

## **Memorandum 11-133 Vacate a Portion of Spruce Lane to Provide Access to Lots 1-5 and Associated Utility Easement**

**Memorandum ID:** 11-133

**Memorandum Status:** Approved

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M E M O R A N D U M 11-133

TO: MAYOR AND CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: SEPTEMBER 19, 2011

SUBJECT: VACATE A PORTION OF SPRUCE LANE "KNUCKLE", THE CURVED RADIUS SECTION ADJACENT TO A 60-FOOT RIGHT-OF-WAY DESIGNED TO PROVIDE ACCESS TO INTERIOR LOTS 1-5 AND ASSOCIATED UTILITY EASEMENT, DEDICATED BY COOPER SUBDIVISION NO. 4 REPLAT (PLAT HM 93-62), WITHIN SECTION 15, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA, WITHIN THE CITY OF HOMER AND THE KENAI PENINSULA BOROUGH; KPB FILE NO. 2011- 124; LOCATION: CITY OF HOMER.

At their September 12, 2011 meeting the Kenai Peninsula Borough Planning Commission approved the vacation of a Portion of Spruce Lane "knuckle", the curved radius section adjacent to a 60-foot right-of-way designed to provide access to interior Lots 1-5 and associated utility easement, dedicated by Cooper Subdivision No. 4 Replat (Plat HM 93-62), within Section 15, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2011-124; Location: City of Homer.

Notice of vacation was received on September 15, 2011 by fax. 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 September 15, 2011 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 July 20, 2011, Staff Report PL 11-75, Partial Vacation of a Public Right-of-way Adjacent to Spruce Lane at Cooper Subdivision No. 4, Lots 1-5.

### **RECOMMENDATION:**

Voice non objection and consent to the vacation of a Portion of Spruce Lane "knuckle", the curved radius section adjacent to a 60-foot right-of-way designed to provide access to interior Lots 1-5 and associated utility easement, dedicated by Cooper Subdivision No. 4 Replat (Plat HM 93-62), within Section 15, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2011-124; Location: City of Homer.

Fiscal Note: N/A

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