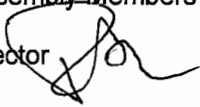


Kenai Peninsula Borough  
Planning Department

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**MEMORANDUM**

**TO:** Ryan Tunseth, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Robert Ruffner, Planning Director 

**DATE:** May 27, 2026

**RE:** Vacates the southern portion of the existing Maximillian Court cul-de-sac bulb in Lot 13, as dedicated by Clan Maxwell Estates Avalon Heights Addition #2, Plat SW 2009-06

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In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of May 26, 2026 the Kenai Peninsula Borough Planning Commission granted approval of the above proposed vacation by unanimous vote (6-Yes, 2-Absent) based on the means of evaluating public necessity established by KPB 20.65. This petition is being sent to you for your consideration and action.

A draft copy of the unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

May 26, 2026 Planning Commission Draft Meeting Minutes  
May 26, 2026 Agenda Item E3 Meeting Packet Materials

**MOTION:** Commission Whitney moved, seconded by Commissioner Fike to grant the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, adopting and incorporating by reference the staff report, staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 6	Epperheimer, Fikes, Gillham, Morgan, Whitney, Venuti
Absent - 2	Brantley, Slaughter

**ITEM #3 - RIGHT OF WAY VACATION**

**VACATE THE SOUTHERN PORTION OF THE EXISTING MAXIMILIAN COURT CUL-DE-SAC BULB IN LOT 13, CLAN MAXWELL ESTATES AVALON HEIGHTS ADDITION # 2, PLAT SW 2009-6, LOCATED SOUTH OF A LINE PROJECTION SOUTHWESTERLY 78.67 FEET OF THE TANGENT LINE FOR THE RETURN CURVE FROM THE CUL-DE-SAC BULB HEADED NORTHEASTERLY, THENCE ANGLE RIGHT FROM LINE GOING SOUTHWESTERLY STILL UNTIL INTERSECTING CUL-DE-SAC BULB AND END OF LINE**

<b>KPB File No.</b>	2026-039V
<b>Planning Commission Meeting:</b>	May 26, 2026
<b>Applicant / Owner:</b>	Tanner Crab, LLC
<b>Surveyor:</b>	Andrew Hamilton; McLane Consulting, Inc.
<b>General Location:</b>	Bear Creek Area, North of Seward City Limits
<b>Legal Description:</b>	Maximilian Court T 01N R 01W SEC 22 Seward Meridian SW 2021008 CLAN MAXWELL ESTATES AVALON HEIGHTS ADDITION NO. 5 LOT 13

Staff report given by Platting Manager Vince Piagentini.

Vice Chair Gillham opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

**MOTION:** Commission Epperheimer moved, seconded by Commissioner Fikes to grant the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, adopting and incorporating by reference the staff report, staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 6	Epperheimer, Fikes, Gillham, Morgan, Whitney, Venuti
Absent - 2	Brantley, Slaughter

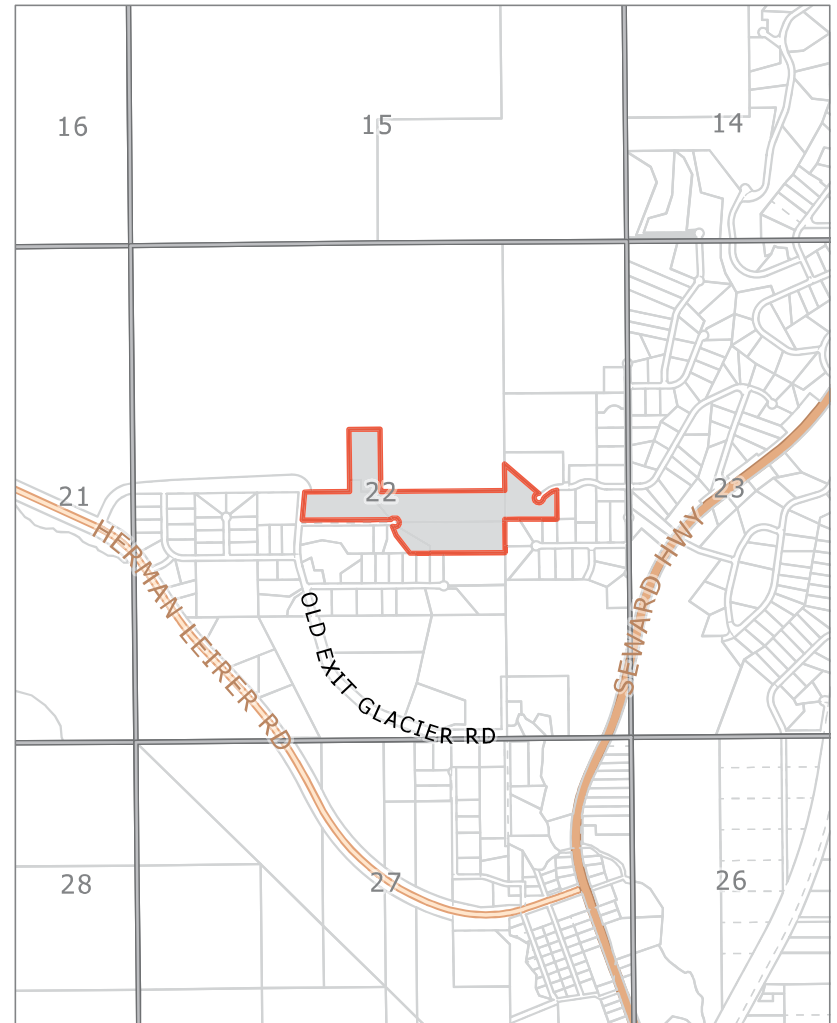
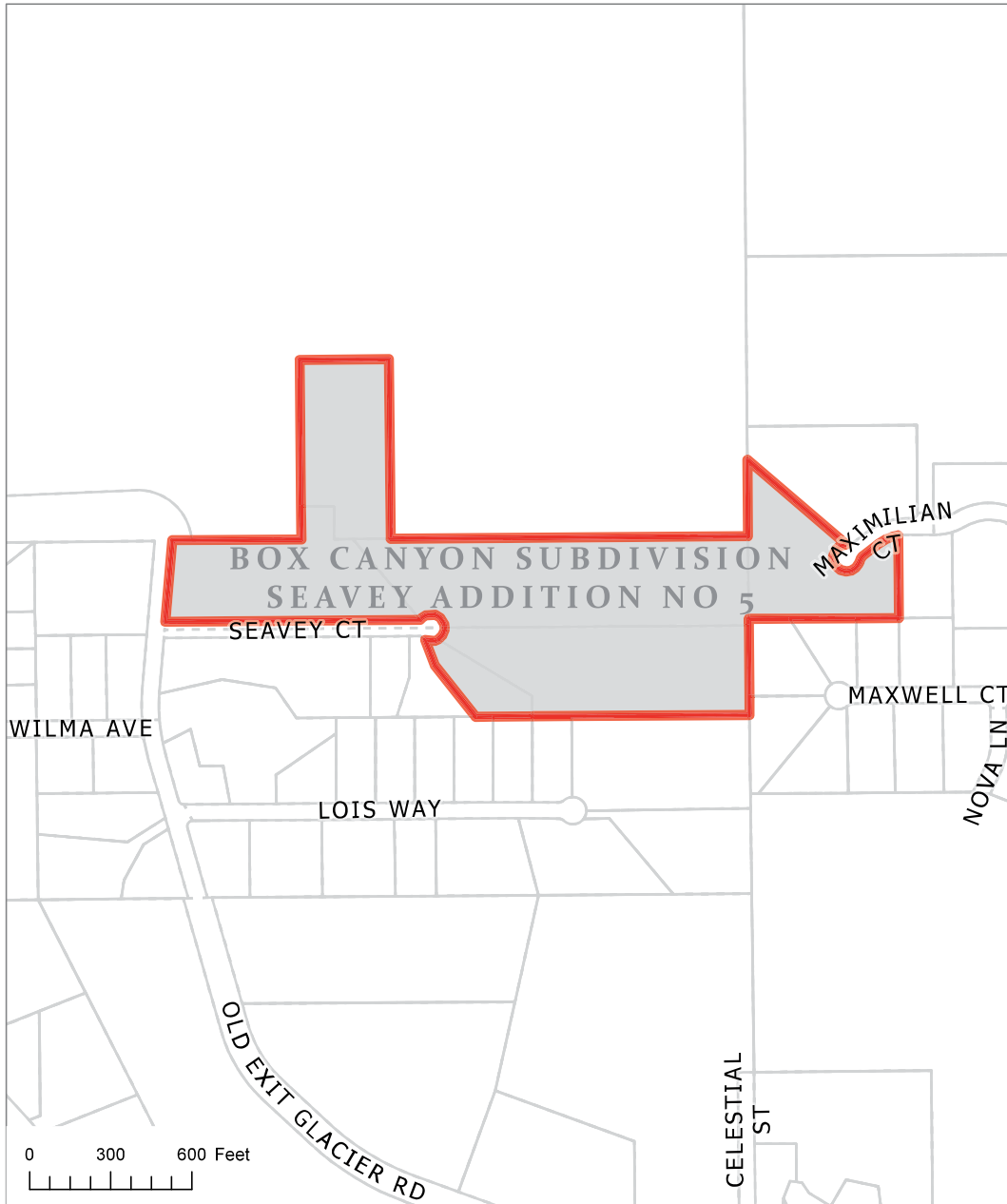
**ITEM #4 – STREET NAMING RESOLUTION 2026-02  
RENAMING DEDRA AVENUE TO DEBRA AVENUE**

<b>Current Street Name</b>	Dedra Avenue
<b>Proposed Street Name</b>	Debra Avenue
<b>Planning Commission Meeting:</b>	May 26, 2026
<b>Applicant:</b>	Don Wood
<b>Total Lots Affected</b>	5
<b>General Location:</b>	Anchor Point Area
<b>ESN</b>	401

Staff report given by Planning Director Robert Ruffner.

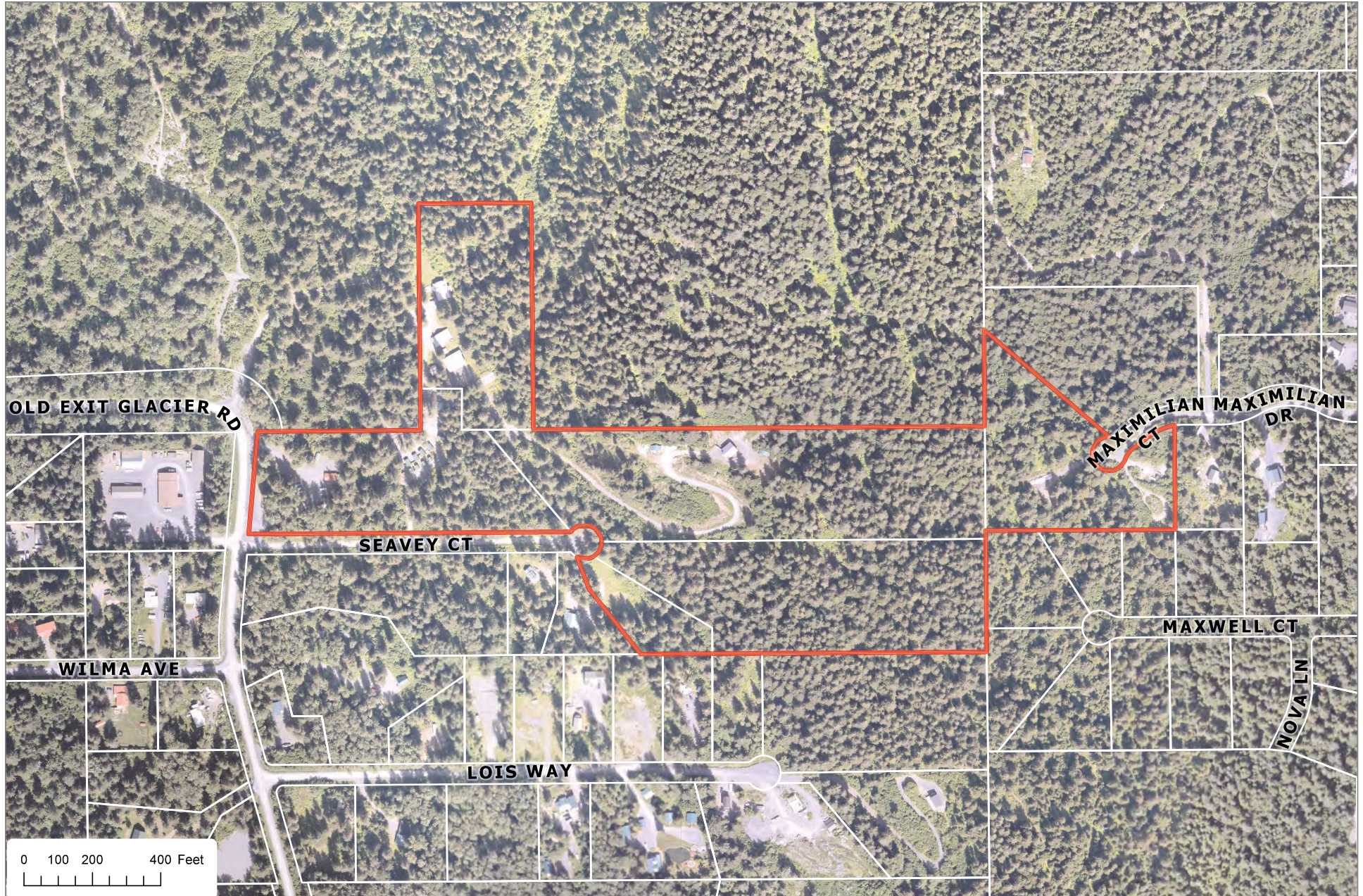
## **E. NEW BUSINESS**

3. **Right-Of-Way Vacation; KPB File 2026-039**  
**McLane Consulting Group / Tanner Crab, LLC**  
**Request: Vacates a portion of the Maximilian Ct cul-de-sac**  
**granted per SW 2009-6**  
**Location: Lot 13, Clan Maxwell Estates Avalon Heights Addn #5,**  
**SW 2021-8**  
**Bear Creek Area**



KPB File 2026-039  
T01N R01W SEC22  
Bear Creek

The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

**CERTIFICATE OF OWNERSHIP AND DEDICATION: LOTS 1 & 2B**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON. I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DANIEL B. SEAVEY  
PO BOX 2906  
SEWARD, AK 99664

**NOTARY'S ACKNOWLEDGEMENT**

FOR: DANIEL B. SEAVEY  
ACKNOWLEDGED BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 2026  
MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC FOR THE  
STATE OF ALASKA

**CERTIFICATE OF OWNERSHIP AND DEDICATION: LOTS 7 & 10B**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JANINE A. SEAVEY  
PO BOX 735  
SEWARD, AK 99672

**NOTARY'S ACKNOWLEDGEMENT**

FOR: JANINE A. SEAVEY  
ACKNOWLEDGED BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 2026  
MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC FOR THE  
STATE OF ALASKA

**CERTIFICATE OF OWNERSHIP AND DEDICATION: LOT 2A1**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT SINGLE LEAD LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF SINGLE LEAD LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DANIEL B. SEAVEY, MANAGER  
SINGLE LEAD LLC, OWNER  
PO BOX 2906  
SEWARD, AK 99664

**NOTARY'S ACKNOWLEDGEMENT**

FOR: DANIEL B. SEAVEY  
ACKNOWLEDGED BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 2026  
MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC FOR THE  
STATE OF ALASKA

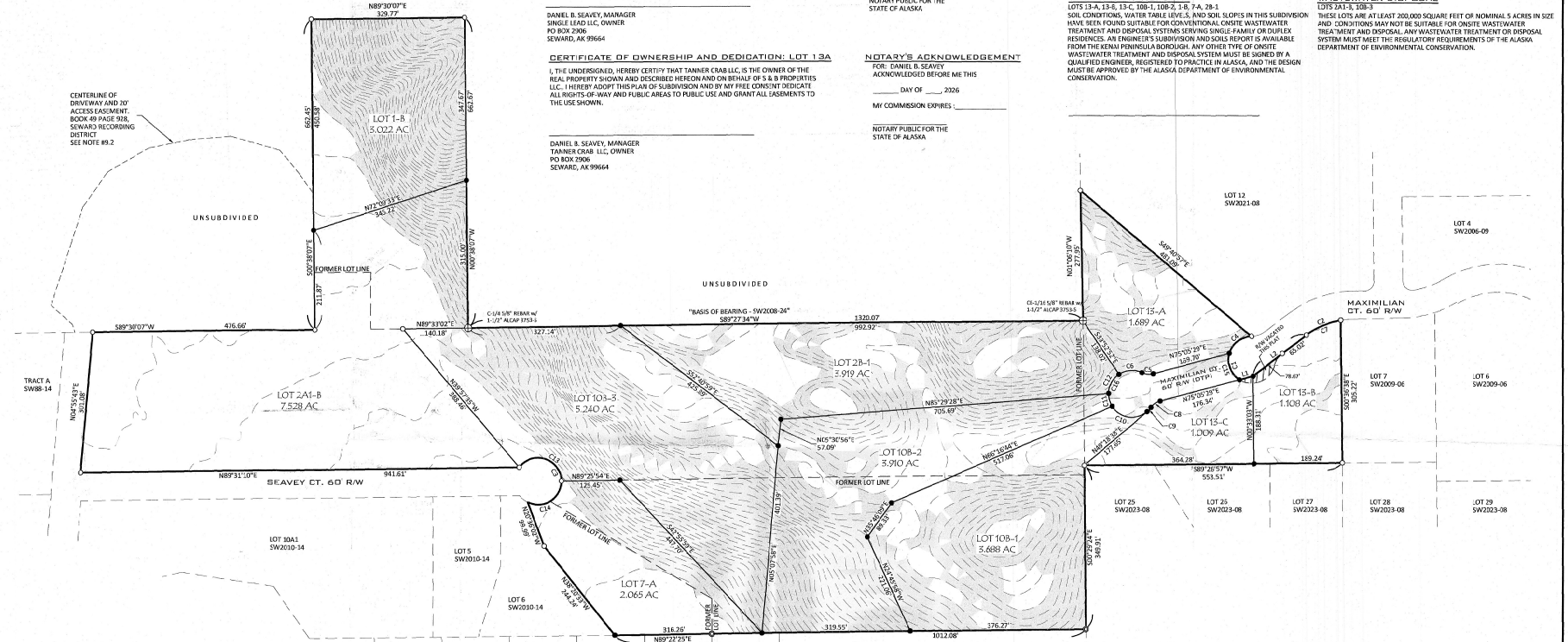
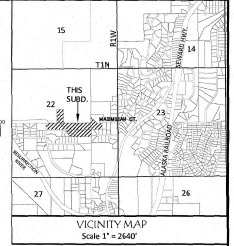
**CERTIFICATE OF OWNERSHIP AND DEDICATION: LOT 13A**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TANNER CRAB LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF TANNER CRAB LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DANIEL B. SEAVEY, MANAGER  
TANNER CRAB LLC, OWNER  
PO BOX 2906  
SEWARD, AK 99664

