

Original sponsor: State Affairs Committee

Offered: 5/3/78  
Referred: Rules

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 941

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act ratifying the lease-purchase agreement between  
7 the state and the City of Anchorage concerning the  
8 former state highway complex at Third Avenue and Post  
9 Road in Anchorage; and providing for an effective  
10 date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. FINDINGS. The legislature finds that

13 (1) the State of Alaska, acting through the commissioner of high-  
14 ways, entered into a lease-purchase agreement with the City of Anchorage on  
15 November 14, 1974 concerning the former state highway complex at Third Avenue  
16 and Post Road in Anchorage, Alaska, described more particularly as: Blocks  
17 28-C, 28D, 29-A, 29-B, 29-C, 29-D, 30-A, and Lot 2, Block 30-B, all in the  
18 East Addition to the Anchorage Townsite, Anchorage, Alaska, with all fixtures  
19 and improvements except for the Northwesterly 90 feet of Block 28-C, East  
20 Addition, containing 32,930 square feet more or less; and the North 90 feet  
21 of Blocks 29-A, 29-B, and 30-A, East Addition, together containing 72,707  
22 square feet, more or less, recorded on November 20, 1974, in Book 232 at Page  
23 317, Anchorage Recording District, Third Judicial District, State of Alaska;

24 (2) the city, now the Municipality of Anchorage, has made the ren-  
25 tal and option payments as required by the agreement;

26 (3) the complex has been used in the past by the municipality as a  
27 maintenance and vehicular storage yard for the People Mover Mass Transit  
28 System;

29 (4) the lease-purchase agreement was entered into by both the

1 state and city in good faith;

2 (5) question has arisen concerning whether execution of the con-  
3 veyance by the commissioner of highways on behalf of the state created a  
4 valid instrument;

5 (6) enactment of a general law would be inappropriate to correct  
6 the statutory confusion from which the dispute arises since each conveyance  
7 by the commissioner of highways involves unique circumstances which cannot be  
8 adequately treated through general legislation; and

9 (7) it is in the best interest to both the state and the municipi-  
10 pality to declare the lease-purchase agreement to be a valid document binding  
11 on both parties.

12 \* Sec. 2. RATIFICATION. (a) The action of the former commissioner of  
13 highways in executing the lease-purchase agreement between the State of  
14 Alaska and the City of Anchorage which was recorded on November 20, 1974 in  
15 Book 232, Page 317, Anchorage Recording District, Third Judicial District,  
16 State of Alaska, is hereby ratified.

17 (b) The commissioner of natural resources and the director of the divi-  
18 sion of lands are empowered and directed to approve the lease-purchase agree-  
19 ment as written.

20 \* Sec. 3. EFFECTIVE DATE. This Act takes effect immediately in accor-  
21 dance with AS 01.10.070(c).

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