

State of Alaska
Department of Natural Resources
Division of Mining, Land, and Water



Waiver of Reversionary Interest
AS 38.05.810(g)
ADL 231726

Proposed Action:

The Municipality of Anchorage (MOA) has submitted an application for the purchase of a portion of the Old Glenn Highway right-of-way fronting two surveyed lots owned by the Municipality pursuant to AS 38.05.810(a)(1). ADL 231726 consists of Parcels A and B. See Attachment A of the Preliminary Decision. The purpose of this document is to waive the reversionary interest for this conveyance pursuant to AS 38.05.810(g) and determine that the waiver is in the public interest.

Legal Description:

The two unsurveyed parcels are located in the East 1/2 of Section 36, Township 15 North, Range 2 West, Seward Meridian, situated within the right-of-way of the Old Glenn Highway adjacent to surveyed Lots 1 and 2, Plat 63-115, Anchorage Recording District, EPF 30007. Parcel B extends from the most southerly corner of Lot 2 to the most easterly corner of Lot 2. Parcel A extends from the most southerly corner of Lot 1 to the most easterly corner of Lot 1. The parcels total approximately 0.58 acre in size. The parcels will be surveyed prior to disposal.

Discussion:

The Municipality of Anchorage has submitted an application to the state of Alaska to purchase Parcels A and B. Lot 2 was previously occupied by a Chugiak Volunteer Fire & Rescue Company fire station, which has been removed; it is presently occupied by a warehouse and a number of vehicles. The Department of Transportation and Public Facilities (DOT/PF) vacated its easement interest in Parcel B in 1988, but the underlying fee remained in state ownership. The Municipality is constructing a new fire station on Lot 1 and requires Parcel A for the new facility. DOT/PF has agreed to vacate its easement interest in Parcel A upon approval of the proposed sale.

Retaining these parcels in state ownership is not an efficient use of state resources nor does it meet local needs in a meaningful manner. Conveying the parcels with the reversionary provision is not in the public interest as doing so offers no public benefit if the state exercises the reverter provision and the parcels revert to state ownership. DOT/PF will have vacated its easement interest in the subject parcels, confirming that future highway related use is not anticipated. Municipal ownership is preferred in order to avoid trespass issues and reduce expenditure of State management resources. Municipal ownership furthers implementation of the Chugiak-Eagle River Comprehensive Plan Update.

AS 38.05.810(g) stipulates “The commissioner shall retain a reversionary interest on each sale or other disposal granted under (a) or (e) of this section. The commissioner may waive the reversionary interest on a written determination that the waiver is in the public interest...”

Accordingly, it is recommended that the reversionary interest be waived as authorized by AS 38.05.810(g).

Determination:

The director, as delegated by the commissioner, has determined it is in the public interest to waive the reversionary interest for the conveyance of ADL 231726.

Brent Goodrum, Director
Division of Mining, Land and Water
Alaska Department of Natural Resources

Date of Signature