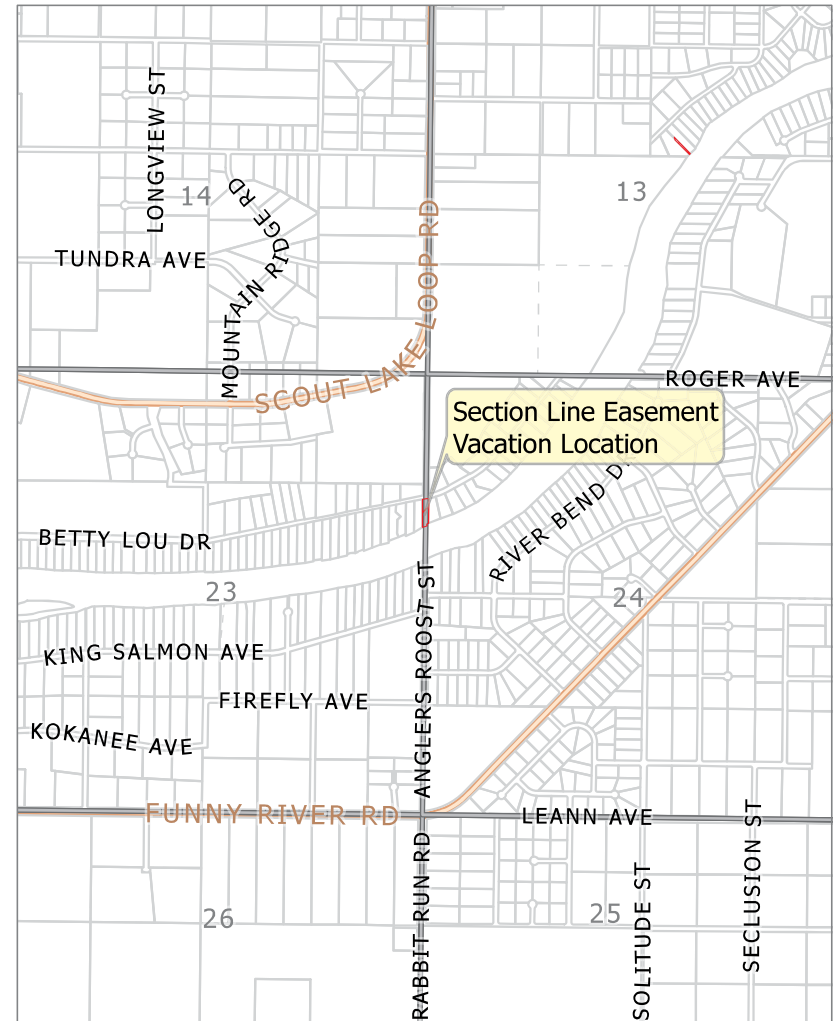
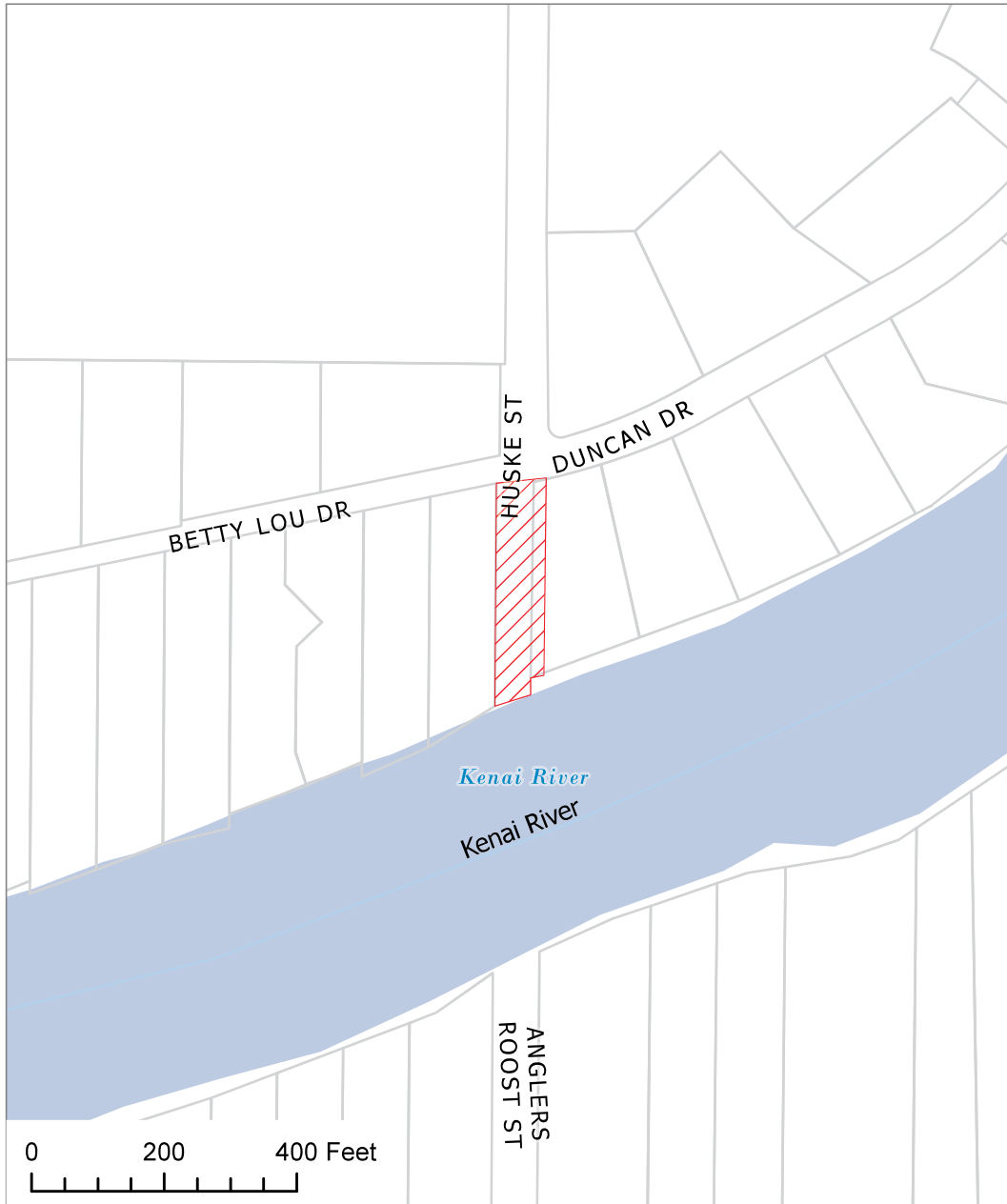


E. NEW BUSINESS

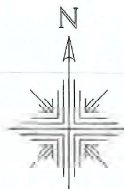
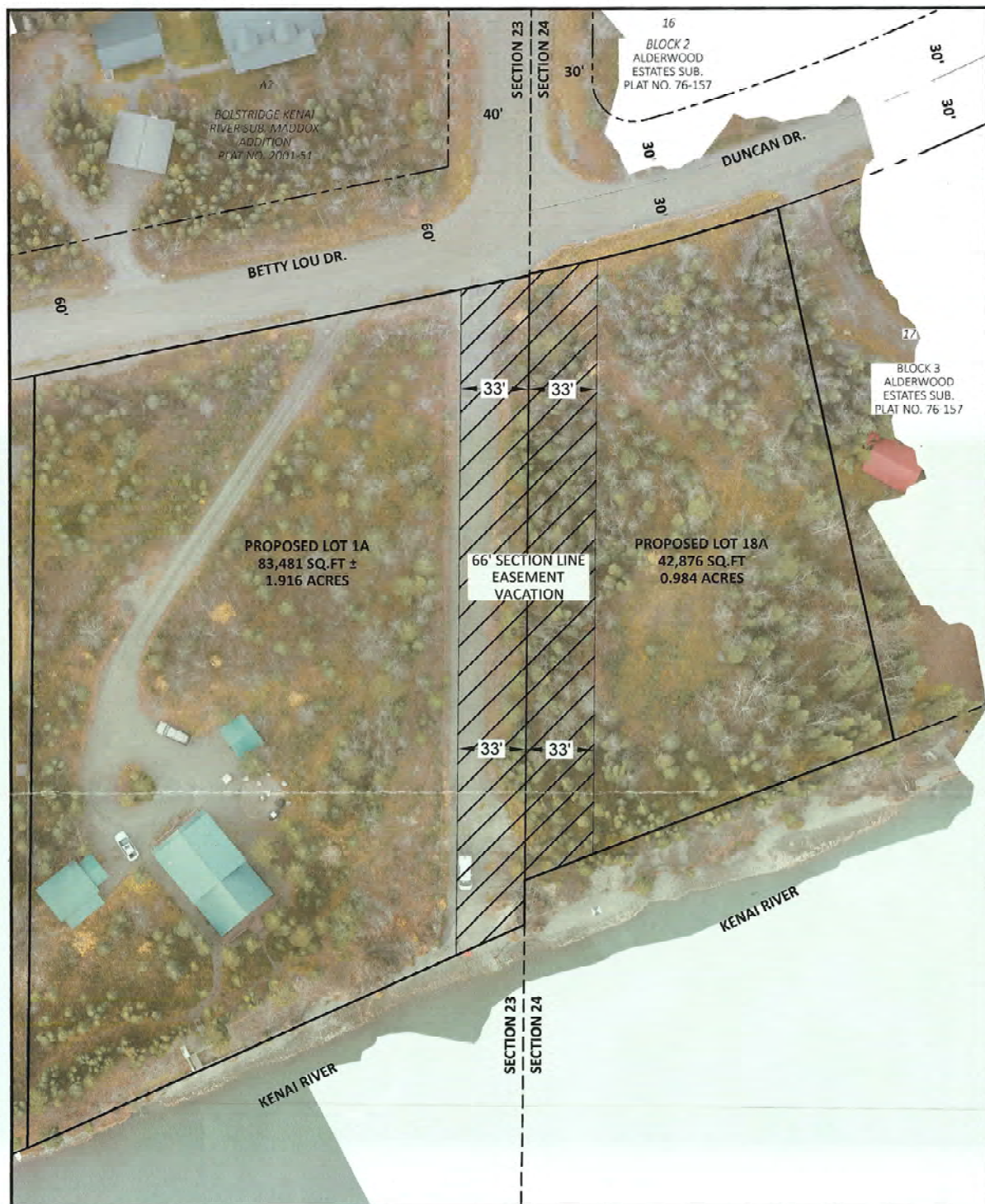
- 9. Section Line Easement Vacation; KPB File 2026-069V
AK Lands / Huske, Montgomery
Request: Vacates a portion of a section line easement
within Huske Street
Sterling Area**



KPB File 2026-069V
T 05N R09W SEC 23 AND SEC 24
Sterling



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.



KPB 2026-069V

NOTES

Imagery was captured on October 8/9, 2025, using a Wispr SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.

EXHIBIT OF:
PROPOSED LOT 1A AND 18A
AND
SECTION LINE EASEMENT VACATION
LOCATED SOUTH OF BETTY LOU DR. AND
NORTH OF KENAI RIVER
AND WITHIN A PORTION OF
SECTION 23 AND SECTION 24 T5N, R9W, 5M

PROJECT NO. 1510	PO BOX 110485
DATE 05-09-2026	ANCHORAGE, AK 99511
DRAWN BY SMW	aklands@aklands.com
	(907) 744-4LAND
	https://aklands.com



AGENDA ITEM E. NEW BUSINESS

ITEM #9 - SECTION LINE EASEMENT VACATION

Vacate a portion of the 66' Section Line Easement located adjacent to Lot 1, Bolstridge Kenai River Subdivision Plat KN 1129 RS and Lot 18 Block 3, Alderwood Estates Subdivision Plat KN 76-157 lying south of Betty Lou Dr and Duncan Dr and north of the Kenai River.

KPB File No.	2026-069V
Planning Commission Meeting:	July 20, 2026
Applicant / Owner:	Gene Montgomery / Placitas NM Paul Huske / Anchorage, AK
Surveyor:	Stacy Wessel / AK Lands
General Location:	On Kenai River south of Betty Lou Dr
Legal Description:	Section Line Easements associated with aliquot SEC

STAFF REPORT

Specific Request / Purpose as stated in the petition: Petition to Vacate a portion of the 66' Section Line Easement located adjacent to Lot 1, Bolstridge Kenai River Subdivision Plat KN 1129 RS and Lot 18 Block 3, Alderwood Estates Subdivision Plat KN 76-157 lying south of Betty Lou Dr and Duncan Dr and north of the Kenai River

Notification: The public hearing notice was published in the July 17, 2026 issue of the Peninsula Clarion and the July 16, 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.

Library of Soldotna

Post Office of Soldotna

16 certified mailings were sent to owners of property within 300 feet of the proposed vacation. One receipt had been returned when the staff report was prepared.

17 notifications were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
Central Emergency Services
Kenai Peninsula Borough Office

Kenai Peninsula Borough Land Management
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed):

Legal access to Huske St is by Scout Lake Loop Rd and is KPB maintained to the intersection of Betty Lou Dr and Duncan Dr. Betty Lou Dr is a 50' dedication, and Duncan Dr is a 60' dedication, both being borough maintained. Huske St south of the intersection with Duncan and Betty Lou Dr is unmaintained and provides access to the Kenai River as a Public Access designated by the State of Alaska. Huske St is being used as river access by the public.

No new access is proposed with this section line easement vacation. The surveyor has supplied a diagram of existing access points in the adjacent area, on both sides of the Kenai River with the majority being on the Funny River side.

The section line easement affects as shown and is being vacated. The right-of-way of Huske St as shown on the exhibit of the section line easement vacation is shown as being the same width as the SLE. **Staff recommends** the surveyor correct the exhibit to show / represent the Huske St right-of-way correctly.

Huske St right-of-way, lying south of Betty Lou Dr and Duncan Dr to the Kenai River is also being petitioned for vacation. The right-of-way is being requested for vacation in a separate vacation petition to be reviewed by the Planning Commission.

The plat Bolstridge Kenai River and Alderwood Estates Subdivision Montgomery Addition and Section Line Easement Vacation is proposed for finalizing the Huske St vacation and 66' section line easement vacation. The plat has not been submitted yet and is waiting for approval of the two vacation petitions prior to submittal.

Block length is currently not compliant. Huske St is the only break on the south of Duncan Dr and Betty Lou Dr within 5200 feet accessing the Kenai River. Fields Rd to the west is 5200 feet from Huske St, with no other access points. To the east of Huske St, Duncan Dr proceeds for 2250 feet with no dedicated access to the Kenai River. There is a 33' section line easement at the north end of Duncan Dr as shown in Alderwood Estates Subdivision KN 76-157.

The KPB Roads Director is in opposition to the vacation of easement.

The State of Alaska DNR Survey Department has submitted comment and indicated that the petition to vacate this section line easement may not be successful and not getting any support at the DOT and other departments reviewing.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: This vacation would get rid of a public right-of-way that provides access to the Kenai River. This area has been utilized for decade by local residents and tourist to access the river. There does not appear to be equal or superior access to the river. The RSA recommends denying the request.
SOA DNR Survey Section comments	• DNR Survey Section received the petition to vacate subject SLEs from Stacy Wessell, PLS of AK Lands on behalf of petitioners Marvin Huske & Gene Montgomery, on June 23, 2026. • A letter dated July 1, 2026, was sent to the affected parties acknowledging receipt and outlining key requirements for processing the easement vacation (EV). The correspondence explains that EV petitions must undergo multi-agency review due to the SLEs providing public access to public waters. It further highlights that EV requests affecting public water access—particularly when proposing alternate access through nearby roads or recreation areas—may be unsuccessful due to the State's obligation to preserve public access. Petitioners were asked to review this information with their surveyor and confirm whether they wish to proceed with the EV petition, acknowledging that the \$2,000 EV fee is non-refundable.
SOA DNR Southcentral Regional Office comments	SCRO objects to the proposed vacation of the section line easement. The applicant has not identified or demonstrated a dedicated public alternate access that provides access equal to or better than the easement proposed for vacation. Section line easements are established to preserve public access, and in the absence of a legally available and dedicated alternate route,

	the proposed vacation would eliminate existing public access without replacement.
--	---

Site Investigation:

The terrain along Huske St falls towards the Kenai River from Betty Lou Dr at approximately a 5% slope. Drainage from Betty Lou Dr and Duncan Dr flows down Huske St toward the river. There is a drainage easement on the plat to the east, five lots over from Huske St.

There is a small area of inundation on Lot 1 Bolstridge Kenai River Subdivision KN 1129RS near the Kenai River.

Per the River Center review, Huske St and the lots adjacent are in a FEMA designated flood hazard area. If the vacation is approved and a plat is submitted, the plat should include required plat notes with the FEMA Panel and Flood Zone Designations noted and shown.

Huske St and the adjacent parcels are located in a Habitat Protection District, and a plat note in reference to KPB 20.30.290 should be added.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: If vacation is approved the floodway and regulatory AE Zones must be depicted and labeled on the plat. The X-Shaded may be labeled but not required. Code required plat notes must be present. In regards to the right-of-way, any development within the AE and Floodway required floodplain permits and within the floodway, a no-rise analysis done by licensed engineer. The area within the X-Shaded may have additional requirements if federal funding is used. Flood Zone: AE,X (shaded),X (unshaded),Floodway Map Panel: 02122C-0395F In Floodway: True Floodway Panel: *same as FIRM Panel B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: Portions of this parcel lie within the jurisdiction of KPB 21.18 and River Center must be consulted prior to work.
State of Alaska Fish and Game	Alaska Department of Fish & Game (ADF&G) has reviewed KPB 2026-069V1 to vacate a portion of the Huske Street right of way (ROW) and KPB 2026-069V section line easement (SLE) vacation. --This ROW and SLE provide public access to the Kenai River. The Kenai River is cataloged as anadromous (AWC: 244-30-10010) and is important habitat for chum, coho, Chinook, pink, and sockeye salmon as well as Dolly Varden, pacific lamprey, and eulachon. The presence of these fishes also provides significant recreational opportunity to the public using the Kenai River. Kenai River fisheries for king, sockeye and coho salmon are the largest freshwater sport fisheries for these species in Alaska.

