

**Denali Borough, Alaska**  
**Ordinance No. 14-07**

Introduced by: Mayor Clay Walker

AN ORDINANCE AMENDING THE DENALI BOROUGH CODE OF ORDINANCES,  
CHAPTER 9.10 TITLED SUBDIVISIONS

BE IT ENACTED by the Assembly of the Denali Borough, Alaska that:

Section 1. Classification. This ordinance is of a general and permanent nature.

Section 2. Purpose and Intent. The purpose of this ordinance is to amend Denali Borough Code 9.10.040 and 9.10.110 as follows:

**9.10.040 Definitions.**

A. “Adjoining land” means record owners of those properties of which one or more boundaries are in common with a boundary of the property being subdivided.

F. “Petition Area” means the parcel owned by the petitioner which contains the plat amendment being considered.

M. “Vacation” means the act of making legally void any right-of-way, easement, public area, other public interests or any part of a recorded subdivision.

**9.10.110 Vacations of easements and rights-of-way.**

F. Vacation petitions shall follow the procedures under DBC 9.10.100 and include the following:

1. The name, address and land ownership of each petitioner and [all other land owners within the petition area and within 500 feet beyond] the adjoining land owners of the petition area. Adjoining land owners includes those separated by a dedicated right-of-way;
2. Plat copies, as needed, drawn to the specifications of this chapter;
3. Legal description of the area to be vacated;
4. Reason for the vacation request;
5. Written recommendations from affected agencies and municipality or satisfactory evidence that they have received the preliminary plat or sketch 10 [working] business days prior to the application being submitted to the Denali Borough Land [technician] Planner. Reviewing agencies shall have a maximum of 10 [working] business days for their review and response;

[6. The appropriate agency, or utility company, shall sign the final plat prior to recording.]

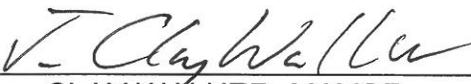
G. Public Notice

1. The land planner shall publish notification of a proposed vacation in the 4 community (Anderson, Healy, Denali Park, Cantwell) post offices and in a newspaper of general circulation in the borough for a minimum of 10 business days.
2. The land planner shall take reasonable steps to notify those landowners identified in 9.10.110 (F) (1) in writing of the proposed vacation petition allowing for a minimum 10 business day response time.
3. All notifications shall contain a sketch of the petition area.
4. No official action will be taken by the planning commission on the proposed vacation until the 10 business day notice and response times have elapsed.

Section 3. Effective Date. This ordinance becomes effective upon adoption by the Denali Borough Assembly and signature of the mayor.

DATE INTRODUCED: JULY 09, 2014  
FIRST READING: JULY 09, 2014  
PUBLIC HEARING: AUGUST 13, 2014

PASSED AND APPROVED by the Denali Borough Assembly this 12<sup>th</sup> day of NOVEMBER, 2014.

  
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CLAY WALKER, MAYOR



ATTEST:   
\_\_\_\_\_  
GAIL PIEKNIK, BOROUGH CLERK

AYES: PASSED UNANIMOUSLY  
CHATFIELD, DEBALUW, EVANS, BURROWS and BOELSMA  
ABSENT: TALERICO, TATUM and ZIMMERMAN