

CLERK'S OFFICE

APPROVED

Date: 10-17-06

ANCHORAGE, ALASKA

AR No. 2006- 272

Submitted by: Chairman of the Assembly at the
Request of the AWWU Board
Prepared by: Anchorage Water & Wastewater Utility
For reading: October 17, 2006

A RESOLUTION AUTHORIZING THE DISPOSAL OF MUNICIPAL INTERESTS ON TRACTS A and B, PROVIDENCE – CHESTER CREEK SUBDIVISION (PER PLAT 2004-169) VIA RELINQUISHMENT, THE PARCEL GENERALLY LOCATED IN THE S1/2 OF SECTION 28, T13N, R3W, S.M., ALASKA (SOUTH OF THE INTERSECTION OF PROVIDENCE DRIVE AND UAA DRIVE)

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) has received a request to relinquish its interests in certain sewer lines and appurtenances on Tracts A and B, Providence – Chester Creek Subdivision (per Plat 2004-169, Anchorage Recording District), and hereinafter Tracts A and B, created by recorded instruments identified below; and

WHEREAS, AWWU recommends release and relinquishment of a document sanitary sewer easement recorded December 10, 1964 in Misc. Book 97, Page 315; and relinquishing AWWU's interest in sewer and appurtenances on only Tracts A and B that were created and established by the Quitclaim Deed recorded September 24, 1964 in Book 288, Page 257; and

WHEREAS, this disposal will remove and extinguish the referenced sanitary sewer easement and portions of the Quitclaim Deed relevant to Tracts A and B no longer required by AWWU and the Municipality; and

WHEREAS, easements still relevant to AWWU and the Municipality on Tracts A and B were and are secured through Plat 2004-169; and

WHEREAS, at its October 4, 2006 meeting, the AWWU Authority Board supported this request to release and relinquish the (sanitary) sewer easement specified below; and


1 WHEREAS, the Assembly finds that the municipal interest in real property to be
2 disposed of hereunder is without substantial value to the Municipality.
3

4 **NOW THEREFORE, the Assembly of Anchorage resolves:**
5


6 **Section 1.** The Municipality may dispose of a 30-foot wide sanitary sewer easement,
7 created by document recorded December 10, 1964 in Misc. Book 97, Page 315, via
8 relinquishment; and, the Municipality may also dispose of its interest in sewer and
9 appurtenances - on Tracts A and B only - created by the Quitclaim Deed recorded
10 September 24, 1964 in Book 288, Page 257, Anchorage Recorded District, Alaska.
11

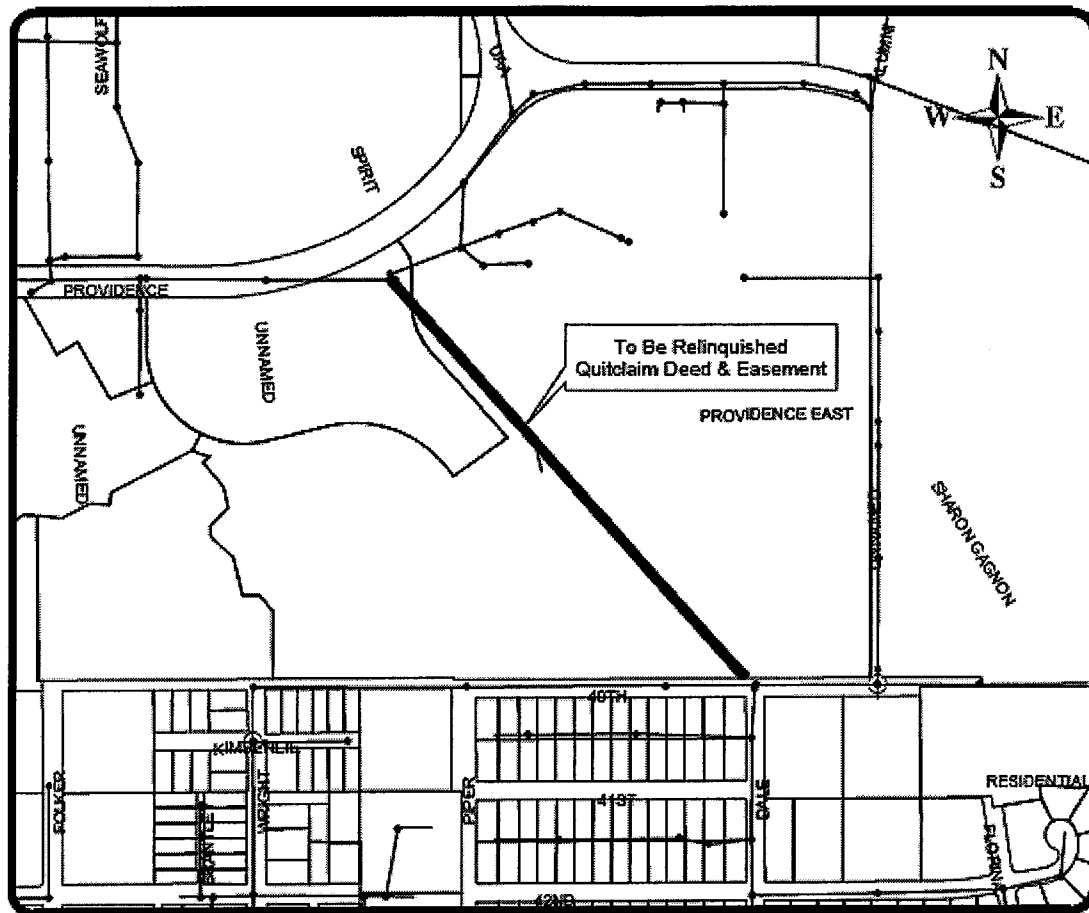
12 **Section 2.** This resolution shall take effect upon passage and approval by the
13 Assembly.
14

