From:	Rep. Andy Josephson
To:	Thomas Atkinson
Subject:	FW: HB 93
Date:	Friday, August 11, 2017 10:25:08 AM
Attachments:	HB0093A.PDF HB93 Sponsor Statement 2.1.17.pdf ATT00001.txt OSOVCC Resolution AKRR 2014.pdf ATT00002.txt

---

-----Original Message-----
From: Beardsley Steve Nancy [mailto:beardsleysn@ak.net]
Sent: Wednesday, February 01, 2017 6:43 PM
To: Rep. Andy Josephson <Rep.Andy.Josephson@akleg.gov>
Subject: HB 93

Rep, Josephson

Our local Community Council, Old Seward Oceanview CC, has had a 4 year battle with the Alaska Railroad Corp. over the exclusive use of the ROW. We have sought after may avenues to protect our rights as homeowners and gone above and beyond what our CC should go to. The HB93 would give our members who live near the AKRR and the entire rail belt community a right to the easement under the 1983 decree.

The fourth paragraph describes exactly what the AKRR has done within our CC district—blocking access to easements that historically there was, charge home owners within the ROW a fee to use the easement or gain access to their property via the ROW which were never in place, and placed some private property owners to loose property along the ROW.

Our CC has passed an ordinance in 2014 when things got put on the front burner with the AKRR placing barricades along the ROW, charging a fee based on square feet for use of the ROW at a huge increase from what was historically charged, and upping the charge for other uses of the ROW within our CC boundary.

There are other encounters with AKRR in the MOA area and along the rail belt that have shown that the AKRR took access away from the private Alaskan citizens in the sake of safety.

HB93 includes wording that safety should be a concern and we have no problem with that. Our issue was the exclusive use, fence or barricade it, is not a solution to safety in areas that have little citizen movement, mostly gardens of raspberries and lilacs bushes and other minor uses.

On a personal level, the AKRR has been a great neighbor since we have lived here since 1976. We report issues with crossings, vandalism, and other safety factors. Having to charge my family a fee to drive 64 ft. for entry of AKRR ROW to get to my property is just not right.

Steve Beardsley, OSOVCC President
Beardsley Steve & Nancy
beardsleysn@ak.net