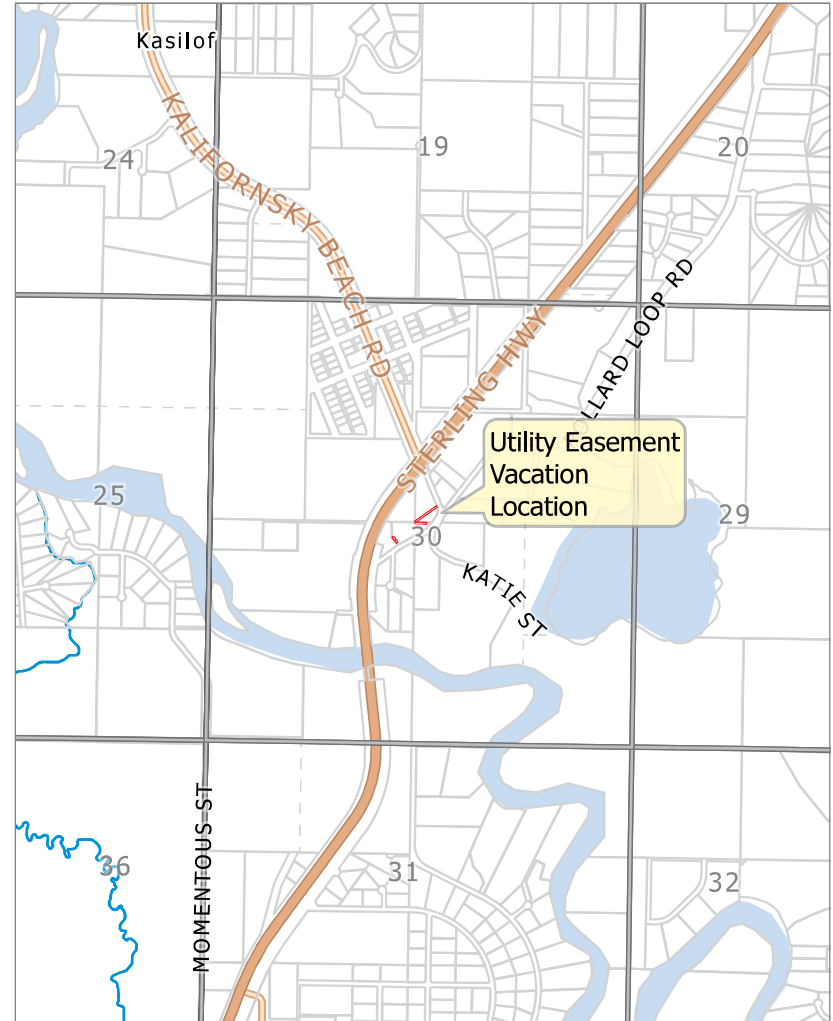
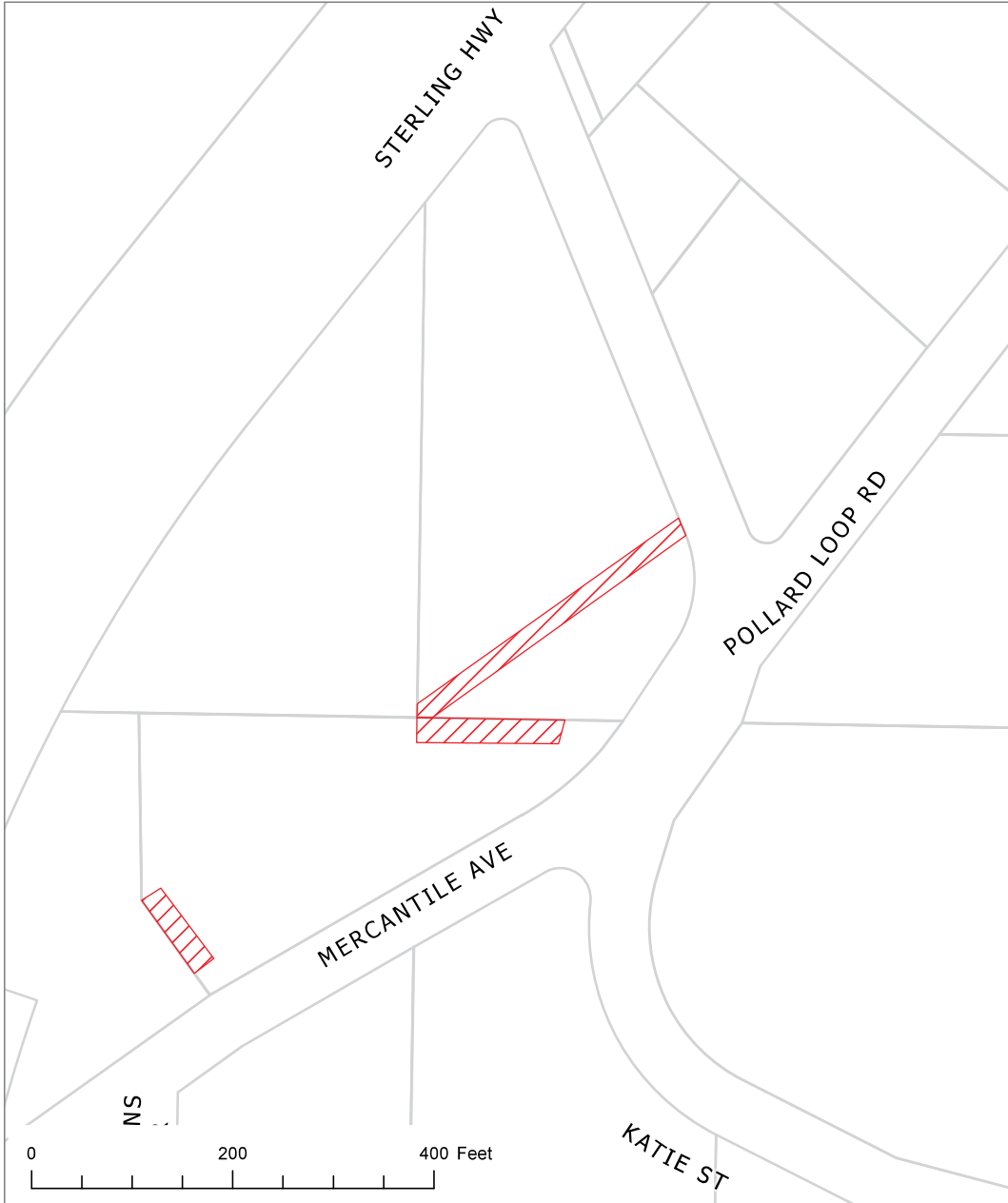


