

Introduced by: Mayor
Date: September 4, 1990
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 90-95

A RESOLUTION APPROVING THE GRANT OF PUBLIC ACCESS ACROSS BOROUGH OWNED LANDS TO ENSTAR NATURAL GAS COMPANY

WHEREAS, the Borough has selected and received patent to Government Lot 4, Township 5 North, Range 11 West, Seward Meridian, Alaska; and

WHEREAS, during the spring of 1990 a portion of Kalifornsky Beach Road was washed out which also washed out a portion of Moose Turd Avenue; and

WHEREAS, prior to the washout during spring breakup Enstar Natural Gas Company accessed their microwave tower by Moose Turd Avenue; and

WHEREAS, in May, 1990 Unocal Corporation secured necessary permits and constructed a temporary gravel road bypass around the washout on Kalifornsky Beach Road; and

WHEREAS, the bypass road will provide Enstar Natural Gas Company permanent access to Moose Turd Avenue and their microwave tower; and

WHEREAS, the Planning Commission recommended the subject right-of-way be approved at its August 20, 1990 meeting;

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

Section 1. That the borough grant a 24 foot wide public road right-of-way running 820 feet across those lands described as that portion of Government Lot 4 lying east of Kalifornsky Beach Road within Section 31, Township 5 North, Range 11 West, Seward Meridian, Alaska, R.O.W. containing approximately 0.45 acres.

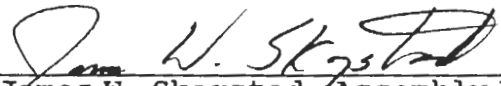
Section 2. That the proposed right-of-way will follow the existing constructed bypass road and a centerline survey will be required to properly locate the road.

Section 3. That Enstar Natural Gas Company is responsible to secure any and all necessary permits associated with the construction of this road.

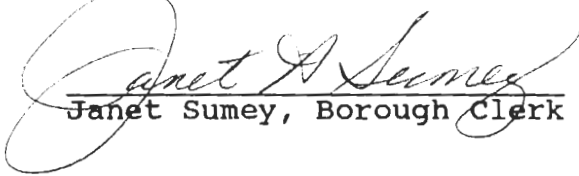
Section 4. That the Mayor is authorized to sign such documents necessary to effectuate this easement.

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

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
4th DAY OF September, 1990.


James W. Skogstad, Assembly President

ATTEST:


Janet Sumey, Borough Clerk