

SUBJECT: Elimination of Portion of Utility Easement, Lot 3B Block 5, North Country Estates.

PREPARED BY: Kristie VanGorder, City Clerk *KV*

DATE: October 15, 2001

FOR AGENDA OF: October 22, 2001

SUMMARY:

We have received a letter from the Matanuska-Susitna Borough Platting Office notifying the city that the platting officer granted the elimination of a portion of the utility easement adjacent to Lot 3B, Block 5, North Country Estates.

The request was sent to the public works and planning departments for comment and no concerns have been raised.

FISCAL IMPACT: X No ___ Yes, amount requested:

CLERK'S RECOMMENDED ACTION:

Approve Elimination of a Portion of a Utility Easement for Lot 3B, Block 5, North Country Estates.

Administration Initial: *KV*

Attachments: Letter from Mat-Su Borough Platting Office
Dated: October 11, 2001

Presented to council on 10/22/01
Action taken: Approved Denied
other _____
Verified by *KV*



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

RECEIVED

OCT 15 2001

CITY OF WASILLA
CLERK'S OFFICE

October 11, 2001

CITY COUNCIL
CITY OF WASILLA
290 E. HERNING
WASILLA, ALASKA 99654

RE: **NORTH COUNTRY ESTATES, LOT 3B, BLOCK 5, ELIMINATION OF
PORTION OF UTILITY EASEMENT**

Dear Council Members:

On October 3, 2001, the Platting Officer of the Matanuska-Susitna Borough, granted the elimination of a portion of the utility easement adjacent to Lot 3B, Block 5, North Country Estates, pursuant to MSB 16.15.032. The written notification of action is dated October 3, 2001.

CONDITIONS AND/OR REASONS

1. Assembly approval within 30 days of written notification:
2. Recordation of an elimination resolution.
3. Advertising and mailing fee be paid of \$70.94.
4. Pay recording fees for recordation of Elimination Resolution.

FINDINGS

FINDING The elimination is consistent with MSB 16.15.032, as the authority having jurisdiction over the easement consents.

FINDING The elimination is due to an encroachment of a well into the 15' wide utility easement, as shown on the as-built survey of Lot 3B, Block 5, North Country Estates.

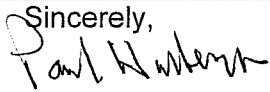
FINDING MEA, MTA and Enstar have no objection.

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

FINDING City of Wasilla, Planning Office has no objection.

All pertinent data, including vicinity map, minutes, and notification of action are attached.

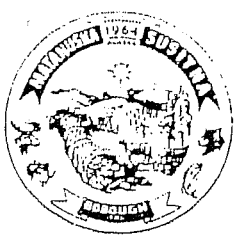
If we do not hear from you within 30 days we will assume that the City Council has no objections to this elimination.

Sincerely,


Paul Hulbert
Platting Officer

Attachments

Xc: w/o Enclosures Alaska Rim Engineering, P O Box 2749, Palmer, Ak. 99645



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

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

October 3, 2001

NOTIFICATION OF PLATTING OFFICER ACTION

WALLIS A. BROCKERT-HOFF
HC 34 BOX 2075
WASILLA, AK 99654

RE: ELIMINATION OF
UTILITY EASEMENT,
NORTH COUNTRY EST
L/3B B/5

CS: 2001-229

Action taken by the Platting Officer on October 3, 2001 is as follows:

The ELIMINATION OF UTILITY EASEMENT 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 OFFICER SHALL BE FINAL UNLESS APPEALED TO THE PLATTING BOARD IN ACCORDANCE WITH MSB 16.35.003.

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,

Paul Hulbert
Platting Officer

pc: Alaska Rim Engineering, P O Box 2749, Palmer, Alaska 99645

CONDITIONS OF APPROVAL

1. Assembly approval within 30 days of written notification:
2. Recordation of an elimination resolution.
3. Advertising and mailing fee be paid of \$70.94.
4. Pay recording fees for recordation of Elimination Resolution.

FINDINGS

- FINDING** The elimination is consistent with MSB 16.15.032, as the authority having jurisdiction over the easement consents.
- FINDING** The elimination is due to an encroachment of a well into the 15' wide utility easement, as shown on the as-built survey of Lot 3B, Block 5, North Country Estates.
- FINDING** MEA, MTA and Enstar have no objection.
- FINDING** No public objections have been received as a result of the public noticing process.
- FINDING** City of Wasilla, Planning Office has no objection.

MATANUSKA-SUSITNA BOROUGH
PUBLIC HEARING
ABBREVIATED PLAT
OCTOBER 3, 2001

The Platting Officer's meeting for abbreviated plat public hearing was called to order at 8:35 AM in the Assembly Chambers of the Matanuska-Susitna Borough by the Platting Officer.

Present representing the Planning Department, Platting Division, were Paul Hulbert, Platting Officer, Judy Thompson, Acting Administrative Secretary.

