

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

Prepared by: Real Estate Services

For Reading: April 27, 2010

CLERK'S OFFICE

APPROVED

5-11-10

ANCHORAGE, ALASKA

AO No. 2010-42

Date: _____

1 **AN ORDINANCE APPROVING AN EQUAL VALUE LAND EXCHANGE OF**
2 **LOTS 4, 5 & 6, BLOCK 4, ABBOTT LOOP MANOR SUBDIVISION, OWNED**
3 **BY THE MUNICIPALITY OF ANCHORAGE, FOR LOTS 11 & 22, SECTION 22,**
4 **T13N, R3W, SEWARD MERIDIAN, LOCATED SOUTH OF RUSSIAN JACK**
5 **SPRINGS PARK AND DESIGNATION OF LOTS 11 & 22, SECTION 22, T13N,**
6 **R3W, SEWARD MERIDIAN, FOR PLACEMENT IN THE HERITAGE LAND**
7 **BANK.**

8
9
10 **WHEREAS**, Anchorage Municipal Code sections 25.20.010 and .020 authorize
11 the Municipality to acquire land for any public purpose, upon approval of the
12 Assembly; and

13
14 **WHEREAS**, pursuant to Anchorage Municipal Code section 25.40.015 A, "(i)n
15 addition to the municipal land which is by this chapter designated for the HLB,
16 the mayor, with assembly approval, may designate additional municipal land or
17 interest in land for placement in the Heritage Land Bank; and

18
19 **WHEREAS**, the Municipality of Anchorage owns Lots 4, 5 and 6, Block 4, Abbott
20 Loop Manor Subdivision (hereinafter "Abbott Loop lots"), totaling approximately
21 .74 acres; and

22
23 **WHEREAS**, the Brown family owns Lots 11 & 22, Section 22, T13N, R3W, SM,
24 located south of Russian Jack Springs Park (hereinafter "Chester Creek lots"),
25 totaling approximately 4.5 acres; and

26
27 **WHEREAS**, on February 6, 2009, the Brown Family proposed an equal value
28 land exchange, with no remuneration paid by either party regardless of
29 appraised value, to trade the Abbott Loop lots for the Chester Creek lots; and

30
31 **WHEREAS**, the Chester Creek lots contain a large area of undeveloped Class B
32 wetlands and a portion of Chester Creek, and should be preserved and
33 considered for use as compensatory wetlands mitigation required by the U.S.
34 Army Corps of Engineers within the watershed; and

35
36 **WHEREAS**, the 2006 appraised value of the Abbott Loop lots is \$80,000 per lot,
37 for a total of \$240,000, and the 2009 assessed value of the Chester Creek lots is
38 \$455,900; and

39
40 **WHEREAS**, upon completion of the proposed land exchange, the Mayor
41 requests approval to designate the Chester Creek lots into the Heritage Land
42 Bank inventory; now therefore,

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THE ANCHORAGE ASSEMBLY ORDAINS:


Section 1. A land exchange of Lots 4, 5 and 6, Block 4, Abbott Loop Manor Subdivision, totaling approximately .74 acres, for Lots 11 & 22, Section 22, T13N, R3W, SM, totaling approximately 4.5 acres, is approved.

Section 2. Notwithstanding the appraised value of the Abbott Loop or Chester Creek lots, this transaction is approved as an equal value exchange, with neither party to receive additional or further remuneration or consideration of any type whatsoever.

Section 3. With completion of the land exchange specified in Section 1, Lots 11 & 22, Section 22, T13N, R3W, SM, are hereby designated for placement in the Heritage Land Bank inventory.


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

PASSED AND APPROVED by the Anchorage Assembly this 11th day of May, 2010.



Chair of the Assembly

ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2010-42

Title: AN ORDINANCE APPROVING AN EQUAL VALUE LAND EXCHANGE OF LOTS 4, 5 & 6, BLOCK 4, ABBOTT LOOP MANOR SUBDIVISION, OWNED BY THE MUNICIPALITY OF ANCHORAGE, FOR LOTS 11 & 22, SECTION 22, T13N, R3W, SEWARD MERIDIAN, LOCATED SOUTH OF RUSSIAN JACK SPRINGS PARK AND DESIGNATION OF LOTS 11 & 22, SECTION 22, T13N, R3W, SEWARD MERIDIAN, FOR PLACEMENT IN THE HERITAGE LAND BANK.

