

**REAL ESTATE PLAN
CHESTER CREEK ECOSYSTEM RESTORATION
ANCHORAGE, ALASKA**

FOR



**U.S. ARMY ENGINEER DISTRICT, ALASKA
POST OFFICE BOX 6898
ELMENDORF AFB, ALASKA 99506-6898**

AS OF
7 MAY 2004

**PREPARED BY
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REALTY SPECIALIST**

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Purpose of Report

The Chester Creek Study is located on the west shore of Anchorage, Alaska, and the local sponsor is the Municipality of Anchorage. The purpose of this report is to identify and describe lands, easements and rights of way (LER) required for the construction, operation and maintenance of the Chester Creek Restoration Project including those required for relocations, borrow material, and dredged or excavated material disposal. These real estate requirements are for inclusion into the project feasibility study.

Project Summary

A real estate map is shown on page 4. The project area is located adjacent to Westchester Lagoon on the west side of Anchorage and extends into the lagoon where two-one acre islands will be constructed using the dredge material from the proposed channel. This site consists of wetlands, a portion of the coastal trail and a portion of the Alaska Railroad Right of Way. The area is accessed by a public parking lot. It involves the relocation of 2 pipelines and a city sewer line, the construction of a railroad trestle for the Alaska Railroad, dredging a step channel from Knik Arm tidelands under a constructed trestle, through the wetlands to a holding pond then into Westchester Lagoon. The dredged material will be driven across the frozen lagoon and placed in yet to be determined areas of the lagoon. The first site includes a 2.24 acre (+/-) perpetual channel easement through the wetlands, a 2-year 6.24 (+/-) acre temporary construction easement, a 2 acre permanent easement for the islands, and 0.74 of an acre for a two year temporary access easement to the dumping sites from the construction easement. No interest is required for lands below mean high water as these areas are subject to the Federal right of navigational servitude. Public Law 91-646 relocations (relocation of persons) are not anticipated. Public access is currently available to the project site. The sponsor will provide all lands necessary for the Federal project. The land requirements are as follows:

- A perpetual easement for proposed channel (Standard Estate #8)
- A perpetual easement for island construction (Standard Estate #8)
- A temporary easement for the construction area and walking path (Standard Estate #15)

Real Property Interests Required for the Project

The Municipality of Anchorage and the AK Railroad own all of the property within the project area in fee. The land is zoned parkland and residential. The interest for land owned by the Municipality is sufficient for project construction. The interest required under the proposed AK Railroad trestle will need to be acquired by the Non-Federal sponsor. A map depicting the real estate required for the ecosystem restoration project is shown as Exhibit A.

Summary of Required Real Estate Interests

Feature	Acres	Owners	Interest
Channel construction in Wetlands	2.24	State of Alaska (AK Railroad) & Municipality of Anchorage	Perpetual Easement
Construction and staging site in Wetlands, Walking path, and Parking lot area	6.24	State of Alaska (AK Railroad) & Municipality of Anchorage	Temporary Easement
Islands	2.00	Municipality of Anchorage	Perpetual Easement
Access to Island Locations	0.74	Municipality of Anchorage	Temporary Easement

Non-Standard Estates

No non-standard estates are needed or will be used for this project.

Existing Federal Projects that Lie within LER Required for the Project

No known Federal projects exist within the project area.

Existing Federal Land Required for Project

No Federal land is required for the project. General title information is based primarily on city assessor records and preliminary title search of the recording office. An official title search has not been performed. It is possible but not probable that the ownership status will change before project award.

Navigational Servitude

Navigational servitude is not applicable. All lands within the project are creditable.

Potential Flooding Induced by Construction, Operation and Maintenance of Project

No known flooding is anticipated due to project construction.

Relocation Assistance Benefits

No persons or businesses will be displaced by this project. Therefore, no relocation assistance benefits under Public Law 91-646 will be required.

Mineral Activity

There is no known mineral activity occurring in the area.

Baseline Cost Estimate for Real Estate

The real estate costs shown below are based primarily on an appraisal performed by Ann P. Volz USACE, dated November 30 2001. A contingency of 15% was included and is considered appropriate to account for price changes over time - since the project may not occur for several years. There are anticipated relocation costs. Administrative costs are for mapping, title work, survey, appraisal and final crediting process.

