

SUBJECT: VACATION OF PROTECTIVE WELL RADII EASEMENT AND UTILITY EASEMENT – THOMAS SUBDIVISION MASTER PLAN.

REQUESTED BY: Clerk's Office

PREPARED BY: Deputy Clerk

DATE: July 16, 1999

FOR AGENDA OF: July 26, 1999.

SUMMARY:

On June 17, 1999, the Platting Board of the Mat-Su Borough granted the vacations of well protection easements and utility easements lying between Lots 3-8 Thomas Addition Subdivision No. 2.

Staff has reviewed the vacation notice and no objections have been raised. Therefore we request council's authorization to issue a letter of non-objection to the request.

FISCAL IMPACT: x No ___ Yes, amount requested: \$ _____ Fund: _____

RECOMMENDED ACTION: To direct the clerk to issue a letter of non-objection regarding the vacations of well protection easements and utility easements lying between Lots 3-8 Thomas Addition No. 2.


Reviewed by: SARAH PALIN, Mayor

Attachments: Notice of Vacation

Presented to council on 7/26/99
Action taken: Approved Denied
other: _____
Verified by H.



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 745-9874 • FAX 745-9876

July 1, 1999

CLERKS OFFICE

**JUL 06 1999
RECEIVED**

CITY COUNCIL
CITY OF WASILLA
290 E HERNING
WASILLA, AK 99654

**RE: VACATION OF PROTECTIVE WELL RADII EASEMENTS & UTILITY
EASEMENT - THOMAS SUBDIVISION MASTER PLAN**

Dear Council Members:

On June 17, 1999, the Platting Board of the Matanuska-Susitna Borough granted the vacations of well protection easements and utility easement lying between Lots 3- 8 Thomas Addn No. 2, pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035. The written notification of action is dated June 25, 1999.

CONDITIONS AND/OR REASONS

VACATION of PROTECTIVE WELL RADII EASEMENTS

The platting board approved the vacation of the 120' and the 200' protective well radii in Thomas Addition Number 2 contingent on the following:

1. Wasilla City Council approval within 30 days of written decision;
2. City conformation that the old well site is not wanted now or in the future;
3. Show the protective well radius being vacated on the final plats.

FINDINGS

FINDING The property is served by city water.

FINDING Per the surveyor ADEC records indicate the well has been abandoned.

FINDING Condition for the vacation is the city's conformation that the well site is not wanted or needed in the future.

FINDING No public objection has been received as a result of the public hearing notice.

VACATION OF UTILITY EASEMENT

The platting board approved the vacation of the 10' utility easement on the south side of Lots 6 and 8 and on the north side of Lots 3, 5, and 7 all in Block 2, Thomas Addition #2 contingent on the following:

1. Wasilla city council approval within 30 days of written decision;
2. Relocate the water line, power, and telephone lines as required by provider;
3. Conformation from the city and MEA and MTA that their concerns for the vacation have been met;
4. Show the replacement utility easement on the final plat.

FINDINGS

FINDING Existing facilities are required to be relocated.

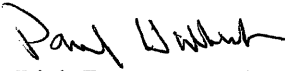
FINDING Non-objection letters from the city of Wasilla, MEA and MTA are required.

FINDING No public objections have been received as a result of the noticing process.

All pertinent data, including copies of vicinity maps, platting board minutes, and notification of action are attached.