E. NEW BUSINESS

2. Utility Easement Vacation; KPB File 2023-037V

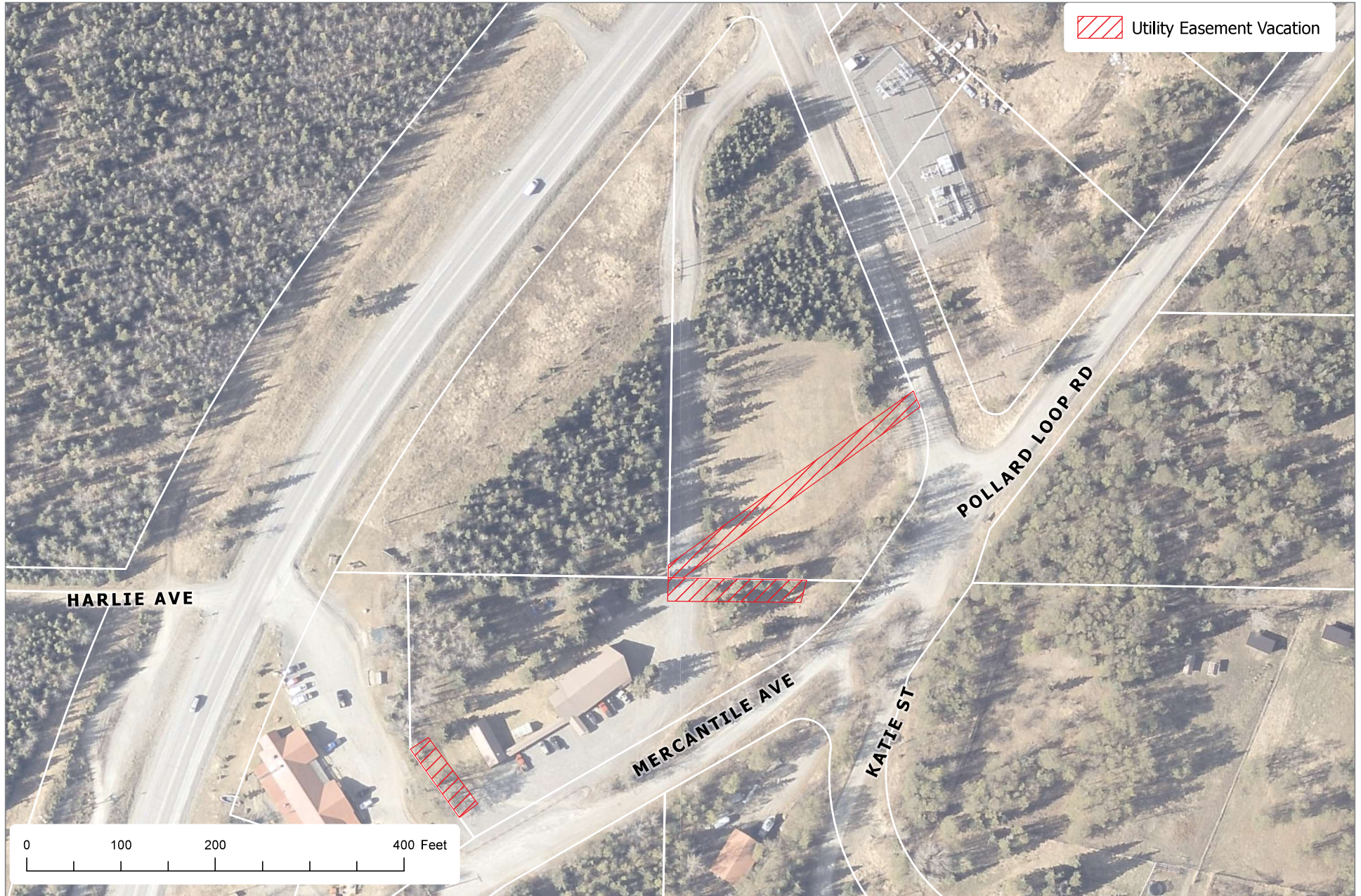
Johnson Surveying / Kasilof Community Church

