

Introduced: 3/1/67
Referred: Judiciary

1 IN THE HOUSE

BY STEVENS

2 HOUSE BILL NO. 254

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to jurisdiction over land platting
7 in areas outside an organized borough or city in the
8 unorganized borough."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 40.15.070 is amended to read:

11 Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be
12 subdivided or dedicated is situated within a city the proposed sub-
13 division or dedication shall be submitted to the city planning commis-
14 sion for approval. The city planning commission is the platting
15 authority for the city. If the city does not have a planning commis-
16 sion, the city council is the platting authority and the proposed
17 subdivision or dedication shall be submitted to it. If land proposed
18 to be subdivided or dedicated is situated outside an organized borough
19 or outside a city in the unorganized borough [WITHIN A SCHOOL DISTRICT
20 BUT OUTSIDE A CITY], the proposed subdivision or dedication shall be
21 submitted for approval to the division of lands, [PLATTING BOARD
22 REFERRED TO IN SEC. 80 OF THIS CHAPTER] which is the platting authority
23 for the area outside organized boroughs and outside cities in the
24 unorganized borough [SCHOOL DISTRICT OUTSIDE A CITY]. The director of
25 the division of lands shall promulgate regulations, consistent with
26 secs. 100 - 130 of this chapter, to govern the approval of plats. No
27 subdivision may be filed for record until it is approved by the platting
28 authority.

29 * Sec. 2. AS 40.15 is amended by adding a new section to read:

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1 **Sec. 40.15.138. VACATION OF PLATS IN THE UNORGANIZED BOROUGH.**

2 The division of lands shall be the platting authority in the area out-
3 side organized boroughs or outside cities in the unorganized borough
4 for purposes of hearing and acting on petitions for vacation of plats
5 and shall execute this function substantially in conformity with the
6 provisions of secs. 150 - 180 of this chapter. Costs of publication
7 and mailing as well as other costs authorized in sec. 150 of this
8 chapter shall be paid to the division by the petitioner.

9 * Sec. 2. AS 40.15.140 is amended to read:

10 **Sec. 40.15.140. PETITION.** No plat shall be altered, amended or
11 changed, except upon petition of the owners of a majority of the land
12 affected by the alteration, amendment or change, showing the changes
13 contemplated. No street, alley or public thoroughfare or any part of
14 one shall be vacated, except upon petition of the owners of the majority
15 of the front feet of the land fronting upon the part of the street,
16 alley or public thoroughfare sought to be vacated. The petition shall
17 be filed with the clerk of the city or the platting authority having
18 jurisdiction [BOARD], requesting that the plat, addition or subdivision
19 be amended, replatted or vacated, or that the street, alley or public
20 thoroughfare be vacated. The petition shall be accompanied by a plat,
21 draft or a copy of the existing plat, showing the proposed amendment,
22 replat or vacation.

23 * Sec. 3. AS 40.15.080 - 90 are repealed.