

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Heritage Land Bank

For Reading: June 26, 2007

CLERK'S OFFICE

ANCHORAGE, ALASKA

APPROVED

AO No. 2007- 91

Date: 7.17.07

**AN ORDINANCE AUTHORIZING WITHDRAWAL OF A PORTION OF PARCEL
1-075 FROM HERITAGE LAND BANK INVENTORY TO THE REAL ESTATE
SERVICES DIVISION FOR DISPOSAL TO THE STATE OF ALASKA FOR
ROAD RIGHT-OF-WAY.**

WHEREAS, the Heritage Land Bank inventory in the Eagle River area contains HLB
Parcel 1-075, located within Section 36, Township 15 North, Range 2 West, Seward
Meridian, Alaska; and

WHEREAS, It is the mission of the Heritage Land Bank to manage uncommitted
municipal land and the Heritage Land Bank Fund in a manner designed to benefit the
present and future citizens of Anchorage, promote orderly development, and achieve the
goals of the comprehensive plan. (AMC section 25.40.010); and

WHEREAS, The Heritage Land Bank Advisory Commission shall hold a public hearing...
prior to making a recommendation to the Mayor and Assembly regarding the disposal of
Heritage Land Bank land or an interest in land. Land disposals under this chapter include
land sales, land exchanges, leases and easements. (AMC section 25.40.025A.) After the
public hearing, the advisory commission shall submit a written finding and
recommendation to the Mayor and Assembly, stating whether or not a proposed land
disposal is in the best interest of the Municipality. (AMC section 25.40.025B.); and

WHEREAS, on December 14, 2006, the Heritage Land Bank Advisory Commission
approved HLBAC Resolution 2006-16 at a public hearing, recommending Assembly
Approval for the disposal of a 3,311 square-foot portion of HLB Parcel #1-075, located in
Eagle River, for TWENTY-NINE THOUSAND EIGHT HUNDRED DOLLARS
(\$29,800) to the State of Alaska Department of Transportation for road Right-of-Way; now
therefore,

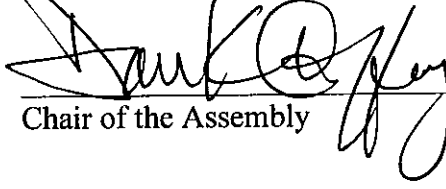
THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. An approximately 3,311-square foot portion of Heritage Land Bank (HLB)
Parcel 1-075 shall be withdrawn from HLB inventory to the Real Estate Services Division
for disposal to the State of Alaska Department of Transportation (DOT) for road Right-of-
Way.

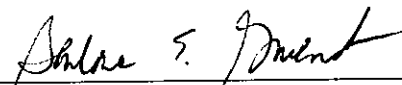
1 **Section 2.** The Heritage Land Bank shall be compensated Twenty-Nine Thousand,
2 Eight Hundred Dollars (\$29,800) for the withdrawal and disposal of the 3,311-square foot
3 portion of HLB Parcel 1-075.

4
5 **Section 3.** This ordinance shall be effective immediately upon passage and approval by
6 the Assembly.

7
8
9 PASSED AND APPROVED by the Anchorage Assembly this 17th day of
10 July, 2007.

11
12
13 
Chair of the Assembly

14 ATTEST:

15
16
17 
18
19 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2007-91 Title: **AN ORDINANCE AUTHORIZING WITHDRAWAL OF A PORTION OF PARCEL 1-075 FROM HERITAGE LAND BANK INVENTORY TO THE REAL ESTATE SERVICES DIVISION FOR DISPOSAL TO THE STATE OF ALASKA FOR ROAD RIGHT-OF-WAY.**

Sponsor: MAYOR
Preparing Agency: Heritage Land Bank/Real Estate Services Division
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(Thousands of Dollars)				
	FY07	FY08	FY09	FY10	FY11	
Operating Expenditures						
1000 Personal Services						
2000 Supplies						
3000 Other Services						
4000 Debt Service						
5000 Capital Outlay						
TOTAL DIRECT COSTS:	0	0	0	0	0	
6000 IGCs	0	0	0	0	0	
FUNCTION COST:	0	0	0	0	0	
REVENUES:	29.8	0	0	0	0	
CAPITAL:	0	0	0	0	0	
POSITIONS: FT/PT and Temp.	0	0	0	0	0	

PUBLIC SECTOR ECONOMIC EFFECTS:

Portion of this property will be sold to the State DOT for reconstructing the Old Glenn Highway at West Lake Ridge Drive; revenue generated from the purchase shall go to the Heritage Land Bank Fund (221).

