

Submitted by: ASSEMBLY MEMBER FAIRCLOUGH and
ASSEMBLY MEMBER OSSIANDER

Prepared by: Department of Law

For reading: December 19, 2006

See AO 2006-182(S)

ANCHORAGE, ALASKA
AO No. 2006-182

1 AN ORDINANCE FORMALLY DEDICATING MUNICIPAL LAND LOCATED IN THE
2 NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2
3 WEST, SEWARD MERIDIAN, AS MUNICIPAL PARK LAND, SUBJECT TO CERTAIN
4 EXCEPTIONS, AND ADDING THE DEDICATED PARK LAND TO BEACH LAKE
5 REGIONAL PARK.
6

7
8 WHEREAS, the State of Alaska received a patent to the Northwest ¼ of Section 25
9 (hereinafter Section 25), later selected and, on August 15, 1968, conveyed to the Municipality
10 of Anchorage (at that time, Greater Anchorage Area Borough), excepting parcels 69, 70 and
11 71, by recorded Patent 817; and
12

13 WHEREAS, Section 25 is located in Birchwood, west of the New Glenn Highway, east of the
14 Fort Richardson Military Reservation, and south of Chugiak High School, and consists of
15 approximately 145 acres of undeveloped land, with the exception of a Matanuska Electric
16 Association power transmission line, an Eklutna Water Transmission Main (pipeline), Alaska
17 Railroad track and holdings, and recreational trails, zoned Public Lands and Institutions (PLI);
18 and
19

20 WHEREAS, Beach Lake Regional Park, containing 1,688 acres and providing year-round
21 outdoor recreation, is located immediately to the north and adjacent to Section 25, including
22 parking and access to Beach Lake and Barrier Free Recreation facilities, and many trails used
23 for Nordic skiing, dog sled mushing, horseback riding, running and hiking, originating in
24 Beach Lake Regional Park extend through and criss-cross Section 25; and
25

26 WHEREAS, the conveyance of Section 25 was subject to certain material extraction by the
27 State, and the details of extraction were memorialized in the Section 25 Materials Extraction
28 Agreement executed by the Municipality and the State on November 8, 2006; and
29

30 WHEREAS, subject to the terms and conditions of the Extraction Agreement, and certain other
31 rights, reservations, encumbrances and easements, it is appropriate for this property to be
32 dedicated as municipal park land and added to Beach Lake Regional Park;
33

34 WHEREAS, dedicating Section 25 as municipal park land is consistent with the recently
35 adopted Chugiak–Eagle River Comprehensive Plan Update, where Section 25 is classified as
36 Park and Natural Resource land; now therefore,
37

38 THE ANCHORAGE ASSEMBLY ORDAINS:
39

40 **Section 1.** Pursuant to Anchorage Municipal Code section 25.10.080B., the following
41 described real property is hereby dedicated for permanent park and recreational purposes,
42 subject to the reservations, restrictions, easements and other limitations set out herein:
43

Northwest Quarter (1/4), Section 25, Township 15 North, Range 2 West, Seward Meridian, excluding Lots 69 – 71, and subject to state and federal section line easements, if any, an Alaska Railroad right of way, Matanuska Electric Association power transmission line right of way, and the Eklutna water transmission main easement.

(This property is also identified by the Municipality as Heritage Land Bank (HLB) parcels 1-009 through 1-025, 1-028 through 1-033, 1-035 through 1-041, and 1-043 through 1-058.)

Section 2. The real property dedicated in Section 1 above, subject to limitations and rights as set out in this ordinance, shall be added to Beach Lake Regional Park.

Section 3. The dedication in Section 1 above is subject to and limited by the following rights, reservations, restrictions, easements and other described limitations:

- A. Rights, reservations, easements and encumbrances, if any, set out in Patent 817 or of record; and
- B. All terms, conditions, rights and reservations described in the Materials Extraction Agreement between the State of Alaska and the Municipality of Anchorage dated November 8, 2006; and
- C. Alaska Railroad Corporation land holdings, tracks, and other easements and rights-of-way of record; and
- D. Timber harvest rights of the Municipality; and
- E. Where recommended through the Eagle River-Chugiak Park & Recreational Service Area, the current, updated or revised Beach Lake Regional Park plan, the current, updated or revised comprehensive plan, or other planning process, as appropriate:
 - 1. Future roads and/or utility corridors, easements and/or re-alignments in and through Section 25; and
 - 2. Potential exchange of or use of land within Section 25 for a future school site; and
 - 3. Future trails and park access sites; and
 - 4. Construction, reconstruction, improvement and maintenance of community facilities, access sites and other improvements.

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

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 20__.

Chair of the Assembly

ATTEST:

Municipal Clerk

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2006-182

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

| | | | |
|----------|---|--|-------------------------------|
| 1 | SUBJECT OF AGENDA DOCUMENT | DATE PREPARED | |
| | SECTION 25 - PARK DEDICATION TO BEACH LAKE REGIONAL PARK | 12/15/06 | |
| | | Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM | |
| 2 | DEPARTMENT NAME | DIRECTOR'S NAME | |
| | Assembly | Daniel A. Sullivan, Chairman | |
| 3 | THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY | HIS/HER PHONE NUMBER | |
| | | | |
| 4 | COORDINATED WITH AND REVIEWED BY | INITIALS | DATE |
| | Mayor | | |
| | Municipal Clerk | | |
| | Municipal Attorney | | |
| | Employee Relations | | |
| | Municipal Manager | | |
| | Anchorage Parks & Recreation | | |
| | Fire | | |
| | Health & Human Services | | |
| | Merrill Field Airport | | |
| | Municipal Light & Power | | |
| | Office of Management and Budget | | |
| | Police | | |
| | Port of Anchorage | | |
| | Office of Economic & Community Development | | |
| | Solid Waste Services | | |
| | Public Transportation | | |
| | Anchorage Water & Wastewater Utility | | |
| | Executive Manager | | |
| | Planning Department | | |
| | Chief Fiscal Officer | | |
| | Heritage Land Bank | | |
| | Information Technology Department | | |
| | Project Management & Engineering | | |
| | Purchasing | | |
| | Other | | |
| | | | |
| | | | |
| 5 | Special Instructions/Comments | | |
| | ADDENDUM - CONSENT AGENDA-INTRODUCTION | | |
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| | | | |
| | | | |
| 6 | ASSEMBLY HEARING DATE REQUESTED | 7 | PUBLIC HEARING DATE REQUESTED |
| | 12/19/06 | | 1/5/07 SPECIAL MEETING |

M.O.A.
 2006 DEC 15 PM 2:47
 CLERK'S OFFICE