

**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
RESOLUTION 2017-13  
SEWARD RECORDING DISTRICT**

VACATE THE 66-FOOT SECTION LINE EASEMENT RUNNING THROUGH THE EAST SIDE OF TRACT E1 AS SHOWN ON FOLZ SUBDIVISION, SNOWDEN ADDITION, PLAT SW 98-33; LOCATED IN THE BEAR CREEK AREA WITHIN THE SE 1/4 SECTION 27 AND SW 1/4 SECTION 26, T1N, R1W, SEWARD MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE 2017-026V

WHEREAS, Elliot Jackson and Toni L. Strauss of Anchorage, Alaska petitioned for vacation of the 66-foot section line easement as shown on Tract E1, Folz Subdivision Snowden Addition, SW 98-33; and

WHEREAS, on April 13, 2017, the State Department of Natural Resources determined the 66-foot section line easement shown on Tract E1, Folz Subdivision Snowden Addition, SW 98-33 was not created by statute; therefore, a section line easement vacation petition did not have to be submitted to the State of Alaska Department of Natural Resources; and

WHEREAS, KPB 20.28 provides for the vacation of public rights-of-way and other public areas; and

WHEREAS, it has been determined by the Planning Commission on April 24, 2017 that all requirements have been met; and

WHEREAS, the 66-foot section line easement was granted by SW 98-33, without the underlying transfer of ownership as in a platted dedication; and

WHEREAS, the vacation does not require replatting of any vacated area, and may be accomplished by a resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1: That the 66-foot section line easement as shown on Tract E1, Folz Subdivision Snowden Addition, SW 98-33, is hereby vacated.

Section 2: That a sketch clearly showing the 66-foot section line easement as depicted on Tract E1, Folz Subdivision Snowden Addition SW 98-33, to be vacated be attached to and recorded with this resolution, becoming Page 2 of 2.

Section 3. That the sketch showing the 66-foot section line easement as shown on SW 98-33 to be vacated contain a statement that no other dedicated rights-of-way or utility easements are being vacated by this resolution.

Section 4. That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

Section 5. That this resolution becomes effective upon being properly recorded.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

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Blair J. Martin, Chairperson  
Planning Commission

ATTEST:

\_\_\_\_\_  
Patricia Hartley  
Administrative Assistant

Please return to:  
Planning Department  
Kenai Peninsula Borough  
144 North Binkley Street  
Soldotna, Alaska 99669-7520