Sponsor: MAYOR
 Preparing Agency: Heritage Land Bank
 Others Impacted:

| CHANGES IN EXPENDITURES AND REVENUES: | | | | | |
|--|-------------|-------------|-------------|-------------|-------------|
| (In Thousands of Dollars) | | | | | |
| | <u>FY10</u> | <u>FY11</u> | <u>FY12</u> | <u>FY13</u> | <u>FY14</u> |
| Operating Expenditures | | | | | |
| 1000 Personal Services | | | | | |
| 2000 Non-Labor | | | | | |
| 3900 Contributions | | | | | |
| 4000 Debt Service | | | | | |
| TOTAL DIRECT COSTS: | \$ - | \$ - | \$ - | \$ - | \$ - |
| Add: 6000 Charges from Others | | | | | |
| Less: 7000 Charges to Others | | | | | |
| FUNCTION COST: | \$ - | \$ - | \$ - | \$ - | \$ - |
| REVENUES: | | | | | |
| CAPITAL: | \$ - | \$ - | \$ - | \$ - | \$ - |
| POSITIONS: FT/PT and Temp | 0 | 0 | 0 | 0 | 0 |

PUBLIC SECTOR ECONOMIC EFFECTS:

Land acquired by HLB may be used for compensatory mitigation, with a potential for generating future income.

PRIVATE SECTOR ECONOMIC EFFECTS:

Potential for residential development traded to private sector as a result of the land trade, possibly resulting in some future regional economic growth.

Prepared by: Tammy R. Oswald

Telephone: 343-7986

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 268-2010

Meeting Date: April 27, 2010

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE APPROVING AN EQUAL VALUE LAND**
4 **EXCHANGE OF LOTS 4, 5 & 6, BLOCK 4, ABBOTT LOOP MANOR**
5 **SUBDIVISION, OWNED BY THE MUNICIPALITY OF ANCHORAGE,**
6 **FOR LOTS 11 & 22, SECTION 22, T13N, R3W, SEWARD**
7 **MERIDIAN, LOCATED SOUTH OF RUSSIAN JACK SPRINGS**
8 **PARK AND DESIGNATION OF LOTS 11 & 22, SECTION 22, T13N,**
9 **R3W, SEWARD MERIDIAN, FOR PLACEMENT IN THE HERITAGE**
10 **LAND BANK.**

11
12 The Municipality of Anchorage (MOA) owns Lots 4, 5 and 6, Block 4, Abbott Loop
13 Manor Subdivision (hereinafter "Abbott Loop lots"). These lots average
14 approximately 10,000 square feet each, for approximately .74 acres. The lots were
15 appraised in 2006 at \$80,000 per lot, for a total of \$240,000.

16
17 The Brown family owns Lots 11 & 22, Section 22, T13N, R3W, SM (hereinafter
18 "Chester Creek lots"), totaling approximately 4.5 acres. These vacant lots are
19 located south of Russian Jack Springs Park and east of Leah Court, and contain a
20 large area of undeveloped Class B wetlands and a portion of Chester Creek. For
21 these reasons, this land should be preserved and considered for possible use as
22 compensatory wetlands mitigation required by the U.S. Army Corps of Engineers
23 within the watershed. The 2009 municipal tax assessed value for the two parcels is
24 \$455,900. (See site maps, **Appendices A & B.**)

25
26 On February 6, 2009, the Brown Family proposed an equal value land exchange of
27 its Chester Creek lots for the MOA Abbott Loop lots, with no remuneration to be
28 paid by either party regardless of appraised value.