	--This easement has been used for decades for launching and retrieving boats and has become more popular as the sockeye salmon fishery has expanded. ADF&G has used it to launch boats for research projects, especially late season when water is low and Isaak Walton boat launch freezes up. ---<u>Kenai Borough Code 20.65.050 – Action on a vacation application:</u> D. The planning commission shall consider the merits of each vacation request. A platted dedication to public use of land or interest in land may be vacated if the dedication is no longer necessary for present or future public use and in all cases the planning commission shall deem the area being vacated to be of value 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; 4. 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; ---<u>ADF&G does not see in this application where equal or superior access is provided.</u> *Nearest access: --Approximately 1.0 river miles downstream; Fields Rd ROW provides access to the Kenai River in a similar manner to Huske Dr. --Approximately 2.9 river miles downstream; Morgan's Landing State Recreation Area. This area has a daily use fee so it should not be considered as equal or superior access as the SLE provides free public access to the Kenai River. --Approximately 2.25 river miles upstream; Izaak Walton State Recreation Area. This area has a daily use fee so it should not be considered as equal or superior access as the SLE provides free public access to the Kenai River. Due to the significant public value of the Kenai River for recreation and angling opportunities, <u>ADF&G objects to the vacation of the Huske St ROW and the existing SLE.</u>
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Staff Analysis:

The section line easements were reserved by patents. Patent 1143238 reserved a 33' easement along the west side of Lot 2 Section 24 Township 5 North, Range 9 West SM Alaska. Patent 1207237 reserved a 33' easement along the east side of Lot 4 Section 23, Township 5 North, Range 9 West SM Alaska.

The west 40' of Huske St was dedicated by Bolstridge Kenai River Subdivision KN 129 RS. KN 1129 RS was subdivided out of Government Lots 3 & 4 of Sec 23, Township 5 North, Range 9 West SM Alaska. The east 20' of Huske St was dedicated by Alderwood Estates Subdivision KN 76-157. KN 76-157 was subdivided out of Government Lot 2 Section 24, Township 5 North, Range 9 West, SM Alaska.

With the vacation of the 66' section line easement and Huske St as proposed, public access to the Kenai River at this location will be eliminated. Other than Fields Rd, this looks to be the only public access constructed, for several miles on the north side of the Kenai River. The next available public access on this side of the Kenai River is at Ed Ave, 8500 feet downstream from Fields Rd and it is undeveloped.

In the 1997 Alaska DNR Kenai River Comprehensive plan this site has been identified as the preferred location for a potential future bridge to the Funny River Community as a second point of ingress and egress. With Angler's Roost St. Rd directly south, across the Kenai River. There is presently no proposal for the construction of a bridge, but KPB administration cannot support eliminating this future potential.

Multiple public comment have been received in opposition to the proposed section line easement vacation and are included in the packet for review.

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:

FOR SUBMITTER COMMENTS PLEASE SEE THE END OF THE STAFF REPORT FOR ATTACHED LETTER FROM SURVEYOR

1. The right-of-way or public easement to be vacated is being used;
Staff comments:
Yes, the road is used as a boat ramp, public access, fishing area and parking area.
2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments:
No, the road is constructable but was decertified.
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments:
Yes, the surrounding area is developed. Viewing the area block length is not compliant but making compliant does not appear possible.
4. 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;
Staff comments:
He section line easement underlying Huske St does provide access to the Kenai River which is in the public's interest and currently use as noted. No access is being given in exchange for this vacation. The surveyor has provided a document showing where access is available along the river to gain access, both on this side and across the river.
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments:
Vacating the section line easement while being under Huske St would limit the chance for a bridge connection to Angler's Roost St to the south across the Kenai River. This is one of the few locations where roads line up and parcels will not need to be acquired for connections to be made.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments:
Huske St is a popular access point and provides angler access to the Kenai River and can be used for boat access to the Kenai River. The section line easement lies under the right-of-way of Huske St and thereby still affected the access to the Kenai River.
7. 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.

Staff comments:

Enstar has a line within the Huske St right-of-way that will need to be addressed.

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

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, The KPB Assembly, must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled August 4, 2026 meeting.

If approved, the plat Bolstridge Kenai River & Alderwood Estates Subdivision Montgomery Addition and Section Line Easement Vacation will finalize the proposed right of way vacations.

KPB department / agency review:

Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Code Compliance	Vacant
Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 35029 Betty Lou Dr Existing Street Names are Correct: No List of Correct Street Names: Betty Lou Dr, Duncan Dr, Huske St Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No comment
Assessing	Reviewer: Windsor, Heather Comments: No comment

Utility provider review:

HEA	Depict and add a note stating "The exiting overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat. "
ENSTAR	See comments
ACS	
GCI	Approved as shown

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Exhibit needs corrected to represent the right of way of Huske St adjacent to the SLE correctly, 40' on the west and 20' on the east.

RECOMMENDATION:

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

If the vacation should be approved, the vacation shall be 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 the 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*
 - *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*
 - *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.*

END OF STAFF REPORT



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June 17, 2026

Alaska Department of Natural Resources
Division of Mining, Land and Water
Survey Section
550 West 7th Avenue, Suite 650
Anchorage, Alaska 99501-3576

Subject: Section Line Easement Vacation

To the Alaska Department of Natural Resources and the Department of Transportation and Public Facilities:

Public access to Alaska's waters is a fundamental public interest, and the Kenai River is one of the State's significant public resources. This petition does not ask the State to abandon that interest. It asks whether this specific section-line easement, under current site conditions, remains necessary to provide practical public access to the river.

Section-line easements are intended to function as public access and transportation corridors. They are not intended to become unmanaged destination areas for prolonged parking, overnight occupation, waste disposal, or other uses that obstruct travel and interfere with adjoining properties.

This letter is submitted in support of the proposed vacation of the 66-foot-wide section-line easement located at the end of Huske Street, south of Betty Lou Drive, where the corridor extends to the Kenai River. The request is part of a coordinated action with the Kenai Peninsula Borough to vacate the related Huske Street right-of-way and address all public access dedications at this location through the final platting process.

As demonstrated below, the easement no longer functions as a practical access corridor, continued use at this location is impractical, and reasonably comparable or superior alternate access exists to serve present and reasonably foreseeable public access needs. For those reasons, vacating the easement preserves public access by directing use to better-suited locations and is consistent with AS 19.30.410, 11 AAC 51.065, and the State's interest.

Underlying Land Ownership

The section-line easement at the end of Huske Street lies across privately owned land within Lot 1 of the Bolstridge Kenai River Subdivision (Plat No. K-1129) and Lot 18, Block 3 of the Alderwood Estates Subdivision (Plat No. KN 076-157), and partially within the Kenai Peninsula Borough 60-foot right-of-way for Huske Street.

This request is coordinated with a concurrent Kenai Peninsula Borough platting action to vacate the Huske Street right-of-way and replat the adjoining parcels, with the vacated right-of-way being absorbed into the resulting lot configuration. (A copy of the KPB preliminary plat and supporting letter is attached.)

The State action seeks to vacate the section-line easement, which extends across the privately owned parcels and Borough right-of-way corridor.

Current and Historical Public Use Patterns

The Huske Street section-line easement has been used as a point of physical access to the Kenai River. However, its current use has shifted away from short-term ingress and egress and toward prolonged, unmanaged occupation of the corridor.

A section-line easement is intended to function as a public travel and access corridor. At this location, that function has been displaced by recurring use of the corridor as a place to park, camp, gather, and remain for extended periods.

Adjacent property owners and individuals familiar with the site have documented repeated conditions including overnight camping, long-term parking of vehicles and recreational vehicles, accumulation of trash and debris, disposal of fish carcasses and other waste, human waste, open fires, alcohol-related disturbances, discharge of firearms, trespass onto adjacent private property, damage to fencing and structures, harassment, threats, and recurring conflicts with surrounding residential use. These conditions are described in the supporting letters included in Appendix A and photographs included in Appendix C..

During peak fishing periods, vehicles and recreational vehicles occupy the corridor, often for extended periods and sometimes overnight. The width of the corridor is frequently consumed by parked vehicles, leaving little practical ability for the easement to function as a reliable ingress and egress route.

This use pattern is important to the State's review. The issue is not whether the public has entered the corridor. The issue is whether the easement is serving as a practical public access route. Under

current conditions, it is not. The easement has shifted from access to occupation, and that shift has impaired the usefulness of the route for travel.

Practicality of Use

Continued use of the Huske Street section-line easement as a public access corridor is impractical.

The easement is a short, dead-end segment that terminates at the Kenai River. It does not provide through access, does not connect to a broader transportation network, and does not support circulation beyond a single point of entry. Even if the corridor were unobstructed, its physical configuration would remain limited.

Further improvement or construction would not resolve those limitations. Improving the corridor would not create through access or meaningful transportation connectivity. Instead, it would likely increase use of the site as a destination-style access point without providing the space, design, or management needed to accommodate that use safely.

The practical result is that the easement is not functioning as a transportation or access corridor. It is functioning as an unmanaged gathering and parking area at the river. That use is incompatible with the purpose of a section-line easement and creates recurring safety, environmental, and neighborhood impacts.

For these reasons, continued reliance on this easement is not practical for present or reasonably foreseeable public access needs.

Alternate Access-Equal or Better

Under AS 19.30.410, the relevant question is whether reasonably comparable or better access exists that is sufficient to satisfy present and reasonably foreseeable uses. In this case, multiple access corridors and access points exist within approximately one mile of the subject area. The alternate access points include legally established rights-of-way, section-line easements, walkway easements, and developed or purpose-built river access corridors.

See Appendix B showing 7 access points within a one-mile radius.

The alternate access locations include:

Fields Road (Access A) – This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 175 feet in width, providing significant space for parking and vehicle maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. The overall width, combined with available parking and staging areas, allows this access point to accommodate multiple users without congestion or conflict.

Mykiss St. (Access B) – This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Huske Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

Kings Salmon Dr. (Access C) – A 10-foot-wide dedicated walkway easement provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

Flyfisher Street (Access D) – Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

Anglers Roost St. (Access E) – • A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

Additional Access Corridors (Access F and Access G) – Additional access corridors exist to the east of the subject area, including one on each side of the river. Roger Avenue (Access F) provides a 66-foot-wide dedicated right of way with a half 50 foot radius cul-de-sac for turnaround. A separate access point (Access G) consists of two 33-foot-wide section line easements, providing a total width of 66 feet. While not fully developed, both corridors remain legally established public access routes and contribute to the overall network of access to the Kenai River.

Taken together, these access points provide a network of established public access that is not dependent on the Huske Street section-line easement. Several are already developed and actively used, while others remain legally protected and available to serve future access needs. When

considering width, level of improvement, capacity to accommodate public use, and legal protection by easement or right-of-way of record, these routes provide access that is reasonably comparable to, and in several cases superior to, the Huske Street section-line easement. Accordingly, vacating the easement will not diminish public access to the Kenai River and is consistent with the alternate-access requirement of AS 19.30.410.

Future Use

The Huske Street section-line easement is not required to satisfy present or reasonably foreseeable future access needs.

The surrounding area is already served by multiple established public access routes to the Kenai River. These access points provide a range of access types, including vehicle access, pedestrian access, boat-ramp-related access, dedicated rights-of-way, and section-line easements. This distributed network is better suited to accommodate current and future public use than the constrained Huske Street corridor.

Retaining the Huske Street easement would not improve regional access, circulation, or future transportation planning. The easement terminates at the river and does not provide access beyond that point. Future use of this corridor would likely continue the same unmanaged pattern of occupation, parking, waste disposal, and conflict documented in the record.

Because reasonably comparable or superior access exists nearby, the Huske Street easement is not necessary for present or reasonably foreseeable future public use.

Best Interests of the State

Vacation of the Huske Street section-line easement is in the State's interest.

The State has an interest in preserving meaningful public access to public waters. It also has an interest in ensuring that public access occurs through routes that are practical, safe, environmentally appropriate, and capable of accommodating public use. The Huske Street easement no longer meets that standard.

The record demonstrates that the easement is physically limited, routinely obstructed, and used in a manner that creates environmental, public safety, and neighborhood impacts. Continued retention of the easement would preserve a legal access route that no longer functions as a practical access corridor and would continue to direct public use to a constrained location that is poorly suited to that use.

By contrast, vacating the easement would not eliminate public access to the Kenai River. Public access would remain available through nearby established corridors that are wider, better configured, and legally protected. Vacation would therefore allow the State to remove an impractical and high-conflict access point while maintaining public access through more suitable routes.

For these reasons, the proposed vacation satisfies AS 19.30.410 and 11 AAC 51.065 and serves the State's interest.

Conclusion – State

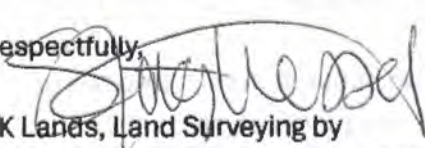
The Huske Street section-line easement no longer functions as a practical public access corridor. Its current use has shifted from ingress and egress to prolonged, unmanaged occupation of a constrained river access point. The result is recurring obstruction, waste disposal, public safety concerns, environmental impacts, trespass, and conflict with surrounding residential properties.

The easement is also physically limited. It is a short dead-end corridor that terminates at the Kenai River, does not provide through access, and does not connect to a larger transportation network. Additional improvement would not create meaningful circulation or transportation benefit and would likely intensify the same unmanaged use already occurring at the site.

Vacating the easement will not remove public access to the Kenai River. Multiple nearby rights-of-way, section-line easements, walkway easements, and developed or purpose-built access corridors provide reasonably comparable or superior access. Those routes are legally established, better suited to accommodate public use, and sufficient to satisfy present and reasonably foreseeable access needs.

For these reasons, the proposed vacation satisfies AS 19.30.410, serves the best interests of the State, and should be approved.

Respectfully,


AK Land, Land Surveying by

Stacy Wessel, Professional Land Surveyor

Kenai Peninsula Borough Section-Line Easement Vacation Support Letter
Kenai Peninsula Borough Huske Street Right-of-Way Vacation Support Letter
Appendix A - Supporting letters
Appendix B - Alternative Kenai River access exhibits
Appendix C - Photographs



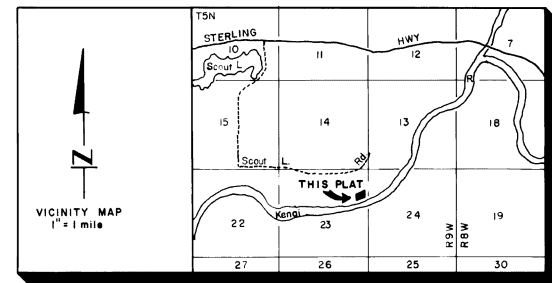
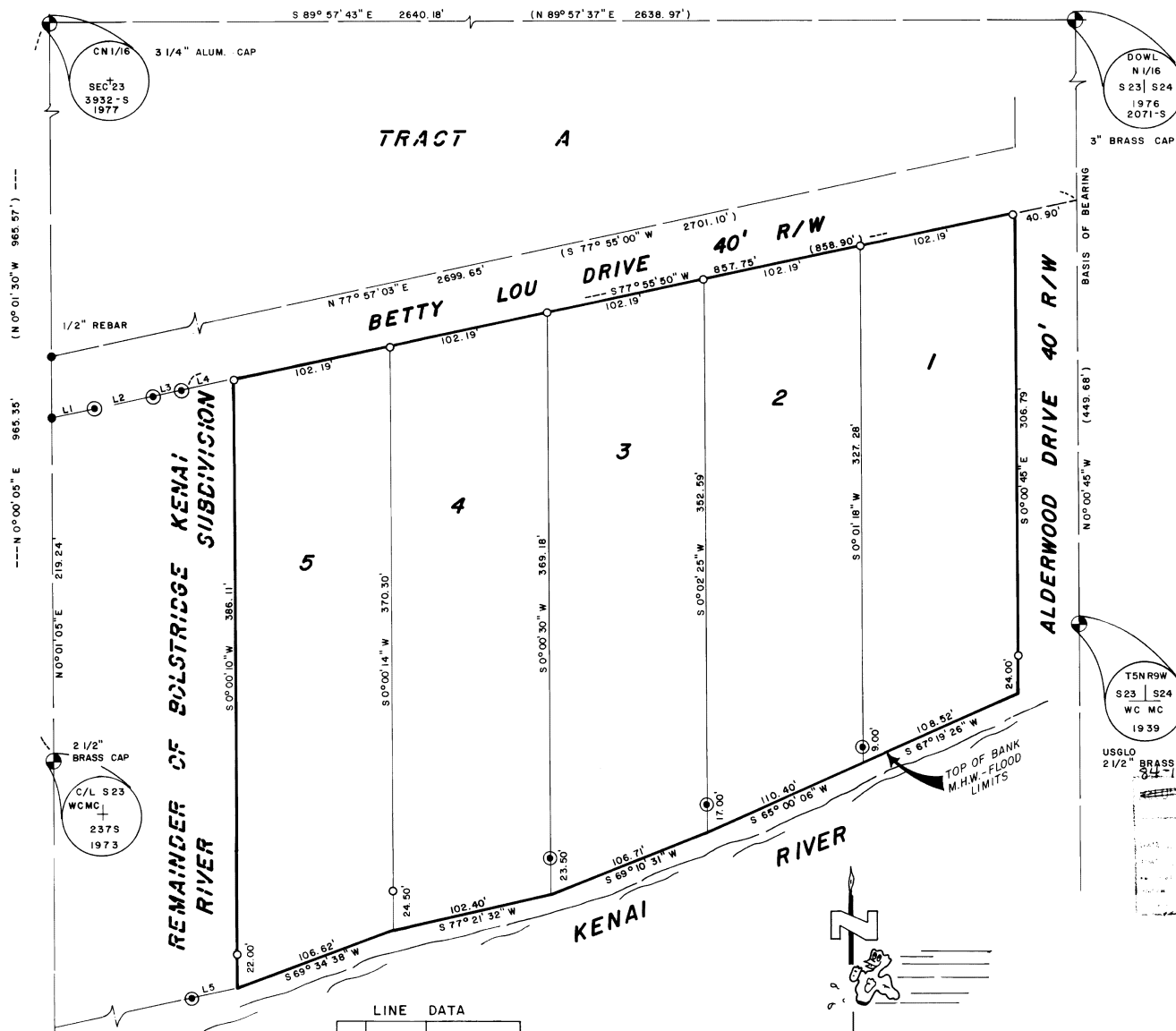
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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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

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON.

James D. Medema
JAMES D. MEDEMA
BOX 1422
HOMER, AK. 99603
(A.K.A. J.D. MEDEMA)

Millie M. Medema
MILLIE M. MEDEMA
BOX 1422
HOMER, AK. 99603

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 25th DAY OF May, 1984 FOR ALASKA

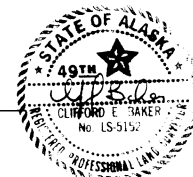
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 10-25-84

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 7, 1984

KENAI PENINSULA BOROUGH
Ed Burt
AUTHORIZED OFFICIAL

Clifford E. Baker
CLIFFORD E. BAKER, R.L.S.
REGISTRATION NO. LS-5152



NOTES:

- PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
- A SETBACK OF 20 FEET IS REQ'D FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.

DEED OF RECORD BOUNDARY SURVEY BOLSTRIDGE KENAI RIVER SUBDIVISION

A BOUNDARY SURVEY OF LOTS 1 THRU 5 LOCATED WITHIN S 1/2 NE 1/4 SEC. 23 T5N R9W S.M. AND THE KENAI PENINSULA BOROUGH.

