

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**RESOLUTION 25-023**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
AUTHORIZING THE CITY MANAGER TO PURSE ACQUISITION OF AN  
ACCESS EASEMENT ON EASY STREET AND TO EXECUTE THE  
APPROPRIATE DOCUMENTS.

WHEREAS, The City of Homer owns property that is accessed via Easy Street, north of  
Skyline Drive within the Bridge Creek Watershed Protection District and wishes to ensure the  
right of access to municipal property; and

WHEREAS, A portion of Easy Street that is maintained by the Kenai Peninsula Borough  
traverses land that is a Native Allotment, and the Bureau of India Affairs views this access as an  
unauthorized use (trespass); and

WHEREAS, Area property owners have worked together to find a solution and a path to  
a legal easement across this property; and

WHEREAS, The road provides one of the few access points across Bridge Creek, and if  
access were to be terminated, it would likely encourage new road construction and creek  
crossing for an alternate route, creating new impervious surface in the watershed that could  
be avoided; and

WHEREAS, Area property owners have been working for several years to resolve the  
easement issue and the City of Homer granted an easement for Easy Street across City land via  
Memorandum 21-090; and

WHEREAS, A government entity is required to apply for the easement from the Bureau  
of Indian Affairs; and

WHEREAS, The Kenai Peninsula Borough is amenable to the City seeing this easement  
acquisition to completion; and

WHEREAS, The land owner of the Native Allotment property is willing to grant an  
easement but due to the land status as a Native Allotment, the Bureau of Indian Affairs has  
stringent requirements on the process for the easement, and the City of Homer as an impacted  
property owner can assist in the resolution of this easement acquisition by acting as the  
applicant for the easement to the Bureau of Indian Affairs.

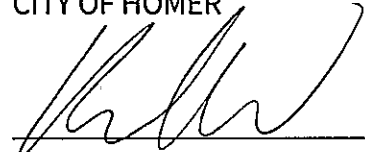
NOW, THEREFORE, BE IT RESOLVED That the City of Homer:

Section 1: The Homer City Council hereby authorizes the City Manager to pursue an access easement for Easy Street and to negotiate and execute the appropriate documents.

Section 2: This resolution shall be effective immediately upon its adoption.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of March, 2025.

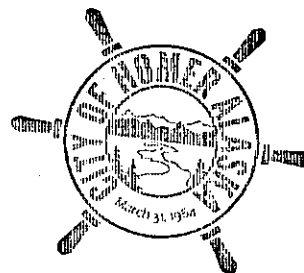
CITY OF HOMER

  
RACHEL LORD, MAYOR

ATTEST:

  
RENEE KRAUSE, MMC, CITY CLERK

Fiscal Note:





# MEMORANDUM

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**Resolution 25-023, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Pursue Acquisition of an Access Easement on Easy Street and to Negotiate and Execute the Appropriate Documents. City Manager.**

**Item Type:** Backup Memorandum  
**Prepared For:** Mayor Lord and Homer City Council  
**Date:** March 25, 2025  
**From:** Julie Engebretsen, Community Development Director  
**Through:** Melissa Jacobsen, City Manager

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## **Background**

Easy Street is a half mile long road that begins within Homer City limits, and travels from Skyline Drive north into the Bridge Creek Watershed Protection District. (See map next page). It was originally built 87 years ago to access the Broderson homestead. The City maintains the portion within City Limits, and the Kenai Peninsula Borough has maintained that portion of the road within the unincorporated Borough for 40 years. This street provides access to several private land owners and City properties. This is the only road (and Bridge Creek crossing) that provides access to the neighborhood.

The north 444 feet of this road travels over land that is a Native Allotment, and is therefore subject to management by the Bureau of Indian Affairs (BIA). The BIA regulates lands under their purview and has alleged that the portion of Easy Street on the allotment is an unauthorized use (trespass). Area property owners have been working to resolve the issue for decades; the City and another private land owner have granted public access easements for all the other sections of Easy St. in the last few years. To completely resolve the issue on this last section of Easy St., an entity is needed to apply to BIA for a public easement across the Native Allotment property (see red line on map). To date, the Kenai Peninsula Borough has declined to apply for an access easement, and understandably, as the Borough likely has many instances of roads across Native Allotments Borough wide. Working with BIA on access issues is a time intensive undertaking, and can be expensive in terms of legal fees.

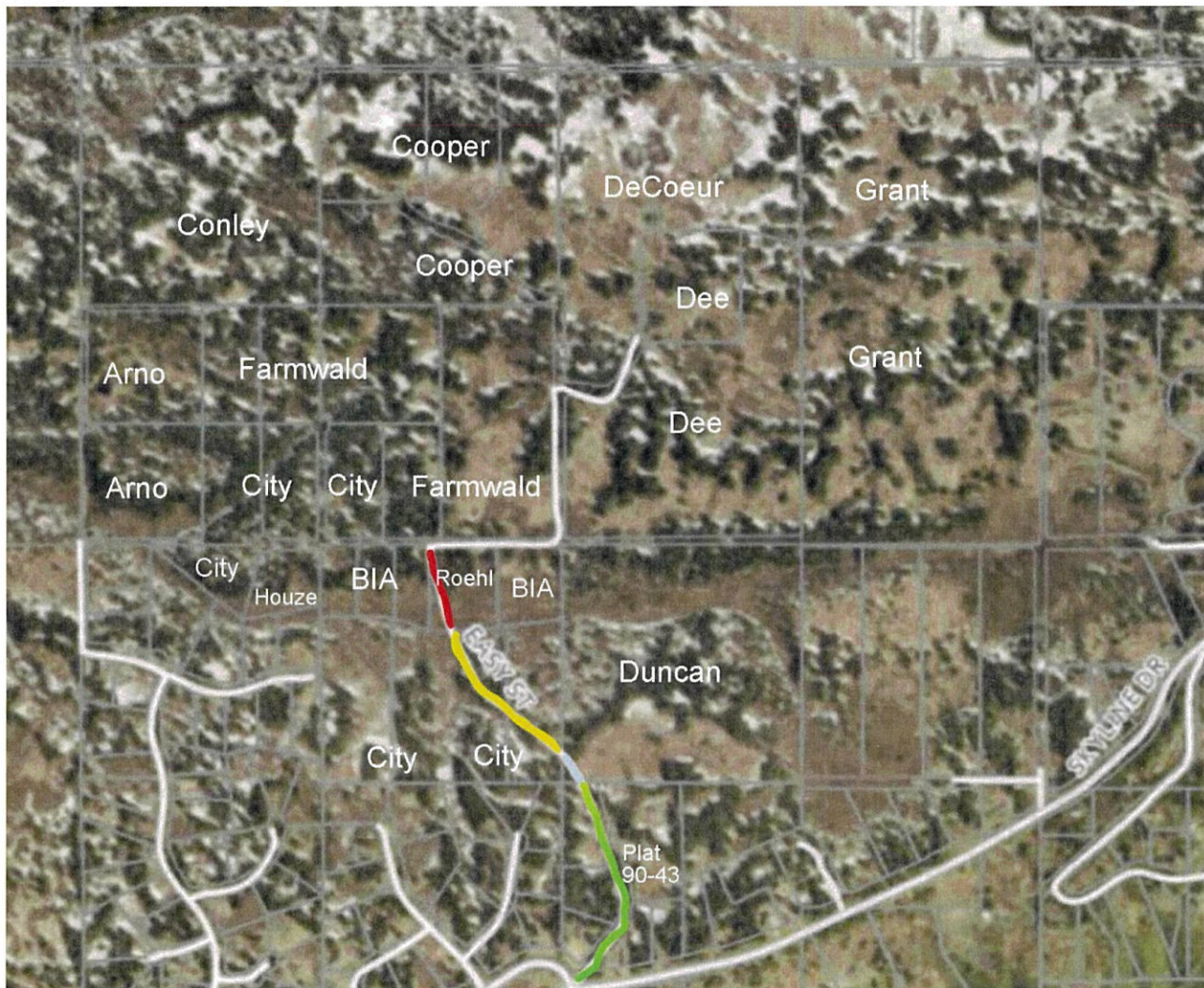
Fortunately, area property owners including Jay Farmwald (retired professional engineer) have spent years navigating these regulations and have arrived at a solution with BIA, the Allottee (Roehl), and the neighborhood. To resolve this issue the City can partner in this effort by being the entity that applies for the access easement. Mr. Farmwald has and is willing to continue to do the majority of the coordination work for the project. This partnership would enable the City to resolve an access problem effecting City lands and for area property owners.

## **Recommendation:**

City Council approve Resolution 25-023



As of February 2025



**Subject road section in Red**