Real Estate Costs

Item	Federal	Local Sponsor	
Administration	\$ 30,000.00	\$ 30,000.00	\$ 60,000.00
Payments For Real Estate	\$ 106,000.00		\$ 106,000.00
Relocation Costs		\$1,583,000.00	\$1,583,000.00
		TOTAL	\$ 1,749,000.00

Non-Federal Sponsor's Legal and Professional Capability and Experience to Acquire and Provide LER

The city of has the legal authority to condemn lands for public purposes. The sponsor's experience and ability to acquire real estate has been evaluated and rated as fully capable. The Assessment of the Municipality/City of Anchorage's Real Estate Acquisition Capability is shown as Exhibit B.

Application or Enactment of Zoning Ordinances

Not Applicable

Schedule of All Land Acquisitions

Land Acquisition Activity	Federal		Local Sponsor	
	Initiate	Complete	Initiate	Complete
Receipt of final Drawings from Engineering /Project Manager		7/15/2004		
Execution of PCA		10/29/2004		
Formal Transmittal of final ROW drawings to LS and instructions to acquire LER	11/1/2004	12/15/2004		
Mapping, legal description, title evidence			12/15/2004	1/15/2005
Utility Relocations			12/15/2004	5/1/2005
Certify all necessary LER is available for construction	12/15/2004	1/15/2005		
Submit credit requests sponsor complete appraisal			1/15/2005	1/15/2006
Review & approve or deny credit requests	1/15/2006	1/15/2007		
Project Completion Date Estimate		3/15/2007		

Relocations of Facilities, Roads and Utilities

The Government will make a final determination of the relocations necessary for the construction, operation, and maintenance of the project after further analysis and completion and approval of final attorney's opinions of compensability for each of the impacted utilities and facilities. Any conclusion or categorization contained in this report that an item is a utility or facility relocation to be performed by the non-Federal sponsor as part of its LER responsibilities is preliminary only. Proposed relocations are on the west side of the railroad tracks and are anticipated to be relocated within their current rights of way.

Three underground pipelines will need to be relocated to accommodate the entrance channel to the creek from Kink Arm at the following cost estimates:

Relocate Tesoro POL Pipeline	\$ 577,000.00
Relocate Municipality of Anchorage, 42" & 30" Sewer Mains	\$1,006,000.00
Relocate AFSC POL Pipeline	\$ 0.00*

*Owner required to relocate at owner's expense.

Awaiting conclusions of Attorneys Opinion of Compensability from Office of Counsel.

Impact on Real Estate Acquisition Due to Suspected or Known Contaminants

No required clean up known. The Districts investigation is complete.

Known or Anticipated Support or Opposition to Project

There is no known local or city opposition to the project.

Non-Federal Sponsor's Notification of Acquisition Risks Prior to Signing of the Project Cooperation Agreement (PCA)

The schedule shown of the previous page may be shortened if the sponsor begins acquisition (at its own risk) prior to signing of the PCA. The sponsor has been notified of the risk of early acquisition.