DOWLING-RICE and ASSOCIATES
P.O. BOX 1974 SOLDOTNA, ALASKA 99669
ENGINEERS 262 - 9011 SURVEYORS

SURVEYED: APRIL 1984	PLATTED: APRIL 1984
DRAFTED: NM / DW	SCALE: 1" = 50'
CHECKED: DW / CB	SHEET:

514 400
515 100
516 100
517 100

12-1129
103-414
Plan 1 of 2 8-9-205

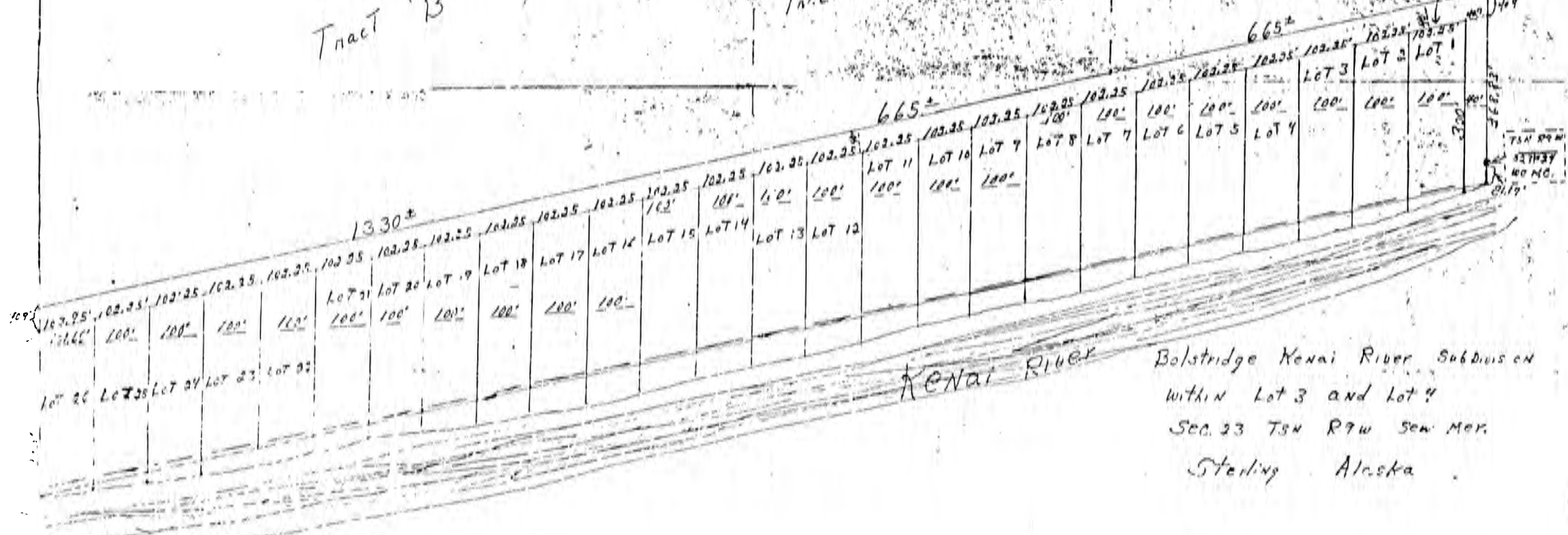
RECORDED - FIELD	
DATE	11-16-20
TIME	2:30 PM
BY	W. B. Bridges
FOR	Subdivision & Sale

500' Cont.
TSN R9W
19117
21024

Tract 'B'

Tract 'C'

Tract 'A'



KENAI RIVER

Bolstridge Kenai River Subdivision
Within Lot 3 and Lot 4
Sec. 23 TSN R9W Sen. Mer.
Sterling Alaska

Bolstridge Kenai River Subdivision
12-1129



ENSTAR Natural Gas Company, LLC

Engineering Department, Right of Way Section 401
E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

July 8, 2026

Kenai Peninsula Borough, Platting Division
144 North Binkley Street
Soldotna, AK 99669

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following ROW Vacation and advises:

- **PROPOSED LOT 1A AND 18A AND SECTION LINE EASEMENT VACATION (KPB 2026-069V)**
- **PROPOSED LOT 1A AND 18A AND HUSKE RIGHT-OF-WAY VACATION (KPB 2026-069V1)**

1. ENSTAR has existing natural gas distribution pipeline that is within the above listed existing Rights of Way proposed for vacation within proposed LOT 1A. Attached is a depiction for your reference.

ENSTAR objects to this plat unless the following condition is met:

- Grant ENSTAR a thirty feet (30 FT) wide natural gas easement within proposed LOT 1A.

ENSTAR confirms that it is actively working with the underlying owner and their representatives to format a final easement document sufficient for the continued operation and maintenance of its facilities.

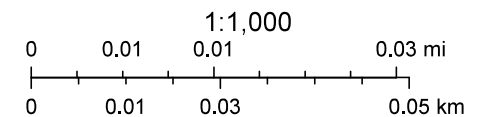
If you have any questions, please feel free to contact me at (907) 334-7944 or by email at brandon.echols@enstarnaturalgas.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Echols", is written over a light blue horizontal line.

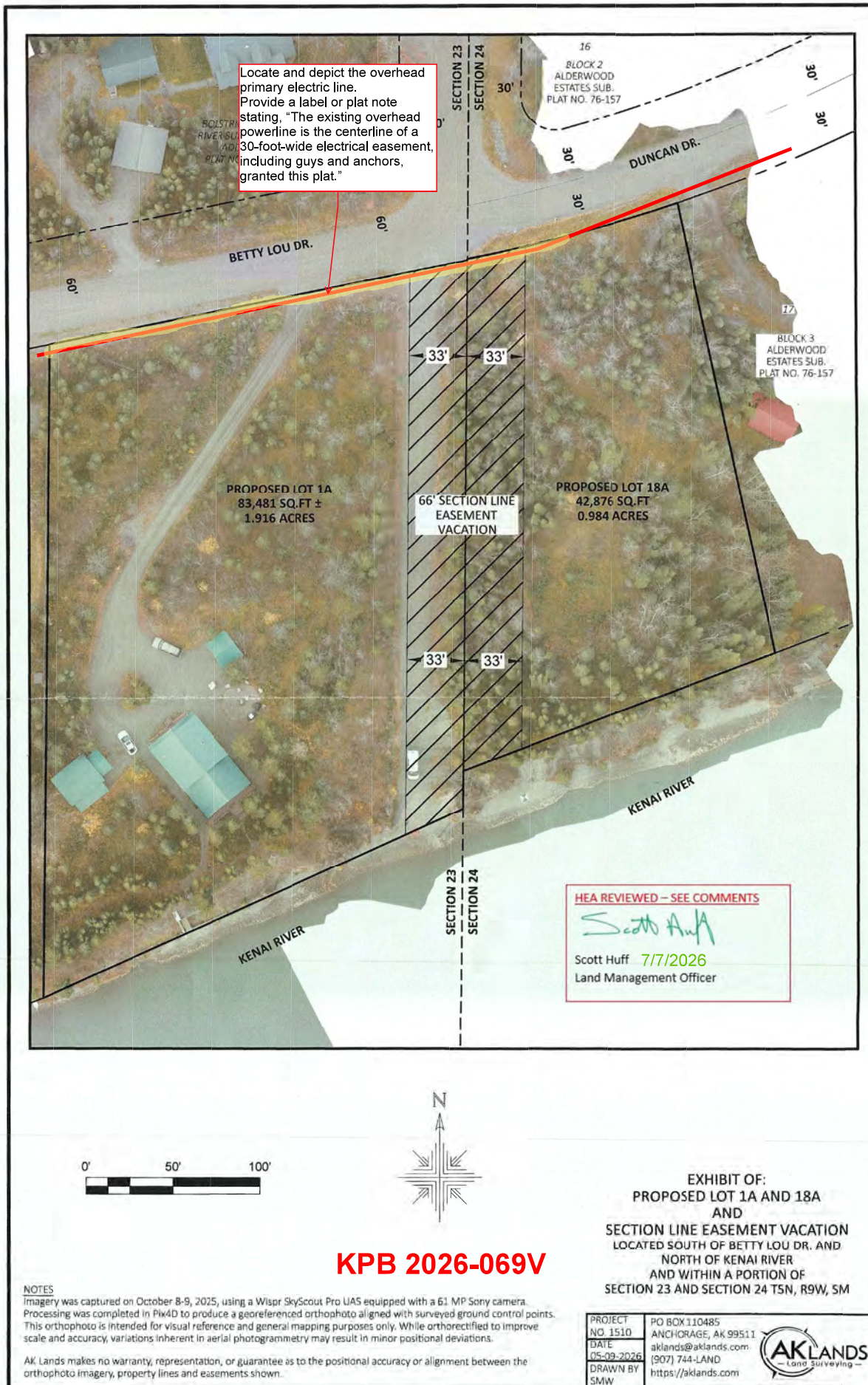
Brandon Echols
Right of Way & Permitting Agent
ENSTAR Natural Gas Company, LLC

PROPOSED LOT 1A AND 18A AND SECTION LINE EASEMENT VACATION & HUSKE RIGHT-OF-WAY VACATION



ENSTAR Natural Gas Company, ENSTAR Natural Gas Company, Matanuska
- Susitna Borough, Kenai Peninsula Borough, Municipality of Anchorage,

ArcGIS Web AppBuilder
ENSTAR Natural Gas Company



From: [Planning Dept.](#)
To: [Piagentini, Vincent](#); [Carpenter, Beverly](#)
Subject: FW: <EXTERNAL-SENDER>Betty Lou boat dock vacation
Date: Thursday, July 9, 2026 11:26:16 AM

-----Original Message-----

From: Grace Merkes <grace.merkes@gmail.com>
Sent: Thursday, July 9, 2026 10:46 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Betty Lou boat dock vacation

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Wed, Jul 8, 7:43 PM (14 hours ago)

Please accept this email as my opposition to vacating the section line that is commonly known as the public boat launch on Betty Lou Drive in Sterling. it is my understanding that two property owners that are adjacent to this public access boat launch are requesting the vacation and adding that vacated property to their own private property. This boat access has been available to the local public for over 50 years and I strongly object to the vacation of this section line.

Could you please forward my objection to all Planning Commission Members & Assembly Members

Thank you.
Signed: Grace Merkes

Piagentini, Vincent

From: Planning Dept,
Sent: Thursday, July 9, 2026 2:14 PM
To: Piagentini, Vincent; Carpenter, Beverly
Subject: FW: <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

From: Kelly Demarsh <ksdemarsh@gmail.com>
Sent: Thursday, July 9, 2026 1:20 PM
To: Simons, Sandee <:ssimons@kpb.us>; Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

I live on Betty Lou Drive and I have heard a rumor that the boat launch is going to be shut down to the public.

There are two boat launches one at each end but if this is concerning the one at the end of Husky Rd I would have to strongly object.

Being a resident on this road I access this area to fish and would be pretty upset if all the sudden my ability to access the river was shut down. This would drastically affect my property value as the river access is one of the main reasons I purchased my house/property.

Why would this get shut down to area residents?

Sincerely,
Kelly and Joe DeMarsh
35152 Betty Lou Dr.
907-322-2774



11500 Daryl Ave
Anchorage, AK 99515
(907) 744-LAND
aklands@aklands.com
<http://aklands.com>

June 17, 2026

Kenai Peninsula Borough
Planning Commission
144 N. Binkley St.
Soldotna, AK 9966

Subject: Section-Line Easement Vacation at Huske Street

Dear Planning Commission Members,

This letter is submitted in support of the petition to vacate the 66-foot section-line easement located between Sections 23 and 24, Township 5 North, Range 9 West, Seward Meridian, south of Betty Lou Drive and north of the Kenai River.

The Kenai Peninsula Borough's role in this petition is advisory to the State of Alaska Department of Natural Resources, which has final authority over section-line easement vacations. The Borough's review remains important because the Planning Commission evaluates the local land use, access, utility, and neighborhood conditions affected by the proposed vacation.

This request should be considered together with the related petition to vacate the Huske Street right-of-way. The section-line easement and the Huske Street right-of-way overlap and function as part of the same public access corridor to the Kenai River. Vacating one without the other would leave an incomplete and impractical access condition. The purpose of the coordinated petitions is to address all public access dedications at this location in a consistent manner through the final platting process.

The section-line easement has been used for access to the Kenai River, but its current use no longer reflects a practical ingress and egress function. The corridor is routinely used for prolonged parking, overnight camping, gathering, and occupation. Documented conditions include long-term vehicle and recreational vehicle presence, trash and debris, fish waste, human waste, trespass, property damage, open fires, alcohol-related disturbances, discharge of firearms, and repeated conflicts with adjoining residential properties.

These conditions are not consistent with a public access corridor. Instead of providing reliable movement to and from the river, the easement has become an unmanaged destination point. During peak fishing periods, vehicles and recreational vehicles occupy the corridor for extended periods and often obstruct passage. This prevents the easement from functioning as a practical travel route.

The physical configuration of the easement further limits its usefulness. The corridor is short, dead-end, and terminates at the Kenai River. It does not provide through access, does not connect to a broader transportation network, and does not support interconnectivity with adjacent parcels. Additional construction or improvement would not

create meaningful circulation and would likely intensify the unmanaged use already occurring at the site.

The surrounding area is already developed. Existing roads, lots, and access routes are in place, and the section-line easement is not needed for future road construction, circulation, or development of adjoining parcels.

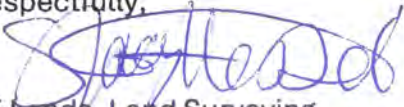
Existing utility infrastructure is located within the section-line easement, including overhead electrical facilities to the north and a gas line that runs north-south through the easement. These utilities are not dependent on retaining the full width of the section-line easement. The petitioner is currently coordinating with Enstar regarding the gas line, and will work with other utility providers, as applicable, to identify and reserve any required utility easements through the final platting process. Any necessary utility access can be preserved through dedicated easements, and vacation of the section-line easement is not anticipated to impair utility service.

Vacating the section-line easement will not eliminate public access to the Kenai River. Public access in this area is already provided through multiple established rights-of-way, section-line easements, walkway easements, and developed or purpose-built access corridors. These alternative access points are identified and discussed in the attached State support letter and alternate access exhibits. Several of those corridors are wider, more functional, and better suited to accommodate public use than the constrained Huske Street corridor.

Retaining the section-line easement while vacating the Huske Street right-of-way would create an unworkable result. It would leave a public access easement across privately owned land without a practical supporting corridor, while allowing the same unmanaged use, trespass, and conflict to continue on private property. Addressing both the right-of-way and the section-line easement together is the more consistent and practical land use solution.

For these reasons, the section-line easement is no longer necessary to provide practical public access at this location. Vacation of the easement is reasonable, will not eliminate public access to the Kenai River, and will direct use to established access points that are better suited for that purpose. We respectfully request that the Planning Commission recommend approval of the section-line easement vacation to the State of Alaska, subject to any required utility easements and completion of the final platting process.

Respectfully,


AK Lands, Land Surveying
Stacy Wessel, Professional Land Surveyor

Attachments:

State of Alaska Section-Line Easement Vacation Support Letter

Kenai Peninsula Borough Huske Street Right-of-Way Vacation Support Letter

Appendix A - Supporting letters, Appendix B - Alternative Kenai River access exhibits, Appendix C - Photographs



PO Box 110485
Anchorage, AK 99515
(907) 744-LAND
aklands@aklands.com
<http://aklands.com>

June 17, 2026

Alaska Department of Natural Resources
Division of Mining, Land and Water
Survey Section
550 West 7th Avenue, Suite 650
Anchorage, Alaska 99501-3576

Subject: Section Line Easement Vacation

To the Alaska Department of Natural Resources and the Department of Transportation and Public Facilities:

Public access to Alaska's waters is a fundamental public interest, and the Kenai River is one of the State's significant public resources. This petition does not ask the State to abandon that interest. It asks whether this specific section-line easement, under current site conditions, remains necessary to provide practical public access to the river.

Section-line easements are intended to function as public access and transportation corridors. They are not intended to become unmanaged destination areas for prolonged parking, overnight occupation, waste disposal, or other uses that obstruct travel and interfere with adjoining properties.

This letter is submitted in support of the proposed vacation of the 66-foot-wide section-line easement located at the end of Huske Street, south of Betty Lou Drive, where the corridor extends to the Kenai River. The request is part of a coordinated action with the Kenai Peninsula Borough to vacate the related Huske Street right-of-way and address all public access dedications at this location through the final platting process.

As demonstrated below, the easement no longer functions as a practical access corridor, continued use at this location is impractical, and reasonably comparable or superior alternate access exists to serve present and reasonably foreseeable public access needs. For those reasons, vacating the easement preserves public access by directing use to better-suited locations and is consistent with AS 19.30.410, 11 AAC 51.065, and the State's interest.

Underlying Land Ownership

The section-line easement at the end of Huske Street lies across privately owned land within Lot 1 of the Bolstridge Kenai River Subdivision (Plat No. K-1129) and Lot 18, Block 3 of the Alderwood Estates Subdivision (Plat No. KN 076-157), and partially within the Kenai Peninsula Borough 60-foot right-of-way for Huske Street.

This request is coordinated with a concurrent Kenai Peninsula Borough platting action to vacate the Huske Street right-of-way and replat the adjoining parcels, with the vacated right-of-way being absorbed into the resulting lot configuration. (A copy of the KPB preliminary plat and supporting letter is attached.)

The State action seeks to vacate the section-line easement, which extends across the privately owned parcels and Borough right-of-way corridor.

Current and Historical Public Use Patterns

The Huske Street section-line easement has been used as a point of physical access to the Kenai River. However, its current use has shifted away from short-term ingress and egress and toward prolonged, unmanaged occupation of the corridor.

A section-line easement is intended to function as a public travel and access corridor. At this location, that function has been displaced by recurring use of the corridor as a place to park, camp, gather, and remain for extended periods.

Adjacent property owners and individuals familiar with the site have documented repeated conditions including overnight camping, long-term parking of vehicles and recreational vehicles, accumulation of trash and debris, disposal of fish carcasses and other waste, human waste, open fires, alcohol-related disturbances, discharge of firearms, trespass onto adjacent private property, damage to fencing and structures, harassment, threats, and recurring conflicts with surrounding residential use. These conditions are described in the supporting letters included in Appendix A and photographs included in Appendix C..

During peak fishing periods, vehicles and recreational vehicles occupy the corridor, often for extended periods and sometimes overnight. The width of the corridor is frequently consumed by parked vehicles, leaving little practical ability for the easement to function as a reliable ingress and egress route.

This use pattern is important to the State's review. The issue is not whether the public has entered the corridor. The issue is whether the easement is serving as a practical public access route. Under

current conditions, it is not. The easement has shifted from access to occupation, and that shift has impaired the usefulness of the route for travel.