NORTH COUNTRY ESTATES, LOT 3B, BLOCK 5, ELIMINATION OF UTILITY EASEMENT.

MS. Thompson stated on September 12, 2001, 66 public hearing notices were mailed and to date there has been 1 returned and no objections. Mr. Hulbert gave an overview stating the request of the petitioners to eliminate a 4' X 4' section of the utility easement surrounding the well within the 15' utility easement on Lot 3B, Block 5, North Country Estates.

Mr. Hulbert opened the public hearing and having no one present wishing to speak he closed the hearing.

Mr. Hulbert asked if the Petitioner wished to speak and none was present.

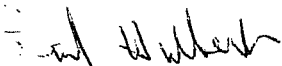
Mr. Hulbert, under the authority of MSB 16.15.032, the elimination was approved with four recommendations and five findings. No. 3 finding was added to pay postage and advertising fee \$70.94 and No. 4 finding was added to pay recording fees for recordation of Elimination Resolution.

The meeting was adjourned at 8:50 AM.

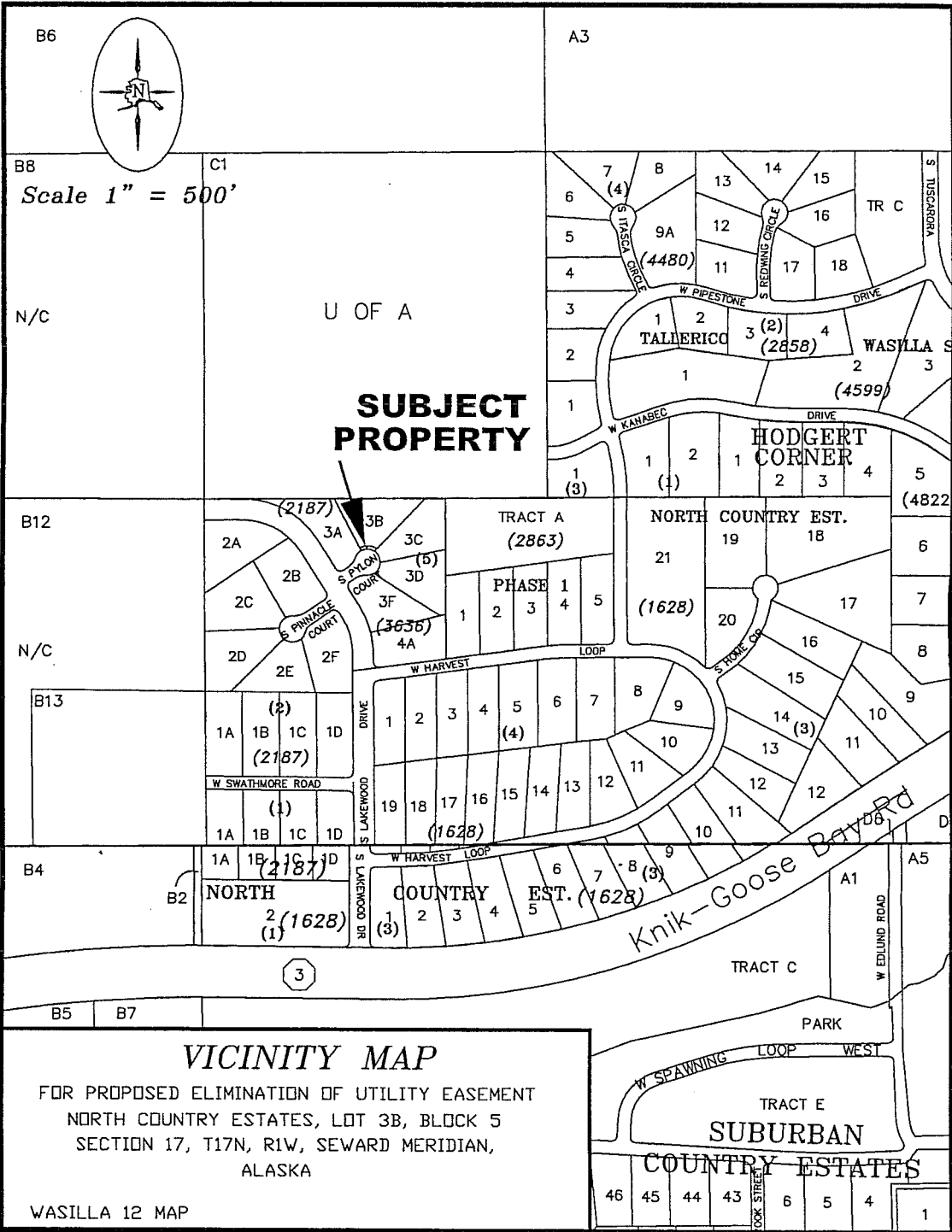
Attest:

