



City of Homer

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Memorandum 19-158

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

DATE: DECEMBER 2, 2019

SUBJECT: VACATION OF A 40-FOOT WIDE SECTION OF AN UNNAMED PUBLIC ACCESS EASEMENT IN HOMER DESCRIBED AS THE WESTERLY 280.6 FEET OF THE NORTH 20 FEET OF LOT 14, H.K. DAVIS SUBDIVISION AMENDED (HM 61-49) AND THE WESTERLY 280.6 FEET OF THE SOUTH 20 FEET OF LOT 1-L, H.K. DAVIS NO. 5 (HM 86-21). THE PUBLIC ACCESS EASEMENT RUNS EAST TO WEST FOR APPROX. 280.6 FEET AS GRANTED ON H.K. DAVIS SUBDIVISION AMENDED, PLAT HM 61-49. THE PUBLIC ACCESS EASEMENT BEING VACATED IS DEVELOPED AND LOCATED WITHIN THE NW ¼ SE ¼ OF SECTION 11, TOWNSHIP 6 RANGE 13 WEST, SEWARD MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH. KPB FILE 2019-128V.

At their November 25, 2019 meeting, the Kenai Peninsula Borough Planning Commission approved the referenced public access easement vacation. 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 November 25, 2019 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

The Homer Planning Commission has no objection to granting this vacation as reflected in the September 27, 2019 Notice of Action and minutes from the September 4, 2019 regular meeting.

RECOMMENDATION:

Voice non objection and consent to vacation of a 40-foot wide section of an unnamed Public Access Easement described as the westerly 280.6 feet of the north 20 feet of lot 14, H.K. Davis Subdivision Amended (HM 61-49) and the westerly 280.6 feet of the south 20 feet of lot 1-L, H.K. Davis No. 5 (HM 86-21). The public access easement runs east to west for approx. 280.6 feet as granted on H.K. Davis Subdivision Amended, Plat HM 61-49. The Public Access Easement being vacated is developed and located within the NW ¼ SE ¼ of Section 11, Township 6 Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB file 2019-128v.