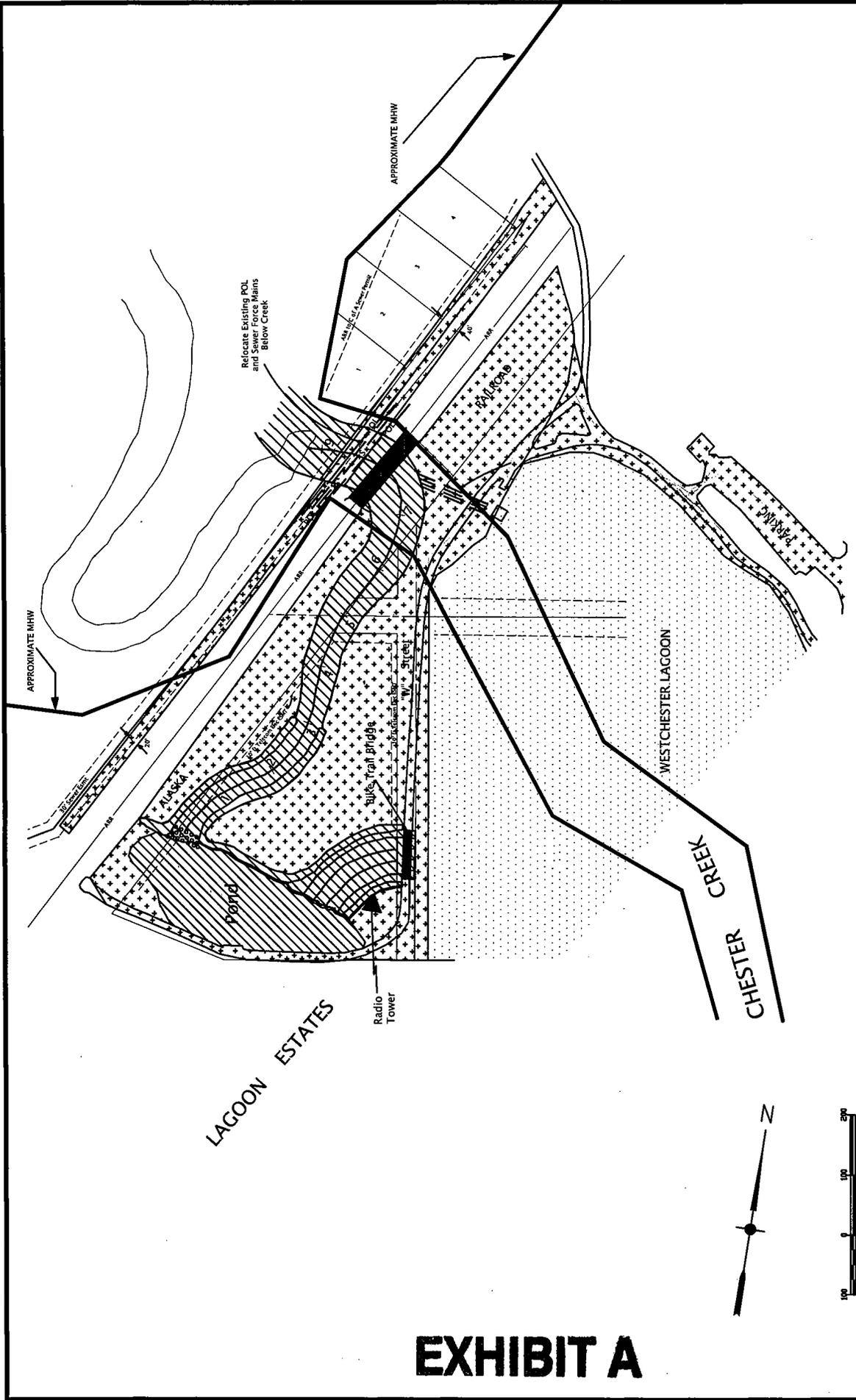
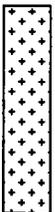


EXHIBIT A

DEPARTMENT OF THE ARMY
 OFFICE OF THE ALASKA DISTRICT ENGINEER
 PACIFIC OCEAN DIVISION

REAL ESTATE
CHESTER CREEK
Anchorage, Alaska

- PERMANENT EASEMENT
2.24 PLUS OR MINUS ACRES
- TEMPORARY EASEMENT
6.24 PLUS OR MINUS ACRES



**ASSESSMENT OF NON-FEDERAL SPONSOR'S
REAL ESTATE ACQUISITION CAPABILITY**

**CHESTER CREEK RESTORATION:
SPONSOR: CITY OF ANCHORAGE**

I. Legal Authority:

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? yes
- b. Does the sponsor have the power of eminent domain for this project? yes
- c. Does the sponsor have a "quick-take" authority for this project? yes
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? no
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? yes

II. Human Resource Requirements:

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? no
- b. If the answer to II a is yes, has a reasonable plan been developed to provide such training?

- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? yes
- d. Is the sponsor's projected in-house staffing level sufficient considering its other work load if any, and the project schedule? yes
- e. Can the sponsor obtain contractor support, if required, in a timely fashion? yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? no

EXHIBIT B

III. Other Project Variables:

- a. Will the sponsor's staff be located within reasonable proximity to the project site?
yes
- b. Has the sponsor approved the project/real estate schedule/milestones? NA

IV. Overall Assessment:

- a. Has the sponsor performed satisfactorily on other USACE projects? yes
- b. With regard to this project, the sponsor is anticipated to be: highly capable/
fully capable/moderately capable/marginally capable/insufficiently capable.

V. Coordination:

- a. Has this assessment been coordinated with the sponsor? yes
- b. Does the sponsor concur with this assessment? yes

SOURCE:

Thede Tobish
Thede Tobish
City of Anchorage
Date: 10/27/00

Prepared By:

Ann P. Hardinge
Name: Ann P. Hardinge
Title: RE Appraiser
Date:

Reviewed and approved by:

Harold D. Hopson
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