29
30 The Abbott Loop lots are legally described as follows:

31
32 **Block 4, Lot 4, Abbott Loop Manor (TID #014-181-41) 11,900 sf;**

33
34 **Block 4, Lot 5, Abbott Loop Manor (TID #014-181-42) 10,900 sf;**

35
36 **Block 4, Lot 6, Abbott Loop Manor (TID #014-181-43) 9,300 sf.**

37
38 The Abbott Loop lots are tax-foreclosed parcels; as of February 7, 1999, the lots
39 had been held by the MOA for more than ten years, and all re-purchase rights were
40 extinguished by operation of AS 29-45.460(d). (See AR 99-50, attached as
41 **Appendix C.**)

1
2 Pursuant to 25.40.015 A, "(i)n addition to the municipal land which is by this chapter
3 designated for the HLB, the mayor, with assembly approval, may designate
4 additional municipal land or interest in land for placement in the Heritage Land
5 Bank." On February 26, 2004, an Assignment of Management Authority transferred
6 management authority for the Abbott Loop lots to the Heritage Land Bank. With this
7 management authority assignment, HLB negotiated this proposed land exchange.
8 On March 12, 2009, HLB solicited agency comments on the proposed exchange;
9 there were no objections to the proposal, and the Planning Department noted its
10 support of the proposal. A summary of comments is attached (**Appendix D**).
11 However, the Abbott Loop lots were never formally designated for placement in the
12 HLB inventory, an action requiring Assembly approval.


13
14 Since designation of the Abbott Loop lots into the HLB inventory was never
15 approved by the Assembly, the lots remain within the Real Estate Services
16 Department (RES). RES is now seeks Assembly approval of this exchange as well
17 as Assembly approval for placement of the Chester Creek lots into HLB inventory.

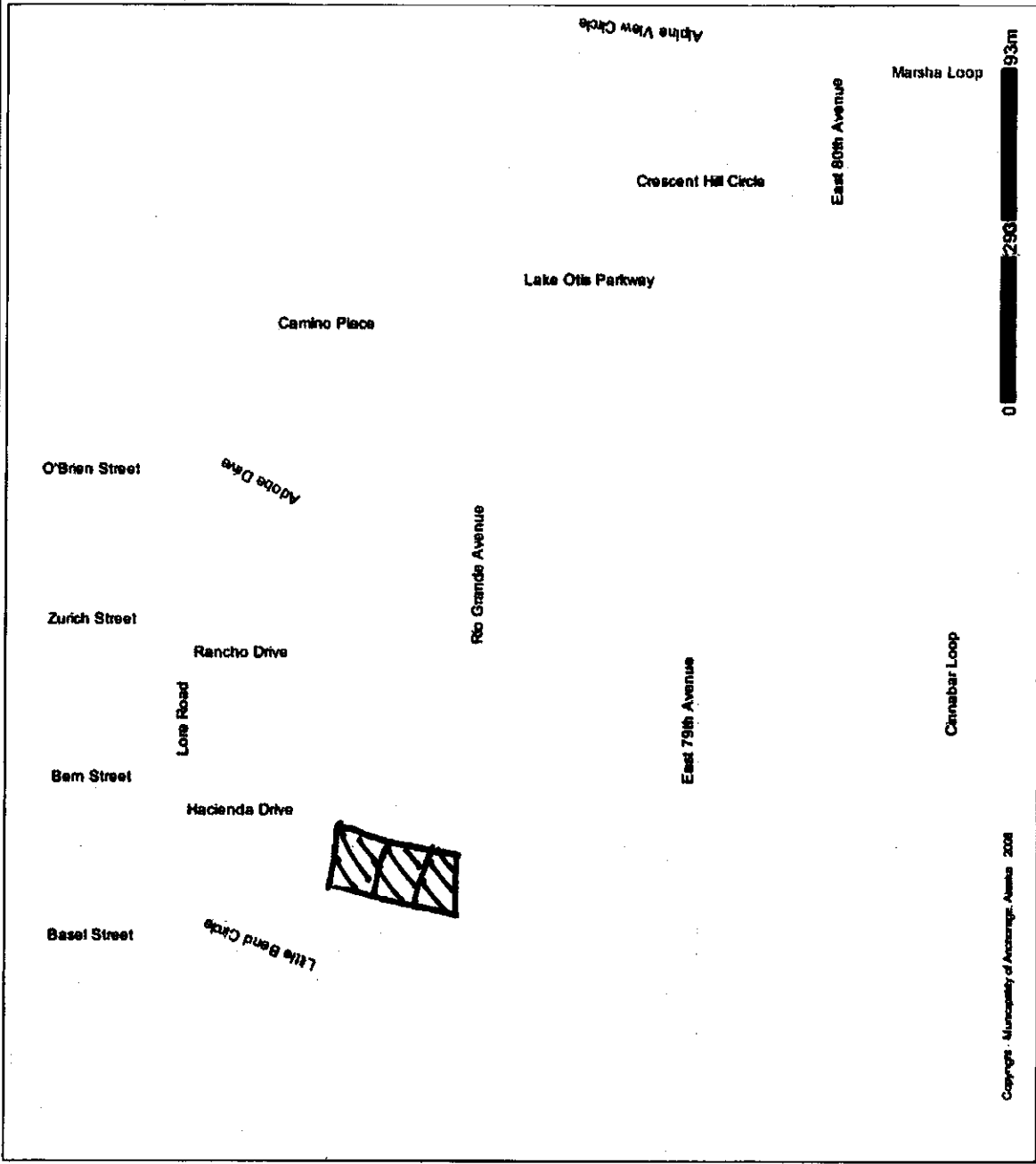
18
19 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
20 **APPROVING AN EQUAL VALUE LAND EXCHANGE OF LOTS 4, 5 & 6, BLOCK**
21 **4, ABBOTT LOOP MANOR SUBDIVISION, OWNED BY THE MUNICIPALITY OF**
22 **ANCHORAGE, FOR LOTS 11 & 22, SECTION 22, T13N, R3W, SEWARD**
23 **MERIDIAN, LOCATED SOUTH OF RUSSIAN JACK SPRINGS PARK AND**
24 **DESIGNATION OF LOTS 11 & 22, SECTION 22, T13N, R3W, SEWARD**
25 **MERIDIAN, FOR PLACEMENT IN THE HERITAGE LAND BANK.**

