

CLERK'S OFFICE  
**APPROVED**

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Heritage Land Bank  
For reading: September 28, 2010

Date: 10-12-10 **ANCHORAGE, ALASKA**  
**AO No. 2010-67**

1 **AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT**  
2 **TO CHUGACH ELECTRIC ASSOCIATION ACROSS HLB PARCEL 6-016 FOR**  
3 **INSTALLATION OF ELECTRICAL SERVICE AND RELATED FACILITIES.**

4  
5 **WHEREAS**, the Heritage Land Bank (HLB) was established to...“manage  
6 uncommitted municipal land and the Heritage Land Bank Fund in a manner designed  
7 to benefit the present and future citizens of Anchorage, promote orderly  
8 development, and achieve the goals of the Comprehensive Plan. The Heritage Land  
9 Bank shall acquire, inventory, manage, withdraw, transfer and dispose of municipal  
10 land which has not been dedicated or transferred to a specific municipal agency for  
11 one or more municipal uses.” (AMC section 25.40.010); and  
12

13 **WHEREAS**, “The disposal responsibility of the Heritage Land Bank is, at the direction  
14 of the mayor and Assembly, to convey from municipal ownership Heritage Land Bank  
15 land or interests in land which is not needed for specific public facilities or purposes.  
16 Each disposal shall be in the municipal interest, and based at or above appraised fair  
17 market value or for other equivalent municipal values or objectives, under the  
18 procedures specified in AMC Section 25.40.025.” (AMC section 25.40.010 E.); and  
19

20 **WHEREAS**, HLB Parcel 6-016 is currently a vacant residential and open space  
21 parcel; and  
22

23 **WHEREAS**, HLB posted the property and conducted public notice and review by all  
24 potentially interested Municipal agencies to establish that easement issuance for the  
25 electrical service is appropriate and in the best interest of the Municipality; and  
26

27 **WHEREAS**, on August 12, 2010, the Heritage Land Bank Advisory Commission  
28 (HLBAC) unanimously approved HLBAC Resolution 2010-04 recommending the  
29 Assembly approve disposal of a non-exclusive easement; and  
30

31 **WHEREAS**, the subject easement was requested by Anchorage Water & Wastewater  
32 Utility for electrical service to its facility, to benefit the Municipality of Anchorage, so  
33 there is no charge for the easement to CEA; now, therefore,  
34

35 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
36

37 **Section 1.** The proposed easement for CEA to provide electrical service to an  
38 AWWU facility benefits the Municipality, and the Assembly finds the easement to be  
39 without substantial value to the Municipality.  
40

1 **Section 2.** The Assembly finds it is in the best interest of the Municipality and the  
2 public to dispose of this easement under terms and conditions set forth in the  
3 Assembly Memorandum and, notwithstanding any contrary provision of the  
4 Anchorage Municipal Code, hereby waives the requirements in Chapter 25.40  
5 requiring an appraisal and fee.  
6


7 **Section 3.** Pursuant to AMC 25.40.025, the disposal to CEA of a non-exclusive  
8 electrical easement across HLB Parcel 6-016, and further identified by an as-built  
9 survey to be attached to the easement document, is hereby approved.

10  
11 **Section 4.** This ordinance shall be effective immediately upon passage and  
12 approval by the Assembly.  
13

14 PASSED AND APPROVED by the Anchorage Municipal Assembly this 12<sup>th</sup> day of  
15 October, 2010.

16  
17  
18   
19 \_\_\_\_\_  
20 Chair of the Assembly

21 ATTEST:

22  
23   
24 \_\_\_\_\_  
25 Municipal Clerk  
26





# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

AM No. 514-2010

Meeting Date: September 28, 2010

1  
2 **From: MAYOR**

3  
4 **Subject: AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL**  
5 **EASEMENT TO CHUGACH ELECTRIC ASSOCIATION ACROSS**  
6 **HLB PARCEL 6-016 FOR INSTALLATION OF ELECTRICAL**  
7 **SERVICE AND RELATED FACILITIES.**

8  
9 This ordinance authorizes the Heritage Land Bank (HLB) to grant disposal of a non-  
10 exclusive electrical easement 1,000 square feet in size to Chugach Electric  
11 Association (CEA). The easement is associated with the Holtan Hills Subdivision in  
12 the upper Girdwood Valley. The subject parcel is mostly vacant except for the  
13 platted, unconstructed subdivision and is legally described as HLB Parcel 6-016,  
14 TID 075-031-32 (Map - Appendix A). The easement is approximately 20 feet by 50  
15 feet, and was requested by the Anchorage Water & Wastewater Utility for the  
16 benefit of the Municipality.

