

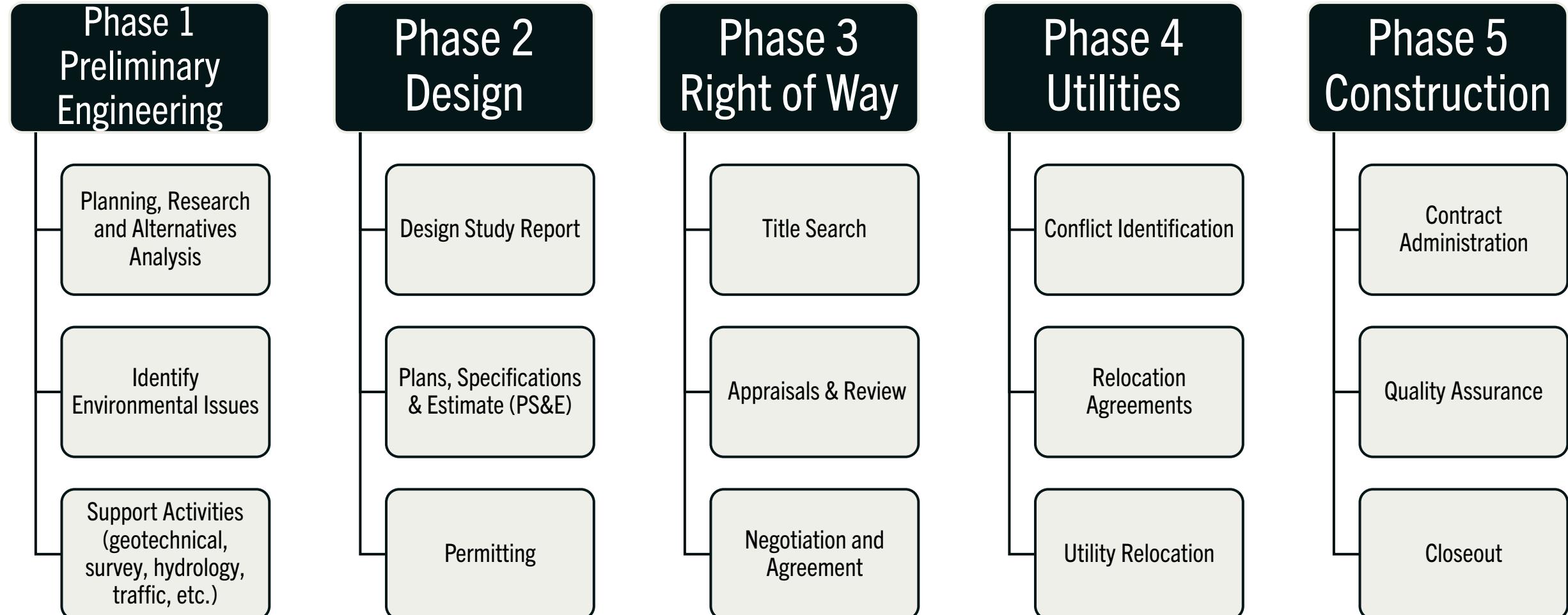
MATANUSKA-SUSITNA BOROUGH
TRANSPORTATION
INFRASTRUCTURE PROGRAM
(TIP)

Right of Way (ROW) Acquisition
for TIP Projects



INTRODUCTION

PHASES OF PROJECT DEVELOPMENT



TIP21 - No Match Req'd (ORD 21-076)		TIP23 - 50% Match Req'd (ORD 23-077)		TIP24 - No Match Req'd (ORD 24-070)	
Project Name	Phase	Project Name	Phase	Project Name	Phase
Trunk Road Connector / Katherine Drive	C	School Site Traffic and Safety Improvements: Pioneer Peak Elementary	C	Engstrom North Extension to Tex-Al	1
Smith Road Extension Upgrade and Pathway	C	Museum Drive Extension	0	Johnsons Road Upgrade	1
Old Glenn Pathway - Phase 2	2	Yoder Road Reconstruction: Talkeetna Spur to Southfork Road	0	Settlers Bay Drive Pavement Preservation	5
49th State Street Pathway	3	West Lakes Boulevard Big Lake Trail No. 1 - Separated Crossing	0	Lakeview Road Pavement Preservation	5
		Green Forest Drive Reconstruction	-	Green Forest Drive Upgrade	1
MSB School District, Shaw Elementary Turn-Lane	-	School Site Traffic and Safety Improvements: Shaw Elementary School	-	School Site Traffic and Safety Improvements: Shaw Elementary School	2
		King Arthur Drive Reconstruction: Parks Highway to No Name Hill Drive	-	King Arthur Drive Reconstruction: Parks Highway to No Name Hill Drive	1
		Burma Road Upgrades and Improvements	0	Burma Road Safety Improvements	1
Lakes Boulevard Upgrade	C	Tait Drive Pavement Rehabilitation: Bogard to Seldon	C	Echo Lake Drive Improvements	3
Point MacKenzie Road Reconstruction, MP 0-7	5	Earl Drive, Eek Street Pavement Rehabilitation: Bogard to Finger Lk ES	1	Construct Skeetawk Bus Access Road	*
Engstrom Road to Trunk Road Corridor	1	Gershmel Loop Pavement Rehabilitation: Fireweed Rd to Fireweed Rd	1		
Caswell Lakes Rd / Bendapole Rd / Passthebait Ave Paving	C	School Site Traffic and Safety Improvements: Finger Lake ES	0		
Cheri Lake Dr / Karen Ave / King Arthur Dr	C	Big Lake Boat Launch Access and Parking Reconstruction	0		
Hidden Hills and Passthebait Ave Reconstruction	C	Jolly Creek Drainage Improvement	2		
Palmer-Fishhook Separated Pathway (TAP funded)	1	Inner-Outer Springer Loop Pathway (TAP funded)	1		
MSB School District 2018 Pedestrian Projects	C				
Seward Meridian Parkway / Tambert Traffic Signal	*				
Multi-Modal Wasilla Depot	*				
Edgerton Parks Road - Mtn Trails Dr Upgrade and Pathway	5	Edgerton Parks Road - Mtn Trails Drive Upgrade and Pathway, Phase II	0		
Hemmer Road Extension South	2	Hemmer Road Extension South	-	Hemmer Road Extension South (IM only)	-
Fern Street Upgrade and Pathway	3	->		Fern Street Reconstruction (IM Only)	-
Lucille Street and Pathway Upgrade	3	->		Lucille Street Reconstruction (IM Only)	-
Tex-Al Drive Extension, Upgrade and Pathway	3	->		Tex-Al Drive Extension, Upgrade and Pathway (IM Only)	-

