

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

AM No. 394 - 2024

Meeting Date: May 7, 2024

1 **FROM: MAYOR**

2
3 **SUBJECT: AN ORDINANCE APPROVING DEDICATION OF A**
4 **CONSERVATION EASEMENT OVER PARCELS LEGALLY**
5 **DESCRIBED AS TRACT A LEGACY POINTE SUBDIVISION (PLAT**
6 **2006-01; PID 020-181-61-000), TRACT 1 VIEWPOINT**
7 **SUBDIVISION (PLAT 84-154; PID 020-201-25-000), AND**
8 **HERITAGE LAND BANK PARCELS 2-127 THROUGH 2-136**
9 **LEGALLY DESCRIBED AS THE W2SE4SW4 SEC 3 T11N R3W,**
10 **LOTS 1, 5, 6, 9, 10, 14, 15, 18 SEC10 T11N R3W, AND E2E2W4 &**
11 **E2W2NE4NW4 SEC 10 T11N R3W, S.M., TO BE HELD BY GREAT**
12 **LAND TRUST, INC.**
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15 The Municipality of Anchorage (MOA) has authorized the establishment of a 300-
16 acre park known as Potter Marsh Watershed Park, including Tract A Legacy Pointe
17 Subdivision, Tract 1 View Point Subdivision, and ten (10) parcels formerly in the
18 Heritage Land Bank (HLB) Inventory, HLB Parcels 2-127 through 2-136 (the
19 "Properties"), with no cost to the MOA General Fund or the HLB Fund, on the
20 condition that the MOA dedicate a Conservation Easement over the Properties to
21 be held by The Great Land Trust, Inc (GLT) (See Appendix A).
22

23 The purpose of the conservation easement is to preserve and protect the
24 conservation values of the Properties in perpetuity, including forest, woodland,
25 streams, wetlands, downstream water quality to Potter Marsh, and wildlife
26 resources. The conservation easement will also serve an important recreational
27 purpose as the Properties contain many social trails and is located between Potter
28 Marsh and nearby Moen Park. Because of its unique location, the Properties will
29 provide expanded opportunities for public access to these natural areas.
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31 During the review of this overall project the Watershed and Natural Resource
32 Advisory Commission passed a Resolution 2023-01 in support of this project for
33 the environmental functions on these parcels and the continued protection to water
34 quality of Potter Marsh (Appendix B). The Conservation Easement will meet goals
35 as identified in the Anchorage Wetlands Management Plan and the Anchorage
36 Bowl Park, Natural Resource, and Recreation Facility Plan.
37

38 The MOA, as owner of the Properties, will have the obligation to manage the
39 property consistent with the terms of the conservation easement. The GLT, as

1 holder of the conservation easement, will have the obligation to work with the MOA
2 to enforce the terms and conditions of the conservation easement to preserve and
3 protect the conservation values of the Properties.

4
5 The Anchorage Parks and Recreation Commission approves and supports the
6 acquisition of the Properties, subject to a Conservation Easement, for park,
7 recreation, and conservation purposes. See Anchorage Parks and Recreation
8 Commission Resolution No. 2023-14 (Appendix C).

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10 The conveyance of the Conservation Easement requires approval of the Assembly
11 by ordinance pursuant to AMC 25.30.020. In addition, the conveyance of an interest
12 in municipal land to a nonprofit organization for less than fair market value requires
13 the Assembly to find the disposal will allow the use of the land for a public purpose
14 beneficial to the Municipality pursuant to AMC 25.30.040B.

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17 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

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19 Prepared by: Heritage Land Bank, Real Estate Department
20 Approved by: Tiffany Briggs, Real Estate Director
21 Concur: Lance Wilber, OECD Executive Director
22 Concur: Michael Braniff, Parks and Recreation Director
23 Concur: Sharon Lechner, OMB Director
24 Concur: Anne Helzer, Municipal Attorney
25 Concur: Kent Kohlhase, P.E., Municipal Manager
26 Respectfully submitted: Dave Bronson, Mayor

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28 Appendices:

29 Appendix A - Location Map

30 Appendix B - Watershed and Natural Resource Advisory Commission
31 Resolution 2023-01

32 Appendix C - Parks & Recreation Commission Resolution 2023-14