17  
18 The purpose of the disposal is to create an easement for electrical service to a  
19 pressure reducing valve vault being installed in the Anchorage Water and  
20 Wastewater Utility (AWWU) Girdwood Phase IIB Water Transmission Main Project.  
21 The easement term is twenty years with an option to extend another ten years, and  
22 is being issued now to allow CEA access while the transmission main is being  
23 constructed prior to recordation of the Holtan Hills Subdivision plat. Once the plat is  
24 recorded, the easement will be established as a dedicated easement. Due to the  
25 necessity for electricity for the AWWU project, no easement fee is being charged.  
26 An as-built survey is required from CEA within six months of installation of the  
27 service.

28  
29 **Public Process.** The HLB conducted an agency review and received no objection  
30 from other municipal agencies for disposal of the subject property. The HLB posted  
31 notice of public hearing on the property on July 28, 2010. The public hearing was  
32 advertised in the Anchorage Daily News July 25, August 1 and 8, 2010.  
33 Neighborhood community councils were informed of the project and had no  
34 comments. The HLB Advisory Commission (HLBAC) held a public hearing on  
35 August 12, 2010 and approved HLBAC Resolution No. 2010-04 (Appendix B).

36  
37 **Recommendation.** HLB staff considers the proposed easement of the  
38 approximately 1,000 square feet within the parcel to be an appropriate use of HLB  
39 land. The proposed use is compatible with the Holtan Hills Preliminary Plat,  
40 Girdwood Area Plan and the Crow Creek Neighborhood Land Use Plan. The

1 HLBAC found the disposal of the non-exclusive utility easement to CEA is in the  
2 best interest of the MOA and recommends Assembly approval for this easement.  
3

4 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**  
5 **AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH**  
6 **ELECTRIC ASSOCIATION ACROSS HLB PARCEL 6-016 FOR INSTALLATION**  
7 **OF ELECTRICAL SERVICE AND RELATED FACILITIES.**  
8

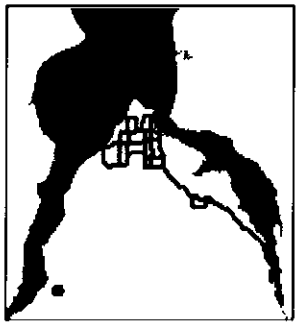
9  
10 Prepared by: Alison L. Smith, Land Manager, Heritage Land Bank  
11 Approved by: William M. Mehner, Exec. Director, Heritage Land Bank  
12 Concur: Dennis A. Wheeler, Municipal Attorney  
13 Concur: George J. Vakalis, Municipal Manager  
14 Respectfully submitted: Daniel A. Sullivan, Mayor  
15

16  
17 Appendices:

18 Appendix A—Site Map  
19 Appendix B—HLB Advisory Commission Resolution No. 2010-04

Project Site: HLB Parcel #6-016 CEA Easement

APPENDIX A: Area Map



# APPENDIX B

## MUNICIPALITY OF ANCHORAGE HERITAGE LAND BANK ADVISORY COMMISSION

RESOLUTION No. 2010-04

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION (HLBAC) RECOMMENDING ASSEMBLY APPROVAL OF DISPOSAL OF HLB LANDS VIA EASEMENT TO CHUGACH ELECTRIC ASSOCIATION FOR PROVIDING ELECTRICAL SERVICE TO AN ANCHORAGE WATER AND WASTEWATER UTILITY FACILITY IN THE GIRWOOD VALLEY.