PRIVATE SECTOR ECONOMIC EFFECTS:

None.

Prepared by: William M. Mehner
Heritage Land Bank Director

Telephone: **343-4337**



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 403-2007

MEETING DATE: June 26, 2007

1 **FROM: MAYOR**

2
3 **SUBJECT: AN ORDINANCE AUTHORIZING WITHDRAWAL OF A PORTION**
4 **OF PARCEL 1-075 FROM HERITAGE LAND BANK INVENTORY**
5 **TO THE REAL ESTATE SERVICES DIVISION FOR DISPOSAL TO**
6 **THE STATE OF ALASKA FOR ROAD RIGHT-OF-WAY.**
7

8 Heritage Land Bank (HLB) Parcel 1-075 (TID 051-324-12) abuts West Lake Ridge Drive
9 and the Old Glenn Highway near Fire Lake (Appendix A Site Map). The legal description
10 is ADL Lot 1, Township 15 N, Range 2 W, Section 36, East ½, Seward Meridian, contains
11 approximately 3.01 acres, and is zoned Public Lands and Institutions.
12

13 The State of Alaska Department of Transportation (DOT) plans to reconstruct the Old
14 Glenn Highway. By June 23, 2006 letter from Trawver Land Services, the state's ROW
15 contractor, DOT offered (see Appendix B) to purchase for TWENTY-NINE THOUSAND
16 EIGHT HUNDRED DOLLARS an approximately 3,311 square-foot portion of HLB Parcel
17 #1-075 (noted as Parcel #1 on page 2, Appendix B), comprising the northwest corner of the
18 parcel.
19

20 Agency reviews were sent out on November 20th regarding the proposed disposal. The
21 HLB received one comment from the Planning Department, noting the proposed use of the
22 land for road right of way is consistent with the Chugiak-Eagle River Comprehensive Plan,
23 and there were no objections by any municipal agencies to the disposal.
24

25 On December 14, 2006, the Heritage Land Bank Advisory Commission approved
26 Resolution 2006-16, recommending withdrawal and disposal of approximately 3,311
27 square-foot portion of HLB Parcel No. 1-075 for TWENTY-NINE THOUSAND EIGHT
28 HUNDRED DOLLARS, to the State of Alaska DOT to allow this right-of-way.
29

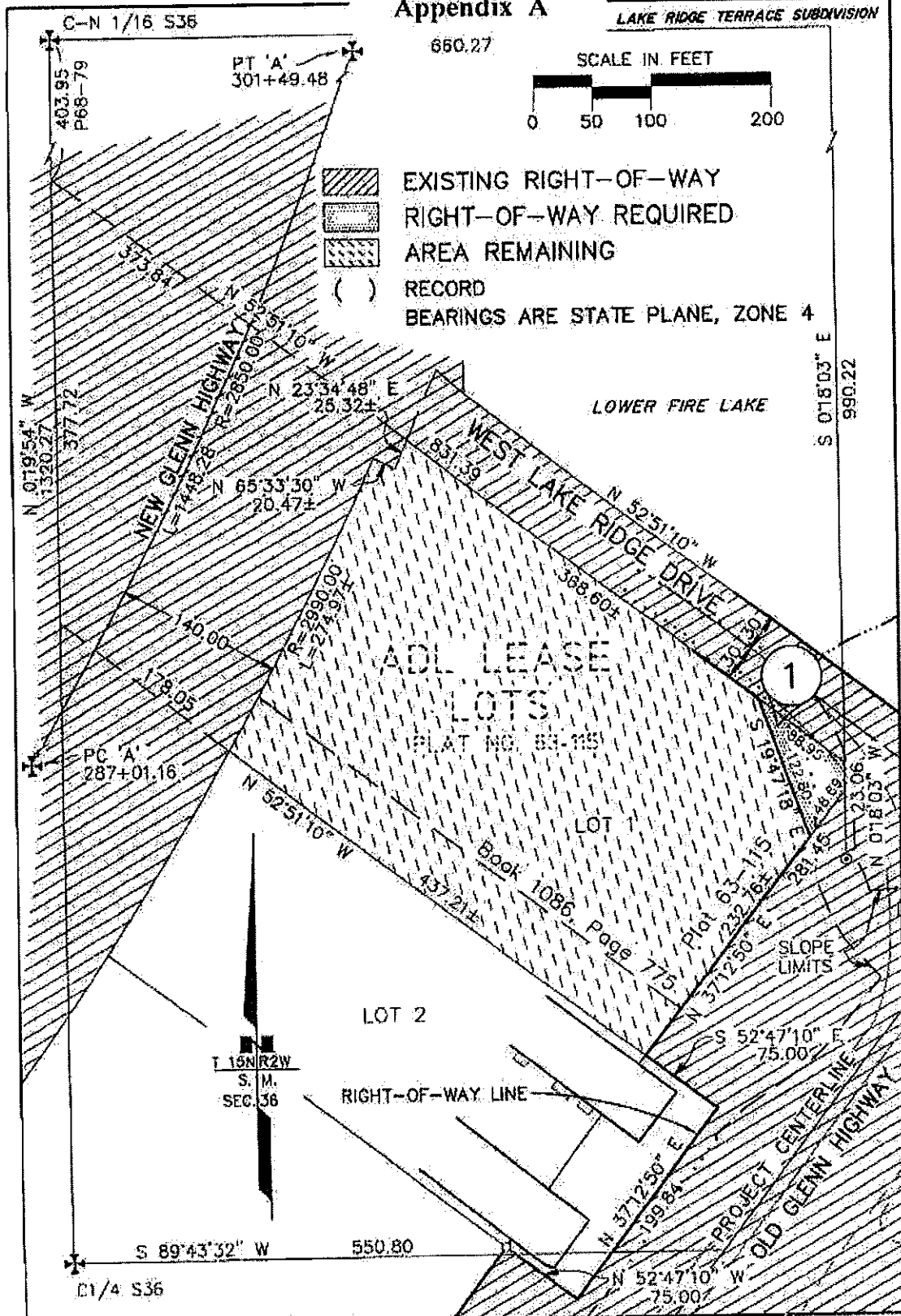
30 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
31 **AUTHORIZING WITHDRAWAL OF A PORTION OF PARCEL 1-075 FROM**
32 **HERITAGE LAND BANK INVENTORY TO THE REAL ESTATE SERVICES**
33 **DIVISION FOR DISPOSAL TO THE STATE OF ALASKA FOR ROAD RIGHT-**
34 **OF-WAY.**
35

