

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

Prepared by: Project Management &
Engineering Department

For reading: December 15, 2009

CLERK'S OFFICE

APPROVED

Date: 1-12-10

**ANCHORAGE, ALASKA
AO 2009-142**

1 **AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE**
2 **TELECOMMUNICATIONS AND ELECTRICAL EASEMENT ACROSS A**
3 **PORTION OF TRACT 3, MUNICIPAL TUDOR ROAD COMPLEX SUBDIVISION,**
4 **PLAT NO. 2003-183, TAX #008-061-04, LOCATED AT THE INTERSECTION OF**
5 **EAST 48TH AVENUE AND ELMORE ROAD TO CHUGACH ELECTRIC**
6 **ASSOCIATION, INC.**

7
8
9 **WHEREAS**, this easement is located on municipal property across a portion of
10 Tract 3, Municipal Tudor Road Complex Subdivision Plat No. 2003-183
11 (Attachment A) and the Traffic Department has authority and responsibility for the
12 day-to-day management of the property, and the Real Estate Services Department
13 has authority and responsibility for any action which conveys a permanent interest
14 in the subject property; and

15
16 **WHEREAS**, Chugach Electric Association, Inc. (CEA) has been requested by the
17 Municipality of Anchorage, Project Management & Engineering Department
18 (PM&E), to relocate electrical facilities at East 48th Avenue and Elmore Road, part
19 of the 48th Avenue-Boniface Parkway Extension Project #05-30; and

20
21 **WHEREAS**, in order to provide electrical facilities to serve the traffic signal for
22 East 48th Avenue in Tract 3, Municipal Tudor Road Complex Subdivision, CEA
23 must obtain a twenty-foot by sixty-foot (20' X 60') telecommunications and
24 electrical easement as a condition of providing service; and

25
26 **WHEREAS**, the Property Appraisal Division estimated the value of the land for
27 Tract 3, Municipal Tudor Road Complex Subdivision, to be \$11.00 per square foot;
28 and

29
30 **WHEREAS**, the land value of the 1,200-square-foot electrical and
31 telecommunications easement is \$3,300 (1,200 square feet x \$11.00 per square
32 foot x 25%); and

33
34 **WHEREAS**, a Utility Relocation Agreement with CEA for the East 48th Avenue-
35 Boniface Parkway Extension, Tudor Road to Elmore Road, was approved by the
36 Assembly on April 10, 2007, as AM 255-2007 (Attachment B), and included a
37 telecommunications and electrical easement; and

1 **WHEREAS**, Section V., Right-of-Way, Item C. of the Utility Relocation Agreement
2 (Attachment C) states that, "CEA will take title to all easements secured by the
3 Municipality on behalf of CEA to relocate the facilities if the new location is not a
4 road right-of-way," and, "The cost of any relocation of the facilities, which would
5 not have occurred, but for the location of the facilities in the road right-of-way, will
6 be borne by the Municipality except where such relocation is done solely for the
7 benefit of CEA."; now, therefore,

8
9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

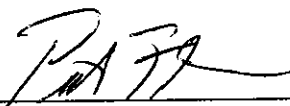
10
11 **Section 1.** The Assembly finds the **telecommunications and electrical**
12 **easement** authorized herein is without substantial value to the Municipality.

13
14 **Section 2.** A **telecommunications and electrical easement** is approved, more
15 particularly described as:

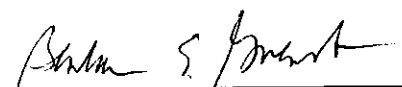
16
17 The South Twenty Feet (S 20') of the North Forty-three Feet (N43') of
18 the East Sixty Feet (E 60'), Tract 3, Municipal Tudor Road Complex
19 Subdivision, according to Plat No. 2003-183, on file in the office of
20 the District Recorder, Anchorage Recording District, Seward
21 Meridian, Alaska. Easement area contains 1,200 square feet, more
22 or less.

23
24 **Section 3:** This ordinance shall be effective immediately upon passage and
25 approval by the Anchorage Assembly.

26
27 PASSED AND APPROVED by the Anchorage Municipal Assembly this 12th day
28 of January, 2010.