**NOTARY'S ACKNOWLEDGEMENT**

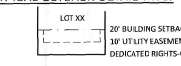
FOR: DANIEL B. SEAVEY  
ACKNOWLEDGED BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 2026  
MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC FOR THE  
STATE OF ALASKA



CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	84°37'21.0"	50.00	129.03	138.68	S 15° 30' 30" W	95.90
C2	17°15'12.0"	120.36	80.84	43.11	N 80° 20' 40" E	79.81
C3	266°27'42.0"	50.00	237.27	59.27	N 13° 22' 45" W	16.40
C4	17°02'60.0"	50.00	63.75	37.04	S 50° 37' 34" W	58.52
C5	50°01'09.0"	50.00	24.51	12.73	N 84° 38' 30" W	24.01
C6	89°17'52.0"	50.00	53.73	28.40	S 85° 40' 04" W	49.87
C7	17°15'12.0"	120.36	80.84	43.11	N 80° 20' 40" E	79.81
C8	40°20'08.0"	50.00	24.51	12.73	N 55° 14' 07" E	24.01
C9	14°07'56.0"	50.00	12.87	6.29	N 42° 14' 40" E	12.30
C10	38°18'40.0"	50.00	88.08	58.18	N 61° 22' 02" E	75.84
C11	33°08'40.0"	50.00	28.81	14.80	S 15° 32' 22" E	28.81
C12	55°09'10.0"	50.00	48.11	26.11	S 28° 12' 13" W	46.29
C13	14°15'12.0"	50.00	12.87	6.29	N 75° 12' 12" W	12.30
C14	11°27'08.0"	50.00	150.25	81.47	N 54° 10' 13" E	85.29
C15	74°13'52.0"	50.00	64.73	37.81	S 21° 01' 17" E	60.34
C16	166°14'18.0"	50.00	237.10	59.34	N 14° 42' 49" W	76.47

LINE TABLE		
LINE #	BEARING	DISTANCE
1	N 70°20'21" E	80.27
2	N 57°52'37" E	149.89

**TYPICAL SETBACK DETAIL (S1)**



**LEGEND**

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- ⊙ FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8" x 30" REBAR w/ 1" BLUE PLASTIC CAP 15-21-2009
- ⊕ DEDICATED THIS PLAT

**NOTES**

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. BUILDING SET BACK: A BUILDING SET BACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. SEE TYPICAL DETAIL.
4. THE "FRONT 10 FEET" OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT. SEE TYPICAL DETAIL.
5. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR DEDICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
6. NO BUILDINGS OR WASTEWATER DISPOSAL ALLOWED WITHIN PANHANDLE PORTION OF LOTS 10B-1 & 10B-2.
7. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
8. ACCEPTANCE OF THIS PLAT BY THE KENAI PENINSULA BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
9. THIS PLAT MAY BE SUBJECT TO THE FOLLOWING:
  - 9.1. A RIGHT-OF-WAY UTILITY EASEMENT GRANTED TO THE CITY OF SEWARD OCTOBER 22, 1987, BOOK 49 PAGE 928, S.D. LOCATION NOT DEPICTED.
  - 9.2. AN ACCESS EASEMENT GRANTED TO DANIEL B. SEAVEY AND SHIRLEY C. SEAVEY JANUARY 26, 1988, BOOK 49 PAGE 928, S.D. SHOWN HEREON.
  - 9.3. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS RECORDED JULY 28, 2006, DOCUMENT NO. 2006-001092-0, S.D.
  - 9.4. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS RECORDED SEPTEMBER 14, 2015, DOCUMENT NO. 2015-000911-0, S.D.
  - 9.5. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.66.17(03).

**WASTEWATER DISPOSAL**  
LOTS 13-A, 13-B, 13-C, 10B-1, 10B-2, 10B-3, 10B-4, 10B-5, 10B-6, 10B-7, 10B-8, 10B-9, 10B-10, 10B-11, 10B-12, 10B-13, 10B-14, 10B-15, 10B-16, 10B-17, 10B-18, 10B-19, 10B-20, 10B-21, 10B-22, 10B-23, 10B-24, 10B-25, 10B-26, 10B-27, 10B-28, 10B-29, 10B-30, 10B-31, 10B-32, 10B-33, 10B-34, 10B-35, 10B-36, 10B-37, 10B-38, 10B-39, 10B-40, 10B-41, 10B-42, 10B-43, 10B-44, 10B-45, 10B-46, 10B-47, 10B-48, 10B-49, 10B-50, 10B-51, 10B-52, 10B-53, 10B-54, 10B-55, 10B-56, 10B-57, 10B-58, 10B-59, 10B-60, 10B-61, 10B-62, 10B-63, 10B-64, 10B-65, 10B-66, 10B-67, 10B-68, 10B-69, 10B-70, 10B-71, 10B-72, 10B-73, 10B-74, 10B-75, 10B-76, 10B-77, 10B-78, 10B-79, 10B-80, 10B-81, 10B-82, 10B-83, 10B-84, 10B-85, 10B-86, 10B-87, 10B-88, 10B-89, 10B-90, 10B-91, 10B-92, 10B-93, 10B-94, 10B-95, 10B-96, 10B-97, 10B-98, 10B-99, 10B-100.

**WASTEWATER DISPOSAL**  
THESE LOTS ARE AT LEAST 20,000 SQUARE FEET OF NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

Plat #  
Rev. Date \_\_\_\_\_  
Date \_\_\_\_\_  
Drawn \_\_\_\_\_



**KENAI PENINSULA BOROUGH**  
SUBDIVISION OF LOT 13 CANYON MAXWELL ESTATES AVALON HEIGHTS ADDITION NO. 2 (K20201-8), LOT 10B BOX CANYON SUBDIVISION SEAVEY ADDITION NO. 2 (K2009-23), BOX CANYON SUBDIVISION SEAVEY ADDITION NO. 3 (K2010-14), LOT 28 BOX CANYON SUBDIVISION SEAVEY ADDITION (K2008-24), LOTS 1 & 2A1 BOX CANYON SUBDIVISION SEAVEY ADDITION NO. 4 (K2005-4)

OWNER:  
TANNER CRAB LLC, (LOT 13A)  
821 N. ST. SUITE 102, ANCHORAGE, AK 99501

DANIEL B. SEAVEY (LOT 2B & LOT 1)  
PO BOX 2906, SEWARD, AK 99664

JANINE A. SEAVEY (LOT 10B & LOT 7)  
PO BOX 735, STERLING, AK 99672

SINGLE LEAD LLC, (LOT 2A1)  
PO BOX 735, STERLING, AK 99672

33.598 AC. M/L SITUATED IN SECTION 22, TOWNSHIP 1 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE SEWARD RECORDING DISTRICT, ALASKA.

Prepared by: TRISTIN SURVEYING & MAPPING  
P.O. BOX 48  
100 CENTRAL AVENUE  
VOYER, AK 99574  
FAX: (907) 285-3236  
WWW.MLANSURVEYING.COM

KPB File No. 2026-KXX  
Project No. 252034  
Scale: 1" = 100'  
Date: DEC 2025  
Book: 25-07  
Drawn by: AHH

**ITEM #3 - RIGHT OF WAY VACATION**

**VACATE THE SOUTHERN PORTION OF THE EXISTING MAXIMILIAN COURT CUL-DE-SAC BULB IN LOT 13, CLAN MAXWELL ESTATES AVALON HEIGHTS ADDITION # 2, PLAT SW 2009-6, LOCATED SOUTH OF A LINE PROJECTION SOUTHWESTERLY 78.67 FEET OF THE TANGENT LINE FOR THE RETURN CURVE FROM THE CUL-DE-SAC BULB HEADED NORTHEASTERLY, THENCE ANGLE RIGHT FROM LINE GOING SOUTHWESTERLY STILL UNTIL INTERSECTING CUL-DE-SAC BULB AND END OF LINE**

<b>KPB File No.</b>	2026-039V
<b>Planning Commission Meeting:</b>	May 26, 2026
<b>Applicant / Owner:</b>	Tanner Crab, LLC of Anchorage, AK
<b>Surveyor:</b>	Andrew Hamilton; McLane Consulting, Inc.
<b>General Location:</b>	Bear Creek Area, north of Seward city limits
<b>Legal Description:</b>	Maximilian Court T 01N R 01W SEC 22 Seward Meridian SW 2021008 CLAN MAXWELL ESTATES AVALON HEIGHTS ADDITION NO. 5 LOT 13

**STAFF REPORT**

**Specific Request / Purpose as stated in the petition:**

The petitioner requests approval to vacate the southern portion of the existing Maximilian Court cul-de-sac, including all associated utility easements.

**Notification:** The public hearing notice was published in the May 22, 2026 issue of the Peninsula Clarion and the May 21, 2026 issue of the Homer News as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Fifteen certified mailings were sent to owners of property within 300 feet of the proposed vacation. Zero receipts had been returned when the staff report was prepared.

Nineteen public hearing notices were emailed to agencies and interested parties as shown below;

- |  |                                     |
|--|-------------------------------------|
| State of Alaska Dept. of Fish and Game | Seward Bear Creek Fire Service Area |
| State of Alaska DNR                    | Alaska Communication Systems (ACS)  |
| State of Alaska DOT                    | ENSTAR Natural Gas                  |
| State of Alaska DNR Forestry           | General Communications Inc, (GCI)   |
| Emergency Services of Bear Creek       | Homer Electric Association (HEA)    |
| Seward Kenai Peninsula Borough Office  | Chugach Electric                    |
|  | Tel Alaska/Fast Wyre                |

**Legal Access (existing and proposed):**

Legal access is provided by Maximilian Court, a platted 60-foot-wide right-of-way. Maximilian Court terminates in a cul-de-sac to the west and connects to Maximilian Drive to the east. Both rights-of-way partially constructed. Maximilian Drive provides access to Big Bear Street, which connects to Blying Sound Drive to the northeast, and then to South Fork Lane to the south. Big Bear Street, Blying Sound Drive, and South Fork Lane are all borough-maintained rights-of-way. South Fork Lane provides access to the Seward Highway between milepost 4 and 5.

