

HAINES BOROUGH, ALASKA
RESOLUTION No. 15-04-626

Adopted

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to vacate and transfer a portion of the Mathias Avenue Right of Way to adjoining landowner Louise Smith in exchange for an equal amount of Smith property to be made into a utility easement.

WHEREAS, Haines Borough Code (HBC) 18.60.010(1) states, "If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems"; and

WHEREAS, property owner Norm Smith in 2010 submitted a water and sewer services application to the Borough since his property is within 200 feet of the public systems; and

WHEREAS, Borough staff determined it was not feasible for Mr. Smith to hook up to services within 200 feet without significant expense and additional stress to an already compromised sewer main on Mathias Avenue; and

WHEREAS, the Director of Public Facilities recommends acquiring a 15-foot sewer easement across the Louise Smith property legally described as Block 7, Kabler Tract, USS 690 to provide sewer service to Mr. Smith's property; and

WHEREAS, the Borough has decided to relocate sewer main so that it runs the other direction on Mathias Avenue, then down a utility easement to the sewer main on Lutak Road; and

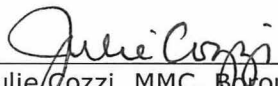
WHEREAS, property owner Louise Smith has agreed to grant the Borough the 15-foot sewer easement by gaining the ownership of the same square footage of Right of Way on Mathias Avenue (approximately 3,800 square feet) as compensation; and

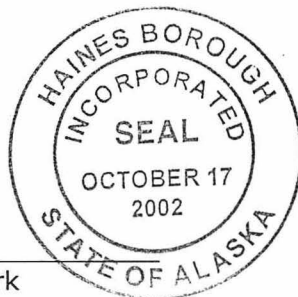
WHEREAS, the Planning Commission held a public hearing on 4/16/15 and concurred with staff's recommendation that the Right of Way is not necessary for public use and should be vacated,

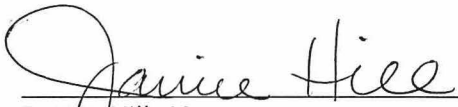
NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to vacate and transfer a portion of the Mathias Avenue Right of Way to adjoining landowner Louise Smith in exchange for an equal amount of Smith property to be made into a utility easement.

Adopted by a duly-constituted quorum of the Haines Borough Assembly this 28th day of April, 2015.

Attest:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor