Memorandum 11-003 Vacate Easement 4-B-1 Dierich Addition

Memorandum ID: 11-003
Memorandum Status: Approved

Office of the City Clerk 491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
Jo Johnson, CMC, City Clerk (907) 235-8121
Melissa Jacobsen, CMC, Deputy City Clerk II ext: 2224, 2226, or 2227
Renee Krause, CMC, Deputy City Clerk I Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

M E M O R A N D U M 11-003

TO: MAYOR AND CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: JANUARY 3, 2011

SUBJECT: VACATE A 28-FOOT WIDE PORTION OF THE 33-FOOT SECTION LINE EASEMENT ALONG THE WEST BOUNDARY OF TRACT 4B-1 DIERICH ADDITION (PLAT HM 72-1059), SOUTH OF NELSON AVENUE; WITHIN SECTION 16, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA; THE CITY OF HOMER AND WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE 2010-177; LOCATION: CITY OF HOMER.

At their December 13, 2010 meeting the Kenai Peninsula Borough Planning Commission approved the vacation of a 28-foot wide portion of the 33-foot section line easement along the West boundary of Tract 4B-1 Dierich Addition (Plat HM 72-1059), South of Nelson Avenue; within Section 16, Township 6 South, Range 13 West, Seward Meridian, Alaska; The City of Homer and within the Kenai Peninsula Borough; KPB File 2010-177; Location: City of Homer.

Notice of vacation was received on December 17, 2010 by mail. Per AS 29.40.140 no vacation of a City right-of-way and/or easement may be made without the consent of the City Council.

The City Council has thirty days from December 13, 2010 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

The Homer Advisory Planning Commission has no objection to granting this vacation as is reflected in the minutes of October 6, 2010, Staff Report PL 10-98, Section Line Easement Vacation at Lot 4B-1 Dierich Addition.

RECOMMENDATION:

Voice non objection and consent to the vacation of a 28-foot wide portion of the 33-foot section line easement along the West boundary of Tract 4B-1 Dierich Addition (Plat HM 72-1059), South of Nelson Avenue; within Section 16, Township 6 South, Range 13 West, Seward Meridian, Alaska; The City of Homer and within the Kenai Peninsula Borough; KPB File 2010-177; Location: City of Homer.

Fiscal Note: N/A

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