

Introduced by: Arness
Date: Feb. 1, 1983
Vote: 3 Yes, 10 No
Action: Defeated

KENAI PENINSULA BOROUGH

RESOLUTION 83-31

REQUESTING THE KENAI PENINSULA BOROUGH MAYOR TO START CONDEMNATION PROCEEDINGS TO OBTAIN NECESSARY RIGHT-OF-WAY FOR HALBOUTY ROAD.

WHEREAS, the Kenai Peninsula Borough has been unable to reach an agreement as to a fair valuation for a right-of-way necessary for construction of Halbouty Road; and

WHEREAS, the right-of-way for the best and safest alignment for Halbouty Road at its junction with the Kenai North Road has been adamantly refused by the owner of the property involved; and

WHEREAS, without a right-of-way, the completion of Halbouty Road is in jeopardy; and

WHEREAS, many owners along Halbouty Road have given up land for right-of-way for token payment in order to obtain an upgraded and paved road, and these grants will have been made in vain unless said road is completed;

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

Section 1. That the Mayor of the Kenai Peninsula Borough is hereby requested to proceed without delay to negotiate for the purchase of the necessary rights-of-way for Halbouty Road, and the Assembly hereby approves any agreement which the Mayor may make by February 15, 1983, which is based on the appraisal valuation made by Angelo Hillas in the fall of 1982 plus any reasonable costs incurred by owner or owners with respect to this right-of-way dispute.

Section 2. That in the event the Mayor is unable to obtain rights-of-way in accordance with the preceding section, the Mayor is hereby requested to start condemnation proceedings to obtain necessary rights-of-way for the best and safest alignment for Halbouty Road so that the project will not be blocked and so that a court can determine a fair price for the land taken by such right-of-way.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 1st DAY OF February, 1983.


Donald, L. McCloud, Assembly President

ATTEST:


Borough Clerk