

**FAIRBANKS
METROPOLITAN
AREA
TRANSPORTATION
SYSTEM**



POLICY COMMITTEE MEMBERS

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Acting Director, Air Quality Division
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(907) 465-5109

March 12, 2009

Alaska State Legislature
Senator Joe Paskvan
State Capitol
Juneau, AK 99801

Dear Senator Paskvan:

The Fairbanks Metropolitan Area Transportation System (FMATS) would like to express our support for SB 142 authorizing the conveyance of certain land of the Alaska Railroad Corporation to the Department of Transportation and Public Facilities (DOT & PF). This land is critical to the upcoming reconstruction, realignment and widening of Illinois Street in Fairbanks, Alaska. Without this land, the reconstruction of Illinois Street could not occur.

This project began development in 1985 and is in the final stages of right-of-way acquisition. The plan is to construct this project in 2011. The public interest would be best served to convey this land to the DOT & PF so that this critical FMATS project may be built.

We thank you for sponsoring this bill and urge the Alaska State Legislature to pass SB 142 expeditiously.

Sincerely,

Donna J. Gardino
MPO Coordinator

CC: FMATS Policy Committee
FMATS Technical Committee
Deputy Commissioner Frank Richards, P.E., DOT & PF
Mary Siroky, Special Assistant to the Commissioner, DOT & PF

Date: March 18, 2009

**FAIRBANKS METROPOLITAN AREA TRANSPORTATION SYSTEM (FMATS)
RESOLUTION NO. 2009-03**

**AN FMATS RESOLUTION IN SUPPORT OF HB 173 AND SB 142 AUTHORIZING
THE CONVEYANCE OF CERTAIN LAND OF THE ALASKA RAILROAD
CORPORATION (CORPORATION) TO THE DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES (DOT & PF) FOR THE PURPOSE OF RECONSTRUCTION,
REALIGNMENT AND WIDENING OF ILLINOIS STREET IN FAIRBANKS, AK.**

WHEREAS, the DOT & PF has been developing the Illinois Street Reconstruction project since 1985; and

WHEREAS, the project is being funded out of the FMATS Transportation Improvement Program; and

WHEREAS, the reconstruction of Illinois Street is a top priority of the FMATS Policy Committee, the decision-making body of FMATS; and

WHEREAS, Illinois Street is a commonly used thoroughfare that connects downtown to the western and northern districts of the city, and is in dire need of reconstruction; and

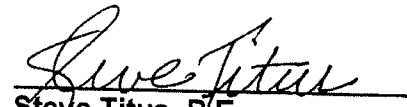
WHEREAS, it is necessary for the Alaska State Legislature to approve the conveyance of the corporation's land interest as stipulated in AS 42.40.285(1); and

WHEREAS, the Corporation has approved of this land transfer to the DOT & PF, an approval that is required under AS 42.40.120(c)(14).

NOW, THEREFORE BE IT RESOLVED, FMATS supports HB 173 and SB 142 authorizing the conveyance of certain land of the Alaska Railroad Corporation to the

Department of Transportation and Public Facilities for the purpose of reconstruction, realignment and widening of Illinois Street in Fairbanks, AK.

PASSED AND APPROVED THIS 18th DAY OF MARCH, 2009.


Steve Titus, P.E.
FMATS Policy Committee, Chair



Executive Office
Telephone: 907-265-2403
Facsimile: 907-265-2312

March 10, 2009

The Honorable Joe Paskvan
Senator
State Capitol, Room 7
Juneau, AK 99801

The Honorable Scott Kawasaki
Representative
State Capitol, Room 428
Juneau, AK 99801

Dear Senator Paskvan and Representative Kawasaki:

Thank you for your willingness to sponsor legislation authorizing the conveyance of approximately five acres of rail land from the Alaska Railroad Corporation (ARRC) to the Department of Transportation and Public Facilities (DOT&PF).

Over the years, ARRC has had the opportunity to work with DOT&PF to facilitate projects that benefit Alaska's public infrastructure needs. The Illinois Street Reconstruction Project proposed by DOT&PF is another such effort and we are pleased to provide our support.