29
30
31 
32 _____
33 Chair of the Assembly

34
35
36
37
38
39 ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO 2009-142

**AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE
TELECOMMUNICATIONS AND ELECTRICAL EASEMENT
ACROSS A PORTION OF TRACT 3, MUNICIPAL TUDOR ROAD
COMPLEX SUBDIVISION, PLAT NO. 2003-183, TAX #008-061-04,
LOCATED AT THE INTERSECTION OF EAST 48TH AVENUE AND
ELMORE ROAD TO CHUGACH ELECTRIC ASSOCIATION, INC.**

Sponsor: MAYOR
Preparing Agency: Project Management & Engineering Department
Others Impacted: Lance Wilber, Director, Traffic Department
William M. Mehner, Director, Heritage Land Bank

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

	FY09	FY10	FY11	FY12	FY13
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -

Add: 6000 Charge from Others
Less: 7000 Charge to Others

FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
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REVENUES:

CAPITAL:

POSITIONS: FT/PT and Temp.

PUBLIC SECTOR ECONOMIC EFFECTS:

None

PRIVATE SECTOR ECONOMIC EFFECTS:

None

Prepared by: Steve Schmitt

Telephone: 343-8366



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 734-2009

Meeting Date: December 15, 2009

1 **FROM: Mayor**

2
3 **SUBJECT: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE**
4 **TELECOMMUNICATIONS AND ELECTRICAL EASEMENT ACROSS A**
5 **PORTION OF TRACT 3, MUNICIPAL TUDOR ROAD COMPLEX**
6 **SUBDIVISION, PLAT NO. 2003-183, TAX #008-061-04, LOCATED AT THE**
7 **INTERSECTION OF EAST 48TH AVENUE AND ELMORE ROAD TO**
8 **CHUGACH ELECTRIC ASSOCIATION, INC.**
9

10 The Project Management & Engineering Department (PM&E) requested Chugach Electric
11 Association, Inc. (CEA) to relocate CEA electrical facilities to serve the intersection of East
12 48th Avenue and Elmore Road, part of the East 48th Avenue-Boniface Parkway Extension,
13 Project #05-30. In order to relocate its facilities, CEA needs a twenty-foot by sixty-foot (20'
14 X 60') telecommunications and electrical easement across Tract 3, Municipal Tudor Road
15 Complex Subdivision (Attachment A). The easement area contains approximately 1,200
16 square feet.
17

