

**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
RESOLUTION 2021-18  
HOMER RECORDING DISTRICT**

Vacate the 10 foot utility easement adjoining the south and west boundaries of Lot 3-D Voznesenka Too (HM 2000-23), the 10 foot utility easement adjoining the north and west boundaries of Lot 1-A Voznesenka (HM 85-31), and the 10 foot utility easement adjoining the northwest, southwest and southeast boundaries of Lot 1-B Voznesenka 2006 (HM 2008-94) as granted by Voznesenka (HM 85-31)

WHEREAS, Voznesenka Community Council, Inc., Nazary Basargin, and Anastasia Basargin, of Homer, AK requested the vacation of 10 foot utility easement adjoining the south and west boundaries of Lot 3-D Voznesenka Too (HM 2000-23), the 10 foot utility easement adjoining the north and west boundaries of Lot 1-A Voznesenka (HM 85-31), and the 10 foot utility easement adjoining the northwest, southwest and southeast boundaries of Lot 1-B Voznesenka 2006 (HM 2008-94) as granted by Voznesenka (HM 85-31); and

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

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

WHEREAS, the proposed vacation will not deny utility easement(s) to surrounding properties; and

WHEREAS, on February 24, 2020, the Kenai Peninsula Borough Planning Commission considered the background information, all comments received, and recommendations from KPB Planning Department staff regarding the proposed vacation; and

WHEREAS, the Planning Commission 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 10 foot utility easement adjoining the south and west boundaries of Lot 3-D Voznesenka Too (HM 2000-23), the 10 foot utility easement adjoining the north and west boundaries of Lot 1-A Voznesenka (HM 85-31), and the 10 foot utility easement adjoining the northwest, southwest and southeast boundaries of Lot 1-B Voznesenka 2006 (HM 2008-94) as granted by Voznesenka (HM 85-31); is hereby vacated.

Section 2. That an as-built survey or sketch, both of which a licensed land surveyor must prepare, sign, and seal, showing the location of the portion of the utility easement to be 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 24<sup>th</sup> DAY OF MAY, 2021.

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

ATTEST:

\_\_\_\_\_  
Ann Shirmberg  
Administrative Assistant

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