36 Prepared by: Heritage Land Bank
37 Approved: William M. Mehner, Director
38 Heritage Land Bank and Real Estate Services
39 Concur: Mary Jane Michael, Executive Director
40 Office of Economic and Community Development
41 Concur: James N. Reeves, Municipal Attorney

1 | Concur: Denis C. LeBlanc, Municipal Manager
2 | Respectfully submitted: Mark Begich, Mayor
3 |
4 | Appendix A: Site Map
5 | Appendix B: June 23, 2006 letter: Trawver Land Services to MOA
6 | Appendix C: HLBAC Resolution 2006-16

Appendix A

LAKE RIDGE TERRACE SUBDIVISION



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
OLD GLENN HIGHWAY
MGS-STP-0558(2)/52515

OWNER'S INITIAL _____
ATTACHED TO _____
PAGE _____ OF _____ DATED _____

GROSS TAKE _____ 0.078 AC
NET TAKE _____ 0.078 AC
REMAIN _____ 3.088 AC±

DRAWN BY AM
CHECKED BY DFP DATE 7/11/05 PARCEL NO. 1

Trawver Land Services

Full Right of Way Acquisition Services
7900 Upper O'Malley, Anchorage, Alaska 99507-6221
(907) 346-2433 Fax (907) 346-2404
In Alaska 1-800-770-8577 Continental USA 1-888-769-8577
E-Mail: info@trawverlandservices.com

June 23, 2006

RE: MGS-STP-0558(2)/52515 Old Glenn Highway
North Eagle River Intersection to Peters Creek
Parcel No. 1 and Parcel No. 5

Municipality of Anchorage
Attn: Tom Knox
P.O. Box 196650
Anchorage, AK 99519-6650

Dear Mr. Knox:

As you may be aware, the Department of Transportation and Public Facilities (DOT&PF) plans to reconstruct Old Glenn Highway North Eagle River Intersection to Peters Creek. Trawver Land Services is under contract with CRW Engineering to DOT&PF to complete the Right of Way acquisition phase of this project. This letter briefly explains the project and presents the Department's offer to purchase your property.

The Project

The upgraded Old Glenn Highway (OGH) will have two 12-foot lanes with 4-5 foot shoulders. A mechanical stabilized earth (MSE) wall will be constructed to retain the additional 4-foot shoulder on the west side between West Lake Ridge Drive and Waterfront Lane. A 10-foot wide pathway will be constructed on the east side of the road starting at the beginning of the project and continuing to the Upper Fire Lake area. The pathway will then cross underneath the OGH through a pedestrian tube to existing ground and continue to North Birchwood Loop Road. Left and right turn lanes will be added at the intersections of South and North Birchwood Loop Road. A climbing lane has been added north of Klondike Concrete continuing to the Fire Station to accommodate slow moving vehicles traveling south. Northbound vehicles will have an additional left turn lane to use at the intersection of OGH and Ski Road.