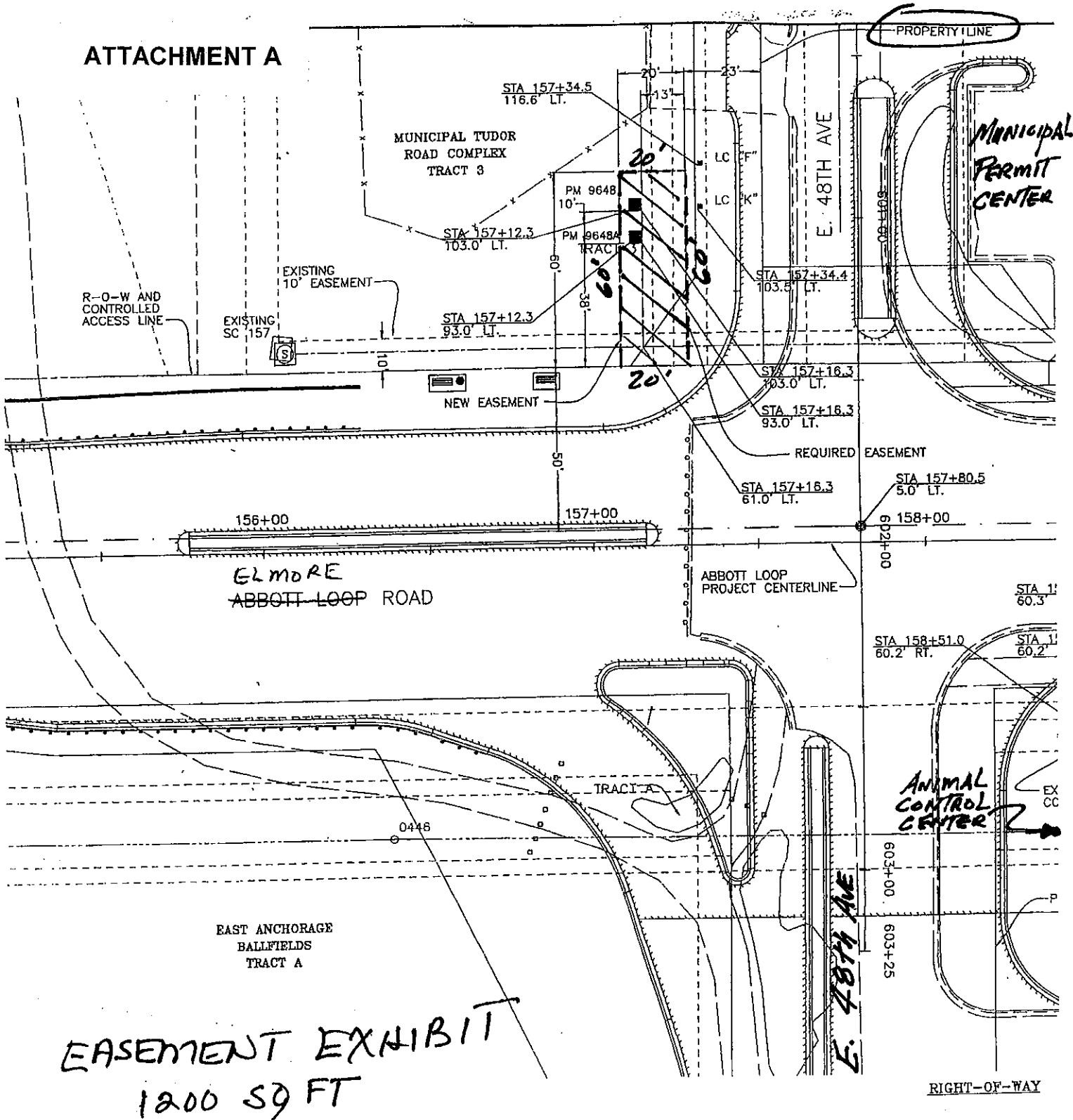
18 The Property Appraisal Division estimated the value of the land within Tract 3, Municipal
19 Tudor Road Complex Subdivision, to be \$11.00 per square foot. The value of the 20-foot by
20 60-foot easement to install electrical facilities for the signal is \$3,300 (1,200 square feet x
21 \$11.00 per square foot x 25%).
22

23 A Utility Relocation Agreement with CEA for this project was approved by the Assembly on
24 April 10, 2007 **AM 255-2007** (Attachment B). Section V., Right-of-Way, Item C of the Utility
25 Relocation Agreement states that, "CEA will take title to all easements secured by the
26 Municipality on behalf of CEA to relocate the facilities if the new location is not a road right-
27 of-way," and, "The cost of any relocation of the facilities, which would not have occurred, but
28 for the location of the facilities in the road right-of-way, will be borne by the Municipality
29 except where such relocation is done solely for the benefit of CEA" (Attachment C).
30

31 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
32 **AUTHORIZING A NON-EXCLUSIVE TELECOMMUNICATIONS AND ELECTRICAL**
33 **EASEMENT ACROSS A PORTION OF TRACT 3, MUNICIPAL TUDOR ROAD COMPLEX**
34 **SUBDIVISION, PLAT NO. 2003-183, TAX #008-061-04, LOCATED AT THE**
35 **INTERSECTION OF EAST 48TH AVENUE AND ELMORE ROAD TO CHUGACH**
36 **ELECTRIC ASSOCIATION, INC.**
37

38 Prepared by: J.W. Hansen, Acting Director,
39 Project Management & Engineering Department
40 Approved by: Greg Jones, Executive Director,
41 Office of Community Planning & Development
42 Reviewed by: Barton R. Mauldin, Purchasing Officer
43 Concur: Lance Wilber, Director, Traffic Department
44 Concur: William M. Mehner, Director, Heritage Land Bank
45 Concur: Dennis Wheeler, Municipal Attorney
46 Concur: George J. Vakalis, Municipal Manager
47 Respectfully Submitted, Daniel A. Sullivan, Mayor

ATTACHMENT A



NOTES:

1. THE SURVEY CONTROL FOR THIS PROJECT IS BASED UPON THE STATE OF ALASKA, DOTPF ABBOTT LOOP EXTENSION PROJECT NO. 56599 SURVEY CONTROL DRAWINGS.

