

Introduced by: Wiley
Date: 10/14/97
Action: Approved
Vote: 7 Yes, 1 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 97-072**

**A RESOLUTION REQUESTING THE ADMINISTRATION TO WORK
TOWARDS RESOLVING RIGHT-OF-WAY CONFLICTS ON BOROUGH
AND STATE ROADS**

WHEREAS, many borough roads are not within their designated right-of-way; and

WHEREAS, conflicts occur when public roads cross private property; and

WHEREAS, when rights-of-way are in question, maintenance and upgrading of borough roads are restricted and projects are postponed or delayed;

WHEREAS, lack of maintenance on borough roads may present safety hazards for which the borough could be held liable; and

WHEREAS, the borough has a \$2.1 Million fund balance in the Land Trust fund; and

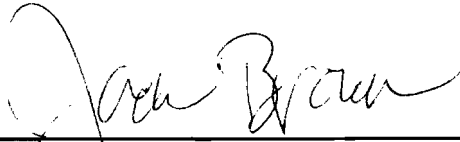
WHEREAS, the borough has public land which may be used or traded to resolve certain right-of-way conflicts;

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

SECTION 1. That the Assembly hereby requests the administration to appoint a staff team with representatives from the Legal Department, the Roads Department and the Planning Department to work cooperatively to resolve right-of-way conflicts in the best interest of the citizens of the Kenai Peninsula Borough in accordance with applicable borough code requirements.

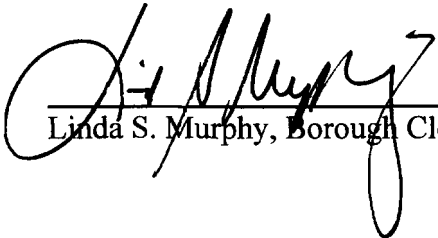
SECTION 2. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 14TH DAY OF OCTOBER, 1997.



Jack E. Brown, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk