

**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
RESOLUTION 2022-026  
KENAI RECORDING DISTRICT**

Vacate a portion of a 10' utility easement along the west boundary of Lot 4 Block 2 Bruhn Subdivision, Plat KN 86-143, granted by Bruhn Subdivision KN 86-143 (KN0860143); within S14, T05N, R08W, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2022-070V

WHEREAS, a request has been received from Tanley Jo Martinez of Sterling, AK to vacate a portion of a 10' utility easement along the west boundary of Lot 4 Block 2 Bruhn Subdivision, Plat KN 86-143 granted by Bruhn Subdivision KN 86-143 (KN0860143); and

WHEREAS, affected utility companies have provided written non-objection to the proposed vacation; and

WHEREAS, the Kenai Peninsula Borough Roads Department provided written comments to table the item until other encroachment issues are resolved; and

WHEREAS, the easement is not in use by the utility companies; and

WHEREAS, no surrounding properties will be denied utilities; and

WHEREAS, on June 27, 2022, the Kenai Peninsula Borough Planning Commission addressed all concerns about the proposed vacation; and

WHEREAS, the Planning Commission has found that vacating the utility easement will not be detrimental to the public interest; and

WHEREAS, 20.70.140 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish vacations by Resolution.

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

Section 1. That the above described 10 foot utility easement along the west boundary of Lot 4 Block 2 Bruhn Subdivision, Plat KN 86-143, excluding the front 20 feet along Bruhn Road, is hereby vacated.

Section 2. That an as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the locations of the portions of the utility easements being vacated be attached to, and made a part of this resolution, becoming page 2 of 2.

Section 3. That this resolution is eligible for recording upon being signed by the Planning Commission chairperson and will be deemed void if not recorded within 90 days of adoption.

Section 4. That this Resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fee.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
Blair J. Martin, Chairperson  
Planning Commission

ATTEST: \_\_\_\_\_  
Ann Shirnberg,  
Administrative Assistant

Return to:  
Kenai Peninsula Borough Planning Department  
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