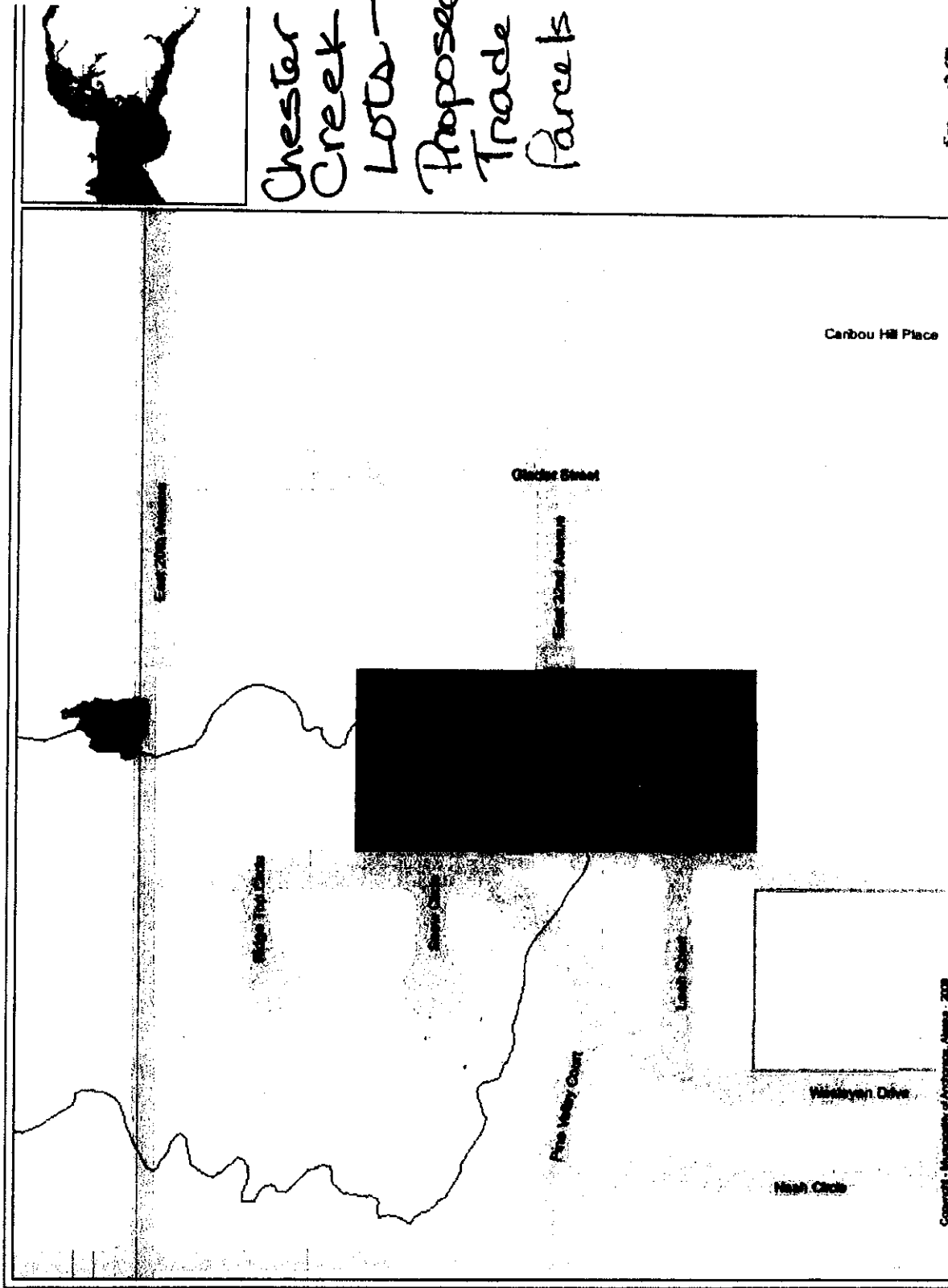
26
27 Prepared by: Tammy R. Oswald, Manager, Real Estate Services
28 Approved by: William M. Mehner, Executive Director
Heritage Land Bank/ Real Estate Services Division
29
30 Concur: Greg Jones, Executive Director
Office of Community Planning & Development
31
32 Concur: Dennis A. Wheeler, Municipal Attorney
33 Concur: George J. Vakalis, Municipal Manager
34 Respectfully submitted: Daniel A. Sullivan, Mayor
35