Practicality of Use

Continued use of the Huske Street section-line easement as a public access corridor is impractical.

The easement is a short, dead-end segment that terminates at the Kenai River. It does not provide through access, does not connect to a broader transportation network, and does not support circulation beyond a single point of entry. Even if the corridor were unobstructed, its physical configuration would remain limited.

Further improvement or construction would not resolve those limitations. Improving the corridor would not create through access or meaningful transportation connectivity. Instead, it would likely increase use of the site as a destination-style access point without providing the space, design, or management needed to accommodate that use safely.

The practical result is that the easement is not functioning as a transportation or access corridor. It is functioning as an unmanaged gathering and parking area at the river. That use is incompatible with the purpose of a section-line easement and creates recurring safety, environmental, and neighborhood impacts.

For these reasons, continued reliance on this easement is not practical for present or reasonably foreseeable public access needs.

Alternate Access-Equal or Better

Under AS 19.30.410, the relevant question is whether reasonably comparable or better access exists that is sufficient to satisfy present and reasonably foreseeable uses. In this case, multiple access corridors and access points exist within approximately one mile of the subject area. The alternate access points include legally established rights-of-way, section-line easements, walkway easements, and developed or purpose-built river access corridors.

See Appendix B showing 7 access points within a one-mile radius.

The alternate access locations include:

Fields Road (Access A) – This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 175 feet in width, providing significant space for parking and vehicle maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. The overall width, combined with available parking and staging areas, allows this access point to accommodate multiple users without congestion or conflict.

Mykiss St. (Access B) – This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Huske Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

Kings Salmon Dr. (Access C) – A 10-foot-wide dedicated walkway easement provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

Flyfisher Street (Access D) – Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

Anglers Roost St. (Access E) – • A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

Additional Access Corridors (Access F and Access G) – Additional access corridors exist to the east of the subject area, including one on each side of the river. Roger Avenue (Access F) provides a 66-foot-wide dedicated right of way with a half 50 foot radius cul-de-sac for turnaround. A separate access point (Access G) consists of two 33-foot-wide section line easements, providing a total width of 66 feet. While not fully developed, both corridors remain legally established public access routes and contribute to the overall network of access to the Kenai River.

Taken together, these access points provide a network of established public access that is not dependent on the Huske Street section-line easement. Several are already developed and actively used, while others remain legally protected and available to serve future access needs. When

considering width, level of improvement, capacity to accommodate public use, and legal protection by easement or right-of-way of record, these routes provide access that is reasonably comparable to, and in several cases superior to, the Huske Street section-line easement. Accordingly, vacating the easement will not diminish public access to the Kenai River and is consistent with the alternate-access requirement of AS 19.30.410.

Future Use

The Huske Street section-line easement is not required to satisfy present or reasonably foreseeable future access needs.

The surrounding area is already served by multiple established public access routes to the Kenai River. These access points provide a range of access types, including vehicle access, pedestrian access, boat-ramp-related access, dedicated rights-of-way, and section-line easements. This distributed network is better suited to accommodate current and future public use than the constrained Huske Street corridor.

Retaining the Huske Street easement would not improve regional access, circulation, or future transportation planning. The easement terminates at the river and does not provide access beyond that point. Future use of this corridor would likely continue the same unmanaged pattern of occupation, parking, waste disposal, and conflict documented in the record.

Because reasonably comparable or superior access exists nearby, the Huske Street easement is not necessary for present or reasonably foreseeable future public use.

Best Interests of the State

Vacation of the Huske Street section-line easement is in the State's interest.

The State has an interest in preserving meaningful public access to public waters. It also has an interest in ensuring that public access occurs through routes that are practical, safe, environmentally appropriate, and capable of accommodating public use. The Huske Street easement no longer meets that standard.

The record demonstrates that the easement is physically limited, routinely obstructed, and used in a manner that creates environmental, public safety, and neighborhood impacts. Continued retention of the easement would preserve a legal access route that no longer functions as a practical access corridor and would continue to direct public use to a constrained location that is poorly suited to that use.

By contrast, vacating the easement would not eliminate public access to the Kenai River. Public access would remain available through nearby established corridors that are wider, better configured, and legally protected. Vacation would therefore allow the State to remove an impractical and high-conflict access point while maintaining public access through more suitable routes.

For these reasons, the proposed vacation satisfies AS 19.30.410 and 11 AAC 51.065 and serves the State's interest.

Conclusion – State

The Huske Street section-line easement no longer functions as a practical public access corridor. Its current use has shifted from ingress and egress to prolonged, unmanaged occupation of a constrained river access point. The result is recurring obstruction, waste disposal, public safety concerns, environmental impacts, trespass, and conflict with surrounding residential properties.

The easement is also physically limited. It is a short dead-end corridor that terminates at the Kenai River, does not provide through access, and does not connect to a larger transportation network. Additional improvement would not create meaningful circulation or transportation benefit and would likely intensify the same unmanaged use already occurring at the site.

Vacating the easement will not remove public access to the Kenai River. Multiple nearby rights-of-way, section-line easements, walkway easements, and developed or purpose-built access corridors provide reasonably comparable or superior access. Those routes are legally established, better suited to accommodate public use, and sufficient to satisfy present and reasonably foreseeable access needs.

For these reasons, the proposed vacation satisfies AS 19.30.410, serves the best interests of the State, and should be approved.

Respectfully,


AK Land, Land Surveying by

Stacy Wessel, Professional Land Surveyor

Kenai Peninsula Borough Section-Line Easement Vacation Support Letter
Kenai Peninsula Borough Huske Street Right-of-Way Vacation Support Letter
Appendix A - Supporting letters
Appendix B - Alternative Kenai River access exhibits
Appendix C - Photographs

Appendix A

Appendix A includes letters from adjacent property owners and individuals familiar with the site supporting the proposed vacation of the right-of-way and section line easement. These letters document recurring conditions at the location, including overnight camping, long-term vehicle and RV parking, trash and debris, fish waste, human waste, open fires, alcohol-related disturbances, trespass, property damage, threats, and ongoing conflicts with adjacent residential use.

Appendix A also includes a December 27, 2001 memorandum from the Kenai Peninsula Borough Attorney's Office (Assistant Borough Attorney) to the Borough Assembly regarding decertification of Huske Street from road maintenance. The memorandum notes liability and safety concerns, prior accident history, lack of maintenance to borough standards, and its use for river access, parking, and boat launching, while clarifying that decertification does not constitute a vacation of the right-of-way.

MEMORANDUM

TO: Timothy Navarre, Assembly President

Members, Kenai Peninsula Borough Assembly

THRU: Dale Bagley, Mayor

Colette Thompson, Borough Attorney

FROM: Holly B. Montague, Assistant Borough Attorney

CC: Gary Davis, Roads Director

DATE: December 27, 2001

SUBJECT: Resolution 2002-007, decertifying Beluga Street, Salmon Road, and Huske Street

The borough attorney's office recommended decertification of the above-referenced roads to the road service area ("RSA") board because of liability and safety concerns. All of the roads are in the central region and, according to the RSA staff, have not been maintained within the past five years. Salmon Road is connected to Beluga Street in J.W. Subdivision Addition No. 1, and was the site of a snow machine accident for which the borough, through its insurer, paid in excess of one million dollars in settlement several years ago. Huske Street accesses the Kenai River and receives substantial use as a parking area and boat launch. The road is not entirely within the right-of-way. None of the three roads meet borough standards, nor do they access dwellings. A public hearing was held on November 6, 2001 regarding decertification of these roads. No one testified against decertification, nor were any written objections received to the decertification. The public hearing before the assembly was advertised on December 27, 2001, and January 3, 2002, in compliance with KPB 14.06.070(B)(6). The resolution sets forth findings adopted by the RSA board supporting decertification in accordance with KPB 14.06.070. The memo seeking authorization from the board to initiate the public process for decertification for these roads is also enclosed and contains more detail regarding the status of the three roads. Decertification from the maintenance system does not result in vacation of the roads, and if the roads are brought to borough standards they will again be eligible for borough maintenance.

*Road Maintenance
Huske Street*

Number
Address
State and Zip
Phone number

Date 4-22-26

Kenai Peninsula Borough Planning Commission
AND
State of Alaska Department of Natural Resources

Subject: Support for Platting action

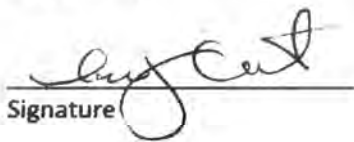
To Whom it may concern,

I (We) support the platting action to vacate the full 60foot Huske Road rightofway and the 66foot section line easement located south of Betty Lou Drive and north of the Kenai River.

Reason for Support:

As a local contractor (retired), I built numerous homes on Betty Lou Drive, Sterling, AK. This particular easement has caused continuous problems in the area. The area has become a party area at the site. Vehicles constantly block traffic on Betty Lou and Huske Rd. People are unable to launch their boats due to campers and tents blocking the ramp. Thefts have increased in this area as well. The revelers keep the music loud all night long and their garbage remains there when they leave. They use the neighboring fences for clothes and boot drying racks also.

In short, I fully support to vacate this easement and return it back to the quiet and clean neighborhood it once was.


Signature

SCOTT CHRISTIAN
Printed Name
907-394-2880
CHRISTIAN RIDGE CONST

4-22-26
Date

35085 Betty Lou Dr
Sterling, AK 99672
801-859-2190

April 25, 2026

Kenai Peninsula Borough Planning Commission
AND
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom it may concern,

I (We) support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

Reason for Support:

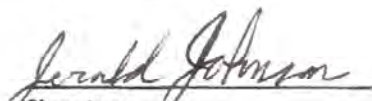
Primarily during the Sockeye salmon run June through early September there are up to 50 fishermen trying to fish about 25 feet of the Kenai river where a small public boat ramp exists just upstream from my property at 35084 and 35085 Betty Lou Dr. It is physically impossible for more than 3 or 4 people to fish that small public area. So naturally these people spread out along the river bank to fish adjacent to private property, including my own.

I understand that private land owners do not own part of the river, however, after spreading out up and down river from the public boat ramp, many people get out of the river to use our private property to repair fishing gear, store their salmon catch and even stand on our fishing ramps to fish. Most people will vacate our private property peacefully when asked, but some will not and become angry and hostile. It is impossible to use our private property river bank and fishing ramps if people are standing in the water in front of these ramps.

There is also a matter of public safety. To not trespass, people have to stay in the river while walking up and down stream. The current is fairly swift in this section of the river which makes it unsafe to navigate on foot. Additionally, Betty Lou Drive is a narrow unpaved road with a limited shoulder. Therefore, people who can't find parking in front of the boat launch, must park on private property near the boat ramp or leave their vehicles partially in the road obstructing passing cars. Also, when the boat launch fills up with parked cars, there is no room to launch a boat.

These issues have progressively gotten worse over time. It is my hope that the Kenai Peninsula Borough Planning Commission and the State of Alaska Department of Natural Resources will take the necessary action to rectify this growing problem.

Respectfully,


Signature

Jerald Johnson
Printed Name

4/25/26
Date

Marvin Huske
431 W. 123rd Avenue
Anchorage, Alaska 99515

Kenai Peninsula Borough Planning Commission
AND
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom It May Concern,

I (We) support the platting action to vacate the full 60-foot Huske Street right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

Reasons for Support:

This request is made after many years of ongoing issues associated with public use of this easement that have significantly and repeatedly impacted my private property.

Specifically:

- My property has been continually trespassed upon, particularly during summer months.
- Trespassers have left behind garbage, human waste, and fire debris, requiring ongoing cleanup.
- My riverbank/land has suffered significant erosion and physical damage as a result of foot traffic and unauthorized access.
- Posted No Trespassing and No Parking signs have been torn down, burned, removed or thrown in the river.
- Vehicles, including cars, trucks, and motorhomes, regularly block access and park on or near my property.
- I have been threatened with assault and/or arson when attempting to enforce private property boundaries.
- Local enforcement efforts have proven ineffective due to the volume of day and night unlawful use.

Additionally, this easement has been misrepresented by local businesses as a free Kenai River access point resulting in commercial guides and members of the public accessing my private property.

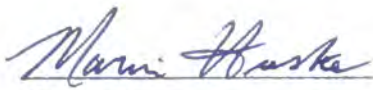
Due to the ongoing safety concerns, property damage, and loss of use and enjoyment, I respectfully request that this section line easement be vacated in order to protect private property rights and prevent further harm.

This request has been raised previously and remains unresolved. Given the long history of issues, I believe vacating this easement is reasonable, necessary, and overdue.

Kenai Peninsula Borough Planning Commission
AND
State of Alaska Department of Natural Resources
Page 2

Thank you for your time and consideration of this request. Please contact me if further information or documentation is required.

Respectfully,


Signature

Marvin Huske
Printed Name

4/29/26
Date

Phillip M Finley III

5405 Candlewood Ct NE

Albuquerque, NM 87111

505.459.2957

April 18, 2026

Kenai Peninsula Borough Planning Commission

AND

State of Alaska Department of Natural Resources

Subject: Support for Platting Action

To Whom It May Concern:

I support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

I support this action due to the following activities that my wife and I have personally observed occurring within the right-of-way and on Mr. Montgomery's property ("the property").

- Excessive alcohol consumption by individuals using the area
- Instances of defecation and urination on the property
- Loitering on private property
- Fires on the access ramp, as well as in the bushes of the property
- Consistent disregard for posted no-trespassing signs
- Loud music being played late into the evening and in early morning hours
- Personal items such as clothing, chairs, tents, coolers, and fishing gear being stored on the property, as well as trash and fish remains

This situation, which seems to be getting worse with each of our visits, creates significant concerns for Mr. Montgomery, as it is clearly a violation of property rights, as individuals are entering and using the property without permission, despite the posted signs. This limits the ability for Mr. Montgomery, family, and guests to safely and peacefully use and enjoy the property

Additionally, due to the excessive alcohol use, open fires, and unsanitary conditions, this introduces safety and liability risks and the potential for property damage. The accumulation of trash and personal belongings, along with defecation and urination, creates environmental and public health concerns and, again, can damage the property, require ongoing cleanup, and diminish its overall value and usability.

Collectively, these issues represent not just an inconvenience, but an ongoing interference with the owner's rights, safety, and property value.

Sincerely,

Phillip M Finley III

James Donovan
5514 W Lake River Ln
Boise, Id 83703
208-995-5587

4-25-2026

Kenai Peninsula Borough Planning Commission
AND
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom It may concern,

I (We) support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

Reason for Support:

I have visited the cabin located on/near this location several times per year. I have witnessed the following activities that reduce the quality of time and disrupt our stays.

Anglers have continuously entered the private property.

Placing gear and fish, carcasses on the private property to include attaching fish cleaning tables on the private fencing etc.

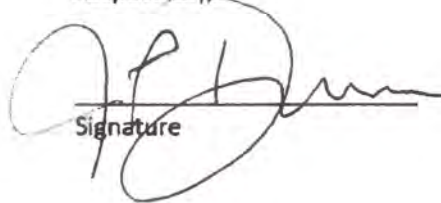
Leaving trash behind.

Camping with fires overnight.

Open drinking alcohol which typically leads to foul language, approaching owners and guests of the private property which on occasions has come close to violent situations.

I appreciate the opportunity to address this with you and if you would like to speak to me directly please let me know.

Respectfully,


Signature

Jim Donovan
Printed Name

4-25-26
Date

Number
Address
State and Zip
Phone number

Date 4/23/2026

Kenai Peninsula Borough Planning Commission

AND

State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom it may concern,

I (We) support the platting action to vacate the full 60foot Huske Road rightofway and the 66foot section line easement located south of Betty Lou Drive and north of the Kenai River.

Reason for Support:

I have been to the Montgomery Lodge numerous times over the years and there have been issues with people down at the Shoreline. Some leave their trash on the riverbank. Others will be directly out in front of the private camp, and won't move. People will also put their gear on the private camp. We also have to bring our fishing gear up to the lodge so it doesn't get stolen. They also camp out all day and night. It was either June or July 2004 and the week before we got there someone drove down the ramp Respectfully, during the night into the river and downed.

Mike P. Sunder

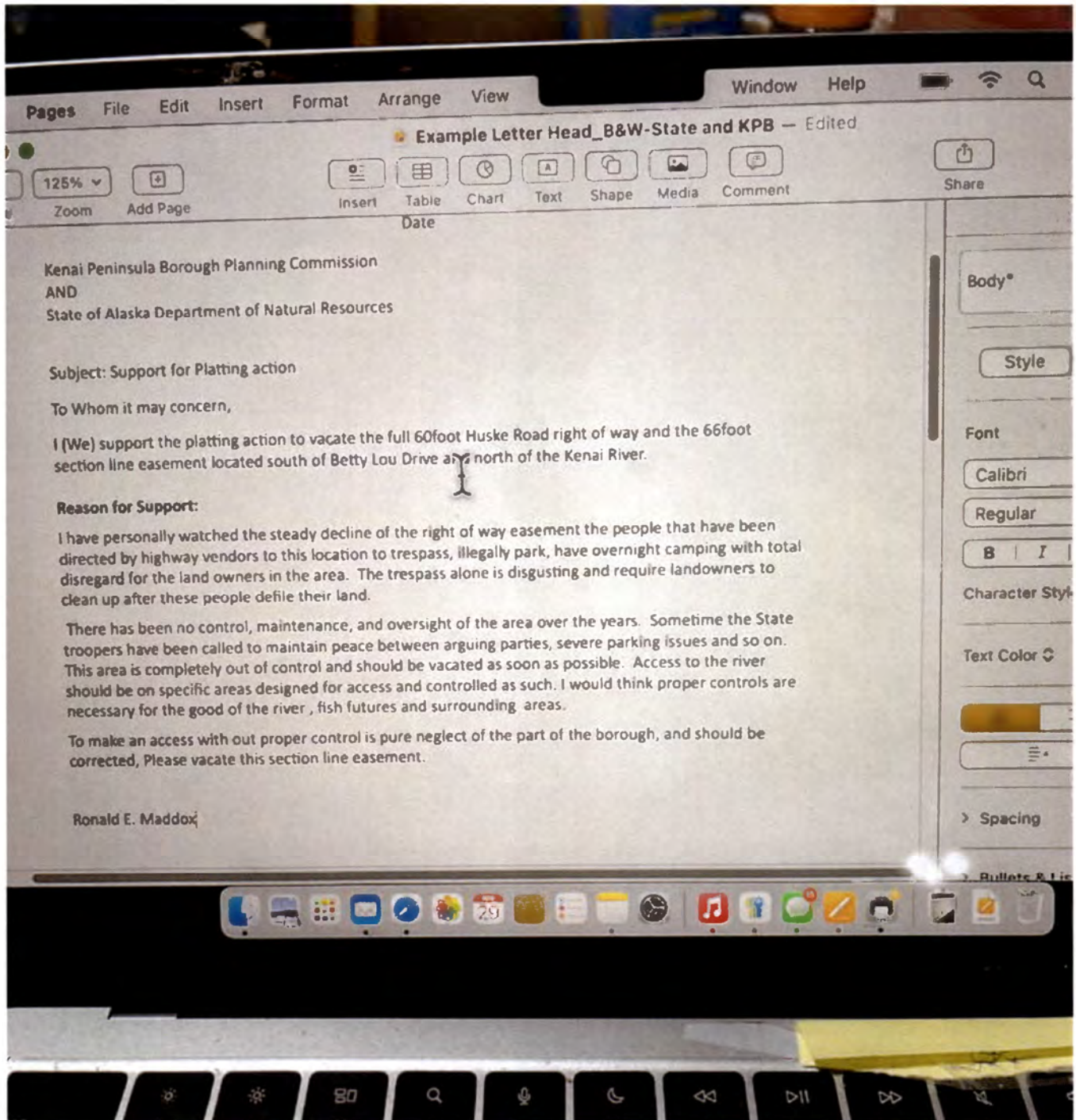
Signature

Date 4/23/2026

Mike P. Sunder

Printed Name

This letter was provided to me by Gene Montgomery via text message. He indicated that Ron prepared it but has been very ill and unable to print or sign it.

