Memorandum 10-139 Vacate Portion of Right-of-Way Easement on Skyline Drive

Memorandum ID: 10-139
Memorandum Status: No Status

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M E M O R A N D U M 10-139

TO: MAYOR AND CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: NOVEMBER 16, 2010

SUBJECT: VACATE A PORTION OF THE 30-FOOT RIGHT-OF-WAY EASEMENT WITHIN THE PANHANDLE OF A DEEDED PARCEL RECORDED IN BOOK 39, PAGE 7 OF THE HOMER RECORDING DISTRICT, WITHIN SECTION 7, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA, WITHIN THE CITY OF HOMER AND THE KENAI PENINSULA BOROUGH AND VACATE THE 66-FOOT PORTION OF THE SECTION LINE EASEMENT UNDERLYING THE ABOVE RIGHT-OF-WAY EASEMENT VACATION CENTERED ON THE LINE COMMON TO SECTIONS 7 AND 8, EXTENDING NORTH FROM SKYLINE DRIVE TO THE ¼ CORNER COMMON TO SAID SECTIONS 7 AND 8; WITHIN TOWNSHIP 6 SOUTH, RANGE 13 WEST, S.M., ALASKA; WITHIN THE CITY OF HOMER AND THE KENAI PENINSULA BOROUGH; KPB FILE 2010-152 & 2010-153; LOCATION: CITY OF HOMER.

At their October 25, 2010 meeting the Kenai Peninsula Borough Planning Commission approved the vacation of a portion of the 30-foot right-of-way easement within the panhandle of a deeded parcel recorded in Book 39, Page 7 of the Homer Recording District, within Section 7, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough and vacate the 66-foot portion of the section line easement underlying the above right-of-way easement vacation centered on the line common to Sections 7 and 8, extending north from Skyline Drive to the ¼ corner common to said Sections 7 and 8; within Township 6 South, Range 13 West, S.M., Alaska; within the City of Homer and the Kenai Peninsula Borough; KPB File 2010-152 & 2010-153; Location: City of Homer.

Notice of vacation was received on October 27, 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 October 25, 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 August 18, 2010, Staff Report PL 10-67, Vacation of a portion of a Section Line Easement and Right of Way, Skyline Drive and Carter Drive.

RECOMMENDATION:

Voice non objection and consent to the vacation of the 30-foot right-of-way easement within the panhandle of a deeded parcel recorded in Book 39, Page 7 of the Homer Recording District, within Section 7, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough and vacate the 66-foot portion of the section line easement underlying the above right-of-way easement vacation centered on the line common to Sections 7 and 8, extending north from Skyline Drive to the ¼ corner common to said Sections 7 and 8; within Township 6 South, Range 13 West, S.M., Alaska; within the City of Homer and the Kenai Peninsula Borough; KPB File 2010-152 & 2010-153; Location: City of Homer.

Fiscal Note: N/A

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