15 PASSED AND APPROVED by the Anchorage Assembly, this 17th day of
16 October, 2006.
17

18 
19 _____
20 Assembly Chair
21

22 ATTEST:

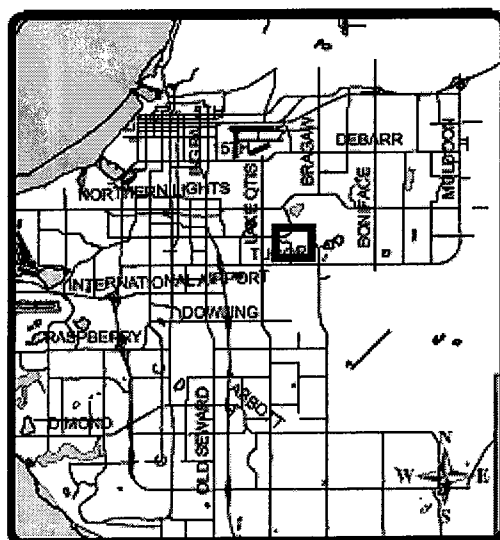
23 
24 _____
25 Municipal Clerk



Maps: Not-to-Scale

**Resolution Regarding Sewer
Relinquishment - Tracts A and B,
Providence-Chester Creek
Subdivision**

Anchorage Water & Wastewater Utility



Legend

- To Be Relinquished
 Project Area



Map Created
by AJU
09/27/2006

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 772-2006

Meeting Date: October 17, 2006

From: Anchorage Water & Wastewater Utility Board of Directors

Subject: A RESOLUTION AUTHORIZING THE DISPOSAL OF MUNICIPAL INTERESTS ON TRACTS A and B, PROVIDENCE – CHESTER CREEK SUBDIVISION (PER PLAT 2004-169) VIA RELINQUISHMENT, THE PARCEL GENERALLY LOCATED IN THE S1/2 OF SECTION 28, T13N, R3W, S.M., ALASKA (SOUTH OF THE INTERSECTION OF PROVIDENCE DRIVE AND UAA DRIVE)

The Municipality of Anchorage, dba the Anchorage Water & Wastewater Utility (AWWU), has received a request to relinquish and extinguish its interest in certain sanitary sewer lines and appurtenances created by easement or deed recorded on property now known as Tracts A and B, Providence – Chester Creek Subdivision. AWWU supports the request.

On September 16, 1964, the City of Anchorage received quitclaim deed to “all of those constructed portions of the Chester Creek Sanitary Trunk Sewer Extension situated in Section 28, T13N, R3W, SM”, which in part traverses parcels currently and legally described as Tracts A and B, Providence – Chester Creek Subdivision.

On November 2, 1964, a 30-foot wide sanitary easement was granted to the City of Anchorage to provide a corridor for legal access “to construct, operate and maintain” a sanitary sewer line through, across and under parcels currently and legally described as Tracts A and B, Providence – Chester Creek Subdivision.

This quitclaim deed and easement now have little to no relevance to Tracts A and B, Providence – Chester Creek Subdivision (per Plat 2004-169, Anchorage Recording District), and are no longer necessary. Much of the sanitary sewer line subject to the deed or located within this easement was decommissioned or abandoned in place in 1970 by AWWU or its predecessor. Easements required for remaining active portion of the Chester Creek Sanitary Trunk Sewer Extension sanitary sewage collection system were secured by the referenced plat.

The quitclaim deed of sewer pipe and appurtenances over and through Tracts A and B, and the original easement through, across and under Tracts A and B no longer have substantial value to the Municipality or AWWU. This relinquishment and extinguishment is offered at no cost. A portion of the “abandoned” sewer line has been repaired, upgraded and rejuvenated as a service line to new land uses/facilities on-site. Costs to do so were borne by the private party.

Because the easement and quitclaim deed are specifically relevant to sanitary sewer infrastructure, AWWU is the only utility with an interest in the prior dedication and deed.

At its regular meeting of October 4, 2006, the AWWU Board endorsed relinquishing the portion of the easement.

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

PURSUANT TO AMC 31.10.030.D, THE AWWU BOARD RECOMMENDS RELINQUISHING THE EASEMENT 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
Respectfully submitted: Randal Buckendorf, Chair, AWWU Board

Content Information**Content ID :** 004471**Type:** AM_OtherServices - Other Services MemorandumAUTHORIZING THE DISPOSAL OF MUNICIPAL INTERESTS ON
TRACTS A and B, PROVIDENCE – CHESTER CREEK SUBDIVISION**Title:** (PER PLAT 2004-169) VIA RELINQUISHMENT, THE PARCEL
GENERALLY LOCATED IN THE S1/2 OF SECTION 28, T13N, R3W,
S.M., ALASKA**Author:** gibsonam**Initiating Dept:** AWWU**Review Depts:** AWWU, HLB**Date Prepared:** 10/5/06 4:13 PM**Director Name:** Mark Premo**Assembly****Meeting Date** 10/17/06**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>
OtherServicesAMWorkflow	10/5/06 4:41 PM	Checkin	gibsonam	Public	004471
AWWU_SubWorkflow	10/5/06 4:43 PM	Approve	premomc	Public	004471
HLB_SubWorkflow	10/11/06 2:16 PM	Approve	wardre	Public	004471

M.O.A.
 2006 OCT 11 PM 4:24
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