ARRC Board of Directors and legislative approval are both required for conveyance of the corporation's entire interest in land as mandated by AS 42.40.120 (c) (14) and AS 42.40.285 (1), respectively. ARRC's Board of Directors authorized this particular exchange for the conveyance of rail land with the understanding that ARRC would receive equivalent value in return through cash payment, conveyance of other lands, or a combination of both.

ARRC representatives will be present at hearings for this legislation to help convey our support and answer questions. If you need additional information from us, please contact Wendy Lindskoog, Assistant Vice President Corporate Affairs, at 265-2498.

Sincerely,

for
Patrick K. Gamble
President and CEO



Adopted: February 17, 2009

Resolution No. 2009-008

Approving Transfer of Real Property to the State
Department of Transportation and Public
Facilities

WHEREAS, the Alaska Railroad Corporation (ARRC) is the owner of certain land in the vicinity of Illinois Street in Fairbanks, Alaska, that has been requested by the Alaska Department of Transportation and Public Facilities (DOTPF) in connection with DOTPF's Illinois Street Reconstruction Project, STP-F-M-0663(4)/63102; and

WHEREAS, ARRC and DOTPF have negotiated various aspects of the proposed project and its impacts on ARRC and ARRC tenants for over four years, and ARRC is satisfied with the changes in design that have been made by DOTPF; and

WHEREAS, the properties proposed for transfer are generally shown on Exhibit A attached and will be independently appraised to establish value before any conveyance would occur; and

WHEREAS, ARRC and DOTPF are exploring whether DOTPF has lands eligible to transfer to ARRC in exchange for ARRC's Illinois Street properties instead of outright payment of the appraised value; and

WHEREAS, ARRC management recommends approval of this land conveyance based on the public interest served by DOTPF's project and contingent on ARRC receiving equivalent value in return through cash payment, conveyance of other lands, or a combination of both; and

WHEREAS, both ARRC Board approval and legislative approval are required for conveyance of the corporation's entire interest in land under AS 42.40.120(c)(14) and AS 42.40.285(1), respectively.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors has reviewed the proposed transaction and approves the conveyance of approximately three (3) acres of land as shown on Exhibit A to the Alaska Department of Transportation and Public Facilities in exchange for equivalent value in land or cash or both being transferred to the corporation; and

FURTHER RESOLVED, the President and CEO or his designee is authorized to negotiate such other conditions of transfer and take such other steps as he deems are appropriate and in the best interests of the corporation, including but not limited to seeking legislative approval of the conveyance of the corporation's entire interest in land as required by law.

This is to certify that I am the Secretary of the Board of Directors of the Alaska Railroad Corporation, and the above Resolution No. 2009-008 is a true and correct copy of the resolution adopted by the Alaska Railroad Corporation's Board of Directors at its regular meeting on February 17, 2009.

Date

Feb. 17 2009

James B. Blasingame
Board Secretary

Corporate Seal

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
OFFICE OF THE COMMISSIONER

3132 CHANNEL DRIVE
PO Box 112500
JUNEAU, ALASKA 99811-2500

FAX: (907) 586-8365
PHONE: (907) 465-3900

March 17, 2009

The Honorable Scott Kawasaki
Alaska State Legislature
State Capitol, Room 428
Juneau, AK 99801-1182

Dear ~~Senator~~ ^{Rep.} Kawasaki:

The Department of Transportation and Public Facilities supports SB 142 and HB 173. Either of these bills allows the Department to obtain land required for the much needed Illinois Street Reconstruction project in the City of Fairbanks.

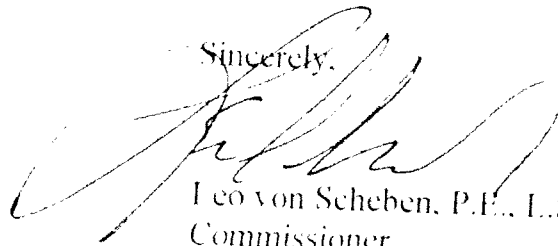
Illinois Street has been a vital part of the transportation infrastructure in Fairbanks for over 90 years. A portion of this vital urban arterial route is on land that was transferred to the Alaska Railroad Corporation when the State acquired the railroad from the federal government. This fact was discovered when researching the right of way status for these long planned major improvements.

This project is being designed and constructed largely with Federal Highway funds. Under federal regulations, the Department must certify that it has sufficient legal interest in the underlying right-of-way before we can proceed with construction.