Appendix A



 =
Abbott
Loop Loop/
MDA-
OWNED





● ●
 Chester
 Creek
 Lots -
 Proposed
 Trade
 Parcels

Appendix B

Scale 1:2,671

Appendix B

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Real Estate Services

CLERK'S OFFICE
APPROVED

Date: 3-16-99

For Reading: March 16, 1999

ANCHORAGE, ALASKA
AR NO. 99-50

A RESOLUTION AUTHORIZING THE MUNICIPALITY OF ANCHORAGE TO EXTINGUISH ALL UNPAID TAX, PENALTY, INTEREST, AND ADMINISTRATIVE DEBT ON THE PROPERTIES LISTED IN EXHIBIT A.

WHEREAS, all of the properties in Exhibit A are tax foreclosed parcels which the Municipality has held for more than ten years, and

WHEREAS, all re-purchase rights have been extinguished by operation of AS 29.45.460(d),

NOW THEREFORE, the Anchorage Assembly resolves:

Section 1. The Municipality of Anchorage is authorized to extinguish the tax, interest, penalty, and administrative debt against the parcels in Exhibit A.

Section 2. Upon sale of the parcels in Exhibit A, proceeds shall first be applied to Special Assessments, and any residual proceeds shall be placed in Area Wide Fund 101.

Section 3. This resolution shall take effect immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 16th day of March 1999.


Chairman of the Assembly

ATTEST:


Municipal Clerk

EXHIBIT A TO AR 99-50

011-212-51, Lakehurst Subdivision, Lot 25A, Block 6

012-342-04, Bruce Subdivision #1, Lot 3, Block 1

014-051-36, Galatea Estates, Lot 1, Block 7

014-051-37, Galatea Estates, Lot 2, Block 7

014-051-38, Galatea Estates, Lot 3, Block 7

014-051-39, Galatea Estates, Lot 4, Block 7

014-051-40, Galatea Estates, Lot 5, Block 7

014-181-41, Abbott Loop Manor, Lot 4, Block 4

014-181-42, Abbott Loop Manor, Lot 5, Block 4

014-181-43, Abbott Loop Manor, Lot 6, Block 4

051-172-01, T15N R1W, Section 18, S.M., Lot 75

APPENDIX D

Agency comments & responses to proposed action

ML&P

Noted that there are electrical easements on the trade parcels. This will be taken into consideration but does not affect the trade.