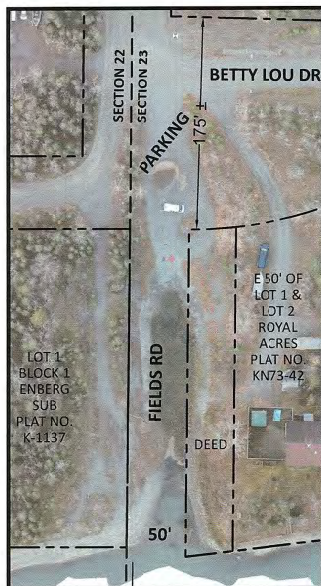


Appendix B

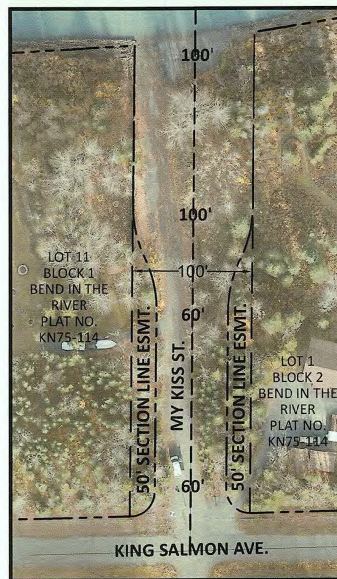
Appendix B provides a collection of aerial imagery and supporting documentation for seven additional public access points along the Kenai River. Each access point is accompanied by a brief description, exhibit, and legal documentation of the Rights of Way and/or Section Line Easements illustrating the network of alternative public access routes in the vicinity of Huske Street.

These exhibits demonstrate that multiple legally established access corridors exist, including section line easements. As shown, these locations generally offer equal or greater access to the Kenai River, improved boat launching, better parking accommodation, and more suitable configurations for public use.

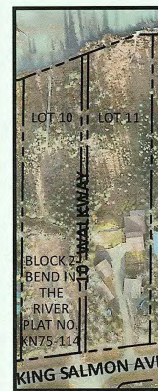
Collectively, the packet supports that public access to the Kenai River is not dependent on Huske Street and that equal and better access opportunities are available through the surrounding network.



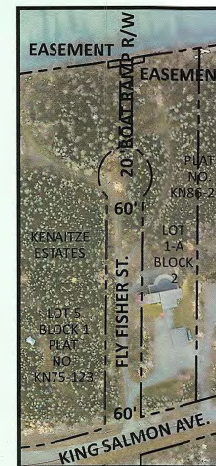
ACCESS A
1"=100'



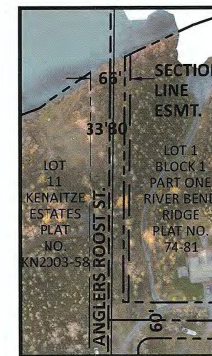
ACCESS B
1"=100'



ACCESS C
1"=200'



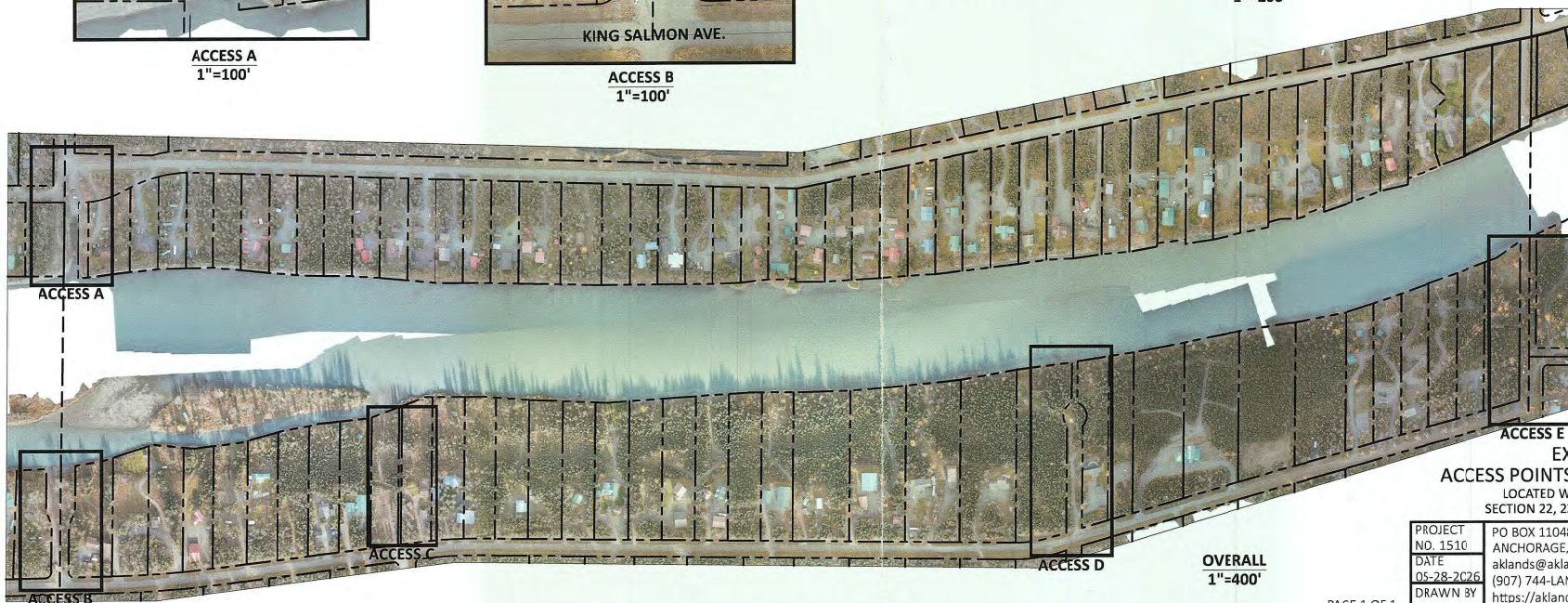
ACCESS D
1"=200'



ACCESS E
1"=200'

NOTES
Imagery was captured on October 8-9, 2025, using a Wispr SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.



**EXHIBIT A:
ACCESS POINTS TO THE KENAI RIVER**
LOCATED WITHIN A PORTION OF
SECTION 22, 23, AND 24 T5N, R9W, SM

PROJECT
NO. 1510
DATE
05-28-2026
DRAWN BY
S/MW

PO BOX 110485
ANCHORAGE, AK 99511
aklands@aklands.com
(907) 744-LAND
https://aklands.com





Legend

Transportation

Mileposts

Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major Collector
- Town Medium Volume-
- Maintained
- Town Medium Volume-
- Unmaintained

Parcels and PLSS

Tax Parcels

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.



Legend

- Transportation
 - Mileposts
 - Roads
 - Legal Trail
 - Private Road
 - Proposed
 - State Highway
 - Town Low/Seasonal
 - Town Major Collector
 - Town Medium Volume-Maintained
 - Town Medium Volume-Urnmaintained
- Parcels and PLSS
 - Tax Parcels
- Terrain
 - 2008/09 LIDAR Hillshade
 - 255 - 0

0 1000 2000 ft

6/17/2026 3:14:11 PM

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Access Point A

Fields Road

This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 178 feet in width, providing significant space for parking and maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. Aerial imagery collected in October 2025 shows its developed and can accommodate river access. Google Maps imagery also depicts a slough area with boats staged along the side and a gravel area that appears to be used for parking. The configuration of the slough suggests it may provide conditions suitable for launching outside of the main river channel, which may offer a safer alternative to launching directly into the primary river flow and associated swift water conditions. The width of the corridor and available parking area allow it to accommodate multiple users without congestion, obstruction, or spillover onto adjacent properties.

Sources: Wilson-Fields Subdivision Plat 2020-10, Royal Acres Subdivision Plat 73-42, Public Road Easement recorded September 11, 2017, Serial No. 2017-007009-0, and google maps.



ACCESS A
1"=100'







Legend

Transportation

Mileposts

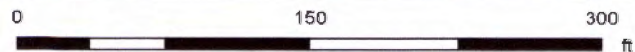


Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

Parcels and PLSS

Tax Parcels



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CERTIFICATE OF OWNERSHIP & DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE TO PUBLIC USE THE ROADWAYS AND UTILITY EASEMENTS SHOWN.

B. Lewis Fields OWNER OWNER

NOTARY'S ACKNOWLEDGMENT

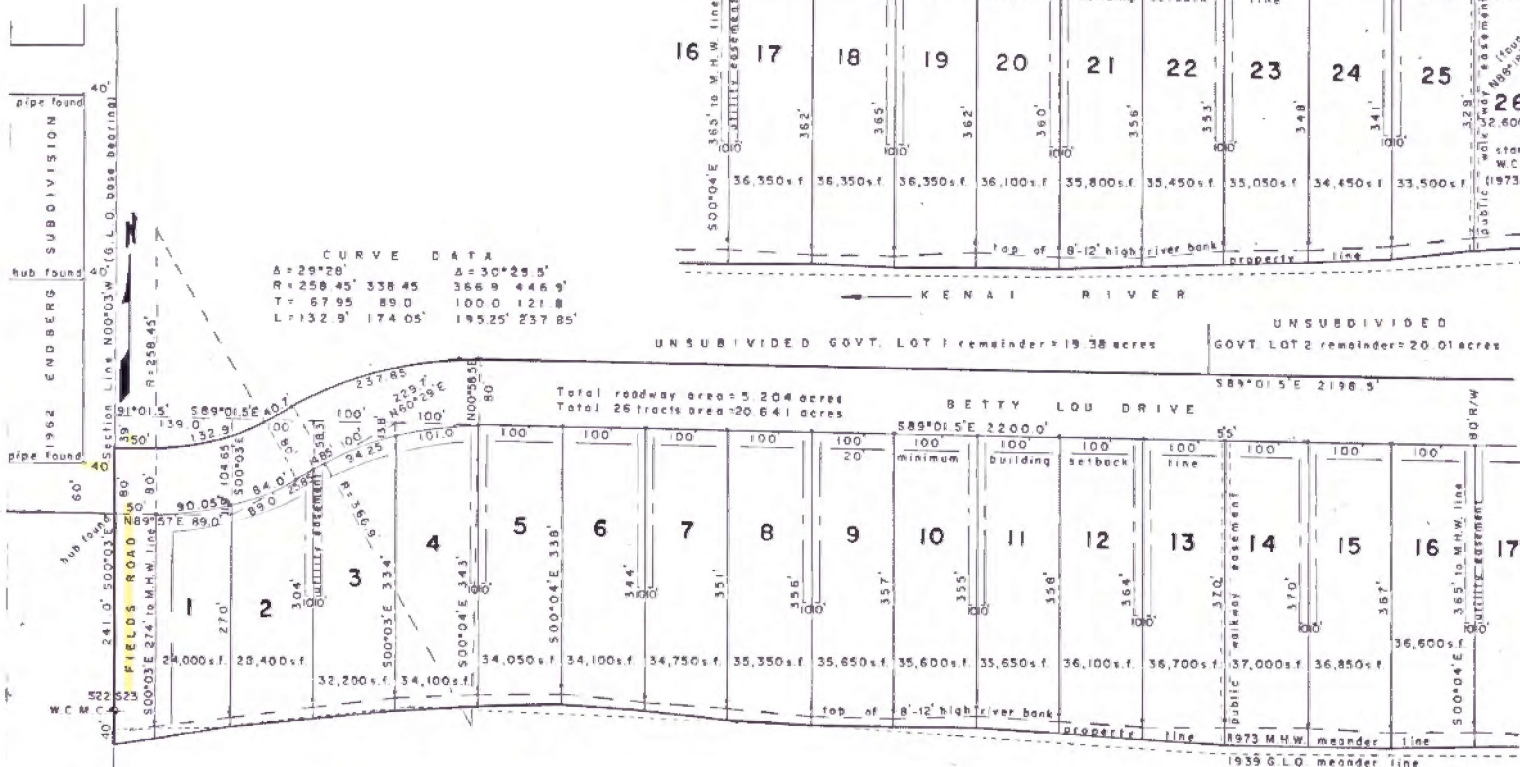
SUBSCRIBED AND SIGNED BEFORE ME THIS 30th DAY OF May, 1973

W. H. Best
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES July 1, 1974

PLAN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION
THIS 21st DAY OF May, 1973.

Heidi F. Thompson
Mayor



RESTRICTIONS:
 NO SEWAGE OR GARBAGE DISPOSAL ALLOWED
 WITHIN 150 FEET OF RIVER HIGH WATER LINE.

ROYAL ACRES SUBDIVISION

25.845 ACRES OF GOVT. LOTS 1 and 2 in SECTION 23, T5N, R9W, S4M
 OWNER: LEWIS K. FIELDS, BOX 18, STERLING, ALASKA
 SURVEYOR: C. L. PARKER, R. L. S. 237, SOLDOTNA, AK.
 APRIL, 1973 SCALE: 1" = 100'



13-42
 RECORDED - FIELD
 KENAI
 8-7-73
 3:14 P.
 KAP

Royal Acres Subd.

LEGEND:

- 1 1/4" ALUM CAP W/IN. 3832-5 1877 FOUND
- 2 1/2" ALUM CAP W/IN. LS 8859 2020 SET
- 3 5/8" REBAR IN MONUMENT BOX FOUND
- 4 5/8" REBAR FOUND
- 5 5/8" REBAR w/PLASTIC CAP LS8658 SET
- 6 RECORD DATUM PLAT 73-42 KN
- 7 RECORD DATUM PLAT K-1137 KRD

CERTIFICATE of OWNERSHIP and DEDICATION

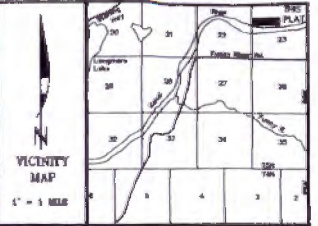
I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Samson Fields
SAMSON FIELDS
P.O. BOX 1215
STERLING, ALASKA 99672

NOTARY'S ACKNOWLEDGMENT

FOR *Samson Fields*
ACKNOWLEDGED BEFORE ME THIS 20th DAY OF September, 2019.

Nicole E. Finner
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 6/11/2022



North

Lot 4
KN 83-101

KN 78-213

Lot 3

KN 2009-42

Lot 1

KN 2002-31

Lot B-1-A

Floodplain Ave.
60' ROW dedication
by this plat

Boundary of low wet areas as defined by
Kenai Watershed Forum mapping.

Comfortable St.
35' ROW dedication
by this plat

Unsubd.

Fields Rd.
33' Section line
easement.
33' ROW dedicated
by this plat

Tract A
5.000 Ac.

Tract B
32.578 Ac.

Line #	Direction	Length
L1	S86°57'00"W	49.77'
L2	S80°29'00"W	40.70'
L3	N89°49'45"E	32.96'
L4	N89°49'45"E	30.05'
L5	S00°18'29"E	60.00'

Approximate boundary of Zone A4
and Zone C from FEMA FIRM panel
020202-2070A. See note 9.

Curve #	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	129°28'00"	298.45'	132.82'	67.86'	133.45'	N75°13'00"E
C2	050°28'30"	446.80'	257.85'	121.81'	235.05'	S75°40'48"W
C3	008°56'19"	446.80'	69.88'	35.05'	68.91'	S77°33'57"W
C4	008°52'33"	446.80'	68.23'	34.65'	69.16'	S86°29'22"W

Betty Lou Dr.

Roscoe Ave.

KN 1137
Lot 1
Block 2

KN 1137
Lot 12
Block 2

Betty Lou Dr.

KN 1137
Block 1

NOTES:

- 1) Bands of bearing taken from Royal Acres Subdivision, Plat 73-42, Kenai Recording District.
- 2) Building setbacks 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) A public road easement which affects this plat is recorded as serial number 2017-027008-0. Said easement is being dedicated by this plat.
- 4) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association, Inc. is recorded in Book 5 Page 100, Kenai Recording District.
- 5) Easements to KPB 20.30.030, Proposed street layout, and KPB 20.30.170, Block length, were granted by the Plat Committee at the meeting of December 18, 2018.
- 6) Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination if applicable.
- 7) Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.
- 8) Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- 9) FLOOD HAZARD NOTICE: Some or all of the property shown on this plat has been designated by FEMA as a flood hazard area district as of the date this plat is recorded 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. See FEMA FIRM panel 020202-2070A for information on Floodplain Zones A4 and C.
- 10) 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.
- 11) WASTEWATER DISPOSAL: Three 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 herein actually exist as described, and all dimensions and other details are correct.

Date: 9-20-2019

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 18, 2019.

