



Rabbit Creek Community Council <rabbitcreekcc@gmail.com>

Stewart Homestead Trail

1 message

Windt Pearson, Rebecca A, <WindtPearsonRA@ci.anchorage.ak.us> Thu, Mar 8, 2018 at 3:59 PM
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All:

My intent in sending this message is to communicate the same message to all parties who have reached out to the Municipal Attorney's Office regarding the Stewart Homestead Trail. I am including the officers' e-mail address for the Rabbit Creek Community Council, since I understand the Council is meeting this week and that this item will be discussed.

As my office has indicated in the past, the Municipality has been exploring the option of a land swap in this area. After further conversations with the relevant parties, the Municipality does not see an immediate and reasonable path forward involving a land swap.

The Municipality's core legal position has not changed; the legal criteria for a prescriptive easement are very likely met here, but we would hope that a non-litigation solution can be reached. The Municipality is additionally concerned that moving forward with immediate litigation would establish trail access in the absence of an appropriate land management authority in the area. As you all know, the ballot proposition seeking to expand the Parks and Recreation Service Area to include this portion of the Municipality was defeated by Hillside voters in April, 2017. As such, the Municipality has no land management authority or resources to bring to bear. Unless and until the State is willing to expend resources to establish and manage an access point to Chugach State Park in the area, the area remains unmanaged and effectively unmanageable.

We remain interested in the outcome of ongoing discussions at the Community Council level, in plans for subdivision or private development in this area which would lead to roadway improvements, and in any additional developments at the State level, and will continue to consider resources the Municipality might bring to bear to assist in resolution of this issue. Please let me know if you would like to discuss further.

Becky

Becky Windt Pearson

MUNICIPALITY OF ANCHORAGE

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5/12/2018

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