ATTACHMENT A

DRAWING NAME:

48TH AVENUE AND BRAGAW STREET
INTERSECTION IMPROVEMENTS
RELOCATIONS FOR MUNICIPALITY OF ANCHORAGE
RIGHT-OF-WAY PLAN

GRIDS: 1835, 1836 MAPS: 1303-33A, 1303-34B

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

W.O. E0612735

W.O. #: E0612735

ED (MGR/SUPV)/DATE APPROVED (DIRECTOR)/DATE

ENG. STAMP



ATTACHMENT B

Assembly Memorandum



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

CLERK'S OFFICE

No. AM 255 -2007

APPROVED
4-10-07
Date: _____

Meeting Date: April 10, 2007

1 FROM: Mayor

2
3 SUBJECT: Utility Relocation Agreement with Chugach Electric Association for the
4 E. 48th Avenue/Boniface Parkway Extension, Tudor Road to Bragaw Street,
5 Project No. 05-30 (\$350,000)
6

7 The 48th Avenue/Boniface Parkway Extension, Tudor Road to Bragaw Street project
8 involves construction of a new minor arterial roadway that will provide access to the Tudor
9 Road public lands and the adjacent Far North Bicentennial Park. The new road will also
10 serve as an effective bypass of Tudor Road between Boniface Parkway and Bragaw
11 Street, thereby helping reduce traffic on Tudor Road while at the same time providing an
12 important link to the Abbott Loop Extension project that is currently under construction.
13

14 Construction of the 48th Avenue/Bragaw Street intersection will require the relocation of
15 approximately 1,500 linear feet of electrical distribution line and approximately 300 linear
16 feet of high-voltage transmission line, both owned and operated by Chugach Electric
17 Association. Line relocation is necessary to facilitate construction of a northbound right-
18 turn lane at the intersection of E. 48th and Abbott Loop/Bragaw. The work is scheduled to
19 be completed as part of the Abbott Loop Extension project in 2007. Construction of the
20 48th Avenue/Boniface Parkway extension is scheduled to start in 2008.

21
22 Chugach Electric Association has developed a design for the gas line relocation and has
23 estimated that the relocation work will cost \$350,000. This work is within the project
24 budget and will not exceed available funding.
25

26 THE ADMINISTRATION RECOMMENDS APPROVAL OF A UTILITY RELOCATION
27 AGREEMENT WITH CHUGACH ELECTRIC ASSOCIATION IN AN AMOUNT NOT TO
28 EXCEED \$350,000.
29

30 Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department
31

32 Fund Certification: Jeffrey E. Sinz, Chief Fiscal Officer
33

34 441.7253.3808.M75R68.2007 \$350,000

35 2007 State Grant (subject to appropriation)

36 ARDSA GO BOND AUTH D

37 Concur: Denis C. LeBlanc, Municipal Manager
38

39 Respectfully submitted, Mark Begich, Mayor

MUNICIPALITY OF ANCHORAGE
PROJECT MANAGEMENT & ENGINEERING
UTILITY AGREEMENT
(WORK BY Chugach Electric Association)

OS-30 m

Division: **Project Management & Engineering Department**

Project: **PM&E**

RSA: N/A

Utility Work Order: **Reimbursable: E0612735**

Non-Reimbursable: N/A

This Agreement made and entered into this 1st day of November 2007, by and between the Municipality of Anchorage, acting by and through the project Management & Engineering Department, hereinafter called the MUNICIPALITY, and **Chugach Electric Association, Inc. (Chugach)**, hereinafter called the COMPANY.

