

DENALI BOROUGH PLANNING COMMISSION
RESOLUTION PC 17-08
NENANA RECORDING DISTRICT

A RESOLUTION PROVIDING APPROVAL FOR CASE FILE 17-02.

Vacation by resolution of a 100-foot building setback easement, a 20-foot utility easement, and the creation of a 20-foot non-disturbance easement affecting lots 7-13, block 1 of the Village View Subdivision (plat 85-11) along the George Parks Highway.

WHEREAS, Allen Cornelison and Vicki Malone, owners of lots 8 and 12 a & b, block 1 of the Village View subdivision have submitted a request to the Denali Borough to vacate the 100 foot building setback easement and the 20 foot utility easement dedicated along the George Parks Highway affecting lots 7-13, block 1 of the Village View Subdivision located within Section 36, T14S, R7W, F.M. Alaska; and

WHEREAS, Allen Cornelison has submitted non-objection emails from other property owners effected by this request: Paul Carter - lot 7, Craig Jones – lot 9, David Cohen and Diane Schneider - lots 10 & 11, and Todd Franson - lot 13; and

WHEREAS, Golden Valley Electric Association (GVEA) and Matanuska Telephone Association (MTA) have submitted non-objection letters for vacating both the easements and creating a non-disturbance easement; and

WHEREAS, the building setback easement and utility easement are mentioned as General Notes 10 and 11 on page 1 of Plat 85-11 and they were not depicted on the lots themselves; and

WHEREAS, the Denali Borough Planning Commission has found that vacating the requested utility easement will not be detrimental to the public interest since power is already installed along the northern property boundary; and

WHEREAS, the Denali Borough Planning Commission has found that vacating the 20-foot utility easement adjacent to the George Parks Highway and creating a 20-foot non-disturbance easement along the George Parks Highway will help protect the view-shed of the scenic byway; and


WHEREAS, the aforementioned request was approved for replat by the Denali Borough Planning Commission on July 20, 2017 but Allen Cornelison is requesting to vacate by resolution.

NOW THEREFORE BE IT RESOLVED, the Denali Borough Planning Commission is approving the vacation of a 100-foot building setback easement, a 20-foot utility easement dedicated along the George Parks Highway affecting lots 7-13, block 1 of the Village View Subdivision and creating a 20-foot non-disturbance easement in place of the utility easement along the George Parks Highway subject to the following:

1. A sketch showing the location of the easements being vacated and the creation of the non-disturbance easement is attached on page 2.
2. That this resolution is eligible for recording upon being signed by the Denali Borough Planning Commission and will be deemed void if not recorded within 90 days of adoption.
3. That this resolution becomes effective upon being recorded with petitioner being responsible for payment of recording fees.

PASSED and APPROVED by the Denali Borough Planning Commission this 15th day of August, 2017.


Kesslyn Tench, Presiding Officer

ATTEST:

Amber Renshaw, Borough Clerk

VOTE: UNANIMOUS

Please return to:
Denali Borough Land Office
PO Box 480
Healy, AK 99743



Vacation of Easement Request