KENAI PENINSULA BOROUGH
Mark But Mayor
AUTHORISED OFFICIAL

KPB FILE No. 2019-141

Wilson-Fields Subdivision

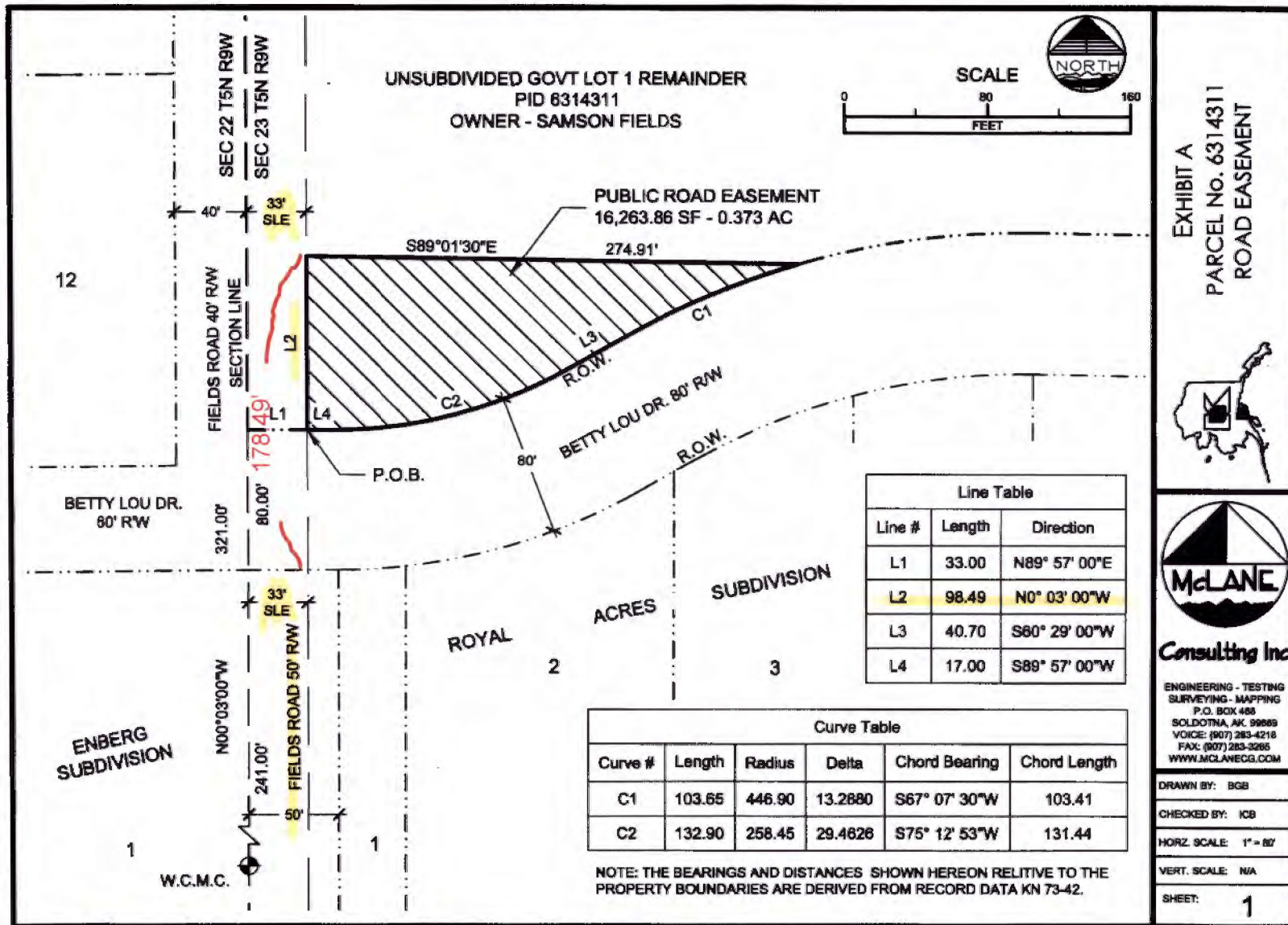
A re-subdivision of Government Lots 1 and 2 Section 23, T8N, R9W, S3M, excepting there from Royal Acres Subdivision, plat 73-42 Kenai Recording District.

Located within the S1/2 NW1/4 Section 23, T8N, R9W, S3M, Kenai Peninsula Borough, Alaska.

Containing 39.624 Ac.

Surveyor	Owner
Segesser Surveys 30485 Roseland St. Soldotna, AK 99686 (907) 282-3906	Samson Fields P.O. Box 1215 Sterling, AK 99672
KPB NO. 19310	DATE: 2-20-2020
SURVEYED: Nov. 2018	SCALE: 1"=100'
FIELD BOOK: 19-4	SHEET: 1 of 1

Page 1 of 1



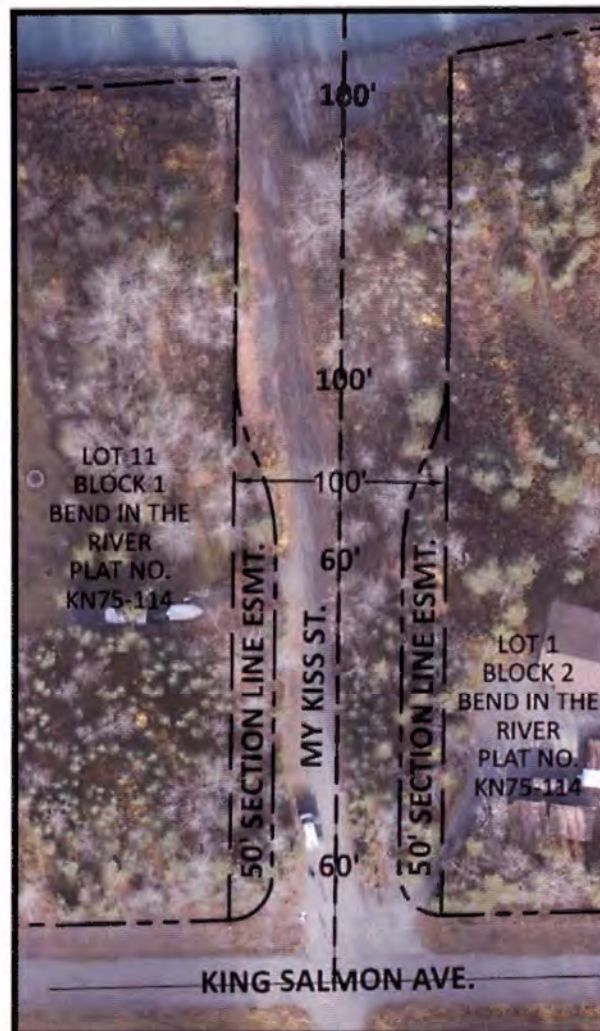
5 of 6
2017-007009-0

Access Point B

Mykiss St.

This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Husker Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

Sources: Bend in the River Subdivision Plat 75-114



ACCESS B
1"=100'



Legend

Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

Parcels and PLSS

Tax Parcels



0 150 300
ft

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Access Point C

10' Walkway

Off Kings Salmon Dr there is a 10-foot-wide dedicated walkway easement that provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

Sources: Bend in the River Subdivision Plat 75-114



ACCESS C
1"=200'



Legend

Transportation

Mileposts

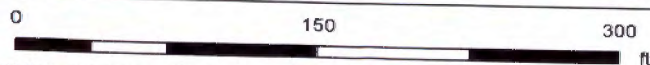


Roads

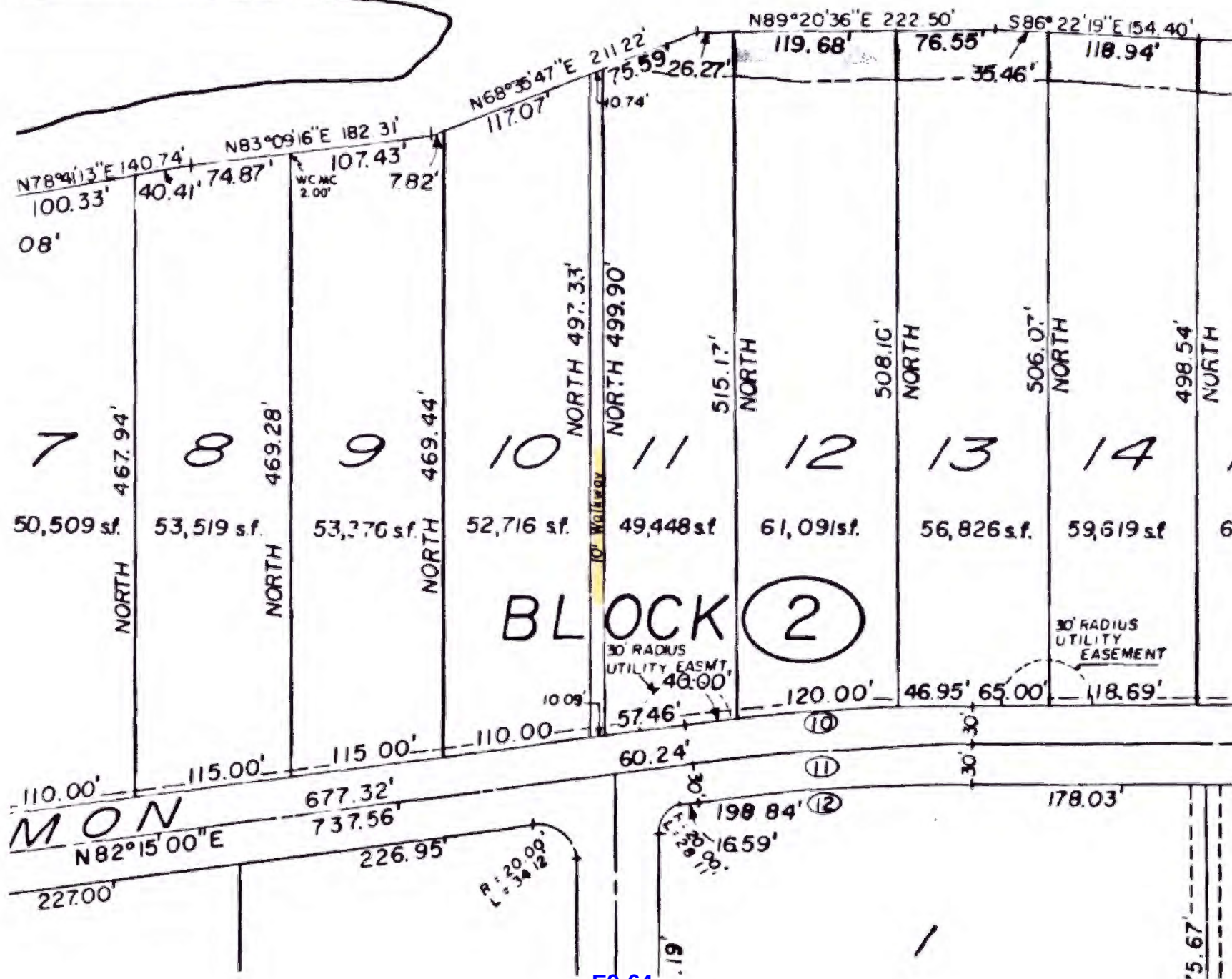
- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

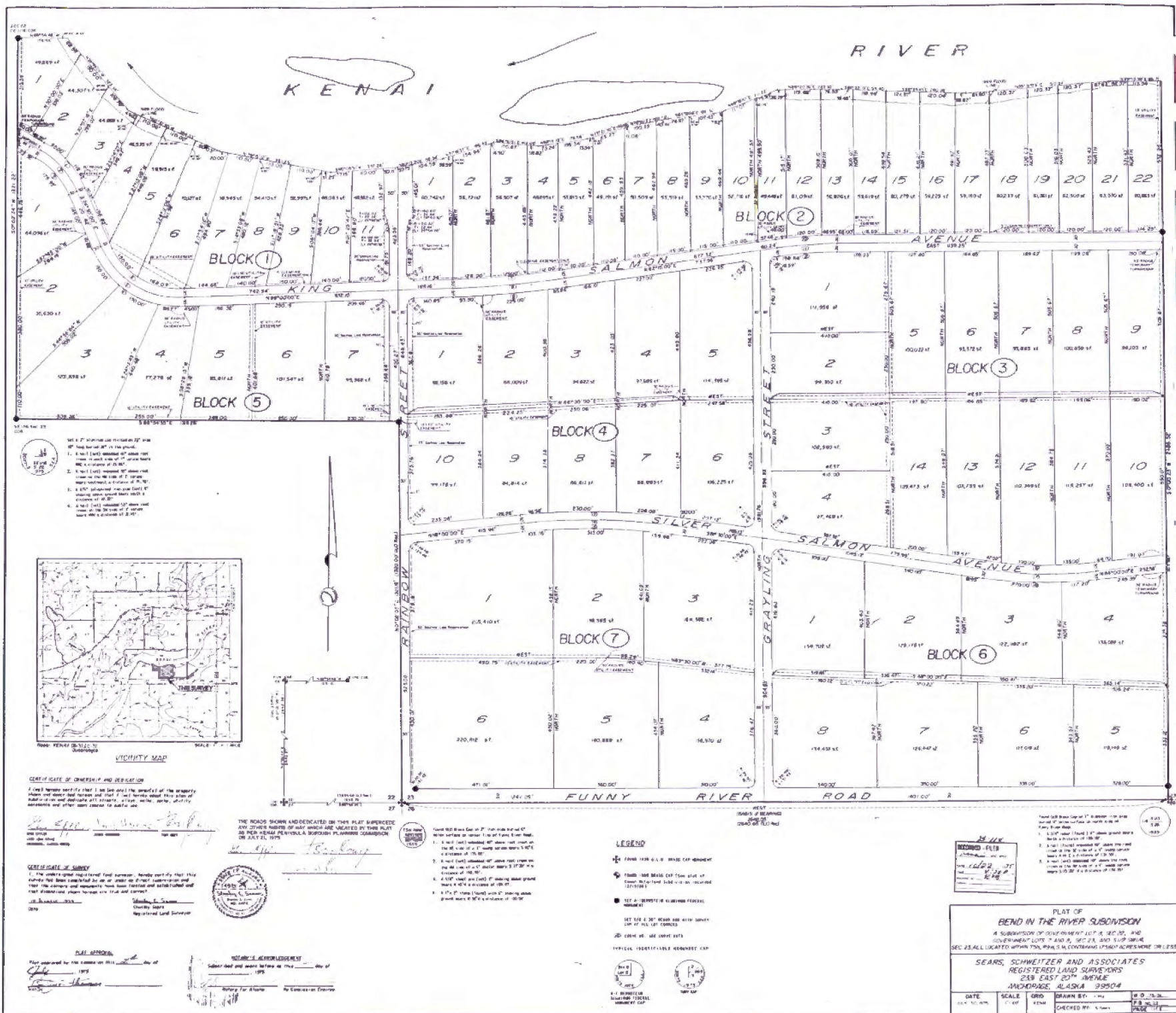
Parcels and PLSS

Tax Parcels



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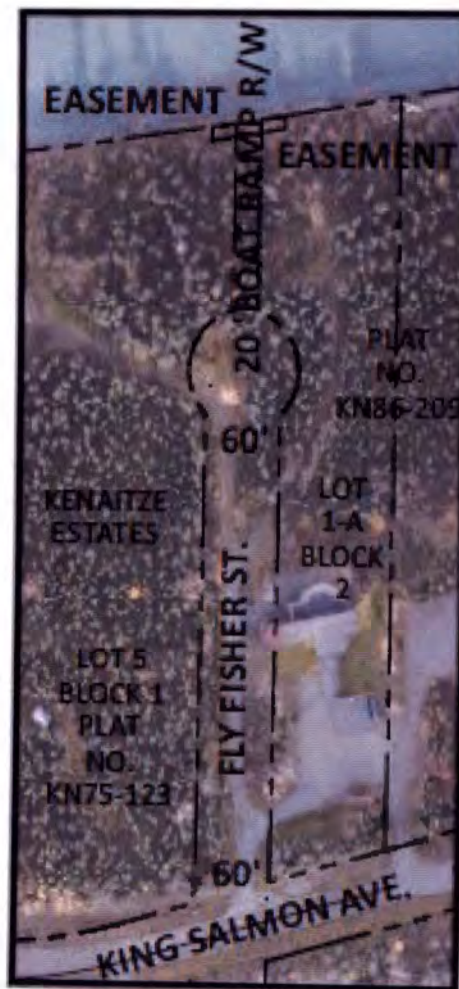


Access Point D

Flyfisher Street

Flyfisher Street– Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

Sources: Kenaitze Estates Subdivision Plat 75-123, Kenaitze Estates Subdivision Yamamoto's and Yamada's Addition Plat 86-209



ACCESS D
1"=200'