WITNESSETH:

WHEREAS, the MUNICIPALITY, in the interest of public safety and convenience proposes to construct, reconstruct or otherwise improve a portion of the MUNICIPAL facility known as **48th Avenue and Elmore (Bragaw) Street** which shall require the adjustment, relocation or removal of the COMPANY'S facilities along, over, under or within said MUNICIPAL facility; such adjustment, relocation or removal work to hereinafter be described as relocation work, and

WHEREAS, the MUNICIPALITY acting under the authority of AMC 24.60, is authorized to reimburse the COMPANY for the costs of said relocation work, and

WHEREAS, the MUNICIPALITY and the COMPANY have reviewed the plans for said relocation work and are in mutual agreement as to the scope of the relocation work to be performed, as described in the attached Certificate of Finding, marked Exhibit B,

NOW THEREFORE, in consideration of the mutual undertaking as herein recited, the MUNICIPALITY and the COMPANY do hereby agree as follows:

SECTION V. RIGHT-OF-WAY

- C. COMPANY will take title to all easements secured by the MUNICIPALITY on behalf of COMPANY to relocate the facilities if the new location is not in a road right-of-way. If the new location of the facilities is in a road right-of-way, the MUNICIPALITY shall permit COMPANY to obtain access to the facilities for repair, maintenance and improvement for which no permit fees will be assessed. The MUNICIPALITY agrees that the cost of any relocation of the facilities, which would not have occurred, but for the location of the facilities in the road right-of-way will be borne by the MUNICIPALITY except where such relocation is done solely for the benefit of the COMPANY.

Content ID: 008442**Type:** Ordinance - AO

AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE TELECOMMUNICATIONS AND ELECTRICAL EASEMENT ACROSS A PORTION OF TRACT 3, MUNICIPAL

Title: TUDOR ROAD COMPLEX SUBDIVISION, PLAT NO. 2003-183, TAX #008-061-04, LOCATED AT THE INTERSECTION OF EAST 48TH AVENUE AND ELMORE ROAD TO CHUGACH ELECTRIC ASSOCIATION, INC.**Author:** millettell**Initiating Dept:** PME**Review Depts:** OCPD, Purchasing, Traffic, HLB**Date Prepared:** 11/20/09 9:03 AM**Director Name:** J.W. Hansen**Assembly Meeting Date:** 12/15/09**Public Hearing Date Y:** 1/12/10

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	12/7/09 8:00 AM	Exit	Joy Maglaqui	Public	008442
MuniManager_SubWorkflow	12/7/09 8:00 AM	Approve	Joy Maglaqui	Public	008442
Legal_SubWorkflow	12/4/09 5:08 PM	Approve	Rhonda Westover	Public	008442
Finance_SubWorkflow	12/4/09 4:06 PM	Approve	David Ryan	Public	008442
OMB_SubWorkflow	12/4/09 2:02 PM	Approve	Cheryl Frasca	Public	008442
HLB_SubWorkflow	12/4/09 9:08 AM	Approve	Tammy Oswald	Public	008442
Traffic_SubWorkflow	12/3/09 9:19 AM	Approve	Lance Wilber	Public	008442
Purchasing_SubWorkflow	12/2/09 5:07 PM	Approve	Bart Mauldin	Public	008442
OCPD_SubWorkflow	12/1/09 3:37 PM	Approve	Tawny Klebesadel	Public	008442
PME_SubWorkflow	11/25/09 12:27 PM	Approve	Steve Shrader	Public	008442
AllOrdinanceWorkflow	11/25/09 12:26 PM	Checkin	Tish Millette	Public	008442
OCPD_SubWorkflow	11/23/09 10:27 AM	Reject	Tawny Klebesadel	Public	008442
PME_SubWorkflow	11/20/09 4:47 PM	Approve	Steve Shrader	Public	008442
AllOrdinanceWorkflow	11/20/09 4:32 PM	Checkin	Tish Millette	Public	008442
OCPD_SubWorkflow	11/20/09 10:21 AM	Reject	Tawny Klebesadel	Public	008442
PME_SubWorkflow	11/20/09 10:06 AM	Approve	Steve Shrader	Public	008442
AllOrdinanceWorkflow	11/20/09 9:10 AM	Checkin	Tish Millette	Public	008442