

CLERK'S OFFICE

APPROVED

9-13-11

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

Prepared by: Public Works Department

For reading: August 30, 2011

Date:

**ANCHORAGE, ALASKA
AO 2011-87**

1 AN ORDINANCE AUTHORIZING DISPOSAL BY MEANS OF TWO NON-
2 EXCLUSIVE TELECOMMUNICATIONS & ELECTRIC EASEMENTS ACROSS
3 TWO MUNICIPAL PROPERTIES WITHIN CAMPBELL CREEK GREENBELT; A
4 PORTION OF TRACT 31, CAMPBELL GREEN SUBDIVISION, (LYNWOOD
5 PARK) TAX #013-131-03; AND A PORTION WITHIN THE SE ¼ OF SECTION
6 6, T12N, R3W, S.M., ALASKA, TAX #013-131-02; TO CHUGACH ELECTRIC
7 ASSOCIATION, INC (CEA).
8
9

10 **WHEREAS**, the subject easements are located on municipal properties managed
11 by the Parks & Recreation Department and formally dedicated as park land (Exhibit
12 A); and
13

14 **WHEREAS**, CEA, as part of its Overhead to Underground Primary Electric Line
15 Conversion Program, is requesting two telecommunications and electric
16 easements; and
17

18 **WHEREAS**, when a utility proposes to underground an existing overhead utility
19 distribution line located in a dedicated municipal park, and the overhead and
20 underground alignment are identical, no fee shall be assessed to the utility for the
21 value of the easement per Assembly Ordinance No. 2006-151 (Exhibit B); and
22

23 **WHEREAS**, the two requested underground easements within Tract 31, Campbell
24 Green Subdivision and the SE ¼ of Section 6, T12N, R3W, S.M., Alaska, are to be
25 installed within the overhead alignment, therefore no fee shall be assessed for the
26 value of the easements; and
27

28 **WHEREAS**, the two subject easements are expected to benefit future park activities
29 and the Parks & Recreation Department has no objection to the easements; and
30

31 **WHEREAS**, the Parks & Recreation Commission approved CEA's request for the
32 easements at its June 14, 2007 meeting with Resolution No. 2007-024 (Exhibit C);
33 and
34

35 **WHEREAS**, CEA agrees to release, upon completion of the project, a general
36 easement affecting the subject park lands; said general easement will be released
37 with reservation of specific easements for the existing electric facilities; and
38

39 **WHEREAS**, CEA agrees to restore disturbed areas to a condition as good as or
40 better than the condition of the affected area prior to the proposed work; and
41

42 **WHEREAS**, the granting of easements across land dedicated as park land requires
43 a finding by the Assembly of no substantial value to the Municipality; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Assembly finds the two non-exclusive telecommunications and electric easements to CEA described herein to be without substantial value to the Municipality.

Section 2. The non-exclusive telecommunications and electric easements to CEA are approved within the subject properties and more particularly described as:

Easement #1: A parcel of land, located within Tract 31, Campbell Green Subdivision, according to Plat No. 80-41, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska, said parcel being more particularly described as follows: Beginning at the southwest corner of said Tract 31; thence along the south boundary of said Tract 31, S 89° 59' 24" E 73.75 feet; thence N 00° 00' 25" W 10.02 feet; thence S 89° 59' 35" W 63.74 feet to the westerly boundary of said Tract 31; thence along said westerly boundary of said Tract 31, S 45° 01' 25" W 14.15 feet to the Point of Beginning at the southwest corner of said Tract 31 and the end of said description (Exhibit D).

