

ANCHORAGE SCHOOL DISTRICT
ANCHORAGE, ALASKA

ASD MEMORANDUM #95 (2006-2007)

October 16, 2006

TO: SCHOOL BOARD

FROM: OFFICE OF THE SUPERINTENDENT

SUBJECT: RECOMMENDATION REGARDING ASD LAND, (TRACT B,
T131N, R3W, SECTION 12) ON MULDOON TRACT B

ASD Goal: Ensure public accountability through effective consultation with the community to ensure wise use of financial resources and responsible construction and maintenance of facilities.

RECOMMENDATION:

It is the Administration's recommendation that the School Board declare the southern portion of Tract B in the vicinity of Bartlett High School as excess to District needs and that the School board approve the transfer of management authority of this parcel back to the Municipality of Anchorage.

PERTINENT FACTS:

The Municipality of Anchorage has requested that the District determine if the southern portion of Tract B in the vicinity of Bartlett High School (map attached) is excess to District needs and if so, approve the transfer of management authority to the MOA (request attached).

The property in question (13.8 acres) is a portion of a 118 acre parcel that was conveyed to the Municipality of Anchorage from the Federal government via a quit claim deed in 1971. The deed had several conditions that were to remain in effect for 30 years, one of the conditions was that the land be used for education purposes only. The conditions expired in fall of 2001. (See attached: JDO interpretation of Quit Claim conditions).

The 118.44 acres is recorded as two tracts on plat 73-25. Tract A is 69.74 acres, it contains a portion of the school building and most of the site amenities. Tract B is 48.70 acres. The northern portion of the Tract B is where a portion of the cross country ski trails were recently relocated. The southern portion of the Tract B has several utility easements. The District has not used the southern portion, nor has it made any plans to do so.

This property does have good access, appears to have good soils, and shows potential for development. The 13.8 acres is well vegetated, located on a major thoroughfare and as a result, would probably have a high market value. This will be particularly true when the CIRI Development nearby is completed.

In analyzing the site for future District use, it was determined that with the Totem site on Muldoon Road designated as a future elementary site, with the Muldoon area Middle School coming on line in the near future housing sixth, seventh and eighth graders, and with Clark Middle School being renovated at some future date, the elementary school overcrowding in northeast Anchorage should be alleviated.

The geographic location is not a preferred location for an elementary school site, and the parcel is too small for a secondary school site.

Attachments

CC/GV

Prepared/Approved by:
George Vakalis, Assistant Superintendent, Support Services



BART ET

Jermain Dunnagan & Owens, P.C.

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1976-2001 CELEBRATING TWENTY-FIVE YEARS

November 15, 2001

Fred Johnson
Site Planner
Facilities Department
1301 Labar Street
Anchorage, AK 99515-3517

Re: **Quitclaim Deed dated October 29, 1971**

Dear Fred:

You have asked for my review of the October 29, 1971, Quitclaim Deed for purposes of determining if there is any formal procedure required of the Anchorage School District or the Municipality of Anchorage to establish final ownership of record.

There is no formal procedure required of the District to establish final ownership of record. However, it should be noted that four conditions were included in the deed, three of them to run for a period of 30 years. While the 30 years have now expired, the deed also contains a provision that the United States has 31 years to exercise its option to reenter the premises for breach of the first three conditions. This reentry time will expire the end of October 2002.

The fourth condition, that the grantee comply with Title 6 of the Civil Rights Act of 1964, lasts so long as the grantee is receiving federal financial assistance or so long as the property is used for "similar services or benefits." The deed is also subject to several covenants, including one granting the United States the right to reenter the property during any "period of emergency declared by the President."

Since the deed was recorded March 31, 1972, there is nothing further that the District needs to do other than to ensure that all of the covenants and conditions contained in the deed are adhered to.

If you have any questions or need anything further, please contact me at your convenience.

Sincerely,

JERMAIN DUNNAGAN & OWENS, P.C.