Legend

Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

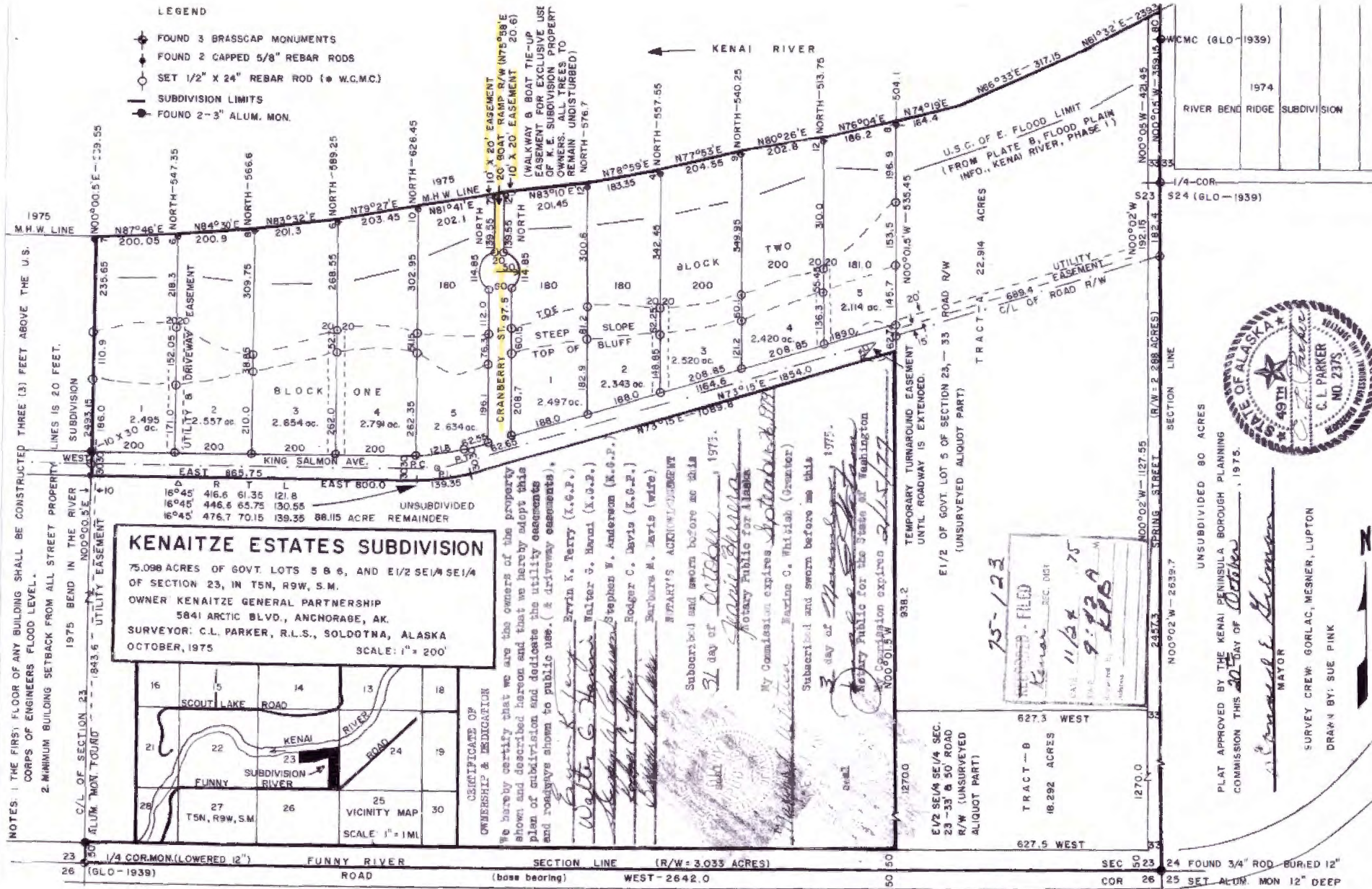
Parcels and PLSS

Tax Parcels



0 250 500
ft

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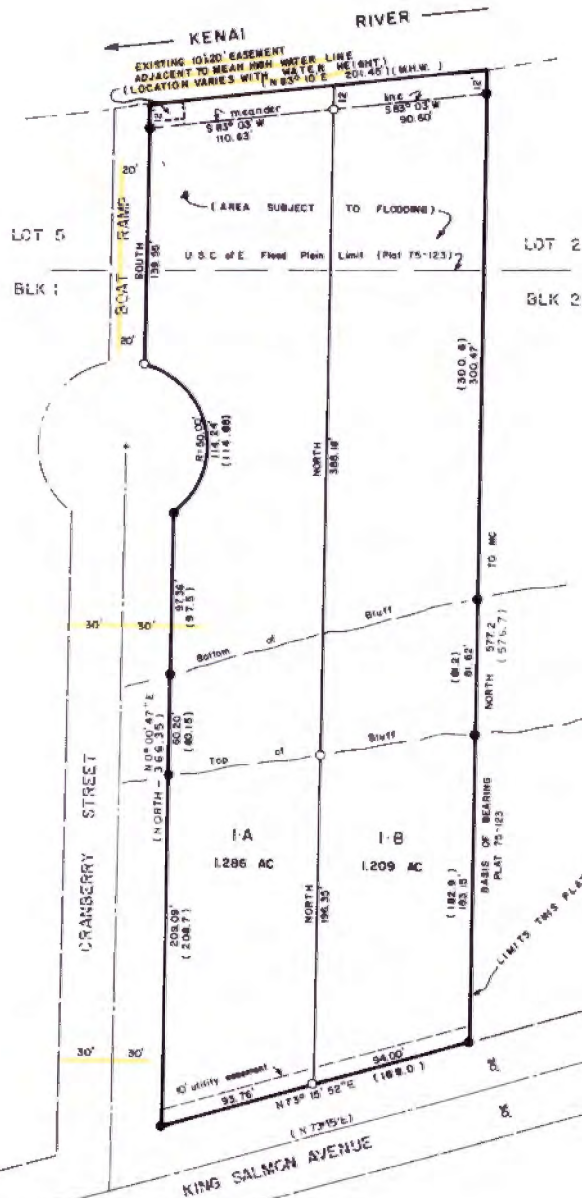


KN 75-123

N

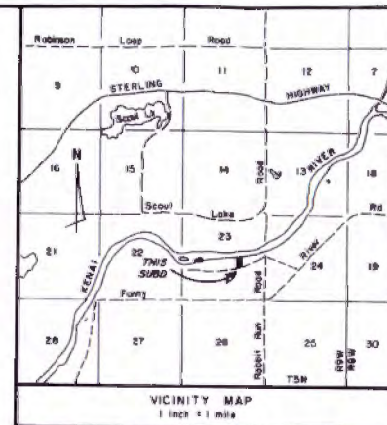
LEGEND

- 1/2" REBAR FOUND
- 5/8" x 24" REBAR SET
- () RECORD DATA PLAT 75-123



NOTES

- 1) THE FIRST FLOOR OF ANY BUILDING SHALL BE CONSTRUCTED THREE (3) FEET ABOVE THE U.S. CORPS OF ENGINEERS FLOOD LEVEL.
- 2) THE ORDINARY HIGH WATER MARK OF THE KENAI RIVER (H.W.) FORMS THE NORTHERLY BOUNDARY OF THE SUBD. THE RECORD MEANDER AS SHOWN IS FOR COMPUTATIONAL PURPOSES ONLY.
- 3) A SETBACK OF 20' FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- 4) SOILS ON THESE LOTS MAY OR MAY NOT BE SUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN, OR OPERATE A PRESSURIZED WATER SYSTEM OR A WATER-BORNE WASTE DISPOSAL SYSTEM UNLESS APPROVAL OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION IS OBTAINED.



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, that we adopt this plan of subdivision, and do hereby dedicate all rights of way to public use, and grant all easements to the use shown.

RONALD S. YAMAMOTO
DRAWER 4363
KENAI, ALASKA 99669

KERRY S. YAMADA
DRAWER 3550
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGMENT

For RONALD S. YAMAMOTO AND KERRY S. YAMADA
Subscribed to and sworn before me this _____ day of _____, 19____.

My commission expires _____

Notary Public for Alaska

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

MAY 12, 1986
Kenai Peninsula Borough
By *Richard T. Torg*
Authorized Official

KENAITZE ESTATES SUBDIVISION
YAMAMOTO'S and YAMADA'S ADDITION

A SUBDIVISION OF LOT 1 BLK 2 KENAITZE ESTATES SUBD.
PLAT 75-123 K.R.D. LOCATED WITHIN THE NE 1/4 AND SE 1/4 SEC 23 T5N R9W S4M, ALASKA

CONTAINING 2.495 AC KENAI RECORDING DISTRICT

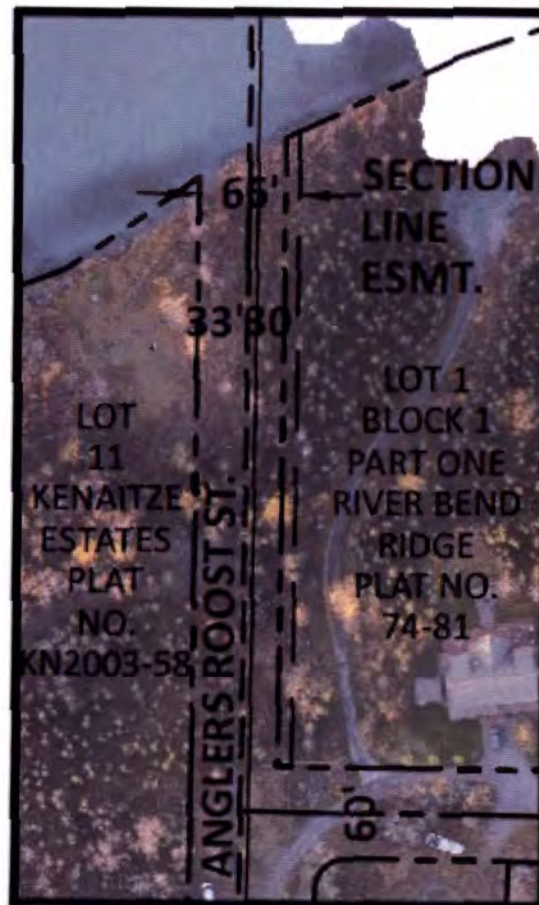
OWNERS:		MALONE SURVEYING	
RON YAMAMOTO DRAWER 4363 KENAI ALASKA 99669 and KEN YAMADA DRAWER 3550 SOLDOTNA, ALASKA 99669		BOX 566 KENAI, ALASKA 99611	
JOB NO. R6021	FB 86-09	DATE OF SURVEY 5/19/86	
DRAWN SPW		CHECKED JTW	
SCALE 1 inch = 50 feet		KPB FILE NO. 88-131	

Access Point E

Anglers Roost Road

A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

Sources: Kenaitze Estates Subdivision Fall Addition Plat 2003-58, Part One River Bend Ridge Plat 74-81



ACCESS E
1"=200'



Legend

Transportation

Mileposts

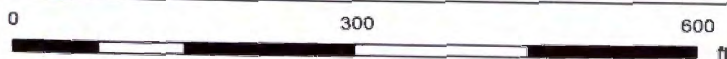


Roads

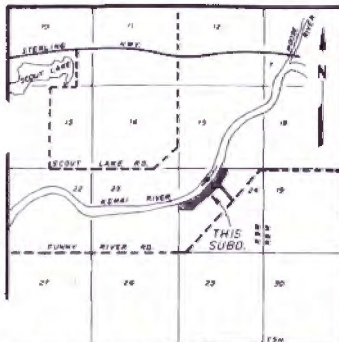
- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

Parcels and PLSS

Tax Parcels



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VICINITY MAP
SCALE 1" = 1 MILE

PLAT APPROVAL

Plat approved by the Commission this
7th day of August, 1974

Harvey L. Thompson
Mayor

CURVE DATA

CURVE	Δ	R	L	Ch	T
1	21° 30' 00"	300.00	112.87	111.34	36.96
2	26° 17' 10"	300.00	137.63	136.43	70.05
3	32° 36' 00"	300.00	170.69	168.40	87.73
4	20° 00' 00"	300.00	104.72	104.19	52.90
5	14° 00' 00"	300.00	73.90	73.12	36.84
6	13° 00' 00"	300.00	68.07	67.92	34.16

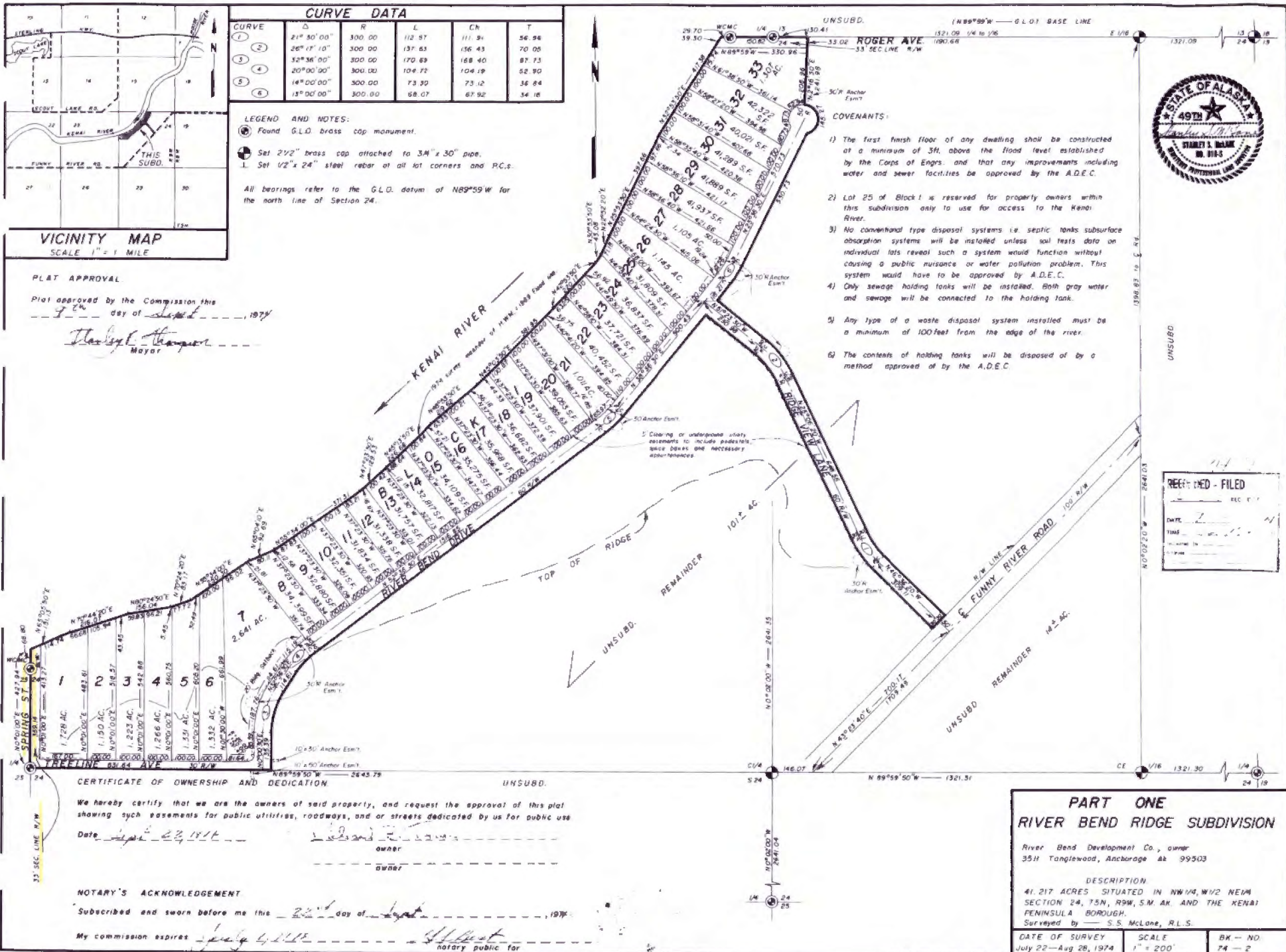
LEGEND AND NOTES:

① Found G.L.D. brass cap monument.

② Set 2 1/2" brass cap attached to 3/4" x 30" pipe.

③ Set 1/2" x 24" steel rebar at all lot corners and P.C.s.

All bearings refer to the G.L.D. datum of N89°59'W for the north line of Section 24.



COVENANTS:

- 1) The first finish floor of any dwelling shall be constructed at a minimum of 3ft. above the flood level established by the Corps of Engrs. and that any improvements including water and sewer facilities be approved by the A.D.E.C.
- 2) Lot 25 of Block 1 is reserved for property owners within this subdivision only to use for access to the Kenai River.
- 3) No conventional type disposal systems i.e. septic tanks subsurface absorption systems will be installed unless soil tests data on individual lots reveal such a system would function without causing a public nuisance or water pollution problem. This system would have to be approved by A.D.E.C.
- 4) Only sewage holding tanks will be installed. Both gray water and sewage will be connected to the holding tank.
- 5) Any type of a waste disposal system installed must be a minimum of 100 feet from the edge of the river.
- 6) The contents of holding tanks will be disposed of by a method approved of by the A.D.E.C.

RECEIVED - FILED
DATE: 8/22/74
TIME: 1:15 PM
BY: [Signature]

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use

Date: August 22, 1974

owner

owner

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 22nd day of August, 1974

My commission expires July 4, 1975

notary public for

PART ONE
RIVER BEND RIDGE SUBDIVISION

River Bend Development Co., owner
3511 Tanglewood, Anchorage Ak 99503

DESCRIPTION
41.217 ACRES SITUATED IN NW1/4, W1/2 NE1/4
SECTION 24, T5N, R9W, S.M. AK. AND THE KENAI
PENINSULA BOROUGH.
Surveyed by S.S. McLane, R.L.S.

DATE OF SURVEY
July 22-Aug 26, 1974

SCALE
1" = 200'

BK - NO.
74 - 2

NOTES

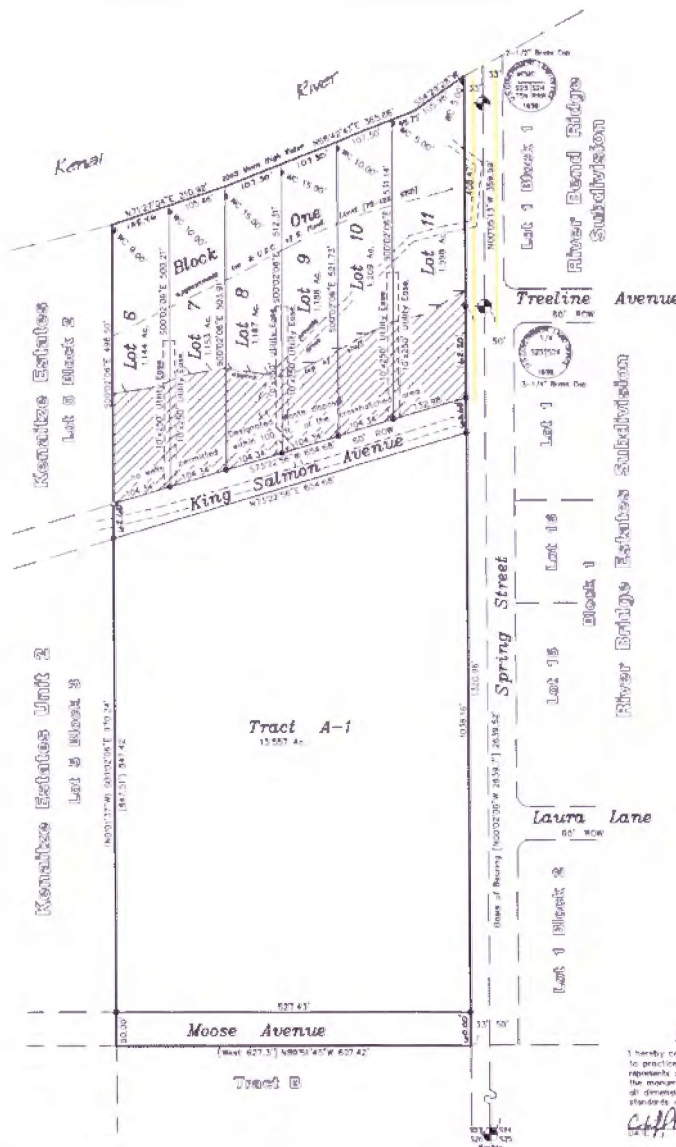
- Proposed land uses are recreational, residential, agricultural, and commercial.
- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Front 10 ft. of the building setback adjacent to rights-of-way with an additional 10 ft. within 5 ft. of the side property lines is designated as a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the utility's use of the easement.
- Lots within this subdivision may be located within a designated flood hazard area if such is the case. Development must comply with Title 21 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
- Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- The natural meanders of the line of Mean High Water or Ordinary High Water forms the true bounds of the subdivision. The approximate line of Mean High Water or Ordinary High Water, as shown, is for computations only. The true property corners being on the pleasure of the side lot lines and their intersection with the natural meanders.
- An exemption to KRS Subdivision Ordinance 20.20.180 (3.1 mile) was granted by the Plat Committee August 22, 2003.
- Portions of this subdivision are within the Kenai Peninsula Borough 501 In-stream Stream Habitat Protection Area. Development may be restricted under Chapter 20.18 Kenai Peninsula Borough Code of Ordinances.
- WASTEWATER DISPOSAL:** Tract A-1 is at least 200,000 square feet or more 3 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.