Easement #2: A parcel of land, located within an unsubdivided parcel within the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section Six (6), Township Twelve North (T12N), Range Three West (R3W), Seward Meridian, Alaska, said parcel being more particularly described as follows: Beginning at the Southwest Corner of Tract 31, Campbell Green Subdivision, according to Plat No. 80-41, on file in the office of the District Recorder, Anchorage Recording District, Seward Meridian, Alaska; thence along the south boundary of said unsubdivided parcel, S 89° 59' 35" W 442.30 feet to the easterly boundary of the Alaska Railroad Right-of-Way, said south boundary adjoins the north boundary of Block 5, Hollowbrook Subdivision Addition No. 1, according to Plat No. 63-73A, on file in said Anchorage Recording District; thence along said easterly boundary of the Alaska Railroad Right-of-Way, N 43° 34' 00" W 13.80 feet; thence parallel with said south boundary of said unsubdivided parcel, N 89° 59' 35" E 461.82 feet to the westerly boundary of said Tract 31, Campbell Green Subdivision; thence along said westerly boundary of said Tract 31, Campbell Green Subdivision, S 45° 01' 25" W 14.15 feet to the Point of Beginning at the southwest corner of said Tract 31, Campbell Green Subdivision and the end of said description (Exhibit E).

The total of the two easement areas is approximately 5,209 square feet, more or less.

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

PASSED AND APPROVED by the Anchorage Assembly this 18th day of September, 2011.

Dabhi Ossianides
Chair of the Assembly

ATTEST:
Shane S. Jones
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2011-87 Title: **An ordinance authorizing disposal by means of two non-exclusive Telecommunications & Electric Easements across two municipal properties within Campbell Creek Greenbelt; a portion of Tract 31, Campbell Green Subdivision, (Lynwood Park) Tax #013-131-03; and a portion within the SE ¼ of Section 6, T12N, R3W, S.M., Alaska, Tax #013-131-02; to Chugach Electric Association, Inc (CEA).**

Sponsor: MAYOR
 Preparing Agency: Project Management & Engineering Division
 Others Impacted: Parks & Recreation Department
 Real Estate Services Division

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY11	FY12	FY13	FY14	FY15
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:

CAPITAL:

POSITIONS:

PUBLIC SECTOR ECONOMIC EFFECTS:

None.

PRIVATE SECTOR ECONOMIC EFFECTS:

None.

Prepared by: Vicki Gerken, SR/WA

Telephone: 343-8187



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 465-2011

Meeting Date: August 30, 2011

1 FROM: MAYOR

2
3 SUBJECT: AN ORDINANCE AUTHORIZING DISPOSAL BY MEANS OF TWO
4 NON-EXCLUSIVE TELECOMMUNICATIONS & ELECTRIC
5 EASEMENTS ACROSS TWO MUNICIPAL PROPERTIES WITHIN
6 CAMPBELL CREEK GREENBELT; A PORTION OF TRACT 31,
7 CAMPBELL GREEN SUBDIVISION, (LYNWOOD PARK) TAX
8 #013-131-03; AND A PORTION WITHIN THE SE ¼ OF SECTION
9 6, T12N, R3W, S.M., ALASKA, TAX #013-131-02; TO CHUGACH
10 ELECTRIC ASSOCIATION, INC (CEA).
11

12 CEA, as part of its Overhead to Underground Primary Electric Line Conversion
13 Program, is proposing to convert the existing primary overhead electric line that
14 crosses a portion of the Campbell Creek Greenbelt, to an underground line.
15 CEA's project will install (by boring) three-phase underground primary cable in
16 conduit across park properties within the same alignment as the existing overhead
17 lines. Telecommunication lines owned and used exclusively by CEA for its
18 operations and co-located with the existing overhead electric lines are considered
19 incidental to, and allowed by, the terms of the requested easements. To install
20 these facilities, CEA is requesting underground electric easements over Tract 31,
21 Campbell Green Subdivision (Exhibit D), and SE ¼ of Section 6, T12N, R3W,
22 S.M., Alaska (Exhibit E). The total easement areas contains approximately 5,209
23 square feet (Exhibit A).
24

25 Notwithstanding AMC Chapter 21.90, utilities other than CEA desiring to use the
26 subject non-exclusive easements are required to obtain prior written consent and
27 Assembly approval from the Municipality.
28