The petition requests vacation of the southern portion of the Maximilian Court cul-de-sac bulb, as depicted by hatched markings on the plat. The associated plat proposes to extend the cul-de-sac westward by approximately

220 feet. The length of the cul-de-sac will be approximately 1200 feet from Big Bear Cir and the platting action did request exception to the cul-de-sac length.

Maximilian Court currently provides legal access to the subject parcel, Lot 13, Plat SW 2021-8. The proposed extension will provide legal access to five parcels, all of which are included in the associated plat action.

No section line easements exist within the subject area.

Block length in the vicinity is irregular and non-compliant due to multiple cul-de-sacs, large acreage parcels, and steep terrain. The proposed right-of-way dedication extending Maximilian Court although still not compliant will help improve block length compliance.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: The extension of Maximilian Ct still shows a solid line on the former cul-de-sac. That should be removed prior to recording. This plat will land lock lot 1-B.
SOA DOT comments	

**Site Investigation:**

Available public imagery and KPB Assessing records indicate that the affected lot is vacant. The portion of Maximilian Court proposed for vacation appears to be used as a drive, onto proposed Lot 13-B. The extension of the Maximilian Ct is following another existing drive that will lie under the extension when done.

The submitted preliminary plat includes contours and shaded areas identified as slopes exceeding 20%, as shown on the drawing.

According to the KWF Wetlands Assessment layer, no low wet areas affect the subject property.

The subject area lies within FEMA Flood Zone X, a non-regulatory flood zone with minimal flood hazard. **Staff recommends** that the preliminary plat follow the recommendations of the River Center review and apply the notes as necessary.

KPB River Center review	A. Floodplain  Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: The subdivision is within a non-regulatory flood zone designated as an area with minimal flood hazard. Plat note should be included, no depictions required.  Flood Zone: X Zone Map Panel: 02122C-4541D In Floodway: False Floodway Panel:  B. Habitat Protection  Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
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**Staff Analysis:**

Maximilian Court was originally dedicated in 2009 with the recording of Clan Maxwell Estates Avalon Heights Addition #2 (SW 2009-6). Several subsequent subdivisions have occurred, most recently, Clan Maxwell Estates Avalon Addition #5 (KN 2021-8). The portion of Maximilian Court proposed for vacation abuts Lot 13 (KN 2021-8).

The parent plat (SW 2009-6) granted a 10-foot utility easement along Maximilian Court. The subsequent plat (SW 2015-15) carried this easement forward and expanded it to 20 feet within 5 feet of the side lot lines.

The 10-foot utility easement adjacent to the portion of Maximilian Court proposed for vacation is also requested to be vacated with the petition. **Staff recommends** that the associated final plat clearly depict and label the easement proposed for vacation.

The associated plat, Box Canyon Subdivision Seavey Addition No. 5, will finalize the right-of-way vacation, including the vacation of the associated utility easements. The plat proposes to dedicate additional right-of-way to Maximilian Court, extending the cul-de-sac. A 10-foot utility easement will be granted along the newly dedicated portion of the right-of-way. This plat is scheduled for review by the Plat Committee on May 26, 2026.

**20.65.050 – Action on vacation application**

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

**Applicant comments:**

**Staff comments:** The portion of Maximilian Court proposed for vacation appears to be used as a drive, following the same alignment as the proposed right-of-way dedication shown on the associated plat.

2. A road is impossible or impractical to construct, and alternative access has been provided;

**Applicant comments:** The proposed plat, Box Canyon Subdivision Seavey Addition No. 5, extends Maximilian Court and provides an additional cul-de-sac at the terminus of the new right-of-way. The proposed right-of-way extension will be built to borough standards to enter the road maintenance program.

**Staff comments:**

3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

**Applicant comments:** In an area where flat land is scarce, returning this small portion of land back to proposed Lots 13-C and 13-B increases the usability and value of those lots without harming/reducing the functionality of the right-of-way.

**Staff comments:** The associated plat, Box Canyon Subdivision Seavey Addition No. 5, proposes to dedicate additional right-of-way to Maximilian Court, extending the cul-de-sac. A 10-foot utility easement will be granted along the newly dedicated portion of the right-of-way. Maximilian Court currently provides legal access to the subject parcel, Lot 13, Plat SW 2021-8. The proposed extension will provide legal access to four parcels, all of which are included in the associated plat action.

- The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

**Applicant comments:**

**Staff comments:**

- The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

**Applicant comments:** The proposed plat, Box Canyon Subdivision Seavey Addition No. 5, extends Maximilian Court and provides an additional cul-de-sac at the terminus of the new right-of-way. The proposed right-of-way extension will be built to borough standards to enter the road maintenance program.

**Staff comments:**

- Other public access, other than general road use, exist or are feasible for the right-of-way;

**Applicant comments:**

**Staff comments:**

- All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

**Applicant comments:**

**Staff comments:** A 10-foot utility easement will be granted along the newly dedicated portion of the right-of-way.

- Any other factors that are relevant to the vacation application or the area proposed to be vacated.

**Applicant comments:**

**Staff comments:**

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled June 16, 2026 meeting.

If approved, Box Canyon Subdivision Seavey Addition No. 5 will finalize the proposed right-of-way vacation. The Plat Committee is scheduled to review the plat on May 26, 2026.

**KPB department / agency review:**

Addressing	<p>Reviewer: Pace, Rhealyn  Affected Addresses:  12830 Old Exit Glacier Rd, 12820 Old Exit Glacier Rd, 31525 Seavey Ct, 31530 Seavey Ct,</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:  Old Exit Glacier Rd, Seavey Ct, Maximilian Ct.</p>
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	<p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: No other comments</p>
Code Compliance	Vacant
LOZMS Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>

**Utility provider review:**

HEA	No comments or concerns at this time. The ROW vacation is not within HEA's service area.
ENSTAR	
ACS	
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	No comment. The property is located outside of the Chugach Service area.
TELALASKA	

**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

**RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant utility easements requested by utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

**KPB 20.65.050 – Action on vacation application**

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

- *Focus Area: Energy and Utilities*
  - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
    - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
    - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
    - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

*Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough*

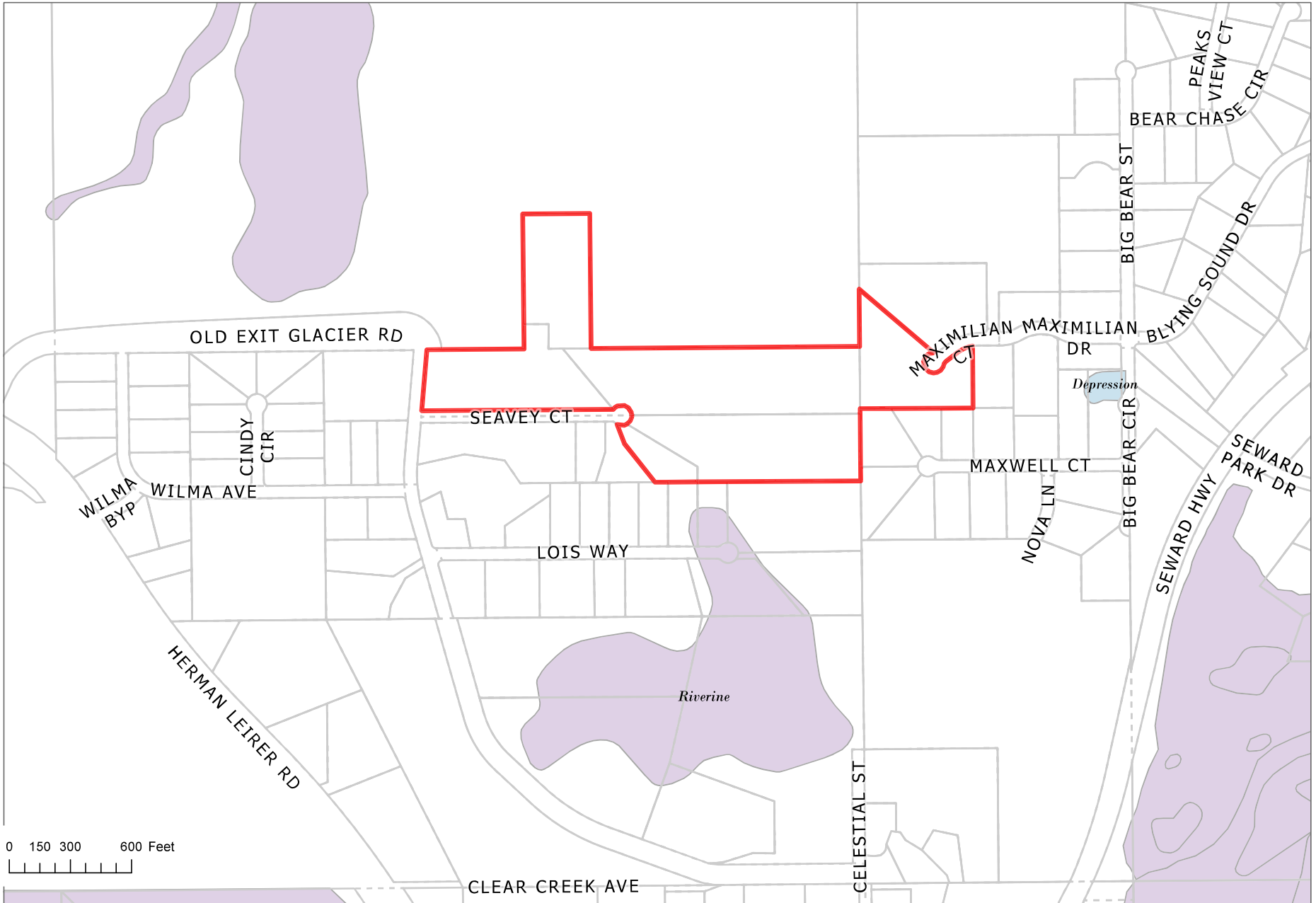
- *Focus Area: Transportation*
  - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
    - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
    - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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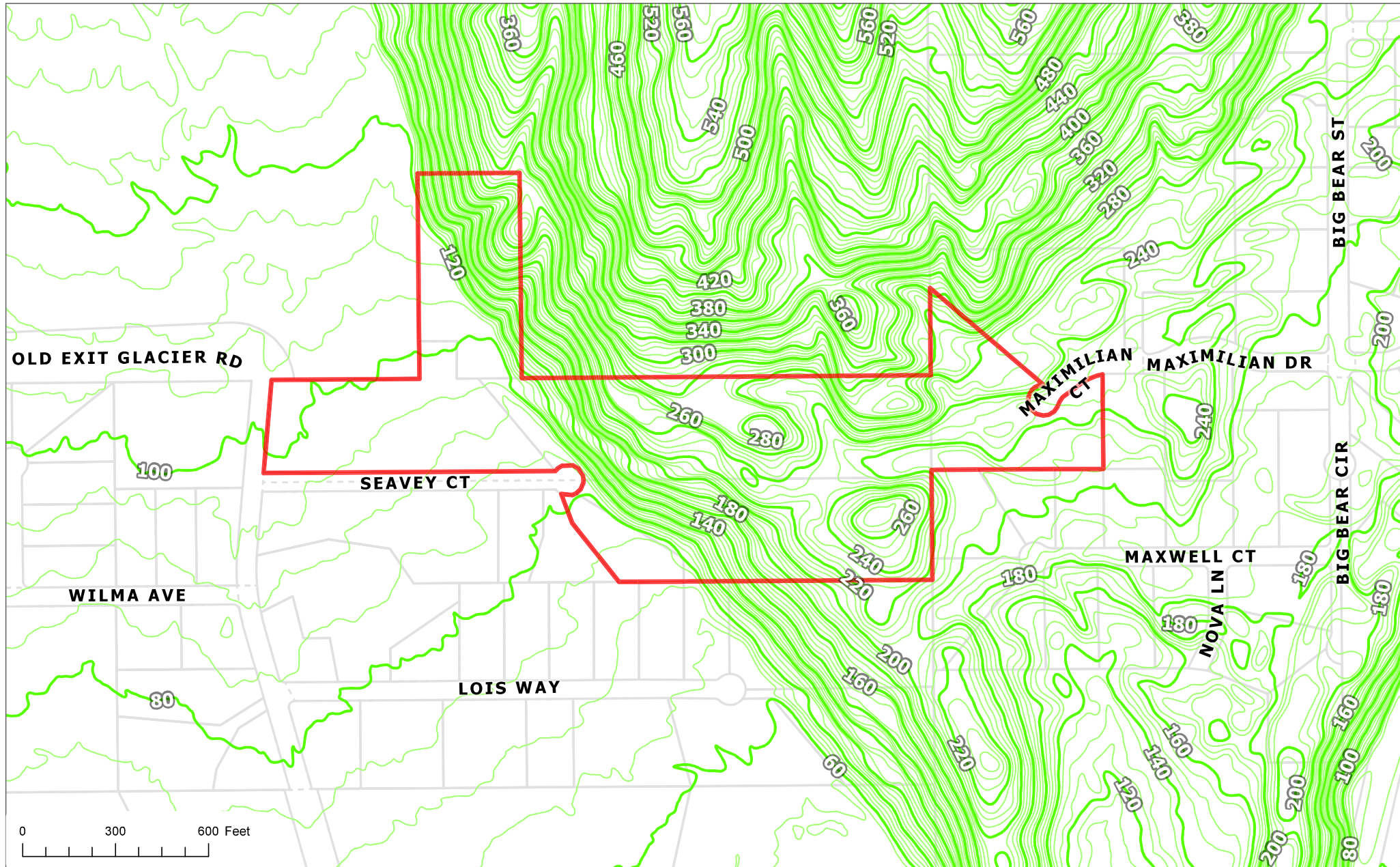
**END OF STAFF REPORT**



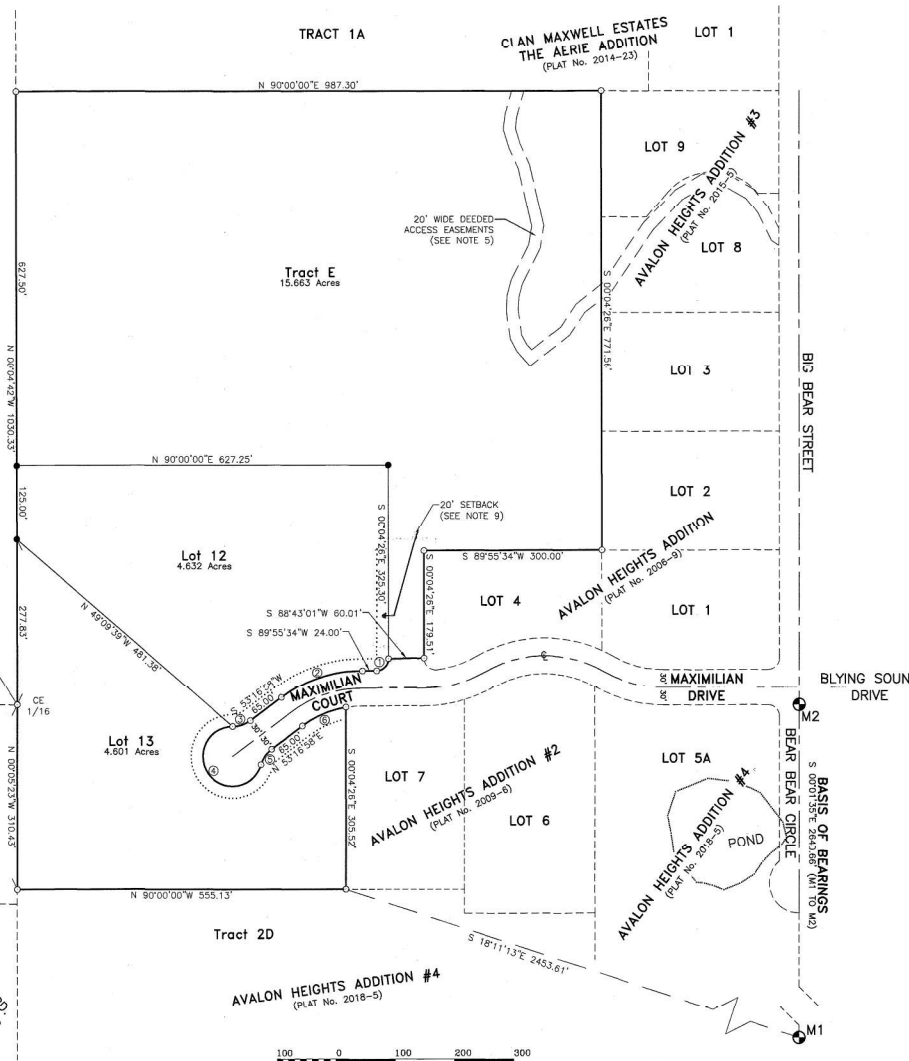
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



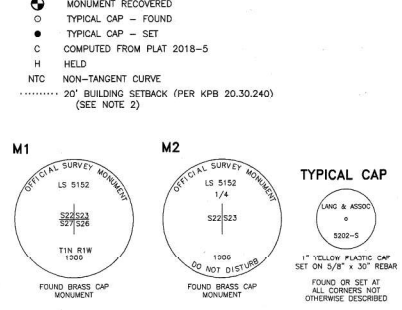
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



**LEGEND**



**NOTES**

- Proposed land uses are recreational, residential, agricultural and commercial.
- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a linear abatement is approved by resolution of the appropriate Planning Commission (KPB 20.20.230).
- The front 10 feet adjoining rights of way and 20 feet within 5 feet of the side lot lines is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- All bearings and distances around the boundary are record per Plat 2018-5.
- Easement reserved in a deed recorded June 3, 2004 as Serial No. 2004-000998-0 and also granted in an instrument recorded June 3, 2004 as Serial No. 2004-001000-0 in the Seward Recording District.
- Protective covenants were recorded in the Seward Recording District on July 26, 2006 as document 2006-001092-0.
- No structures are permitted within the panhandle portion of the flag lot.
- The Kenai Peninsula Borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.080.
- Per KPB 20.30.190(B) the flag portion of the tract is subject to a 20 foot building setback.

**WASTEWATER DISPOSAL:** Lots which are at least 200,000 square feet or nominal five acres in size may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation. (KPB 20.40.030)

**PLAT APPROVAL**

Plat approved by the Kenai Peninsula Borough Planning Commission at the meeting of April 27, 2021

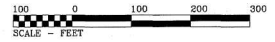
*[Signature]* 9/3/21  
Borough Official

2021-8  
Plat #  
Seward  
Rec Dist  
9/6 2021  
Date  
Time 1:22 PM

**SURVEYOR'S CERTIFICATE**  
I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska. This plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.



