AND MORE SPECIFICALLY IDENTIFIED IN THE ACCOMPANYING RESOLUTION.

Prepared by:	Mark Premo, P.E., General Manager, AWWU
Concur:	Robin Ward, Executive Director, Heritage Land Bank
Concur:	Denis C. LeBlanc, Municipal Manager
Respectfully submitted:	Mark Begich, Mayor

Content Information**Content ID :** 004051**Type:** AR_AllOther - All Other Resolutions

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Author: gibsonam**Initiating Dept:** AWWU**Select Routing:** Standard**Review Depts:** HLB**Date Prepared:** 6/6/06 10:11 AM**Director Name:** Mark Premo**Assembly****Meeting Date** 7/11/06**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>
AllOtherARWorkflow	6/6/06 10:20 AM	Checkin	gibsonam	Public	004051
AWWU_SubWorkflow	6/6/06 10:25 AM	Approve	premomc	Public	004051
HLB_SubWorkflow	6/15/06 8:10 AM	Approve	wardre	Public	004051
MuniManager_SubWorkflow	6/30/06 9:45 AM	Approve	leblancdc	Public	004051
MuniMgrCoord_SubWorkflow	6/30/06 2:07 PM	Approve	abbottmk	Public	004051

M.O.A.
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