



**THIS DOCUMENTS IS BEING RERECORDED TO
RECORD THE CORRECT SKETCH.**

**PREVIOUS DOCUMENT WAS RECORDED ON
10/12/2022 IN THE HOMER RECORDING
DISTRICT UNDER SERIAL NUMBER**

2022-003373-0

KPB 2022-133V

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2022-43
HOMER RECORDING DISTRICT**

Vacate a 112.2 foot by 3 foot portion of a utility easement within Lot 2-A-1 of Scenic View Subdivision Scenic Grove Addition No 1 2013 Replat HM 2013-43, as granted on Lot 2-A of Scenic View Subdivision Scenic Grove Addition No 1 HM 2006-18; within S15, T06S, R13W, Seward Meridian, City of Homer, Alaska, within the Kenai Peninsula Borough. KPB File 2022-133V

WHEREAS, a request has been received from Liberty Investments LLC of Homer, AK to Vacate a 112.2 foot by 3 foot portion of a utility easement within Lot 2-A-1 of Scenic View Subdivision Scenic Grove Addition No 1 2013 Replat HM 2013-43, as granted on Lot 2-A of Scenic View Subdivision Scenic Grove Addition No 1 HM 2006-18; and

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

WHEREAS, the Kenai Peninsula Borough Roads Department provided written non-objection to the proposed vacation; and

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

WHEREAS, no surrounding properties will be denied utilities; and

WHEREAS, on September 26, 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, 20.65.070 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 112.2 foot by 3 foot portion of a utility easement within Lot 2-A-1 of Scenic View Subdivision Scenic Grove Addition No. 1 2013 Replat, HM 2013-43 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.

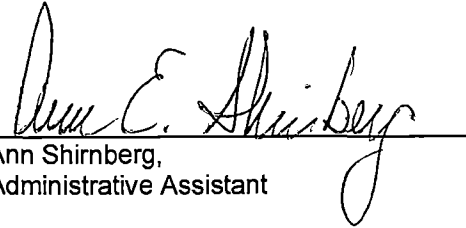
Section 3. That this resolution is eligible for recording upon being signed by the Planning Commission chairperson and will be deemed void if not recorded within 90 days of adoption.

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 26th DAY OF SEPTEMBER, 2022.


Jeremy Brantley, Chairperson
Planning Commission

ATTEST:


Ann Shirnberg,
Administrative Assistant

Return to:
Kenai Peninsula Borough Planning Department
144 N. Binkley Street
Soldotna, Alaska 99669