Curve	Radius	Tangent	Length	Delta	Chord	Chord Bear.	NTC
1	20.00'	20.02'	31.44'	90°3'41"	28.30'	S 44°3'45" W	NTC
2	234.00'	36.14'	143.70'	36°18'24"	144.60'	S 71°36'16" W	
3	50.00'	16.67'	32.18'	36°52'12"	31.62'	S 71°43'04" W	
4	50.00'	-66.67'	22.143'	253°44'23"	80.00'	S 36°43'02" E	
5	50.00'	16.67'	32.18'	36°52'12"	31.62'	N 34°05'52" E	
6	170.00'	41.07'	80.59'	27°09'43"	79.84'	N 66°51'50" E	



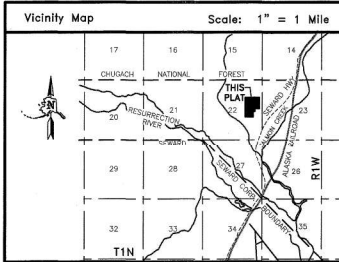
**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
We hereby certify that we are the trustees of the real property shown and described hereon and that we hereby adopt this plan of subdivision and on behalf of Avalon Heights Land Trust dedicate all rights-of-ways and public areas to public use and grant all easements to the use shown.

Owner  
*[Signature]*  
MAXWELL D. CUTLER, TRUSTEE  
AVALON HEIGHTS LAND TRUST  
1019 W. 72nd AVENUE  
Anchorage, Alaska 99518

Notary Acknowledgement  
for Maxwell D. Cutler Acknowledged  
before me this 9 day of August 2021  
*[Signature]* 3/5/2022  
Notary Public for the State of Alaska My Commission Expires

Owner  
*[Signature]*  
JULIE R. PACE, TRUSTEE  
AVALON HEIGHTS LAND TRUST  
1019 W. 72nd AVENUE  
Anchorage, Alaska 99518

Notary Acknowledgement  
FOR Julie R. Pace Acknowledged  
before me this 6 day of August 2021  
*[Signature]* 3/5/2022  
Notary Public for the State of Alaska My commission expires



PLAT OF  
CLAN MAXWELL ESTATES  
AVALON HEIGHTS ADDITION #5  
Containing Lots 12 & 13 and Tract E  
CONTAINING 24.898 Acres  
A SUBDIVISION OF Tract 2C OF CLAN MAXWELL ESTATES, AVALON HEIGHTS ADDITION #4 (PLAT No. 2018-5) AND LOCATED WITHIN THE E 1/2, SECTION 22, T1N, R1W, SEWARD MERIDIAN, ALASKA KENAI PENINSULA BOROUGH SEWARD RECORDING DISTRICT

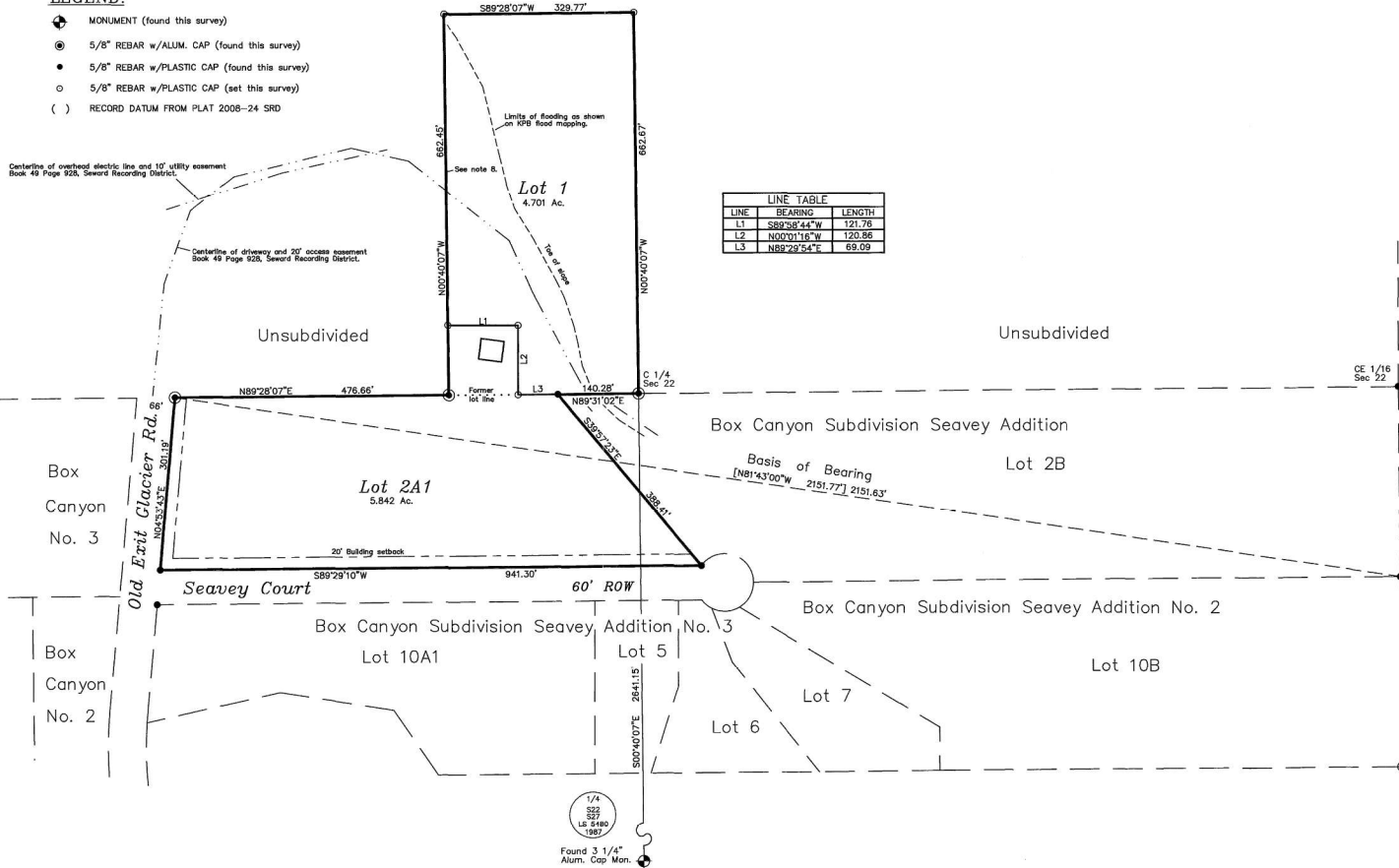
Prepared by:  
Lang & Associates, Inc. 11500 Daryl Avenue  
Anchorage, Alaska 99515  
Registered Land Surveyors (907) 522-6476  
(907) 522-4825 Fax

OWNER:  
JULIE R. PACE & MAXWELL D. CUTLER, TRUSTEES  
AVALON HEIGHTS LAND TRUST  
1019 W. 72nd AVENUE, Anchorage, Alaska 99518

GRID: N/A SCALE: 1" = 100' DATE: JULY 2021  
DRAWN: JCL SHEET 1 OF 1 PROJECT # 20-061  
JOB FILE: L20061fpl.crd/.dwg CASE NO.: KPB 2020-027

**LEGEND:**

- ⊕ MONUMENT (found this survey)
- 5/8" REBAR w/ALUM. CAP (found this survey)
- 5/8" REBAR w/PLASTIC CAP (found this survey)
- 5/8" REBAR w/PLASTIC CAP (set this survey)
- ( ) RECORD DATUM FROM PLAT 2008-24 SRD



LINE	BEARING	LENGTH
L1	S89°28'44\"W	121.76
L2	N00°01'16\"W	120.86
L3	N89°28'54\"E	69.09



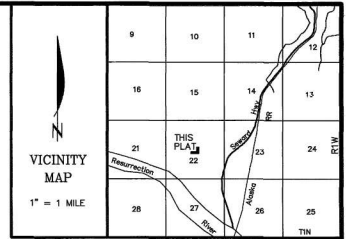
**SURVEYOR'S CERTIFICATE**

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 12-12-14

**NOTES:**

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- 6) A 20 foot access easement and 10 foot utility easement in favor of Lot 1 are recorded in Book 49 Page 928, Seward Recording District.
- 7) This subdivision lies entirely within FIRM Zone D according to FIRM panel #02122C-45410, effective date September 27, 2013 and within the Seward Mapped Flood Data Area.
- 8) An exception to KPB 20.041.200 Survey/monumentation was conditionally granted by the Plat Committee at the meeting of October 13, 2014. Set corners shown hereon are approximate corners until the northern half of Section 22 is further subdivided. There is a 50 foot setback on the west boundary of Lot 1.
- 9) Exceptions to KPB 20.30.170, block length, and KPB 20.30.210, access to street, were granted by the Plat Committee at the meeting of October 13, 2014.
- 10) Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district as of the date this plat is filed with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to construction.
- 11) Front 15 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 12) **WASTEWATER DISPOSAL:** These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



**CERTIFICATE of OWNERSHIP and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*David B. Seavey*      *Shirley C. Seavey*  
 DANIEL B. SEAVEY      SHIRLEY C. SEAVEY  
 P.O. BOX 923      SEWARD, AK 99664

**NOTARY'S ACKNOWLEDGMENT**

FOR David B. Seavey  
 ACKNOWLEDGED BEFORE ME THIS 12th DAY OF April 2015

*Shirley C. Seavey*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 2-26-19

**NOTARY'S ACKNOWLEDGMENT**

FOR Shirley C. Seavey  
 ACKNOWLEDGED BEFORE ME THIS 12th DAY OF April 2015

*Shirley C. Seavey*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 2-26-19

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 13, 2014.

KENAI PENINSULA BOROUGH  
*Max J. Frost*  
 AUTHORIZED OFFICIAL

KPB FILE No. 2014-136

**Box Canyon Subdivision Seavey Addition No. 4**

A resubdivision of Lot 2A Box Canyon Subdivision Seavey Addition, Plat 2008-24, Seward Recording District and the E1/2 SE1/4 SE1/4 NW1/4 Section 22, T1N, R1W, Seward Meridian.