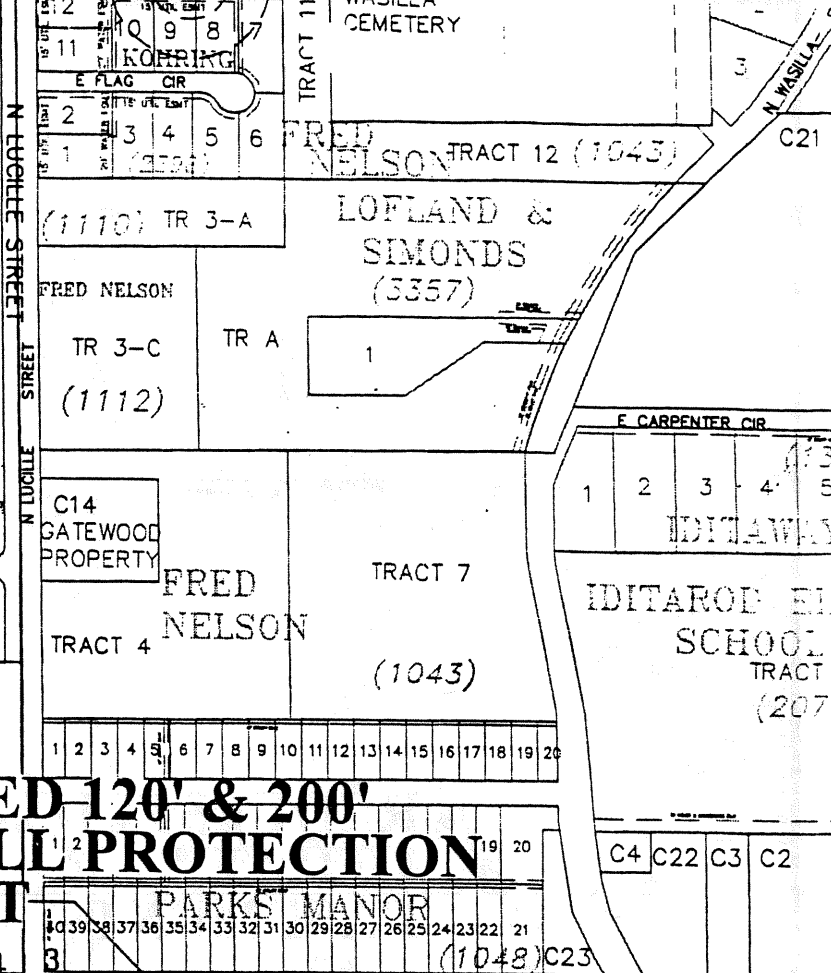
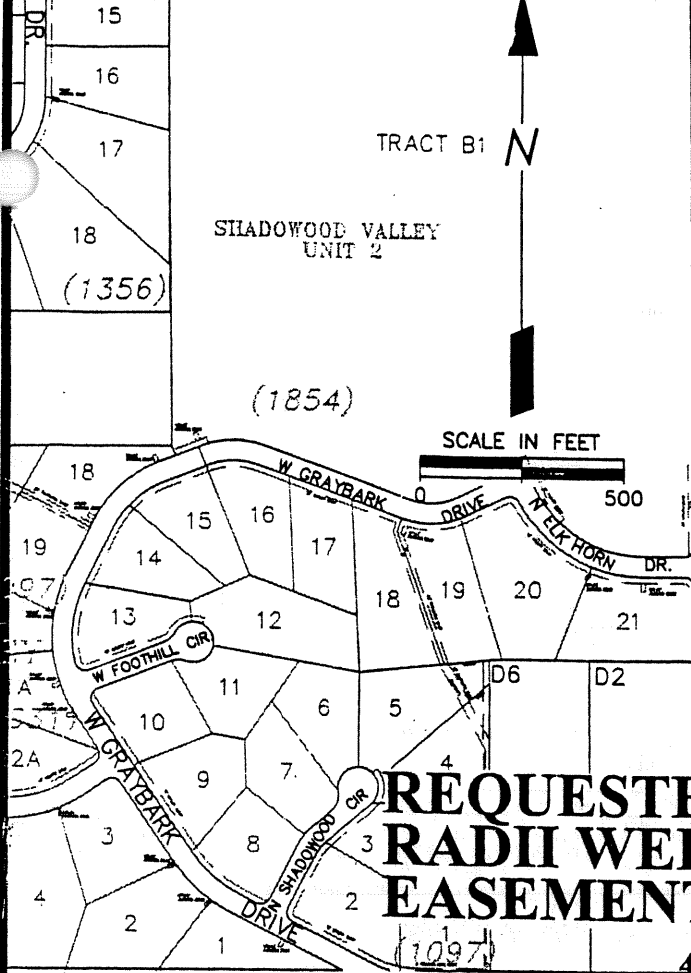
If we do not hear from you within 30 days we will assume that the City of Wasilla has no objection to this vacation.

Kindest regards,

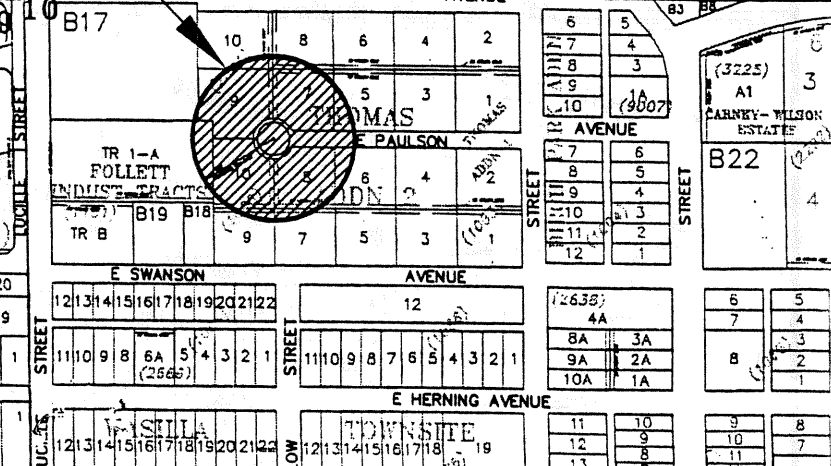
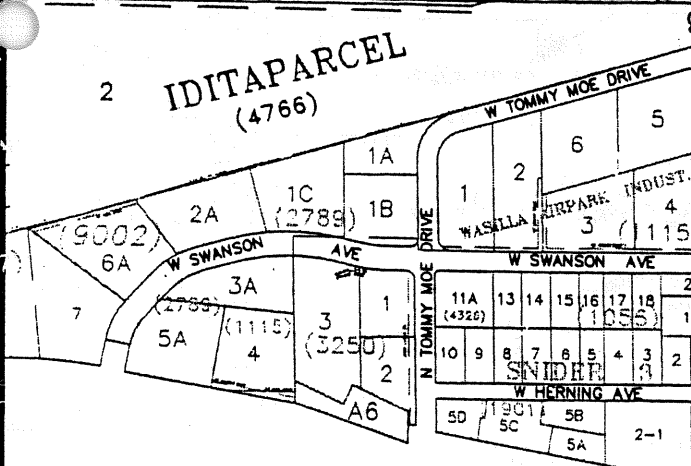

609 Rick Brown
Platting Officer

attachments

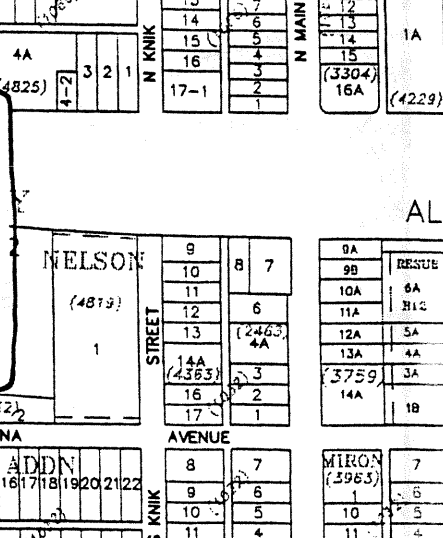
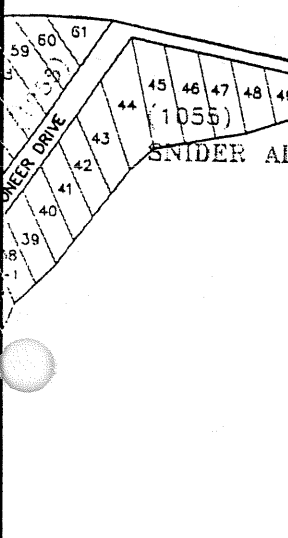
xc: W/O ENCLOSURES: GLOBAL FINANCE & INVESTMENT CO, INC, POB 71268, FAIRBANKS, AK 99707; DENALI NORTH, 847 W EVERGREEN, PALMER, AK 99645

