

ARTHROSCOPIC SURGERY

KNEE INJURIES

4100 LAKE OTIS PARKWAY, SUITE 302  
ANCHORAGE, ALASKA 99508

**JOHN D. FROST, M.D.**

**MARK A. MALZAHN, P.A.-C**  
CERTIFIED PHYSICIAN ASSISTANT

A PROFESSIONAL CORPORATION  
(907) 563-7072 • FAX (907) 562-5742

Mr. Jerry Weaver  
Platting Officer  
Municipality of Anchorage  
PO Box 196650  
Anchorage, AK. 99519-6650

8 April, 04

Dear Mr. Weaver,

I am writing this letter in support of Rudy and Natasha Von Imhof's application to vacate the section line easement across their property on Campbell Lake, Tract B-1 on Resolution Pointe Subdivision, Addition #1.

Campbell Lake is a private lake the entire shoreline and all subsurface land being privately owned. There is not currently, nor will there ever be a need for public access to this lake. In addition there are several reasons that public access would create a liability and nuisance to the Municipality of Anchorage. If the Municipality were to establish public access to the lake for whatever reason (boating, fishing, swimming) against the lake owners wishes it would become liable for any injuries or damage caused by the general public access to the lake. The potential for damage to private property by wave action from increased numbers of boats is only one consideration. The safety concerns raised by the fact that the lake is used primarily as an aircraft landing area are a major problem, especially if members of the general public don't know or follow the lake safety rules.

If public access were allowed the Anchorage police would be required to enforce everything from nuisance noise complaints to trespass complaints. The Municipality would be even more responsible for any pollution that got into the lake. Costs to taxpayers would significantly increase. Major legal expense for the city would be incurred by fighting the landowner's association for any proposed public access. The potential benefits to the city would not be worth the increased costs that would be born by all city taxpayers. This lake is not a pristine wilderness environment. It is a lot of people's backyards. If the city has enjoyed the fight for an extension of the Coastal Trail, just imagine fighting the Campbell Lake NIMBYs over public access to their back yards.

Allowing public access to Campbell Lake would decrease the valuation of private property on the lake, which would result in a loss of tax income to the Municipality.

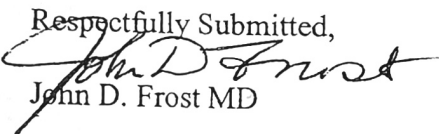
(2)

We already have a problem on the lake with significant noise pollution and bank erosion from jet-skis. Public access would increase that those problems. It would make the City responsible for solving them. Currently it is a private problem.

However the most important reason to avoid consideration of allowing public access to Campbell Lake is the concern of public safety and aircraft safety. While I cannot quote the actual volume of floatplane operations on Campbell Lake, I can assure you that it is a lot. We have a good system right now for separating aircraft and boat traffic. We are able to make everyone aware of those safety rules because we are all members of the land owners association and can see where each other lives so that if anyone is behaving in an unsafe manner we can discuss it with them. This has resulted in an excellent safety record for aircraft on Campbell Lake. If the general public were allowed access to the lake there would be no good way to inform them of the lake rules or to enforce those rules. Any aircraft or boating injuries caused by an uninformed member of the general public would be a tragedy and a liability to the Municipality.

Based on the above considerations it seems unlikely that public access to Campbell Lake will ever be allowed. I would request that you favorably consider the Von Imhof's request to vacate the easement across their land.

Respectfully Submitted,

  
John D. Frost MD