The proposed legislation allows the Department of Transportation and Public Facilities to acquire the needed legal interest in this right of way from Alaska Railroad Corporation.

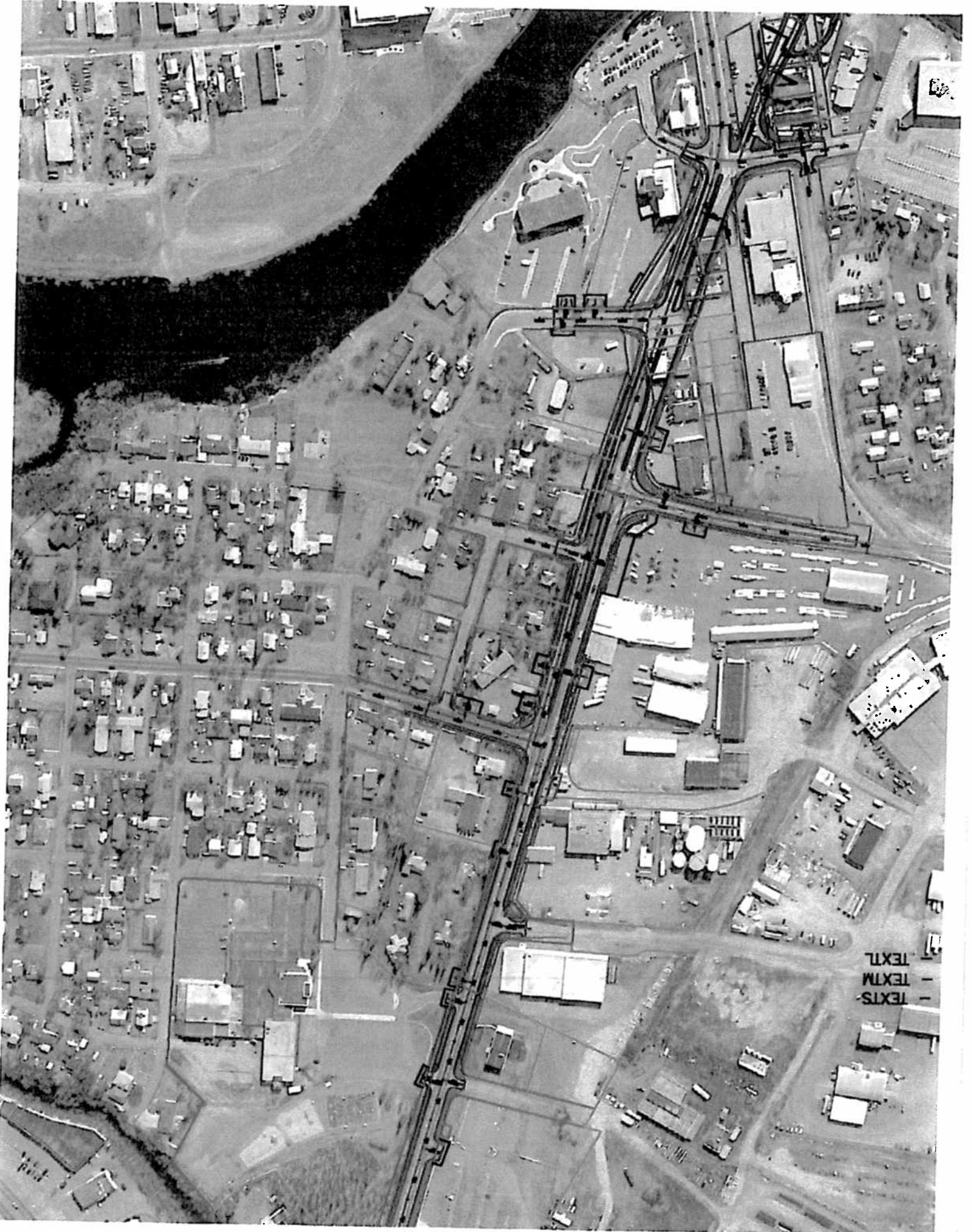
We fully support this legislation. Passage this session will allow construction on this important project to begin in 2010.

Sincerely,



Leo von Scheben, P.E., L.S., M.B.A.
Commissioner

cc: Mary Siroky, Legislative Liaison, DOI & PF



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