Planning Department

From the Planning Department's perspective, this trade will benefit all parties. It would preserve an important wetlands and stream system in the Chester Creek watershed. The subject lots encompass the majority of the headwaters and the primary floodwater attenuation zone for this small Russian Jack tributary of Chester Creek. These parcels have long been of interest to the state and federal resource agencies as a preservation site because of the wetland functions and the site's value to the Chester Creek system. Developed areas and roads downstream of this site are often flooded because of channel problems, associated icing, and related issues on either side of Wesleyan Drive. Getting this area into public ownership would provide the Municipality opportunities for both habitat and drainage restoration and enhancement. It might be possible to reduce the flood hazard in the developed downstream sections of this tributary with relatively minor creek restoration and culvert upgrades. This area is also referenced in general terms in the 2006 Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan, which recommends that additional drainages in the Chester Creek Greenbelt be acquired and protected (Chapter 8). This area provides far more public benefit as a protected greenbelt than it would as a future residential development. The Planning Department recommends that the HLB consider adding a conservation easement to these lots, which might generate mitigation income in the future.

Content ID: 008927

Type: Ordinance - AO

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Author: pruittns

Initiating Dept: HLB

Description: Equal value land exchange Abbott Loop Manor (M)A) & Brown Family

Date Prepared: 4/15/10 11:51 AM

Director Name: William M Mehner

Assembly Meeting Date: 4/27/10

Public Hearing Date: 5/11/10

| <u>Workflow Name</u> | <u>Action Date</u> | <u>Action</u> | <u>User</u> | <u>Security Group</u> | <u>Content ID</u> |
|-------------------------|---------------------|---------------|--------------------|-----------------------|-------------------|
| Clerk_Admin_SubWorkflow | 4/23/10 9:57 AM | Exit | Nina Pruitt | Public | 008927 |
| MuniManager_SubWorkflow | 4/23/10 9:57 AM | Approve | Nina Pruitt | Public | 008927 |
| MuniManager_SubWorkflow | 4/23/10 8:51 AM | Checkin | Nina Pruitt | Public | 008927 |
| Legal_SubWorkflow | 4/22/10 6:51 PM | Approve | Rhonda Westover | Public | 008927 |
| Finance_SubWorkflow | 4/21/10 9:58 AM | Approve | David Ryan | Public | 008927 |
| OMB_SubWorkflow | 4/20/10 10:17 AM | Approve | Marilyn T. Banzhaf | Public | 008927 |
| OCPD_SubWorkflow | 4/19/10 10:25 AM | Approve | Susan Perry | Public | 008927 |
| HLB_SubWorkflow | 4/15/10 1:30 PM | Approve | Tammy Oswald | Public | 008927 |
| AllOrdinanceWorkflow | 4/15/10 1:26 PM | Checkin | Jacque Tennis | Public | 008927 |
| OCPD_SubWorkflow | 4/15/10 1:21 PM | Reject | Susan Perry | Public | 008927 |
| HLB_SubWorkflow | 4/15/10 12:41 PM | Approve | William Mehner | Public | 008927 |
| AllOrdinanceWorkflow | 4/15/10 12:40 PM | Checkin | Jacque Tennis | Public | 008927 |
| OCPD_SubWorkflow | 4/15/10 12:32 PM | Reject | Susan Perry | Public | 008927 |
| HLB_SubWorkflow | 4/15/10 11:59 AM | Approve | William Mehner | Public | 008927 |
| AllOrdinanceWorkflow | 4/15/10 11:58 AM | Checkin | Jacque Tennis | Public | 008927 |

Ad den dum — CONSENT AGENDA - INTRODUCTION