Located within the NW1/4 SE1/4, NE1/4 SW1/4, & SE1/4 NW1/4 Section 22, T1N, R1W, S.M., Kenai Peninsula Borough, Alaska. Containing 10.543 Ac.

**SEGESSER SURVEYS**  
 30485 Rosland St.  
 Soldotna, AK 99669

JOB NO. 14083	DRAWN: 11-11-14
SURVEYED: July, 2014	SCALE: 1"= 100'
FIELD BOOK: 14-2	SHEET: 1 of 1

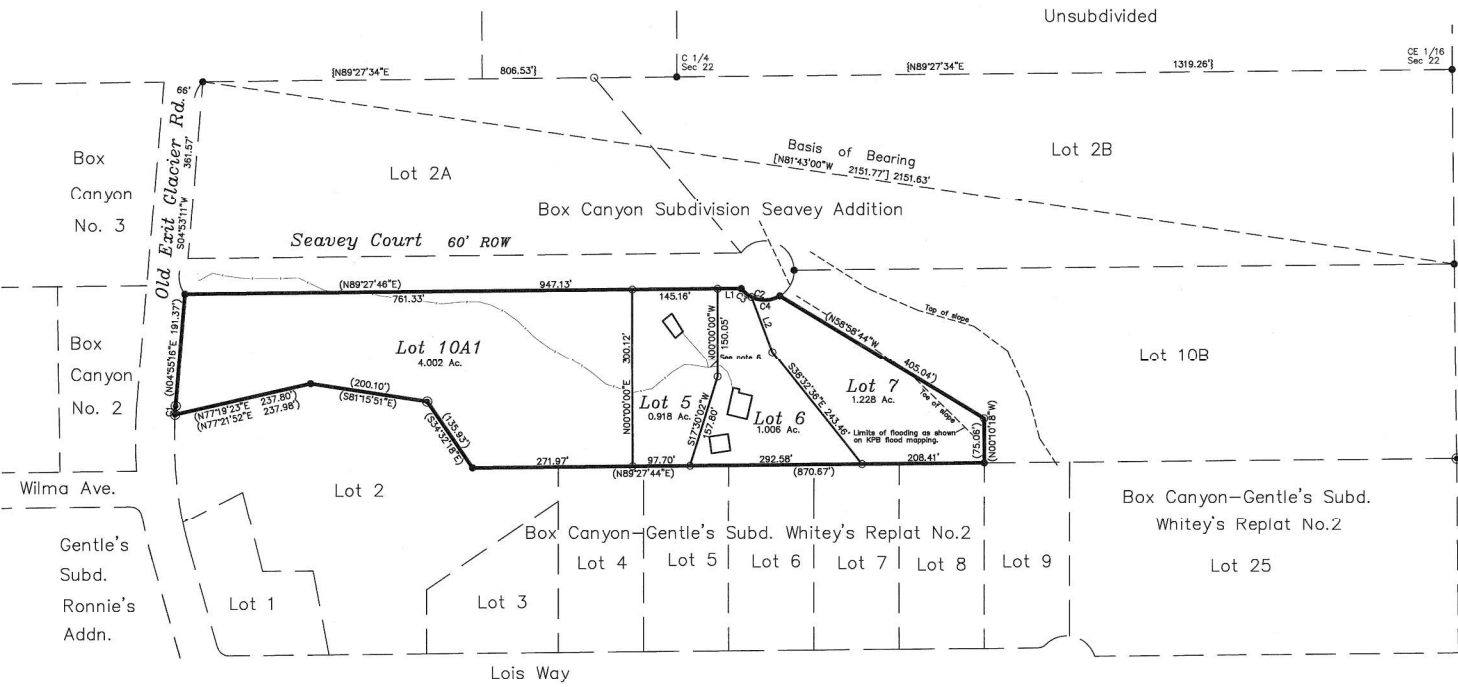
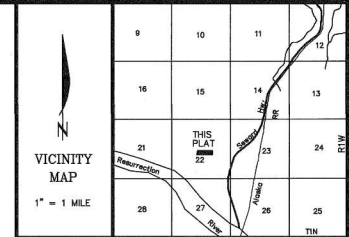
2015-6  
 Plat #  
 Rec Dist  
 S-11-2015  
 Date  
 Time 1:43 PM

**LEGEND:**

- 5/8" REBAR w/ALUM. CAP OF RECORD
- 3/8" REBAR w/ALUM. CAP (found this survey)
- 5/8" REBAR w/ PLASTIC CAP (set this survey)
- [ ] RECORD DATUM FROM PLAT 84-10, SRD.
- { } RECORD DATUM FROM PLAT 2008-24, SRD.
- ( ) RECORD DATUM FROM PLAT 2000-23, SRD.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°27'46"E	40.64
L2	S20°48'05"E	100.00

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	113.08°	673.92	14.73	7.36	14.73	S04°17'32"W
C2	83°41'37"	50.00	73.04	44.78	66.71	S79°15'14"E
C3	26°54'17"	50.00	22.61	11.50	22.41	S50°21'34"E
C4	57°47'19"	50.00	50.43	27.60	48.32	N87°47'38"E



Clan Maxwell Estates  
 Avalon Heights Addition  
 Tract 2A  
 Clan Maxwell Estates  
 Tract 3

**CERTIFICATE of OWNERSHIP and DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*Janine A. Seavey*  
 JANINE A. SEAVEY  
 P.O. BOX 735  
 STERLING, AK 99672



**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 28 DAY of December, 2010 FOR Janine A. Seavey

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 26, 2009.

KENAI PENINSULA BOROUGH  
*Maya Bost*  
 AUTHORIZED OFFICIAL

**NOTES:**

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- 6) Underground primary electric line is the centerline of a 20 foot wide utility easement. Underground service lines are the centerline of a 10 foot wide utility easement.
- 7) Development within this subdivision may be subject to the Administrative and/or enforceable policies of the KPB Coastal Zone Management Program.
- 8) This subdivision lies entirely within FIRM Zone C according to FIRM panel 6020012-3250A, effective date May 15, 2001.
- 9) Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district as of the date this plat is filed with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to reconstruction.
- 10) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 11) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

*M. J. Burman* 3380-E 2520-10  
 Engineer License No. date

2010-14  
 RECORDED  
 Seward REC. DIST.  
 DATE: 12-29-2010  
 TIME: 2:50 PM  
 REQUESTED BY:  
 SEGESSER SURVEYS  
 30485 ROSLAND ST.  
 SOLDOTNA, AK 99669

KPB FILE No. 2010-158

**Box Canyon Subdivision Seavey Addition No. 3**

A subdivision of Lot 10A Box Canyon Subdivision Seavey Addition No. 2, Plat 2009-23, Seward Recording District.

Located within the NE1/4 SW1/4 & NW1/4 SE1/4, Section 22, T1N, R1W, S4M., Kenai Peninsula Borough, Alaska.  
 Containing 7.153 Ac.

**SEGESSER SURVEYS**  
 30485 Rosland St.  
 Soldotna, AK 99609

JOB NO. 10084	DRAWN: 12-23-10
SURVEYED: Nov., 2010	SCALE: 1" = 100'
FIELD BOOK: 10-6	SHEET: 1 of 1



**SURVEYOR'S CERTIFICATE**

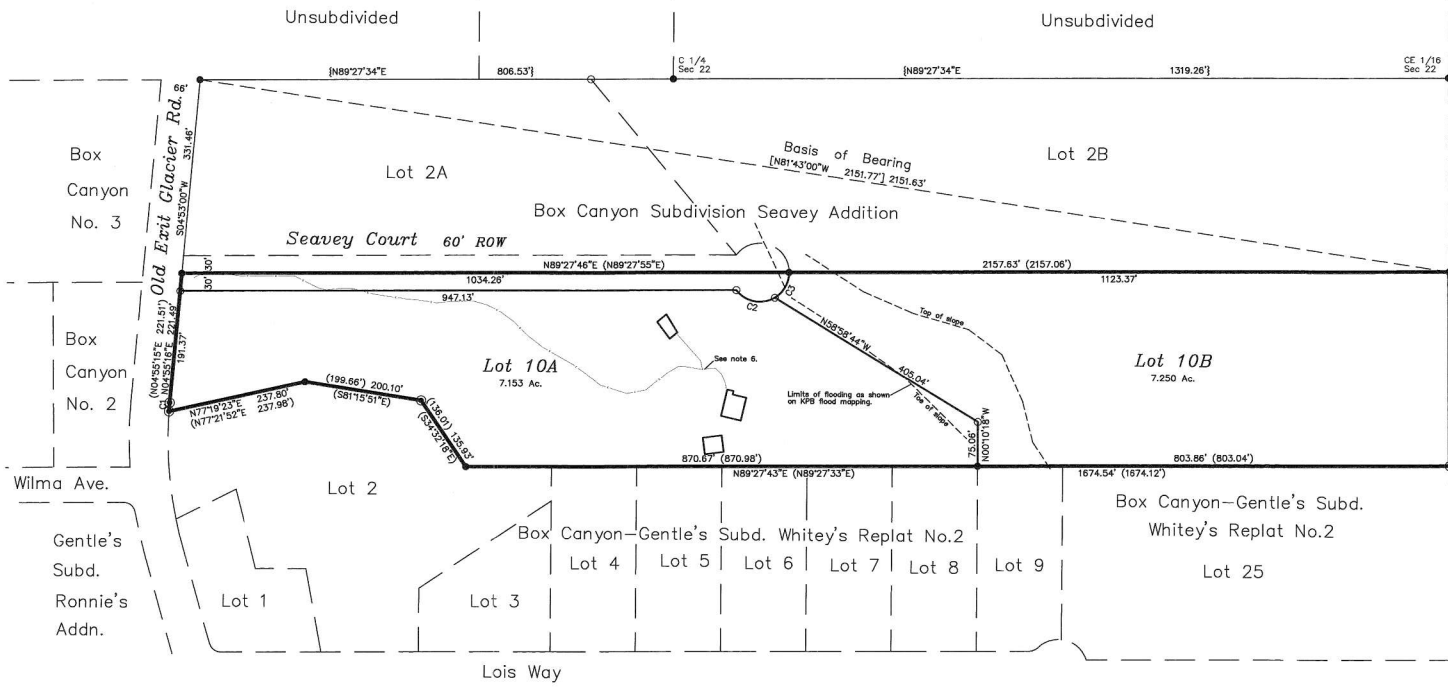
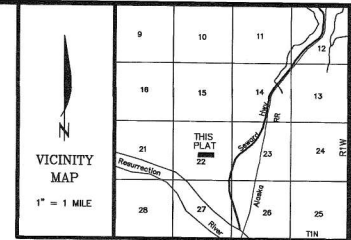
I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown herein actually exist as described, and all dimensions and other details are correct.

