

**SUBJECT: Vacation of Public Use Easement**

REQUESTED BY: Kristie VanGorder, City Clerk

PREPARED BY: Jamie Newman, Deputy Clerk *JN*

DATE: May 1, 2000

FOR AGENDA OF: May 8, 2000

**SUMMARY:**

On April 6, 2000, the Platting Board of the Mat-Su Borough granted the vacation of a portion of the 50' public use easement west of the centerline of Wasilla Fishhook Road.

The clerk's office has circulated the vacation notice to administration, planning and public works, and no concerns have been raised. Based on this information, non-objection is recommended.

**FISCAL IMPACT:** X No \_\_\_ Yes, amount requested: \$ \_\_\_\_\_ Fund: \_\_\_\_\_

**CLERK'S RECOMMENDED ACTION:** Non-objection to the vacation of a portion of the 50' public use easement, recorded in book 321, page 777 between the eastern limits of the public use easement recorded in book 806, page 397 and 50' west of the center line of Wasilla Fishhook Road.

Administration Initial: *JN*

Presented to council on: 5/8/00  
Action taken:  Approved  Denied  
other: \_\_\_\_\_  
Verified by: *JN*

Attachments:



# MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

April 21, 2000

RECEIVED

APR 25 2000

CITY OF WASILLA  
CLERK'S OFFICE

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

RE: **HALFACRE VACATION OF PUBLIC USE EASEMENT (PXF-8)**

Dear Council Members:

On April 6, 2000, the Platting Board of the Matanuska-Susitna Borough granted the vacation of a portion of the 50' public use easement recorded in book 321, page 777 between the eastern limits of the public use easement recorded in book 806, page 397 and 50' west of the centerline of Wasilla-Fishhook Road pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035. The written *notification of action* is dated April 14, 2000.

## CONDITIONS AND/OR REASONS

The platting board approved the Halfacre vacation request contingent on the following:

1. City of Wasilla approval within 30 days of written platting board decision;
2. Vacate only that portion of the 50' public use easement recorded in book 321, page 777 between the eastern limits of the public use easement recorded in book 806, page 397 and 50' west of the center line of Wasilla Fishhook Road;
3. Record a vacation resolution;
4. Match right of way of Woodside Estates with existing 50' right of way for Fishhook Road.

## FINDINGS

**FINDING** The vacation is pursuant to AS 29.40.120 through As 29.40.160 and MSB 16.15.035.

**FINDING** The vacation is consistent with MSB 16.15.035(B)(1)(a) as equal and better access is being granted.

**FINDING** The 50' right of way will be preserved for Wasilla-Fishhook Road. This will resolve ADOT&PF's concerns.

- FINDING** MSB Dept of Public Works has no objection.
- FINDING** The city of Wasilla has not responded.
- FINDING** MSB Land Mgmt, Planning, Code Compliance and Recreational Services have no objections.
- FINDING** MEA and MTA have no objection.
- FINDING** No public objections have been received.
- FINDING** A new intersection has been constructed that better the prior substandard intersection.
- FINDING** The petitioner's representative agreed with conditions as amended.

All pertinent data, including vicinity map, draft 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.

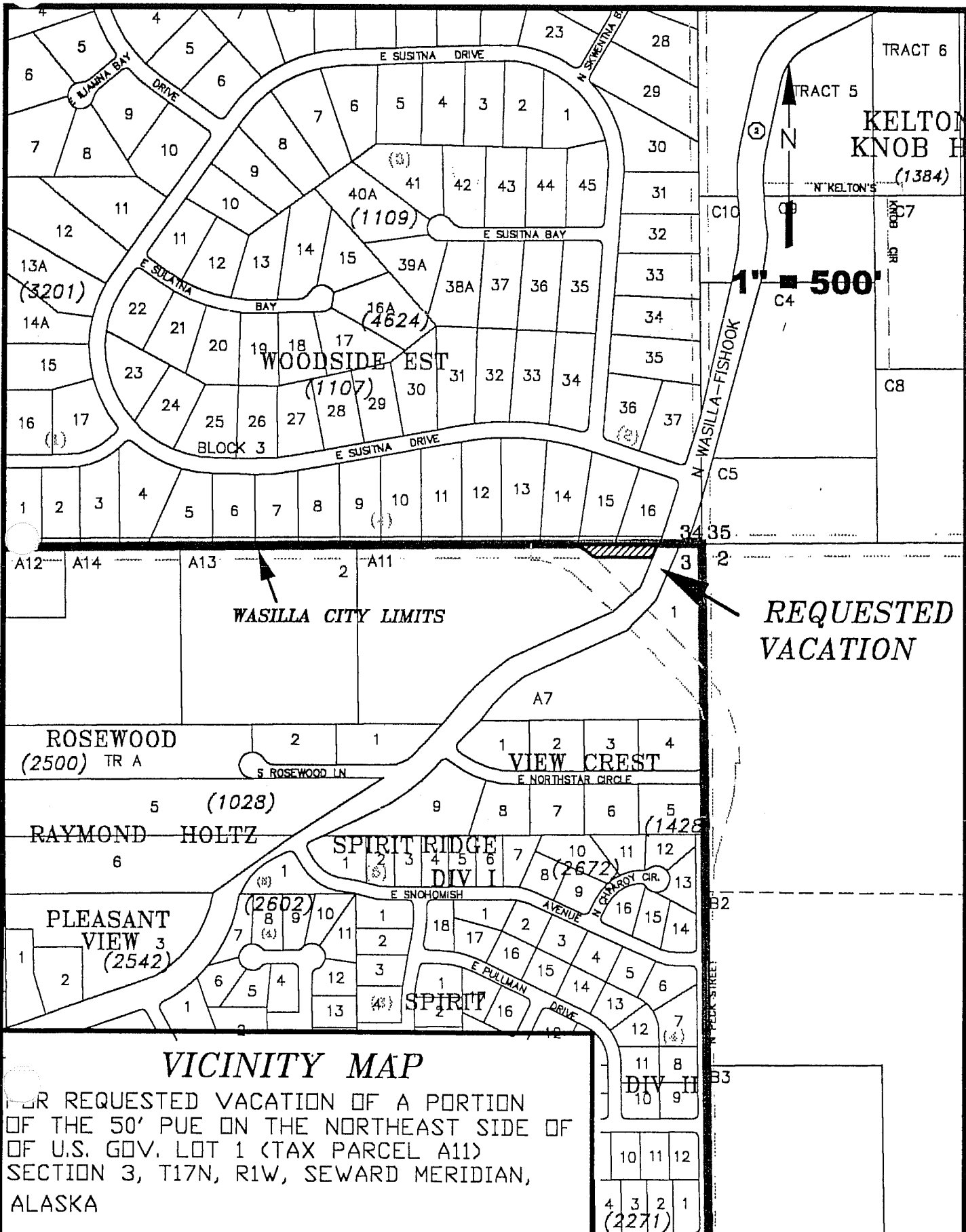
Kindest regards,



Rick Brown  
Platting Officer

attachments

xc: W/O ENCLOSURES: DON SHIESL, PUBLIC WORKS DIR, CITY OF WASILLA, 290 EHERNING, WASILLA, AK 99654; DENALI NORTH; MSB-DPW



**VICINITY MAP**

FOR REQUESTED VACATION OF A PORTION  
 OF THE 50' PUE ON THE NORTHEAST SIDE OF  
 U.S. GOV. LOT 1 (TAX PARCEL A11)  
 SECTION 3, T17N, R1W, SEWARD MERIDIAN,  
 ALASKA

**DRAFT**

## **HALFACRE VACATION OF PUBLIC USE EASEMENT**

Ms. Carricaburu stated that on March 14, 2000, 19 public hearing notices were mailed. To date, one had 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 addressed the board stating that he and his client agree with the recommendations. Discussion followed regarding the 50' dedication.

Mr. Strother, addressed the board regarding the need to retain the old intersection, 50' from centerline would be a more realistic easement retention to cover the Wasilla-Fishhook Road.

Ms. Larson moved to approve the vacation with three recommendations, amending number 2 to read, "...50' west of the center line..." and add a fourth, 'Match right of way of Woodside Estates with existing 50' right of way for Fishhook Road.' Mr. Timmons seconded the motion. Voting on the motion, it passed.

Findings were adopted amending number three to read, "The 50' right of way will be preserved for Wasilla-Fishhook Road. This will resolve ADOT&PF's concerns." Also added was, "petitioner agrees with conditions as amended."

**DRAFT**

**DRAFT**

**DRAFT**