

Introduced by: Mayor
Date: Jan. 5, 1982
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 82-2

ESTABLISHING A POLICY AND LIMITATION ON PAYMENT FOR ROAD
RIGHT-OF-WAY EASEMENTS ON DESIGNATED ROAD CONSTRUCTION
PROJECTS.

WHEREAS, the Borough has assumed road construction powers;
and

WHEREAS, in order to construction roads across private
property it is usually necessary to obtain easements from
property owners; and

WHEREAS, the easement requirements and additional
right-of-way vary with conditions and road design;

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

Section 1. That the Assembly authorizes this right-of-way
policy for designated road construction projects:

- A. Fifty dollars (\$50.00) shall be paid to the owner for
a standard right-of-way easement.
- B. The Mayor shall be authorized to make payment to the
property owner in cases where the granting of the
easement shall require additional private property or
rights, provided, however, that payment shall be
limited to not more than \$10,000 based on real estate
appraisal by the Assessor or independent appraisal.
- C. In cases where the owner demands payment of more than
\$10,000, the payment must first be authorized by the
Assembly.

Section 2. That the expenditure of funds for right-of-way
acquisition in the individual project accounts shall be made by
transfer from Account No. 65-21001-9212 as established by
Resolution 81-204 in the amount of \$247,140.

Section 3. That the expenditure of funds for right-of-way
acquisition shall be limited to the following roads: North
Anchor River, Halbouty, Mackey Lake/Sport Lake, Holt,
Myers/Strawberry, Lamplight, East End, Resurrection River, Big
Eddy, Skyline, Bean Creek and Ninilchik Spit.

Section 4. 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 5 DAY OF January, 1982.


John C. Davis, Assembly President

ATTEST:


Borough Clerk