29 The Parks & Recreation Commission reviewed CEA's request for the easements at
30 their June 14, 2007 meeting and found that undergrounding benefits the
31 Municipality with the expected visual and potential safety improvements to the
32 park (Exhibit C).
33

34 In compliance with AO No. 2006-151 where a utility proposes to underground an
35 existing overhead utility distribution line located in a dedicated municipal park, and
36 the overhead and underground alignment are identical, no fee shall be assessed to
37 the utility for the value of the easement (Exhibit B). The requested underground
38 easements within Tract 31, Campbell Green Subdivision and the SE ¼ of Section 6,
39 T12N, R3W, S.M., Alaska, are to be installed within the overhead alignment,
40 therefore no fee shall be assessed for the value of the easements.

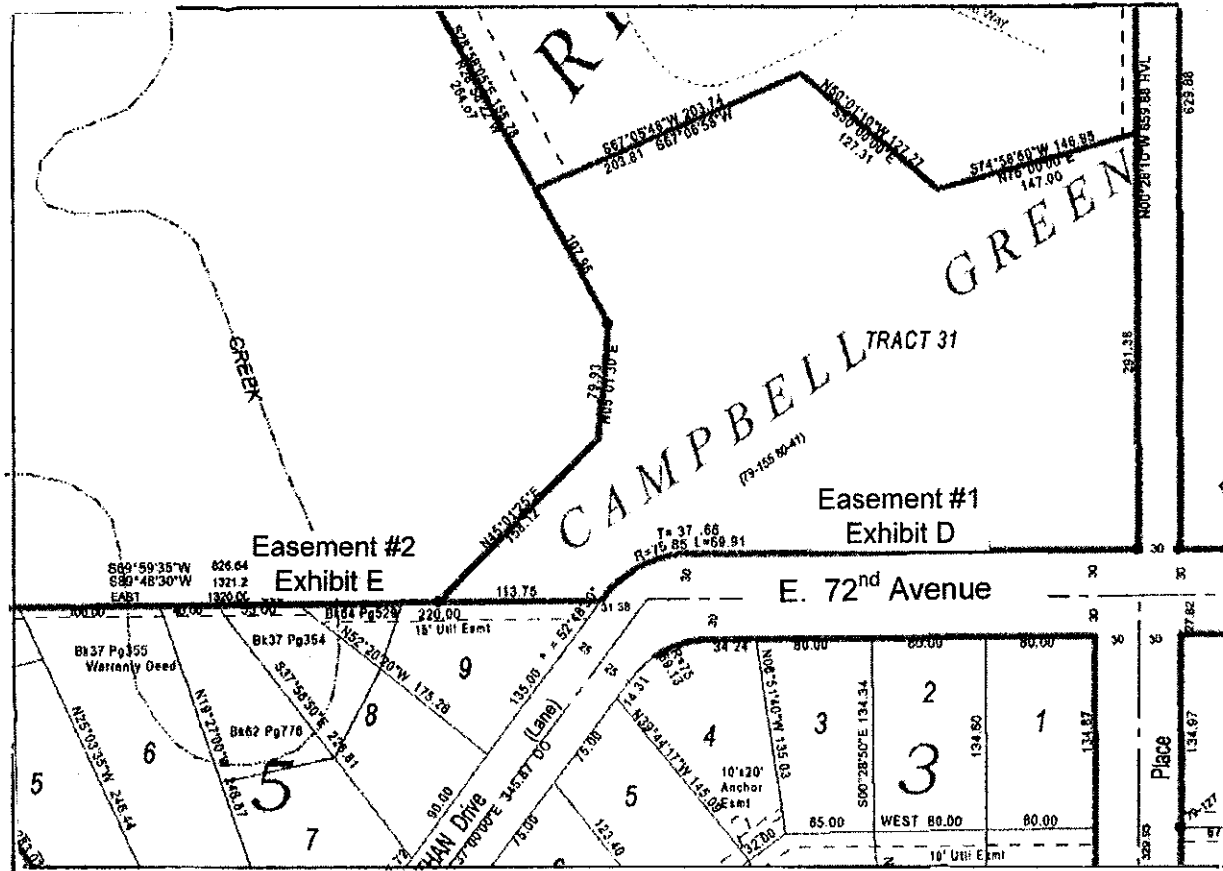
1 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
2 **AUTHORIZING THE DISPOSAL BY MEANS OF TWO NON-EXCLUSIVE**
3 **TELECOMMUNICATIONS & ELECTRIC EASEMENTS ACROSS MUNICIPAL**
4 **PROPERTIES WITHIN CAMPBELL CREEK GREENBELT, A PORTION OF**
5 **TRACT 31, CAMPBELL GREEN SUBDIVISION, (LYNWOOD PARK) TAX #013-**
6 **131-03; AND A PORTION WITHIN THE SE ¼ OF SECTION 6, T12N, R3W, S.M.,**
7 **ALASKA, TAX #013-131-02; TO CEA.**

8
9 Prepared by: J. W. Hansen, Deputy Director
10 Project Management & Engineering Division
11 Approved by: Ron Thompson, P.E., Director, Public Works Department
12 Concur: John Rodda, Director, Parks & Recreation Department
13 Concur: Tammy Oswald, Acting Director
14 Real Estate Services Department
15 Concur: Werner Waak, Acting Purchasing Officer
16 Concur: Dennis A. Wheeler, Municipal Attorney
17 Concur: George J. Vakalis, Municipal Manager
18 Respectfully Submitted: Daniel A. Sullivan, Mayor

**Exhibit A
VICINITY MAP**

GRID SW2131

SE ¼ Section 6, T12N, R3W, S.M., Alaska



Submitted by: ASSEMBLY MEMBERS SHAMBERG AND COFFEY
Prepared by: Dept. of Law
For reading: October 24, 2006

CLERK'S OFFICE

APPROVED

Date: 11-14-06

ANCHORAGE, ALASKA
AO No. 2006-151

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.90 TO
2 ADD A NEW SECTION 21.90.055 FOR UNDERGROUNDING FEES AND COSTS IN
3 DEDICATED MUNICIPAL PARKS.

4
5 THE ANCHORAGE ASSEMBLY ORDAINS:

6
7 **Section 1.** Anchorage Municipal Code chapter 21.90, Utility Distribution Facilities, is
8 hereby amended to add a new section 21.90.055, Non-conforming Overhead Lines – Fees and
9 Costs, to read as follows (*the remainder of the chapter is not affected and therefore not set*
10 *out*):

11
12 **21.90.055 Nonconforming overhead lines in dedicated municipal parks – fees**
13 **and costs.**

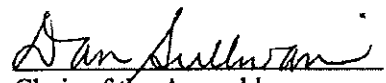
- 14
- 15 A. **Alignment.** When a utility proposes to underground an existing overhead
16 utility distribution line located in a dedicated municipal park, and the overhead
17 and underground alignment are identical, no fee shall be assessed to the utility
18 for the value of the easement.
- 19
- 20 B. **Administrative variances.** The director of the project management and
21 engineering department may, upon request by a utility:
 - 22
 - 23 1. Grant an administrative variance from section 21.90.055A., up to five
24 (5) feet on either side of the existing overhead easement center line, to
25 adjust the underground alignment.
 - 26
 - 27 2. An adjustment exceeding five (5) feet on either side of the existing
28 overhead easement center line shall require a new easement, including
29 assessment of a fee for the value of the easement and administrative
30 costs.
- 31
- 32 C. The utility shall remain solely responsible for municipal administrative fees
33 and costs associated with the relocation, including but not limited to, a
34 managing department application fee, and document research, review and
35 preparation.
- 36
- 37 D. The disposal procedures for interests in municipal land, set out in
38 chapter 25.30, and the variance procedure, set out in section 21.90.030, shall
39 not apply to this section.
- 40

41 **Section 2.** AMC 21.10.015 notwithstanding, this amendment to AMC 21.90.055 does not
42 require Planning and Zoning Commission review.

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

PASSED AND APPROVED by the Anchorage Assembly this 14th day of December, 2006.


Chair of the Assembly

ATTEST:

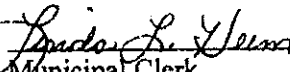

Municipal Clerk
Deputy

Exhibit C



MUNICIPALITY OF ANCHORAGE PARKS AND RECREATION COMMISSION



Submitted by: Chair of the Commission at the
Request of the Department

Prepared by: Parks and Recreation Department

Anchorage, Alaska
RESOLUTION NO. 2007- 024

1 WHEREAS, the Anchorage Parks and Recreation Commission has the
2 responsibility and duty to provide for the long term vision of our park system by ensuring that a
3 balance of parks, natural resources, and recreation facilities, appropriately maintained and
4 enhanced, provides for the health, welfare, and safety of all residents of the Anchorage Bowl; and
5

6 WHEREAS, the Anchorage Parks and Recreation Commission finds it
7 appropriate to grant easements and other rights-of-way across park lands in certain cases
8 consistent with the mission of the Department of Parks and Recreation; and
9

10 WHEREAS, Chugach Electric Association, Inc. (CEA), has requested easements
11 approximately 10 and 20 feet in width and approximately 670 feet in overall length for the purpose
12 of replacing existing overhead electric lines with underground lines in essentially the same
13 location within a portion of the Campbell Creek Greenbelt and adjoining park lands, as shown on
14 the attached drawing(s); and
15

16 WHEREAS, the Anchorage Parks and Recreation Commission finds that the
17 removal of the overhead lines would reduce the visual obtrusiveness of the overhead lines in the
18 park and therefore would be more harmonious with the visual character of the park; now,
19 therefore,
20

21 BE IT RESOLVED, that the Anchorage Parks and Recreation Commission
22 recommends that the Municipal Assembly authorize the granting of certain non-exclusive
23 easement(s) to Chugach Electric Association, Inc., in the above described park lands, subject to
24 the following conditions/recommendations:
25

26 1 Chugach Electric Association, Inc , shall minimize the easement area required for the
27 replaced guy wire to minimize impact on that portion of the Campbell Creek Greenbelt
28

29 2 Chugach Electric Association, Inc , shall pay to the Municipality applicable fees and
30 associated administrative costs, consistent with Municipal policy.
31

32 3 Chugach Electric Association, Inc , shall extinguish or otherwise relinquish blanket
33 (general) easement(s) in lieu of the underground or other specific easements on the affected
34 parcels, or shall demonstrate that said blanket easement(s) no longer apply.
35

36 4. Chugach Electric Association, Inc. , shall obtain any Corps of Engineers permit and all other
37 required permits and approvals for the proposed project.

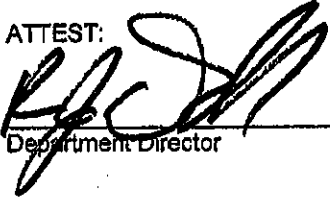
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5 Chugach Electric Association, Inc., shall minimize any aboveground equipment/facilities that may interfere with park use.


6. Chugach Electric Association, Inc., shall restore disturbed areas using appropriate materials, in accordance with plans to be submitted to Parks and Recreation for approval, and shall coordinate construction and related site work with Parks and Recreation and other park users

PASSED AND APPROVED by the Anchorage Parks and Recreation Commission this 14th day of June 2007

ATTEST:

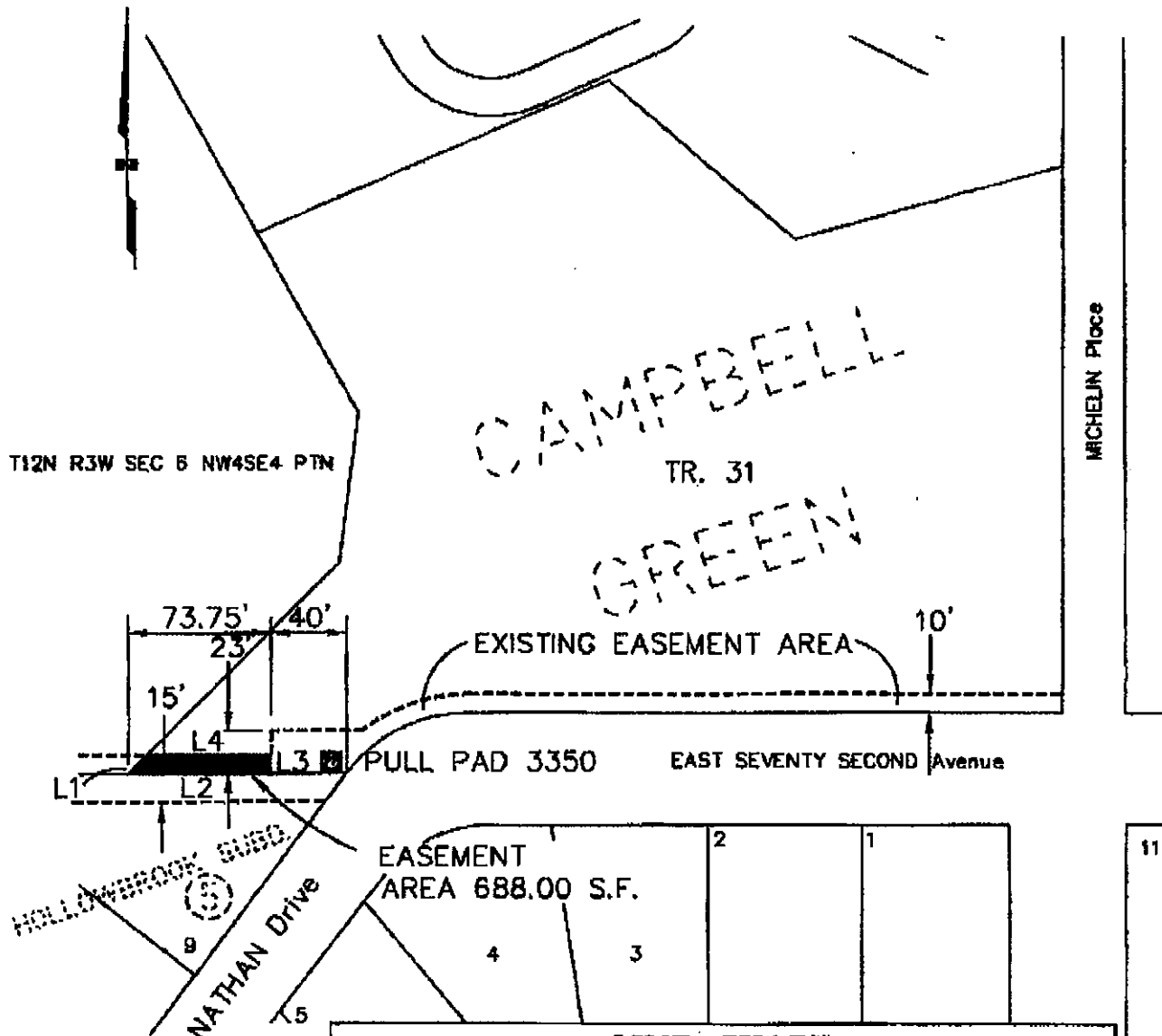


Department Director



Chair

Exhibit D



LINE CHART		
Line	Bearing	Distance
L1	S45°01'25"W	14.15
L2	S89°59'24"E	73.75
L3	N00°00'25"W	10.02
L4	S89°59'35"W	63.74