WASTEWATER DISPOSAL: Soil conditions for lots 6 - 11 may be unsuitable for conventional wastewater treatment and disposal systems. Plans for a typical on-site wastewater disposal system for use on lots in this subdivision are included in the Kenai Peninsula Borough and State Permit and are available from the Kenai Peninsula Borough at alternate on-site wastewater treatment and disposal systems must be designed by a professional engineer registered in practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

ALTA Survey
3200 F
25 Sep 03

LEGEND:

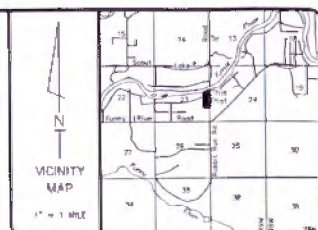
- Monument (found this survey)
- Monument (not this survey)
- 5/8" Rebar (found this survey)
- 5/8" Rebar (not this survey)
- Witness Corner Marker Corner 5/8" Rebar (not this survey)
- Record Datum - Kenaitze Estates Unit 2, Plat # 75-114-000
- Record Datum - Kenaitze Estates Subdivision, Plat # 75-123-000



CERTIFICATE OF SURVEYOR

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 to the normal standards of practice of land surveyors in the State of Alaska.

Chad B. Doe, 2 Sept. 03



CERTIFICATE OF OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADVERTISE 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.

2802 East Bay Drive
Ogish, Alaska 99553

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY OF SEPTEMBER 2003 FOR WITNESSES: KENAI FALL ADDITION

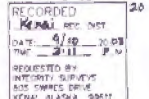


PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 12th August 25, 2003.

WITNESSES: BOROUGH

2003-08



KPS FILE No. 2003-091

Kenaitze Estates Fall Addition

A subdivision of Tract A Kenaitze Estates Subdivision, Plat No. 75-123-000

Located within the NE 1/4 & SW 1/4 of Section 22, T56N, R99E, S14W, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 22.790 Acres

Integrity Surveys

8000 Salvo Drive
Kenai, Alaska 99511-8363
SURVEYORS PHONE - (907) 381-8047 FAX - (907) 381-8071

JOB NO. 23085	DATE 2 September, 2003	CB
SURVEYED June - July 2003	SCALE 1" = 100'	
FIELD BY 2003-02, Pg. 33	DISK Kenaitze	



Legend

Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

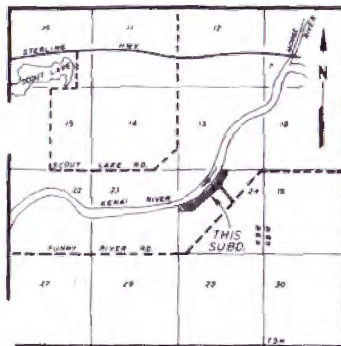
Parcels and PLSS

Tax Parcels



0 150 300 ft

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VICINITY MAP
SCALE 1" = 1 MILE

PLAT APPROVAL

Plat approved by the Commission this
24 day of August, 1974

Harold K. Thompson
Mayor

CURVE DATA					
CURVE	Δ	R	L	CH	T
1	21° 30' 00"	300.00	112.57	111.91	56.96
2	26° 17' 10"	300.00	157.63	136.43	70.05
3	32° 36' 00"	300.00	170.69	162.40	87.73
4	20° 00' 00"	300.00	104.72	104.19	52.90
5	14° 00' 00"	300.00	73.80	73.32	36.84
6	13° 00' 00"	300.00	68.07	67.92	34.16

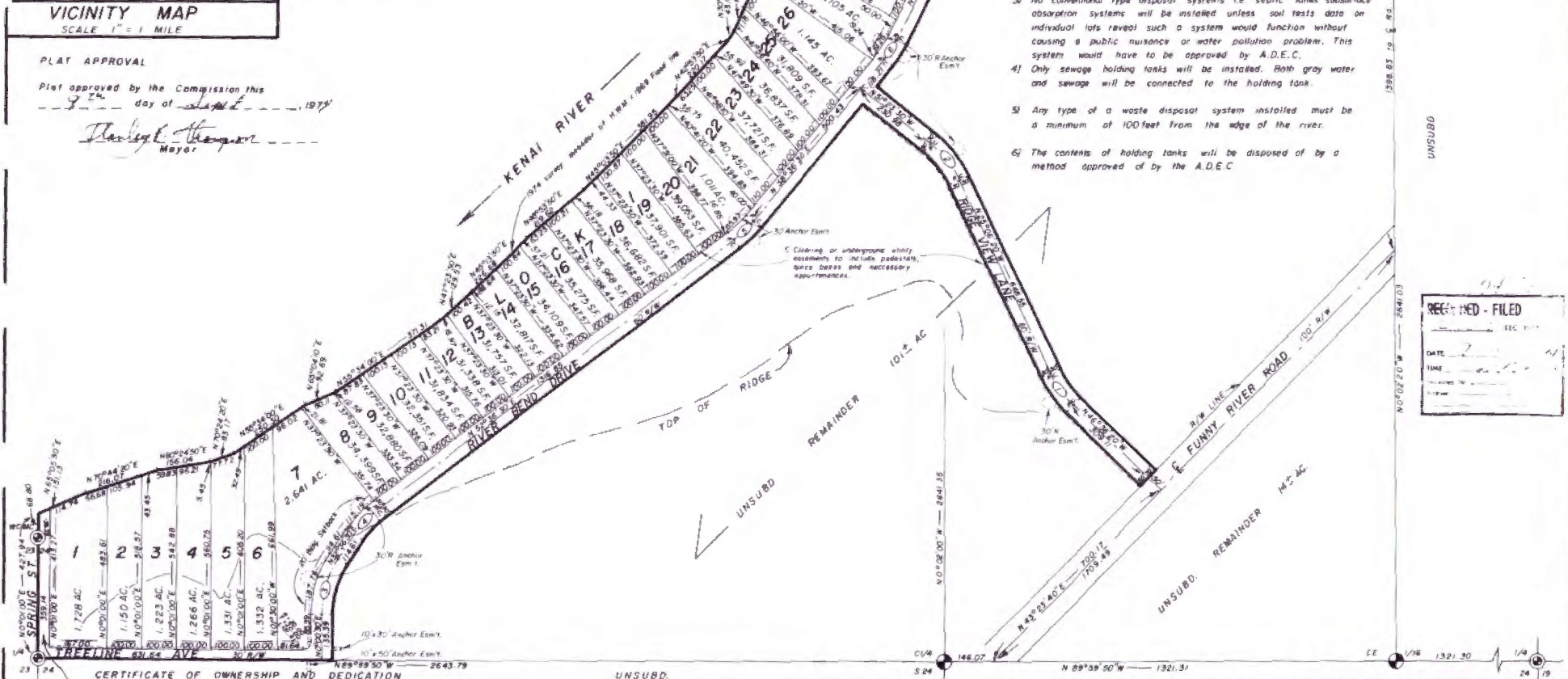
LEGEND AND NOTES:

Found G.L.D. brass cap monument.

Set 2 1/2" brass cap attached to 3/4" x 30" pipe.

Set 1/2" x 24" steel rebar at all lot corners and P.C.s.

All bearings refer to the G.L.D. datum of N89°59'W for the north line of Section 24.



COVENANTS:

- 1) The first finish floor of any dwelling shall be constructed at a minimum of 3ft. above the flood level established by the Corps of Engrs. and that any improvements including water and sewer facilities be approved by the A.D.E.C.
- 2) Lot 25 of Block 1 is reserved for property owners within this subdivision only to use for access to the Kenai River.
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- 4) Only sewage holding tanks will be installed. Both gray water and sewage will be connected to the holding tank.
- 5) Any type of a waste disposal system installed must be a minimum of 100 feet from the edge of the river.
- 6) The contents of holding tanks will be disposed of by a method approved of by the A.D.E.C.



UNSUBD.

RECEIVED - FILED
SEC. 111
DATE: 2
TIME: 11:00 AM
JUL 27 1974

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use

Date: July 23, 1974

owner

owner

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 24 day of August, 1974

My commission expires July 24, 1975

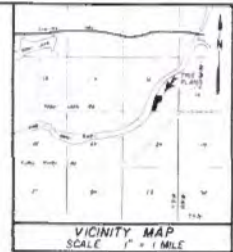
notary public for

PART ONE
RIVER BEND RIDGE SUBDIVISION

River Bend Development Co., owner
3511 Tanglewood, Anchorage, AK 99503

DESCRIPTION
41.217 ACRES SITUATED IN NW 1/4, W1/2 NE 1/4
SECTION 24, T5N, R9W, S1M, AK AND THE KENAI
PENINSULA BOROUGH.
Surveyed by S.S. McLane, R.L.S.

DATE OF SURVEY SCALE BK. NO.
July 27-Aug 26, 1974 1" = 200' 74-2



TRACT - 2
HOUSE SUBD



LEGEND AND NOTES

- 1. Found P.O. Box 3756, Alaska 99501.
- 2. Found P.O. Box 3756, Alaska 99501.
- 3. Found P.O. Box 3756, Alaska 99501.
- 4. Found P.O. Box 3756, Alaska 99501.
- 5. Found P.O. Box 3756, Alaska 99501.
- 6. Found P.O. Box 3756, Alaska 99501.
- 7. Found P.O. Box 3756, Alaska 99501.
- 8. Found P.O. Box 3756, Alaska 99501.
- 9. Found P.O. Box 3756, Alaska 99501.
- 10. Found P.O. Box 3756, Alaska 99501.
- 11. Found P.O. Box 3756, Alaska 99501.
- 12. Found P.O. Box 3756, Alaska 99501.
- 13. Found P.O. Box 3756, Alaska 99501.
- 14. Found P.O. Box 3756, Alaska 99501.
- 15. Found P.O. Box 3756, Alaska 99501.

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property and request the approval of this plat showing such ownership for public utilities, roads, and all streets indicated by us on this plat.

David J. Brown
Notary Public for Alaska

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 12th day of November, 1977.

My commission expires 11-15-81.

David J. Brown
Notary Public for Alaska

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 12th day of November, 1977.

My commission expires 11-15-81.

David J. Brown
Notary Public for Alaska

PLAT APPROVAL

This plat having been approved by the State Planning Commission is recorded in the official records of the Department of Alaska.

David J. Brown
Notary Public for Alaska

HOUSE SUBDIVISION - PART ONE

15 Lots, 1077 AC, 1043 AC, 1046 AC, 1055 AC, 42,497 SF, 1035 AC, 2,479 AC, 1128 AC, 1079 AC, 1047 AC, 1305 AC, 1006 AC, 1008 AC, 1057 AC, 42,475 SF.

15 Lots, 1077 AC, 1043 AC, 1046 AC, 1055 AC, 42,497 SF, 1035 AC, 2,479 AC, 1128 AC, 1079 AC, 1047 AC, 1305 AC, 1006 AC, 1008 AC, 1057 AC, 42,475 SF.

Surveyed by: *David J. Brown*

Date of Survey: 11-15-77



Legend

Transportation

Mileposts

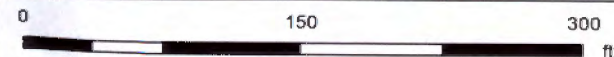


Roads

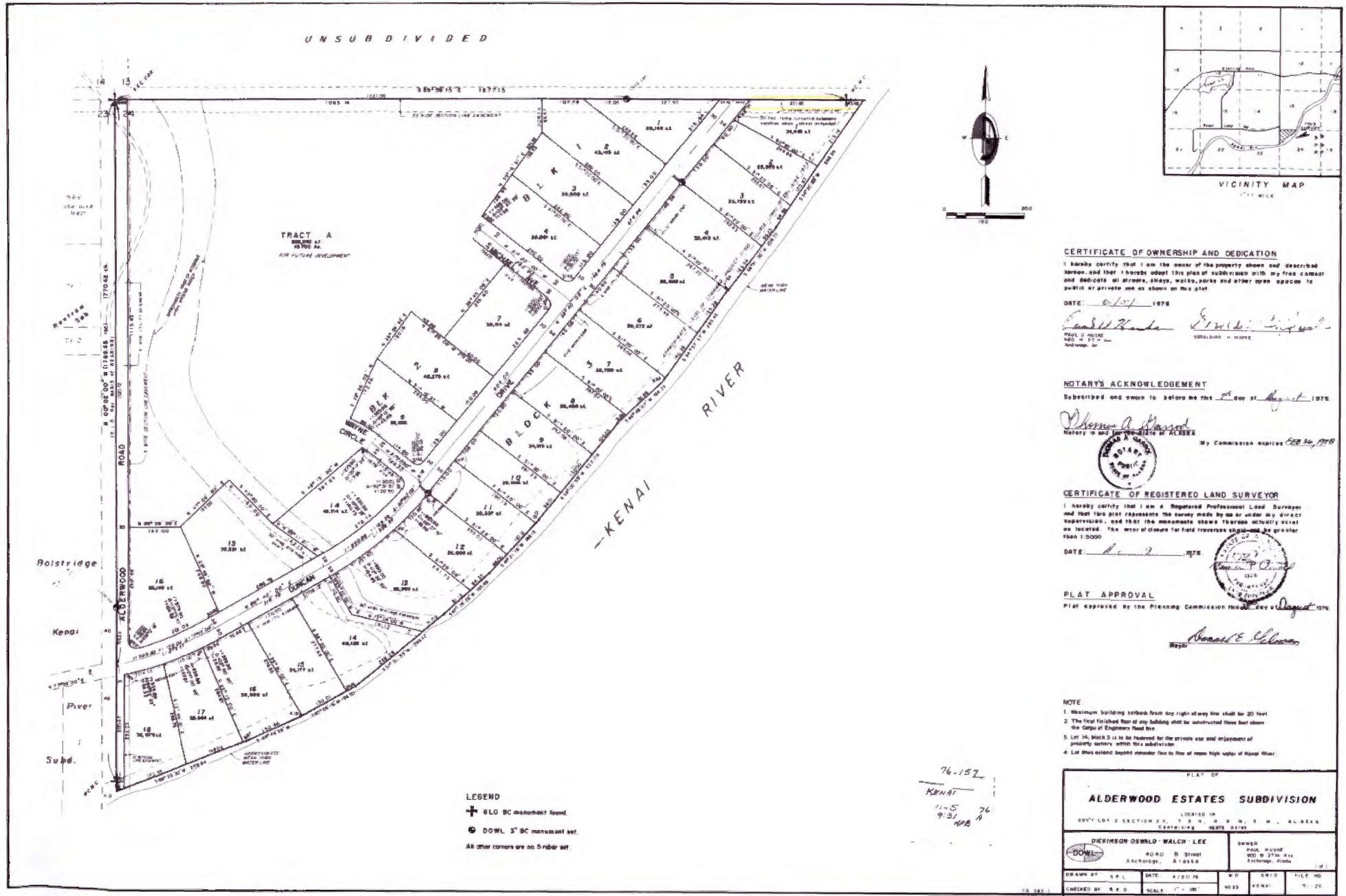
- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

Parcels and PLSS

Tax Parcels



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Appendix C

The following photographic evidence documents the long-term and ongoing conditions at the Huske Street corridor. These images demonstrate that the section-line easement and right-of-way have not functioned as a travel corridor for access to the Kenai River, but instead have been consistently used for prolonged occupation, obstruction of access, environmental degradation and unmanaged activity.

1. Documented Long Term Pattern Use (1999-Present)

Historic and recent photographs show that the Huske Street corridor has consistently been used for gathering, parking, and prolonged occupation rather than as a route of travel. Vehicles and individuals occupy the full width of the corridor, obstructing access to and from the river

Figures 1-4



Blocking Access

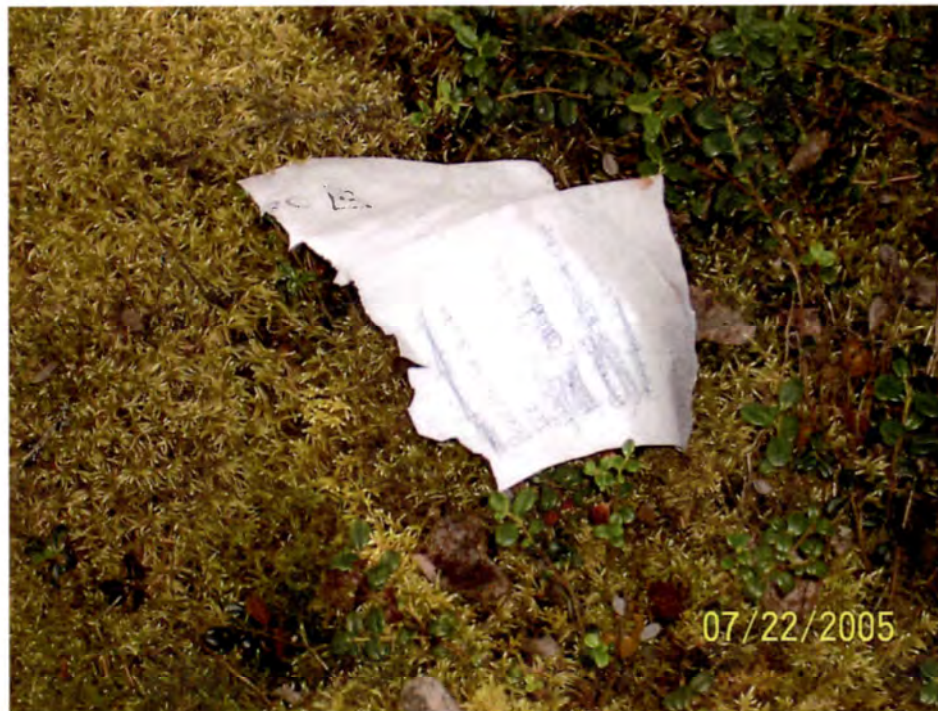




2. Trash and Waste Conditions (2005 to Present)

Photographs taken in 2005 and 2024 show continued accumulation of trash, refuse, and debris within the corridor. The conditions observed are not new and have persisted over time, demonstrating a consistent pattern of unmanaged use. - **Figures 5-8**

Trash 2025



Trash Bags Hanging from Private Property





3. Human Waste and Environmental Impacts

Figure 9

Picture taken in 2005-Photograph document the presence of human waste and pollutants along the riverbank within the corridor. These conditions are inconsistent with the intended function of a public access easement and demonstrate ongoing environmental degradation.

Human Waste



4. Bank Degradation and Informal Trails

Figures 10-11

Photographs show removal of vegetation along the riverbank and the creation of informal trails leading to the river. These paths have developed through repeated use rather than design and contribute to erosion and environmental disturbance

Photograph from 2005 showing the trail, vegetation and new fence.



Photo 2024 – Trail Now- Photographs show removal of riverbank vegetation and the creation of informal access trails. These paths have developed through repeated use rather than design and contribute to erosion and environmental degradation along the riverbank



5. Informal Development and Private Property Damage

Images show the creation of informal or makeshift facilities within the corridor, including fish-cleaning areas and other temporary installations. These features indicate that the site is being used as a destination and activity area rather than as a point of access. In addition, photographs show repeated damage to fencing and private improvements adjacent to the corridor. This shows ongoing trespass and damage to private property. - **Figures 12-14**

This photo was taken in 2005 showing the new fence



This photo shows the damaged fence and the creation of makeshift facilities



This photo shows the ongoing use of different makeshift facilities.