MSB TRANSPORTATION INFRASTRUCTURE PROGRAM 42 TIP PROJECTS // ~\$138M

Project Development Status

- 0 = Unprogrammed: 7
(TIP23 projects w/o match commitment)
- 1 = Preliminary Engineering: 10
- 2 = Design: 4
- 3 = ROW: 5
- 4 = Utility Relocation: 0
- 5 = Construction: 4
- C = Complete: 9
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OVERVIEW OF ROW ACQUISITION PROCESS

WHAT ROW IS & WHY IT MATTERS



Definition of ROW

A strip of land reserved or dedicated, used or to be used for a street, alley, walkway, trail, airport, or circulation related purpose. (MSB 17.125).

ROW Acquisition

An important process of purchasing land or rights of use (easement) for transportation, utility or other infrastructure projects, balancing public need with private property rights, requiring fair compensation, due process (Uniform Act), appraisals, negotiations, and potential condemnation (eminent domain) if needed.

Types of ROW Acquired

- *Fee Simple*: Outright purchase of the land
- *Permanent Easement*: Acquire permanent right to use land
- *Temporary Easement or Permit*: Acquire limited-term use for construction activities

Project Delivery

ROW acquisition should be completed before construction contracts are advertised; some funding sources may require it.

FEDERAL, STATE, AND LOCAL REQUIREMENTS

Federal Regulations

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) and Federal Highway Administration (FHWA) regulations ensure fair compensation and governance of federally funded projects.

State-Level Procedures

Alaska DOT&PF Right of Way Manual guides planning, appraisal, negotiation, and certification for state ROW processes.

Borough Code

MSB 43.15 requires public notices and hearings to promote transparency in ROW mapping and property transactions.



KEY STEPS IN ROW ACQUISITION



Planning and Title Search

Identify land parcels, prepare ROW maps, and conduct thorough title searches to identify property encumbrances.

Appraisal and Review

Determine fair market value using Uniform Standards of Professional Appraisal Practice (USPAP)-compliant appraisals and rigorously review for accuracy.

Negotiation and Agreement

Make good-faith offers and finalize acquisition agreements. Consider acquisition incentives to reduce project time and potentially costs. When all efforts to reach agreement with the owner fail, we *may* need to use eminent domain to acquire the property for public use, but only upon authorization from the Assembly, with court oversight and guaranteed just compensation.

Relocation Assistance

Provide relocation benefits and support in compliance with the Uniform Act if displacement occurs.

Construction Advertisement

Proceed with bidding and construction advertising only after ROW is secured.

OVERALL TIMELINE



ROW TASK

Development of ROW Plans

ESTIMATED DURATION

1 - 6 months (depending on # of parcels)

Title Work, Appraisals & Reviews

6 - 12 months (more if 2nd appraisal req'd)

Negotiation & Agreement

3 - 6 months (depending on # of parcels)

Relocation (if req'd)

6 - 12 months

Condemnation

6 - 12 months

TONIGHT'S TAKE-AWAY

PAST MSB PROJECTS WITH SIGNIFICANT ROW ACQUISITION



Bogard Road Extension East – Phases 1 and 2

Thirty-five (35) parcels acquired for ROW, including four (4) parcels by condemnation.

Mack Drive / Clapp Street

Thirty-three (33) parcels acquired for ROW, including one (1) parcel by condemnation.

Machen Road Extension

Twelve (12) parcels acquired for ROW, including four (4) parcels by condemnation.

Seldon Road Extension: Church Road to Pittman Road

Twenty (20) parcels acquired for ROW; two (2) pending acquisitions.

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WHAT WE NEED FROM THE ASSEMBLY



Michael Bowles
District 1



Stephanie Nowers
District 2



Dee McKee
District 3



Maxwell Sumner
District 4



Bill Gamble
District 5



Dmitri Fonov
District 6



Ron Bernier
District 7

Set the Stage

Elected officials provide the legal framework, funding, and political backing for ROW acquisition, balancing the public's need for infrastructure with the rights of property owners.

Stay Involved

Understand project elements, attend public meetings to hear from affected landowners and stakeholders, and participate in decisions at appropriate milestones.

Project Approval and Funding

Approve budgets and allocate the necessary funds for appraisals, negotiations, land acquisition, and, if necessary, condemnation proceedings.