Date 12-23-10

**LEGEND:**

- ⊙ 5/8" REBAR w/ALUM. CAP OF RECORD
- 5/8" REBAR w/ALUM. CAP (found this survey)
- 5/8" REBAR w/ PLASTIC CAP (set this survey)
- [ ] RECORD DATUM FROM PLAT 84-10, SRD.
- { } RECORD DATUM FROM PLAT 2008-24, SRD.
- ( ) RECORD DATUM FROM PLAT 2007-8, SRD.

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	1°15'08"	673.92	14.73	7.36	14.73	S041°17'30"W
C2	8°24'37"	50.00	73.04	44.78	66.71	S78°15'14"E
C3	58°28'12"	50.00	51.87	28.54	49.57	N28°10'52"E



**CERTIFICATE of OWNERSHIP and DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*Janine A. Seavey*  
 JANINE A. SEAVEY  
 P.O. BOX 735  
 STERLING, AK 99672

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 28<sup>th</sup> DAY of December, 2009  
 FOR *Janine A. Seavey*

*Patricia Hartley*  
 STATE OF ALASKA  
 PATRICIA HARTLEY  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES 3-7-13

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 28, 2009.

KENAI PENINSULA BOROUGH  
*May Abbott*  
 AUTHORIZED OFFICIAL

**NOTES:**

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- 6) Underground primary electric line is the centerline of a 20 foot wide utility easement. Underground service lines are the centerline of a 10 foot wide utility easement.
- 7) Development within this subdivision may be subject to the Administrative and/or enforceable policies of the KPB Coastal Zone Management Program.
- 8) This subdivision lies entirely within FIRM Zone C according to FIRM panel #202012-3255A, effective date May 19, 1981.
- 9) Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district as of the date this plat is filed with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.05 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to construction.
- 10) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 11) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



**SURVEYOR'S CERTIFICATE**

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 12-10-09

2009 23

RECORDED  
 SEWARD REC. DIST.  
 DATE: Dec 20 2009  
 TIME: 10:59 AM  
 REQUESTED BY:  
 SEGESSER SURVEYS  
 30485 ROSLAND ST.  
 SOLDOTNA, AK 99669

KPB FILE No. 2009-166

**Box Canyon Subdivision Seavey Addition No. 2**

A resubdivision of Lot 10 Box Canyon Subdivision Gentle's Whites Replat No. 2, Plat 2007-8, Seward Recording District.

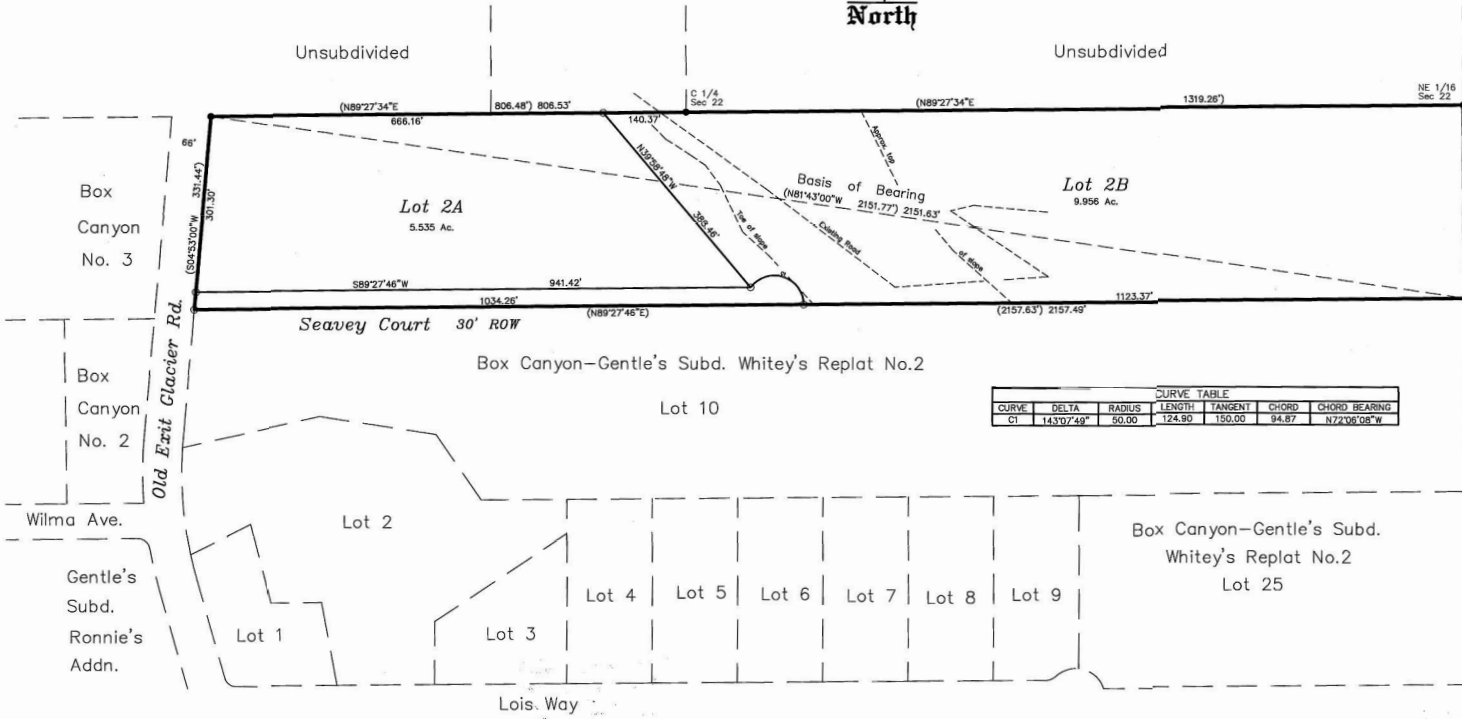
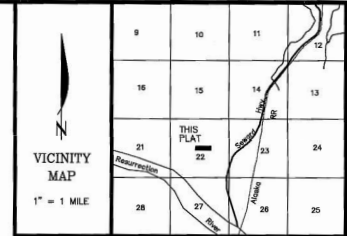
Located within the NE1/4 SW1/4 & NW1/4 SE1/4, Section 22, T1N, R1W, S1M., Kenai Peninsula Borough, Alaska. Containing 15.139 Ac.

**SEGESSER SURVEYS**  
 30485 Rosland St.  
 Soldotna, AK 99669

JOB NO.	09065	DRAWN:	12-09-09
SURVEYED:	Dec., 2009	SCALE:	1" = 100'
FIELD BOOK:	09-3	SHEET:	1 of 1

**LEGEND:**

- 5/8" REBAR w/ ALLUM. CAP (found this survey)
- 5/8" REBAR w/ PLASTIC CAP (set this survey)
- ( ) RECORD DATUM



Clan Maxwell Estates  
Tract 2

**CERTIFICATE of OWNERSHIP and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*Daniel B. Seavey*  
DANIEL B. SEAVEY  
*Shirley C. Seavey*  
SHIRLEY C. SEAVEY  
P.O. BOX 923  
SEWARD, AK 99664

**NOTARY'S ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 17<sup>th</sup> DAY OF May, 2008  
FOR Daniel B. Seavey

*Shirley C. Seavey*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 8-25-2009

SHIRLEY C. SEAVEY  
NOTARY PUBLIC  
My Commission Expires August 25, 2009

**NOTARY'S ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 17<sup>th</sup> DAY OF May, 2008  
FOR Shirley C. Seavey

*Shirley C. Seavey*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 8-25-2009

SHIRLEY C. SEAVEY  
NOTARY PUBLIC  
My Commission Expires August 25, 2009

**NOTES:**

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 6) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for on-site wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



**SURVEYOR'S CERTIFICATE**

I hereby certify that: I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 11-06-08

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 11 JUNE, 2007.

KENAI PENINSULA BOROUGH

*Max J. Best*  
AUTHORIZED OFFICIAL

**2008-24**

RECORDED  
SEWARD REC. DIST.  
DATE Nov 6 2008  
TIME: 2:16 P.M.

KPB FILE No. 2007-156

**Box Canyon Subdivision Seavey Addition**

A resubdivision of Lot 2 Box Canyon Subdivision, Plat 84-10, Seward Recording District.

Located within the NE1/4 SW1/4 & NW1/4 SE1/4, Section 22, T1N, R1W, S.M., Kenai Peninsula Borough, Alaska.

Containing 16,226 Ac.

**SEGESSER SURVEYS**  
30485 Rosland St.  
Soldotna, AK 99609

JOB NO. 06134	DRAWN: 12-10-07
SURVEYED: May, 2007	SCALE: 1" = 100'
FIELD BOOK: 07-1	SHEET: 1 of 1