The Offer

Because DOT&PF is a state agency subject to specific laws and regulations, the way in which we acquire property differs in several important respects from ordinary real estate transactions. I'd like to explain specifically the most important of these differences in order to assist your consideration of our offer.

We are required by federal law to offer no less than the appraised fair market value of your property to be acquired. This one-offer policy is consistent with federal law and is designed to protect property owners and to provide fairness to owners who, like you, are not voluntarily in

the market as a seller. The nature of this type of sale makes the process somewhat different than ordinary private transactions.

In the private market, voluntary sellers often ask for a price that is more than what they expect to receive, and buyers routinely offer less than they are eventually willing to pay. Bargaining in this fashion is common in most Real Estate sales, however, when we acquire property for a project, we make one full, fair price offer. Unlike a private buyer, we do not make a low offer with the expectation that a counteroffer will then be made by the seller.

The enclosed brochure, "Acquiring Real Property for Federal and Federal-Aid Programs and Projects", will provide information about the right of way acquisition procedures and your rights.

A portion of your properties known as Lot One (1), being a portion of Section 36, Township 15 North, Range 2 West, Seward Meridian, according to Plat 63-115, filed in the Anchorage Recording District, Third Judicial District, State of Alaska and Tract C of LAKE RIDGE TERRACE SUBDIVISION, according to Plat P-549, filed in the Anchorage Recording District, Third Judicial District, State of Alaska is needed to build this project.

Parcel No. 1

A fee acquisition, containing approximately 0.076 acres (approximately 3,311 square feet)

This property has been appraised by a competent, professional, independent appraiser. Another professional appraiser reviewed that appraisal report for completeness, compliance with professional standards and accuracy. A copy of the appraisal is enclosed. Based on the appraisal, the Fair Market Value of your property to be acquired is \$29,800.00. This amount is now offered to you for the purchase of Parcel No. 1.

Parcel No. 5

A fee acquisition, containing approximately 0.178 acres (approximately 7,754 square feet).

Please find enclosed a Value Estimate of your property. The estimate is based on current market trends and comparable sales within the area. Based on the estimate, the Fair Market Value of the property to be acquired is \$853.00. A copy of the value estimate is enclosed. Based on the appraisal, the Fair Market Value of your property to be acquired is \$853.00. This amount is now offered to you for the purchase of Parcel No. 5.

Summary

If everything appears to be in order, all documents to be executed are enclosed. A brief description of the documents and additional steps necessary to complete the transaction follow:

Warranty Deeds. The Deeds will operate to convey a portion of your property referred to as Parcel No. 1 and Parcel No. 5 to the DOT&PF. Please sign the documents and have your signature notarized. Please note that if you are signing for a business, trust

Municipality of Anchorage

Project MGS-STP-0558(2)/52515
Parcel No. 1 and Parcel No. 5

or partnership we will also need a copy of the resolution or by-laws that authorizes you to sign on it's behalf.

Parcel Plat. The exact location and size of the area to be acquired is shown on the attached Parcel Plat. To acknowledge the acquisition area, please initial and date this document where indicated.

Memorandum of Agreement. A Memorandum of Agreement is provided for your signature. This document expresses our agreement in writing regarding the purchase of the property. Please sign the document where indicated. Notarization is not required.

Purchase Voucher. A Purchase Voucher is needed to order payment for the land and for the prorating of your real estate taxes. Please sign where indicated. Also, the Internal Revenue Service requires that we report sale proceeds. To help us with that obligation, please include a Social Security or Tax Identification Number on the Purchase Voucher where indicated.

W-9 All sales proceeds must be reported to the Federal Government. Please fill out this document where indicated in order to facilitate payment and return to us.

All liens, mortgages and encumbrances on the property must be released before we can complete the transaction. Once an agreement is reached for the acquisition, you can expect to close the transaction and receive payment in 45 to 60 days. However, if title clearing is extremely complex it may take longer. Owners whose properties are free and clear of encumbrances can expect to close the transaction and receive payment sooner.

If I can provide additional information or if you have questions about this offer package, please call me at (907) 346-2433 or leave a message at our office. If you are out of the area, please call our toll free number from within Alaska 1-800-770-8577 or from the continental USA 1-888-769-8577. I can also be reached via e-mail at tim@trawverlandservices.com. I look forward to working with you to make this project a success for you, the Department and the public.

Sincerely,



Timothy A Trawver, SR/WA
Trawver Land Services

Enclosures: As stated

Appendix C

Heritage Land Bank Advisory Commission

Resolution 2006-16

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING WITHDRAWAL FROM THE HLB INVENTORY OF AN APPROXIMATELY 3,311 SQUARE FOOT PORTION OF HLB PARCEL #1-075, AND SALE AT FAIR MARKET VALUE TO THE ALASKA DEPT. OF TRANSPORTATION AND PUBLIC FACILITIES FOR RIGHT-OF-WAY FOR ROAD RECONSTRUCTION, WITH PROCEEDS TO BE RETAINED BY HLB

WHEREAS, the Heritage Land Bank inventory contains HLB Parcel No. 1-075, legally described as Lot 1 of Section 36, T15N-R2W, according to Plat #63-115; and

WHEREAS, Anchorage Municipal Code (AMC) section 25.40.015B. authorizes the mayor, with Assembly approval, to withdraw land from the Heritage Land Bank (HLB) for any lawful municipal purpose, consistent with consistent with the Comprehensive Plan and implementing measures; and


WHEREAS, AMC section 25.40.015B. provides for compensation to be paid to the HLB for at least the current appraised fair market value of land withdrawn from the HLB inventory for use by a public agency not supported by municipal taxes. In addition, AMC section 25.30.040 also requires sale of municipal land "shall be for fair market value..."; and

WHEREAS, the State of Alaska, Department of Transportation, a public agency not supported by municipal taxes, presented an offer to purchase an approximately 3,311 square foot portion of HLB Parcel #1-075;

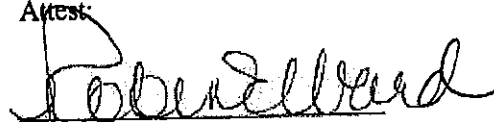
NOW THEREFORE BE IT RESOLVED the Heritage Land Bank Advisory Commission recommends withdrawal from the HLB inventory of an approximately 3,311 square foot portion of HLB Parcel #1-075, and sale at fair market value to the Alaska Dept. of Transportation and Public Facilities for right-of-way for road reconstruction, with proceeds to be retained by HLB.

Approved on the 14 day of DECEMBER, 2006, by the Heritage Land Bank Advisory Commission.

Signed:


MATTHEW W. CLAMAN, Chair
Heritage Land Bank Advisory Commission

Attest:


Robin E. Ward, Executive Director
Heritage Land Bank

Content Information**Content ID :** 005162**Type:** Ordinance-InvolvingFunds - AO**Title:** Withdrawal of Portion of HLB property for ROW**Author:** vanhornlr**Initiating Dept:** HLB**Description:** Withdrawal of portion of HLB #1-075 to RES, with sale of said portion to State DOT for \$29,800**Keywords:** HLB #1-075 withdrawal DOT**Date Prepared:** 6/4/07 9:19 AM**Director Name:** Bill Mehner**Assembly Meeting Date:** 6/12/07 12:00 AM**Public Hearing Date:** 6/26/07 12:00 AM

2007 JUN 18 AM 10:36
 CLERK'S OFFICE
 M.O.A.

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllFundOrdinanceWorkflow	6/4/07 9:24 AM	Checkin	vanhornlr	Public	005162
HLB_SubWorkflow	6/5/07 8:15 AM	Approve	oswaldtr	Public	005162
ECD_SubWorkflow	6/5/07 10:46 AM	Approve	thomasm	Public	005162
OMB_SubWorkflow	6/5/07 4:12 PM	Approve	mitsonjl	Public	005162
CFO_SubWorkflow	6/6/07 1:19 PM	Approve	sinzje	Public	005162
AllFundOrdinanceWorkflow	6/7/07 5:27 PM	Reject	gatesdt	Public	005162
AllFundOrdinanceWorkflow	6/7/07 5:37 PM	Checkin	vanhornlr	Public	005162
HLB_SubWorkflow	6/8/07 9:36 AM	Approve	mehnerwm	Public	005162
ECD_SubWorkflow	6/8/07 10:06 AM	Approve	thomasm	Public	005162
OMB_SubWorkflow	6/8/07 1:57 PM	Approve	mitsonjl	Public	005162
CFO_SubWorkflow	6/8/07 5:04 PM	Approve	sinzje	Public	005162
Legal_SubWorkflow	6/11/07 1:13 PM	Approve	fehlenrl	Public	005162
MuniManager_SubWorkflow	6/15/07 2:08 PM	Approve	abbottmk	Public	005162
MuniMgrCoord_SubWorkflow	6/15/07 2:08 PM	Approve	abbottmk	Public	005162