

Introduced by: Mayor  
Date: Oct. 30, 1984  
Vote: 14 Yes, 1 No  
Action: Adopted as Amnded.

KENAI PENINSULA BOROUGH

RESOLUTION 84-177

ESTABLISHING A POLICY FOR PAYMENT FOR ROAD RIGHT-OF-WAY ACQUISITION ON ROADS CONSTRUCTED BY THE BOROUGH FOR THE STATE OF ALASKA.

WHEREAS, the Borough is actively upgrading and reconstructing many existing State maintained Roads; and

WHEREAS, this construction program requires the acquisition of property for road right of way; and

WHEREAS the current policy on payment of right-of-ways under Resolution 82-2 (Amended) is considered out of date; and

WHEREAS, it is necessary to establish a more equitable right-of-way acquisition policy;

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

Section 1. That Resolution 82-2 (Amended) is repealed.


Section 2. That the Borough hereby adopts policy governing the payment for right-of-way acquisition on State road construction projects or improvement projects on State maintained roads that are being handled by the Borough.

Section 3. That the Borough's policy is to pay to the owner or holder of the property up to the appraised value of the property interest taken or acquired for the right-of-way. The Mayor is authorized to make such payment up to these limits as is necessary to acquire the right-of-way for these projects.

Section 4. That in the event the Mayor is unable to acquire the right-of-way in accordance with these limitations, the Mayor shall obtain assembly authorization for payment in excess of these amounts or shall advise the assembly before proceeding with other methods to acquire the right-of-way.

Section 5. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 30th DAY OF October, 1984.

  
\_\_\_\_\_  
Assembly President

ATTEST:

  
\_\_\_\_\_  
Acting Borough Clerk