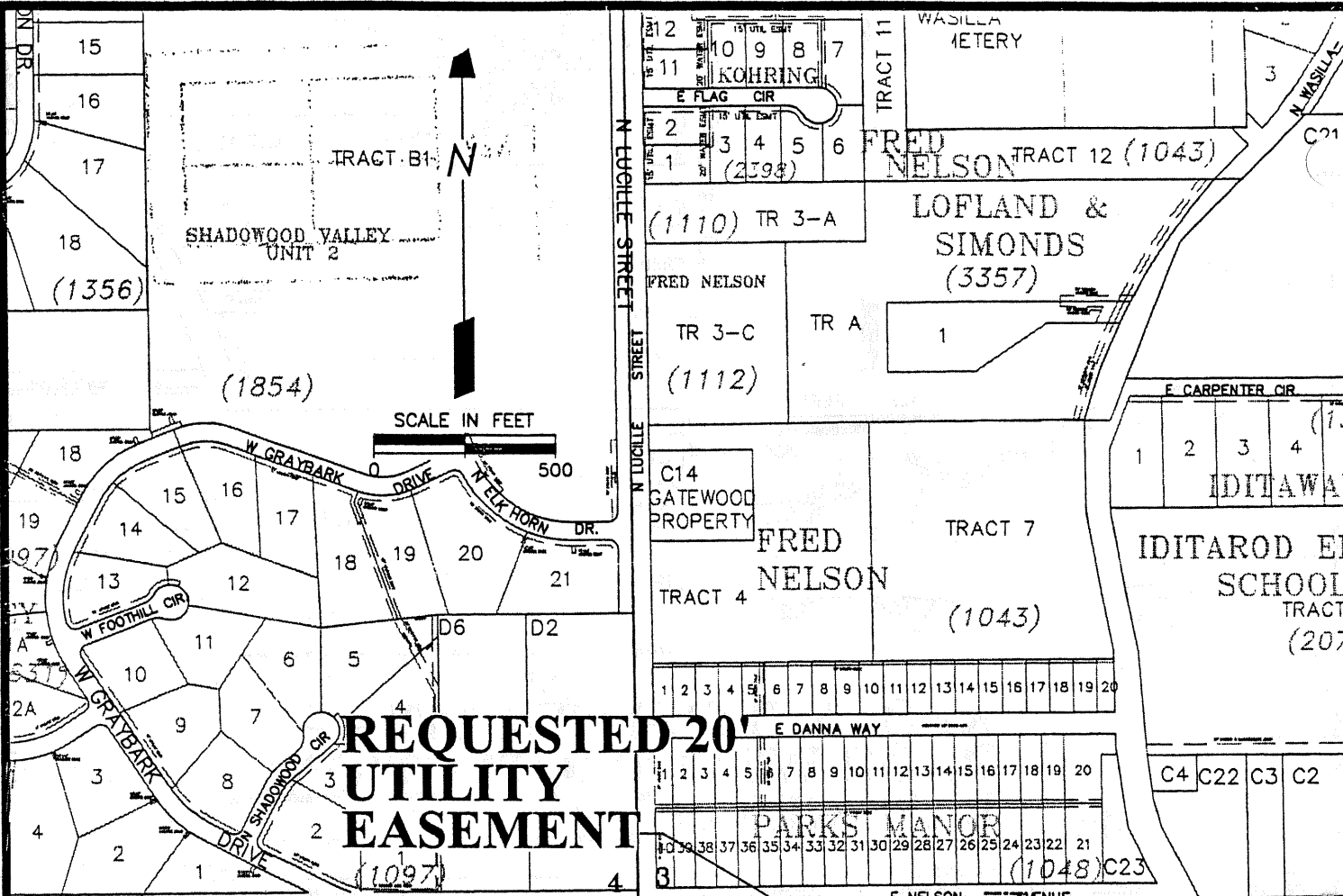


**REQUESTED 120' & 200'
RADI WELL PROTECTION
EASEMENT**



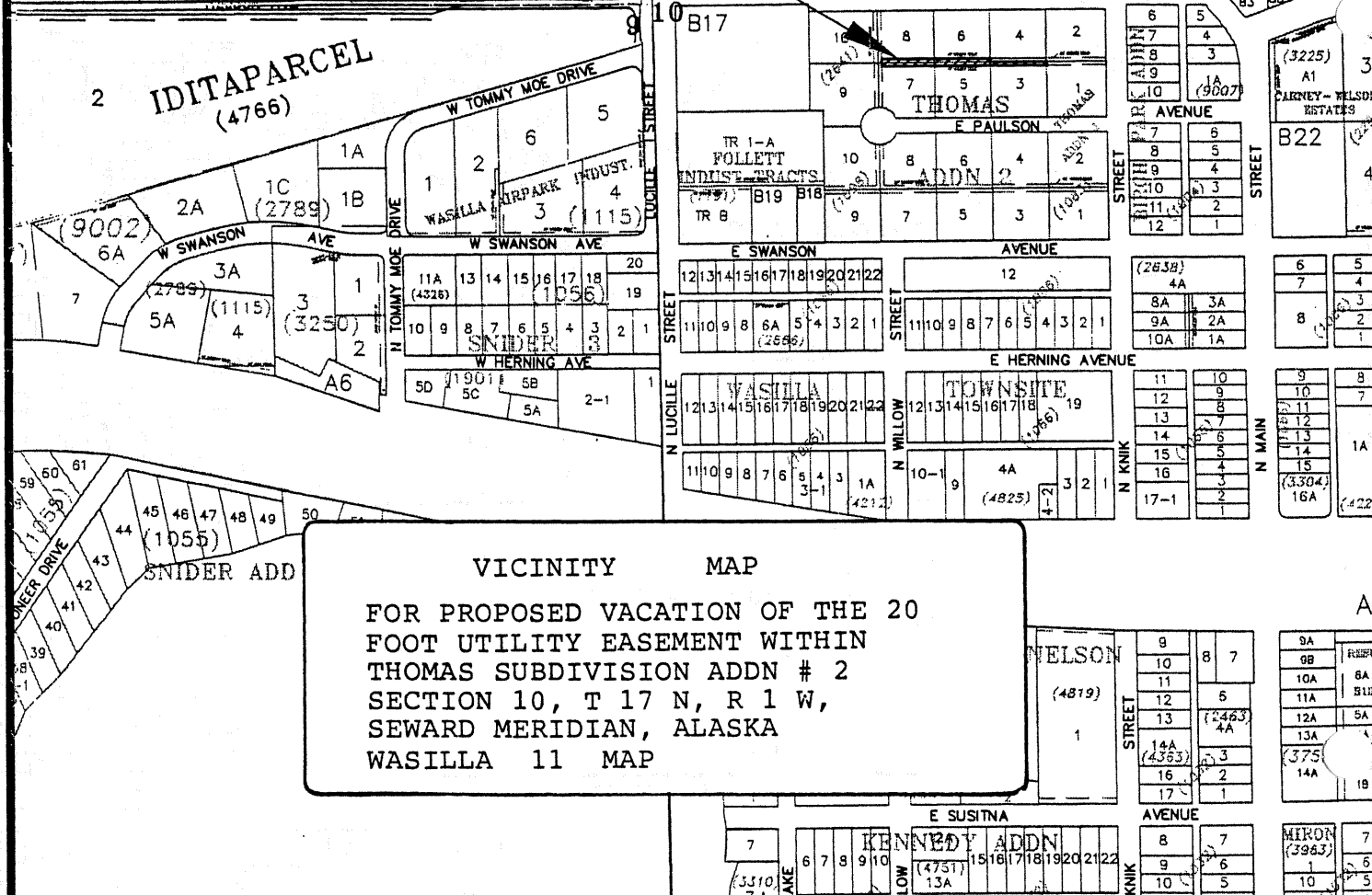
**VICINITY MAP
FOR PROPOSED VACATION OF THE 120
FOOT RADIUS & 200 FOOT RADIUS
WELL PROTECTION EASEMENT IN
THOMAS SUBD. ADDN # 2 W/IN
SECTION 10, T 17 N, R 1 W, SEWARD
MERIDIAN, ALASKA
WASILLA 11 MAP**





**REQUESTED 20'
UTILITY
EASEMENT**

VICINITY MAP
FOR PROPOSED VACATION OF THE 20
FOOT UTILITY EASEMENT WITHIN
THOMAS SUBDIVISION ADDN # 2
SECTION 10, T 17 N, R 1 W,
SEWARD MERIDIAN, ALASKA
WASILLA 11 MAP



several issues to resolve.

Mr. Timmons moved to continue to August 19, 1999. Ms. Larson seconded the motion. Voting on the motion, it passed.

THOMAS ADDITION M.P. w/VACATION of UTILITY EASEMENT & WELL RADII

Ms. Carricaburu stated that on May 26, 1999, 94 letters were mailed out for each action. To date, five have been returned and no objections received. Mr. Hulbert gave an overview.