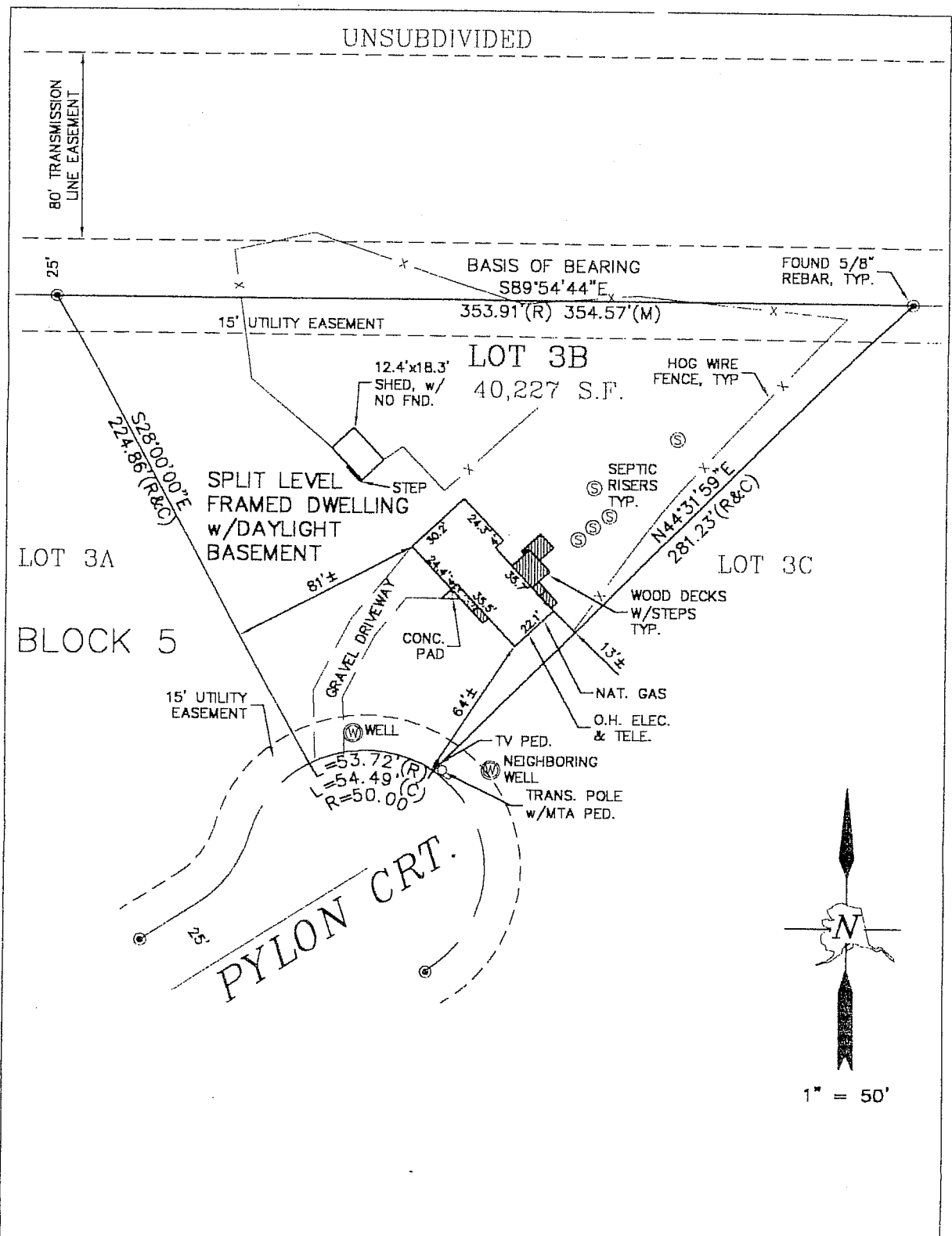


Judy Thompson, Acting Admin. Secretary



Paul Hulbert, Platting Officer





EXCLUSION NOTE: IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.



AS-BUILT



P.O. BOX 2749
PALMER, ALASKA 99645
PHONE: (907)745-0222
FAX: (907)746-0222

W.O. 0108590 | DATE: 8/21/01 | SCALE: 1" = 50' | FILE: 0100590_AS

I HEREBY CERTIFY THAT I HAVE PERFORMED A MORTGAGE INSPECTION ON THE FOLLOWING DESCRIBED PROPERTY:
LOT 3B, BLOCK 5, NORTH COUNTRY ESTATES,
PLAT No. 81-137, REFILED 97-89, PALMER RECORDING DISTRICT,
EASEMENTS OF RECORD OTHER THAN THOSE SHOWN ON THE RECORDED PLAT ARE NOT SHOWN HEREON. DATED AT PALMER, ALASKA, THIS 27th DAY OF AUGUST, 2001.