



Rabbit Creek Community Council

1057 W. Fireweed Ln. Ste. 100, Anchorage, AK 99503



July 7, 2016

Mr. Bill Evans
Mr. John Weddleton
Anchorage Assembly
PO BOX 196650
Anchorage, AK 99519
SENT VIA EMAIL

RE: Municipal Liability for Pedestrian Easements

Dear Mr. Evans and Mr. Weddleton,

At the last meeting of the Rabbit Creek Community Council, the Board voted unanimously to request and urge you both, as our representatives on the Assembly, to bring forward an ordinance for the municipality to waive liability for property owners who give their easements, platted or prescribed, or whose easements are used for public access.

This issue of liability for public easements has arisen as a central problem in two items in our council area. One is the status of the Stewart Homestead Road, an issue described in another letter that I will not detail here for brevity's sake, and the other has been researched by the Council into developing and utilizing pedestrian easements to improve connectivity throughout the area and also to provide access into Chugach State Park, which we as a council have pursued for over two decades. Draft standards released by the Department of Public Works place the onus on volunteers, property owners, and those who develop, mark, or maintain these pedestrian easements for public use with liability for them, requiring that they hold \$300,000 in liability coverage. The cost of such insurance – and even the potential to be defendants in a claim case – has an understandable chilling effect on such groups. Furthermore, it seems unreasonable considering that pedestrian easements, either platted or prescribed, as public goods, should be the responsibility of private parties in this instance. The City of Homer resolved similar issues by placing volunteers under the city's insurance and in 2002-074, the Municipality addressed a similar issue with volunteers in AKDOT right of way with a like solution.

Currently, the AEDC has committed to making Anchorage the number one city to live, work, and play in the nation and these easements, found across the city, remain untapped in their capacity to provide novel recreation, transportation, and community building opportunities. I hope to hear from you both by our next meeting on Thursday, July 14, to which you are both always invited and heartily welcome to come, on this subject.

Sincerely,

Adam S. Lees, Chair