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**WHEREAS**, the Heritage Land Bank (HLB) was established 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 25.40.010); and

**WHEREAS**, AMC 25.40.025.A states, "The Heritage Land Bank Advisory Commission shall hold a public hearing, with public notice as specified in this chapter, prior to making a recommendation to the Mayor and Assembly regarding the disposal of Heritage Land Bank land or an interest in land."; and

**WHEREAS**, HLB Parcel #6-010 is legally described as Tract B, Girdwood Elementary School Subdivision, (TID 075-031-32), located in the upper Girdwood Valley; and

**WHEREAS**, the requested easement on the subject parcel is 1000 square feet in size; and

**WHEREAS**, the disposal of this easement is in the best interest of the Municipality; and

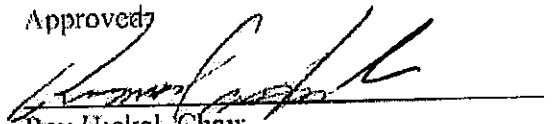
**WHEREAS**, HLB posted the property and conducted public notice and an agency review by all potentially interested Municipal agencies to establish no objections to the easement encumbrance,

NOW, THEREFORE, THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDS ASSEMBLY APPROVAL OF DISPOSAL OF HLB LANDS VIA EASEMENT TO CHUGACH ELECTRIC ASSOCIATION FOR PROVIDING ELECTRICAL SERVICE TO AN ANCHORAGE WATER AND WASTEWATER UTILITY FACILITY IN THE GIRWOOD VALLEY.

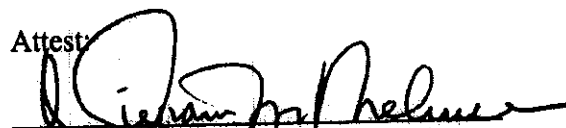
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**PASSED AND APPROVED on this, the 12<sup>th</sup> day of August, 2010.**

Approved:

  
Ray Hickel, Chair  
Heritage Land Bank Advisory Commission

Attest:

  
William M. Mehner, Executive Director  
Heritage Land Bank

**Content ID:** 009385

**Type:** Ordinance - AO

AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH ELECTRIC ASSOCIATION ACROSS HLB PARCEL 6-016 FOR INSTALLATION OF ELECTRICAL SERVICE AND RELATED FACILITIES.

**Author:** vanhornlr

**Initiating Dept:** HLB

**Description:** Disposal of utility easement to CEA

**Keywords:** HLB Parcel #6-016 Easement Disposal

**Date Prepared:** 9/8/10 5:07 PM

**Director Name:** Wm. M. Mehner

**Assembly Meeting Date:** 9/28/10

**Public Hearing Date:** 10/12/10

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
Clerk_Admin_SubWorkflow	9/17/10 12:14 PM	Exit	Joy Maglaqui	Public	009385
MuniManager_SubWorkflow	9/17/10 12:14 PM	Approve	Joy Maglaqui	Public	009385
Legal_SubWorkflow	9/17/10 11:41 AM	Approve	Dean Gates	Public	009385
Finance_SubWorkflow	9/17/10 11:25 AM	Approve	Lucinda Mahoney	Public	009385
OMB_SubWorkflow	9/17/10 8:20 AM	Approve	Cheryl Frasca	Public	009385
HLB_SubWorkflow	9/16/10 4:31 PM	Approve	William Mehner	Public	009385
AllOrdinanceWorkflow	9/16/10 4:30 PM	Checkin	Lynn Roderick Van Horn	Public	009385
Legal_SubWorkflow	9/16/10 3:32 PM	Reject	Rhonda Westover	Public	009385
Finance_SubWorkflow	9/10/10 9:53 AM	Approve	Lucinda Mahoney	Public	009385
OMB_SubWorkflow	9/9/10 6:25 PM	Approve	Cheryl Frasca	Public	009385
HLB_SubWorkflow	9/8/10 5:19 PM	Approve	William Mehner	Public	009385
AllOrdinanceWorkflow	9/8/10 5:13 PM	Checkin	Lynn Roderick Van Horn	Public	009385