W. Michael Stephenson

/jv



MUNICIPALITY OF ANCHORAGE

MEMORANDUM


DATE: 10/11/06

FOR: Distribution to the Anchorage School District Board and Staff

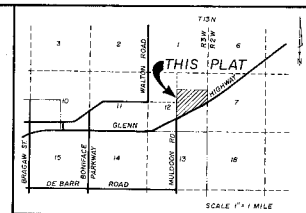
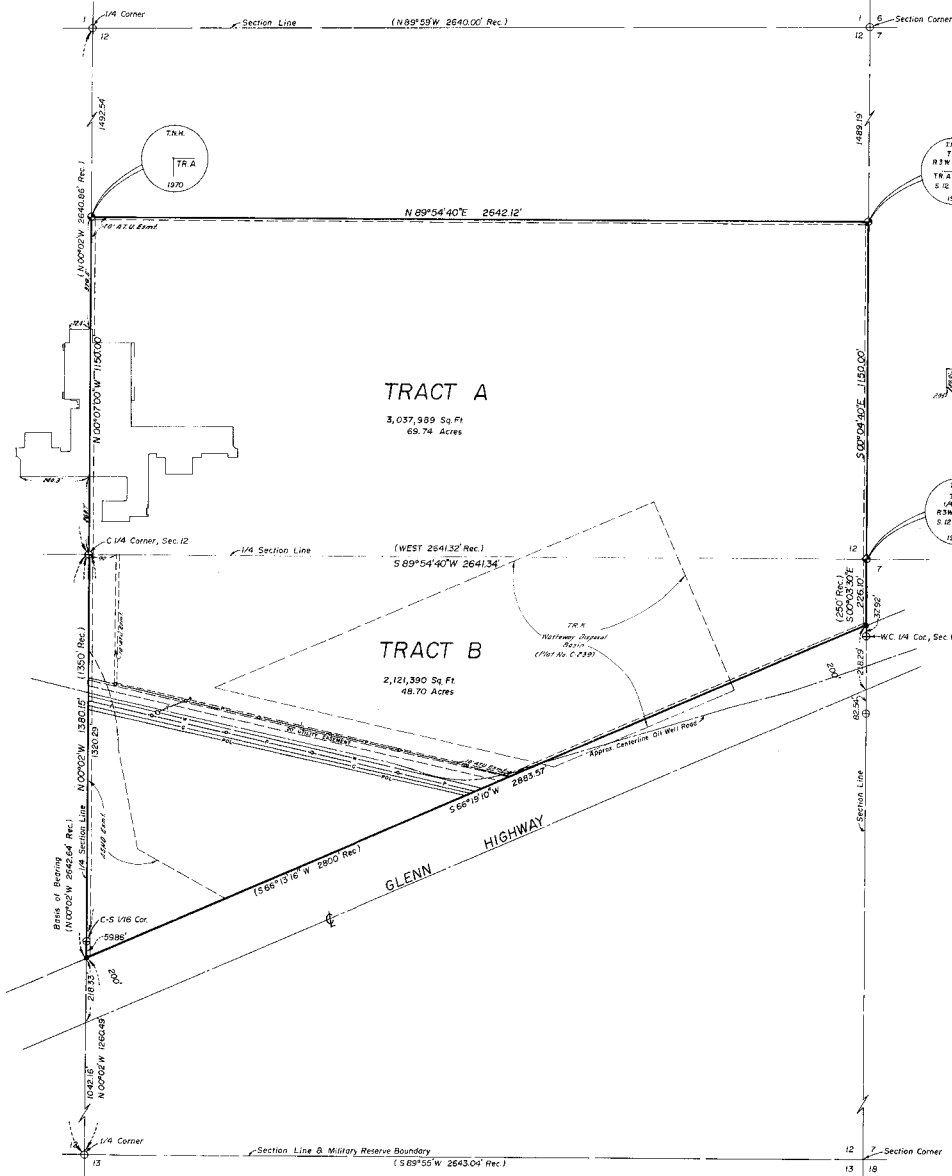
FROM: Mark Begich, Mayor

SUBJECT: South Portion of Tract B, T131N, R3W, Section 12, of Muldoon Tract B, between Glenn Highway, Access Road to Heritage Cultural Center and Muldoon Road

1. This parcel of land appears to be surplus to municipal needs and could be a potential parcel for use in the second phase of the land exchange for the expansion of the South Anchorage Sports Complex.
2. AO No. 2006-124 was approved by the Assembly contingent upon the Anchorage School District recommendation to determine this parcel surplus to ASD needs and agree to approve the transfer of management authority to Real Estate Services of the Municipality of Anchorage.
3. This parcel has potential for development since it is adjacent to 95 acres owned by CIRI that are scheduled for commercial development. The exchange of Tract B for park expansion would place it back on the municipal tax rolls.
4. The administration is requesting that the Anchorage School District declare the southern portion of Muldoon Tract B as excess to ASD needs and approve the transfer of management authority of this parcel to Real Estate Services.



Mark Begich, Mayor



SURVEYOR'S CERTIFICATE
 I, the undersigned registered surveyor, hereby certify that a land survey has been completed by me or under my direct supervision and that corners and monuments have been located and established and that the dimensions shown hereon are true and correct.

Date: January 9, 1972


CERTIFICATE OF OWNERSHIP AND DEDICATION
 We hereby certify that we are the owners of the property shown and described hereon. We hereby request approval of this plat, showing such easements for public utilities, roadways and alleys dedicated by us for public use.

Date: _____
 Greater Anchorage Area Borough
 Owner
 Tracy Nevelton
 MARY NEVELTON
 GLENN
 John R. Roderick
 JOHN R. RODERICK
 MAYOR

NOTARY'S ACKNOWLEDGEMENT
 Subscribed and sworn before me this 20 day of January, 1972.

My commission expires 6-25-75
 Notary Public for Alaska

PLAT APPROVAL
 Plat approved by the Borough Planning Commission this 21 day of June, 1972.


 Authorized Official

- LEGEND**
- ⊕ B.L.M. Brass Cap Monument, Existing
 - ⊙ T.N.B.H. Brass Cap Monument, Set
 - 3/4" Iron Pipe, set
 - G— Natural Gas Line
 - W— Water Line
 - P— Power Line
 - Power Pole
 - POL— Petroleum Oil Line

NOTES: 1. Total Area of Site 118.44 Acres
 2. Existing utilities shown are from aerial topography.

73-25
 Anchorage
 1-25 1973
 3:01 P.M.
 G.A.B.

PLAT OF
E.L. "BOB" BARTLETT SCHOOL SITE
 Located in NE 1/4 and SE 1/4, Sec. 12, T.13N, R.3W, S.14N
TRYCK, NYMAN & HAYES
 CONSULTING ENGINEERS & LAND SURVEYORS
 ANCHORAGE, ALASKA

Field Book A-207	Date January 9, 1972
Drawn L.N.S.	Scale 1" = 200' Sheet 1 of 1
Checked	Job 21870 Grid 1041 (14)