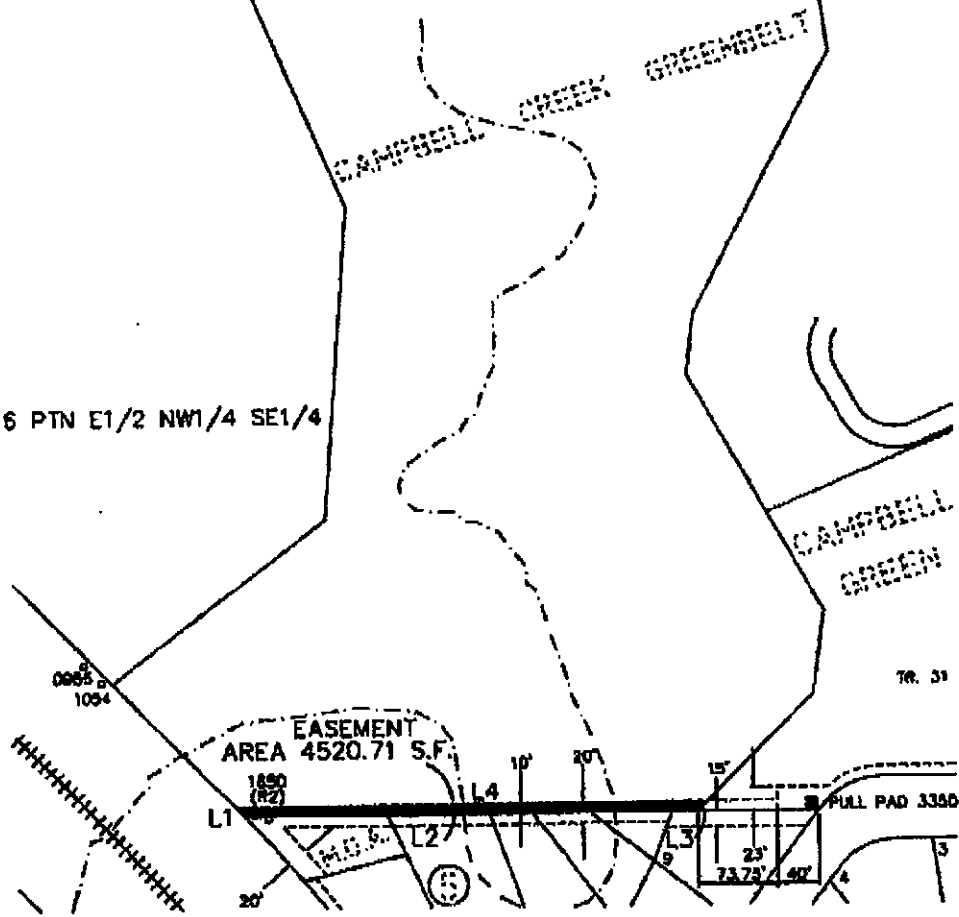
CAMPBELL GREEN - TRACT 31
3Ø O.H. TO 3Ø U.G. CONVERSION
FEEDER TIE UPGRADE
GRID: 2131 MAP: 1203-6E
FEEDER: SLSS 712

Exhibit E

LINE CHART		
LINE	BEARING	DISTANCE
L1	N43°34'00" W	13.80'
L2	S89°59'35" W	442.30'
L3	S45°01'25" W	14.15'
L4	N89°59'35" E	461.82'

T12N R3W SEC 6 NW4SE4 PTN

T12N R3W SEC 6 PTN E1/2 NW1/4 SE1/4



CHUGACH
POWERING ALASKA'S FUTURE
Chugach Electric Association, Inc.

CAMPBELL CREEK GREENBELT
3Ø O.H. TO 3Ø U.G. CONVERSION
FEDER TIE UPGRADE
GRID: 2131 MAP: 1203-8E
FEEDER: SLSS 712

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