

NON-CODE ORDINANCE

Sponsored By: Assemblymember Kowalke

Introduced: 09/05/17

Public Hearing: 09/19/17

Adopted: 09/19/17

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 17-116**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AUTHORIZING THE MANAGER TO REALIGN AN EASEMENT ON BOROUGH OWNED LAND FOR PRIVATE PROPERTY ACCESS.

---

WHEREAS, the Assembly approved a right-of-way easement in Section 17, Township 25 North, Range 4 West, by Resolution Serial No. 75-109 to provide access to private property; and

WHEREAS, the Assembly adopted Resolution Serial No. 83-42 to correct the legal description in the previous resolution and to provide continuous access; and

WHEREAS, the Assembly adopted the Fish and Numbered Lakes Recreation Management Plan in 2007, that provides guidance on realigning the right-of-way easement created by Resolution Serial No. 75-109; and

WHEREAS, the property owners east of Fish Lake, for whom the easement was dedicated, have applied to the Borough to construct an all-season trail within the easement; and

WHEREAS, the Community Development Department has worked with the property owners and the Talkeetna community to follow the guidance in the Fish and Numbered Lakes Recreation Management Plan to identify the route for the realigned easement; and

WHEREAS, the proposed route for the realigned right-of-way easement has been approved by the community, the property owners, and the Community Development Department.

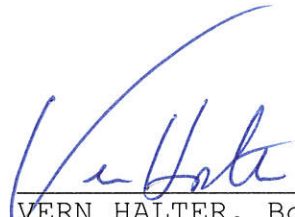
BE IT ENACTED:

Section 1. Classification. This ordinance is a non-code ordinance.


Section 2. Authorization. The Assembly authorizes the Manager to vacate the easement created by Resolution Serial No. 75-109, as amended by Resolution Serial No. 83-42, and to dedicate an equivalent easement along the route supported by the community and property owners as shown in the attached map. The Manager may vary the easement as necessary as long as it generally complies with and is substantially similar to the route described herein.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this  
19 day of September, 2017.

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk  
(SEAL)

PASSED UNANIMOUSLY: Sykes, Beck, McKee, Colligan, Mayfield, Doty,  
and Kowalke