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1 IN THE SENATE

BY HAMMOND BY REQUEST

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SENATE BILL NO. 189

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to land platting authority."

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

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\* Section 1. AS 40.15 is amended by adding a new section to read:

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Sec. 40.15.075. AUTHORITY IN THE UNORGANIZED BOROUGH. The

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division of lands shall be the platting authority in the area outside

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organized boroughs and outside cities in the unorganized borough for

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only the purposes of hearing and acting on petitions for the change or

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vacation of plats and shall execute this function substantially in

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conformity with the provisions of secs. 150 - 180 of this chapter.

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Costs of publication and mailing as well as other costs authorized in

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sec. 150 of this chapter shall be paid to the division by the petitioner

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The Department of Natural Resources shall adopt reasonable regulations

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governing the exercise of the authority conferred by this section upon

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the division of lands.

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\* Sec. 2. AS 40.15.070 is amended to read:

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Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be sub-

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divided or dedicated is situated within a first or second class borough

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the proposed subdivision or dedication shall be submitted to the

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borough planning commission for approval. If the land is situated

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within a city in the unorganized borough the proposed subdivision or

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dedication shall be submitted to the city planning commission for

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approval. The borough planning commission is the platting authority

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for the first or second class borough, the city planning commission is

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the platting authority for the city, and the division of lands is the

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1 platting authority in the remaining areas of the state for the change or  
2 vacation of existing plats or a portion of such plats, as provided in  
3 sec. 75 of this chapter. If the borough or the city does not have a  
4 planning commission, the borough assembly or the city governing body,  
5 respectively, is the platting authority and the proposed subdivision or  
6 dedication shall be submitted to it. No subdivision may be filed for  
7 record until it is approved by the platting authority.

8 \* Sec. 3. AS 40.15.140 is amended to read:

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