Ms. Roberts opened the public hearing. With no one present wishing to speak, she closed the public hearing.

Wayne Whaley, petitioner's representative stated that Paulson only has a 40' stem and the borough has a 50' requirement. The city, on new subdivisions, has a 60' requirement. The city has done a preliminary field review. Several things need to be worked out. Discussion followed.

Ms. Larson moved to approve the vacation of two well radii easements contingent on three recommendations. Mr. Timmons seconded the motion. Voting on the motion, it passed.

Findings were adopted as presented.

Ms. Larson moved to approve the vacation of utility easement with four recommendations adding to item two, 'as required by provider.' Mr. Timmons seconded the motion. Voting on the motion, it passed.

Findings were adopted as presented.

Ms. Larson moved to approve the preliminary plat contingent on seven recommendations amending 2, by replacing the second, 'E Swanson,' to, 'E Paulson.' Item 3, delete the word, 'curve,' and add at the end, 'or resolve with city of Wasilla and MSB staff. Item 5, insert the words, 'or adequate turn-around,' between, 'cul-de-sac,' and, 'to,' and add to the end, 'or as approved by city of Wasilla and MSB staff.' Mr. Timmons seconded the motion. Voting on the motion, it passed.

Findings were adopted as presented adding, 'the petitioner's representative has agreed with the amendments to recommendations.'

THORSON PUBLIC USE EASEMENT ACCEPTANCE

Ms. Carricaburu stated that on May 26, 1999, 11 letters were mailed out. To date, none have been returned and no objections have been received. Mr. Hulbert gave an overview.

Ms. Roberts opened the public hearing.

Mr. Strother, stated that he agrees with deleting item three.



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 745-9874 • FAX 745-9876

June 25, 1999

NOTIFICATION OF PLATTING BOARD ACTION

GLOBAL FINANCE & INVESTMENT CO, INC
POB 71268
FAIRBANKS, AK 99707

RE: THOMAS SUBD MP
w/VACATIONS
CS: PWO-5, 501 & 502

Action taken by the Platting Board on June 17, 1999 is as follows:

The PRELIMINARY MASTER PLAN W/VACATIONS was APPROVED CONTINGENT UPON CONDITIONS AND/OR REASONS

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A SUBDIVISION OR OF A WAIVER OF PLATTING REQUIREMENTS BY THE PLATTING BOARD OR OFFICER SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

1. Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Dept of Public Works.
2. Payment of a 2% fee based upon the approved estimate submitted.
3. Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

Rick Brown

6
Rick Brown
Platting Officer

xc: DENALI NORTH, 847 W EVERGREEN, PALMER, AK 99645; MSB-DPW

FINDING No public objections have been received as a result of the noticing process.

PRELIMINARY PLAT

1. Submit four signed *master plan* copies;
2. Increase the right-of-way width for E Swanson and E Paulson to city of Wasilla standards;
3. Dedicate 50' returns at cul-de-sac or resolve with city of Wasilla and MSB staff;
4. Obtain a non-objection from the city for the fire hydrant in the platted cul-de-sac;
5. Construct the cul-de-sac, or adequate turn-around, to city standards or as approved by city of Wasilla and MSB staff;
6. Obtain a *development permit* from the city;
7. Submit *final plat* in full conformance with title 16.

FINDINGS

FINDING 13 lots are being reconfigured into five lots.

FINDING Building encroachments are being eliminated in Block 1 with the reconfiguration of the four lots.

FINDING The property is served with city water and sewer.

FINDING No public objections have been received from the public noticing process.

FINDING The petitioner's representative agrees with the amendments to recommendations.



CITY OF WASILLA

290 E Herning Avenue
Wasilla, AK 99654-7091
Phone: (907) 373-9050
Fax: (907) 373-9092

TO: John Cramer, Deputy Administrator
Tim Krug, City Planner
Don Shiesl, Public Works Director

FROM: Jamie Newman, Deputy Clerk *JAN*

DATE: July 13, 1999

SUBJECT: Request for Vacation of Easement

I have attached a copy of a vacation of easement request for your review. I will be preparing a CM to submit to council on July 26th requesting approval to submit a letter of non-objection on behalf of the city.

If you have any concerns regarding this vacation request, please contact my office no later than Friday, July 16.

Thank you.