

Introduced by: Mayor
Date: Sept. 1, 1981
Vote: 11 Yes; 1 No
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-152

GRANTING A SEWER EASEMENT UNDER AND ACROSS BOROUGH OWNED LAND TO THE CITY OF SELDOVIA.

WHEREAS, the Borough is the owner of certain land in the City of Seldovia described as Tract 4, replat of Lots 9, 10, and 11, Block 9, U.S. Survey No. 1771, Seldovia Townsite, City of Seldovia, Seldovia Recording District, State of Alaska; and

WHEREAS, the City of Seldovia desires to construct a sanitary sewer under and across these lands for the disposal of municipal wastes; and

WHEREAS, the Planning Commission, at its regular meeting of August 3, 1981, reviewed the City of Seldovia's request for a sewer easement and has recommended that the easement be granted;

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

Section 1. That the Borough grants to the City of Seldovia an easement for the construction of a sanitary sewer and described as:

"An easement ten feet in width on each side of, and parallel to, the centerline of the proposed sanitary sewer line as shown on attached Sheet 1 of 3 of construction plans prepared by Tryck, Nyman & Hayes, dated June, 1981, for a total easement width of 20 feet, and located within Tract 4, replat of Lots 9, 10, and 11, Block 9, U.S. Survey No. 1771, Seldovia Townsite, City of Seldovia, Seldovia Recording District, State of Alaska."

Section 2. This easement shall remain in effect so long as the public use is maintained and so long as Grantee maintains the premises in a safe and orderly condition. Grantee shall defend and hold harmless the Borough from any claims arising from its use of the easement.

Section 3. That the Mayor is authorized to effectuate this resolution, which takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON
THIS 1 DAY OF September, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Frances Brymer
Borough Clerk