

**SUBJECT: Vacation Of A Portion Of The Pinnion Drive Right-Of-Way Adjacent To Lot 4, Block 3, Pinecrest Subdivision.**

REQUESTED BY: Kristie VanGorder, City Clerk *KV*

PREPARED BY: Jamie Newman, Deputy Clerk *JN*

DATE: August 20, 2001

FOR AGENDA OF: August 27, 2001

**SUMMARY:**

We have received notification of platting action by the Mat-Su Borough Platting Board. The borough granted the vacation of a portion of the Pinion Drive right-of-way adjacent to Lot 4, Block 3, Pinecrest Subdivision. This notice was sent to the city planner and the public works director and we have not received any comments back.

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

**CLERK'S RECOMMENDED ACTION:**

No objection to the vacation of a portion of the Pinion Drive right-of-way adjacent to Lot 4, Block 3, Pinecrest Subdivision.

Administration Initial: *JWC for Mayor Palin*

Attachments: Letter from Mat-Su Borough Platting Office  
Dated: July 30, 2001

Presented to council on 8/27/01  
Action taken:  Approved  Denied  
other: \_\_\_\_\_  
Verified by *KV*



**OFFICE OF THE CITY CLERK**

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**CITY OF WASILLA**  
290 E. HERNING AVE.  
WASILLA, AK 99654-7091  
PHONE: (907) 373-9090  
FAX: (907) 373-9092

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

FROM: Jamie Newman, Deputy Clerk *JN*

DATE: August 8, 2001

**SUBJECT: Pinecrest Subdivision Lot 4A, Block 3, Vacation of Portion of Pinion Drive.**

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The Mat-Su Borough has granted the vacation of a portion of the Pinion Drive right-of-way adjacent to Lot 4, Block 3, Pinecrest Subdivision.

If you have comments regarding this vacation, please notify me no later than *August 15, 2001* so that I may pass your comments along to the council at the August 27 city council meeting.



# MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

July 30, 2001

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

RE: **PINECREST SUBDIVISION LOT 4A, BLOCK 3, VACATION OF PORTION OF  
PINION DRIVE**

Dear Council Members:

On July 19, 2001, the Platting Board of the Matanuska-Susitna Borough granted the vacation of a portion of the Pinion Drive right of way adjacent to Lot 4, Block 3, Pinecrest Subdivision pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035. The written *notification of action* is dated July 27, 2001.

## CONDITIONS AND/OR REASONS

The Platting Board approved the vacation contingent on the following:

1. City Council approval within 30 days of Platting Board written decision;
2. Vacation to be minimized to maintain a 22.5' setback from the structure to the new right of way;
3. Replace the vacated right of way with a snow storage, utility and maintenance easement;
4. Submit a *vacation plat* in full compliance with MSB Title 16.

## FINDINGS

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

**FINDING** The City Planning and Public Works Departments are allowing a 10% reduction of the 25' setback.

**FINDING** The vacation is consistent with MSB 16.15.035(B)(1)(b) the surrounding area is fully developed and all planned or needed rights of way and utilities are constructed.

**FINDING** MSB Dept of Public Works and Planning have no objection.

**FINDING** No public objections have been received.

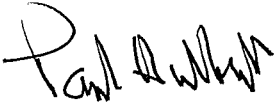
**FINDING** The vacation will allow conventional bank financing to be obtained.

**FINDING** The petitioner was not present, however, he offered his full consent to the recommendations prior to the meeting.

All pertinent data, including vicinity map, 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 Council has no objection to this vacation.

Sincerely,



Paul Hulbert  
Platting Officer

attachments

xc: W/O ENCLOSURES: A.R.E.



**DRAFT**

**VACATION OF PORTION OF N PINION AVE RIGHT OF WAY**

Ms. Carricaburu stated that on June 26, 2001, 77 public hearing notices were mailed. To date one has been returned and no objections received. Mr. Hulbert gave an overview stating that this is a 'consent item.'

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

Mr. Bruu moved to approve the vacation contingent upon four recommendations. Mr. Timmons seconded the motion. Voting on the motion, it passed.

Six findings of fact were adopted adding, "the petitioner was not present, however, offered his full consent to the recommendations prior to the meeting."

**DRAFT**

**DRAFT**



# MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

July 27, 2001

## NOTIFICATION OF PLATTING BOARD ACTION

ANDREW DEVRIES  
6750 LOWER RIVER RD  
GRANTS PASS, OR 97526

RE: PINION DR VAC  
PINECREST L4A/B3  
CS: 2001-168

Action taken by the Platting Board on July 19, 2001 is as follows:

The REQUEST FOR VACATION OF PORTION OF N PINION DRIVE R/O/W & PRELIMINARY PLAT was APPROVED CONTINGENT UPON CONDITIONS (attached)

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.

Sincerely,

for Paul Hulbert  
Platting Officer

XC: A.R.E.. POB 2749. PALMER. AK 99645: MSB-DPW

## **CONDITIONS OF APPROVAL**

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- FINDING** The vacation will allow conventional bank financing to be obtained.
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