

Introduced by: Mayor
Date: Dec. 1, 1981
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-192

RESERVING PUBLIC USE EASEMENTS UPON LANDS INCLUDED IN THE NINILCHIK SEALED BID AUCTION.

WHEREAS, the Borough intends to sell by sealed bid certain lands lying generally near Ninilchik in December, 1981; and

WHEREAS, the Planning Commission has recommended that these lands be sold, subject to the reservation of certain public use easements; and

WHEREAS, the Assembly finds that the Borough shall reserve from conveyance the public use easements recommended by the Borough Planning Commission in order to provide for access to lands adjacent to these Borough lands, and to provide for public access to public waterways;

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

Section 1: That the Assembly reserves from conveyance the following described public use easements from the lands to be conveyed by the December, 1981 Ninilchik sealed bid sale of Borough-selected lands:

Unit 1: A 50 foot wide public use easement more particularly described as the North 50 ft. of Government Lot 1, Sec. 26, T1S, R14W, Seward Meridian, Alaska.

An access easement 50 feet in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Unit 2: A 50 ft. wide public use easement more particularly described as the east 50 ft. of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, T1S, R14W, Seward Meridian, Alaska.

Subject to Right-of-Way Permit ADL#34494 to Homer Electric Association for electric transmission line 100 ft. in width.

An access easement 50 feet in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

- Unit 4: An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Subject to Sterling Highway right-of-way.

a 50 ft. wide public use easement more particularly described as the west 50 ft. and south 50 ft. of Government Lot 2 west of the Sterling Highway right-of-way, Sec. 9, T2S, R14W, Seward Meridian, Alaska.

- Unit 5: A 50 ft. wide public use easement more particularly described as the south 50 ft. of Government Lot 2 ^{East (7B)} ~~west~~ of the Sterling Highway, Sec. 9, T2S, R14W, Seward Meridian, Alaska.

Subject to Sterling Highway right-of-way.

- Unit 6: A 50 ft. wide public use easement more particularly described as the east 50 ft. and ~~north 50 ft. of Government Lot 1 east of the~~ Sterling Highway, Sec. 17, T2S, R14W, Seward Meridian, Alaska

Subject to Sterling Highway right-of-way.

- Unit 7: A 50 ft. wide public use easement more particularly described as the north 50 ft. of Government Lot 5, Sec. 20, T2S, R14W, Seward Meridian, Alaska.

An access easement 50 ft. in width, measured

upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

- Unit 8: An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

A 60 ft. wide public use easement more particularly described as the east 60 ft. of Government Lot 19, Sec. 20, T2S, R14W, Seward Meridian, Alaska.

- Unit 9: A 60 ft. wide public use easement more particularly described as the east 60 ft. of Government Lot 22, Sec. 20, T2S, R14W, Seward Meridian, Alaska.

An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

- Unit 10: A 60 ft. wide public use easement more particularly described as the north 60 ft. of Government Lot 24 east of the Sterling Highway, and the north 60 ft. and east 60 ft. of Government Lot 23 within Sec. 20, T2S, R14W, Seward Meridian, Alaska

Subject to the Sterling Highway right-of-way.

An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Unit 11: An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Subject to the Sterling Highway right-of-way.

Unit 12: A 50 ft. wide public use easement more particularly described as the south 50 ft. of Government Lot 25 west of the Sterling Highway, Sec. 20, T2S, R14W, Seward Meridian, Alaska.

Subject to the Sterling Highway right-of-way.

An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Unit 13: A 50 ft. wide public use easement more particularly described as the south 50 ft. of Government Lot 25 east of the Sterling Highway and the south 50 ft. of Government Lot 26 within Sec. 20, T2S, R14W, Seward Meridian, Alaska.

Subject to Sterling Highway right-of-way.

A 60 ft. wide public use easement more particularly described as the east 60 ft. of Government Lot 26, Sec. 20, T2S, R14W, Seward Meridian, Alaska.

An access easement 50 ft. in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Unit 14: An access easement 50 ft. in width, measured upland from the line of mean or ordinary high

water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Subject to Sterling Highway right-of-way.

Unit 15: Subject to Sterling Highway right-of-way.

A 60 ft. wide public use easement more particularly described as the south 60 ft. of Government Lot 10, Sec. 29, T2S, R14W, Seward Meridian, Alaska.

An access easement 50 feet in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Unit 17: A 60 ft. wide public use easement more particularly described as the south 60 ft. of Government Lot 12, Sec. 29, T2S, R14W, Seward Meridian, Alaska.

An access easement 50 feet in width, measured upland from the line of mean or ordinary high water exists along all navigable or public water bodies pursuant to A.S. 38.04.055 and 11 AAC 53. Easements along such bodies of water shall follow the line of mean or ordinary high water.

Unit 18: A 50 ft. wide public use easement more particularly described as the north 50 ft. of Government Lot 13, of Sec. 29, T2S, R14W, Seward Meridian, Alaska.

A 60 ft. wide public use easement more particularly described as the south 60 ft. and east 60 ft. of Government Lot 13, Sec. 29, T2S, R14W, Seward Meridian, Alaska.

Unit 19: A 60 ft. wide public use easement more particularly described as the south 60 ft. and east 60 ft. of Government Lot 14, Sec. 29, T2S, R14W, Seward Meridian, Alaska.

Section 2: That the Mayor is authorized to execute all documents necessary to effectuate this Resolution, upon such terms and conditions as the Mayor finds to be in the interest of the Borough.

Section 3: That this Resolution takes effect immediately upon its adoption.

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


John ~~E.~~ Davis, Assembly President

ATTEST:


Borough Clerk