

Introduced by: Mayor at the request
of the Planning Commission
Date: 09/17/91
Hearing: 10/29/91
Postponed as Amended to: 11/05/91
Referred to:
Local Affairs/Lands Committee
Action: Adopted as Amended
Vote: Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 91-46**

**AN ORDINANCE AMENDING SECTION 20.16.155 OF THE BOROUGH CODE OF
ORDINANCES SO THAT CERTAIN BENEFICIARIES OF DEEDS OF TRUST ON LAND
PROPOSED FOR SUBDIVISION MAY NOT BE REQUIRED TO SIGN
THE SUBDIVISION PLAT**

WHEREAS, under the existing provisions of KPB 20.16.155 all parties having an interest in land being subdivided, including beneficiaries of deeds of trust, must sign the final plat; and

WHEREAS, the requirement for beneficiaries of deeds of trust to sign the final plat has been shown, in some cases, to be cumbersome and not necessary;


NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That KPB 20.16.155(A) is amended by adding a new paragraph as follows:

7. Where a party's sole interest in the property is as beneficiary of a deed of trust, and the deed of trust contains no prohibition against subdivision or replat of the property, then the owner of record may provide, in lieu of the beneficiary's signature, a sworn, notarized statement, signed by the owner of record, which sets out a description of the deed of trust and states that subdivision and/or replat are not prohibited thereby.

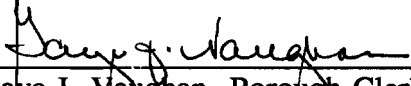
Section 2. That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
5TH DAY OF NOVEMBER, 1991.**



Betty Glick, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk