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KENAI PENINSULA BOROUGH
PLANNING COMMISSION
RESOLUTION 89-13

VACATING FIFTEEN FEET OF A TWENTY FOOT WIDE UTILITY EASEMENT AND VACATING THE THIRTY FOOT UTILITY ANCHOR EASEMENT WITHIN LOTS 3-A AND 3-B, BLOCK 1, UNFRIED ACRES ADDITION NO. 1 SUBDIVISION OF LOT 3, BLOCK 1 (PLAT 84-121 KRD); WITHIN SECTION 22, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, ALASKA

WHEREAS, a request has been received to vacate the easterly fifteen feet of the twenty foot utility easement and the thirty foot radius anchor easement adjacent to Dawn Drive within Lots 3-A and 3-B, Block 1, Unfried Acres Addition No. 1 Subdivision of Lot 3, Block 1; and

WHEREAS, the five feet of the utility easement fronting on Dawn Drive will be retained; and

WHEREAS, on April 3, 1989, a public hearing was held by the Kenai Peninsula Borough Planning Commission to address all concerns about this proposed vacation; and

WHEREAS, the Planning Commission has found that vacating the easterly fifteen feet of the utility easement and vacating the thirty foot radius anchor easement will not be detrimental to the public interest; and

WHEREAS, 20.28.120 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 five feet of the easement fronting Dawn Drive will be retained as a utility easement; and that the easterly fifteen feet of the twenty foot utility easement and the thirty foot radius anchor easement within Lots 3-A and 3-B, Block 1, Unfried Acres Addition No. 1 Subdivision of Lot 3, Block 1 is hereby vacated.

Section 2. That this Resolution is eligible for recording after approval of the vacation by the Assembly of the Kenai Peninsula Borough; and will be void if not recorded within 90 days of adoption.

Section 3. That this Resolution is void if the vacation approval is vetoed by the Assembly of the Kenai Peninsula Borough within 30 calendar days of adoption.

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

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 3 DAY OF April, 1989.

Colleen Denbrock
Colleen Denbrock, Chairperson

ATTEST:

Nancy Jungmann
Nancy Jungmann, Planning Secretary

Return to: Kenai Peninsula Borough
Planning Department
144 No. Binkley Street
Soldotna, AK 99669

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DISTRICT

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