**Request: Vacates a 10' wide utility easement beginning at the southwest corner of Pollard Tract A thence running northeasterly & stopping at a utility easement near the eastern line. Vacates a 10' utility easement lying between the C1/4 corner & the overhead powerline easement & vacates the westerly utility easement of Parcel A-G Kasilof Community Church, KN 97-80
Kasilof Area**



KPB File 2023-037V
T 03N R 11W SEC 30
Kasilof

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



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

ITEM #2 - UTILITY EASEMENT ALTERATION

Vacates a 10-foot utility easement beginning at the southwest corner of Pollard Tract A thence running northeasterly stopping at a utility easement near the east line. Vacates a 10-foot utility easement in Parcel A-G of Kasilof Community Church lying between the C1/4 corner and the overhead power line easement and vacates the westerly utility easement of Kasilof Community Church Parcel A-G Tract A-G as shown.

KPB File No.	2023-037V
Planning Commission Meeting:	April 22, 2024
Applicant / Owner:	Kasilof Community Church / Kasilof
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway and Pollard Loop Rd.

STAFF REPORT

Specific Request / Purpose as stated in the petition: Petition is to vacate a utility easement and a portion of a second one that have been identified as not in use.

Notification: Notice of vacation mailings were sent by regular mail to Sixteen owners of property within 600 feet. Notice of the proposed vacation was emailed to seven agencies and interested parties.

The public notice was posted on the Planning Department’s bulletin board at the KPB Administration Building.

Staff Analysis:

There are no existing utilities located in the easements to be vacated and no objections to the vacation. No utility company indicated a future use for the easements.

Utility provider review:

HEA	No comment
ENSTAR	No comments or recommendations
ACS	No response
GCI	Approved as shown

Findings:

1. Easements were identified as being unused by utility company (HEA) and recommended vacated in conjunction with replat action underway.
2. ACS, ENSTAR, GCI, and HEA provided written non-objection to the proposed vacation.
3. Vacation of the easement will not affect adjacent properties.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Add KPB File No 2023-037V
Add lot label to the lower tract.

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends APPROVAL of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by the any utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
 - iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement 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. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

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

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

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

END OF STAFF REPORT



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

Harlie A. Fellers Subdivision

LOCATED IN GOV. LOTS 6 AND 7, SEC. 30 T3N R11W S.M.; KASIOLOF, ALASKA

SCALE = 1" = 200'

AREA = 42.816 AC.

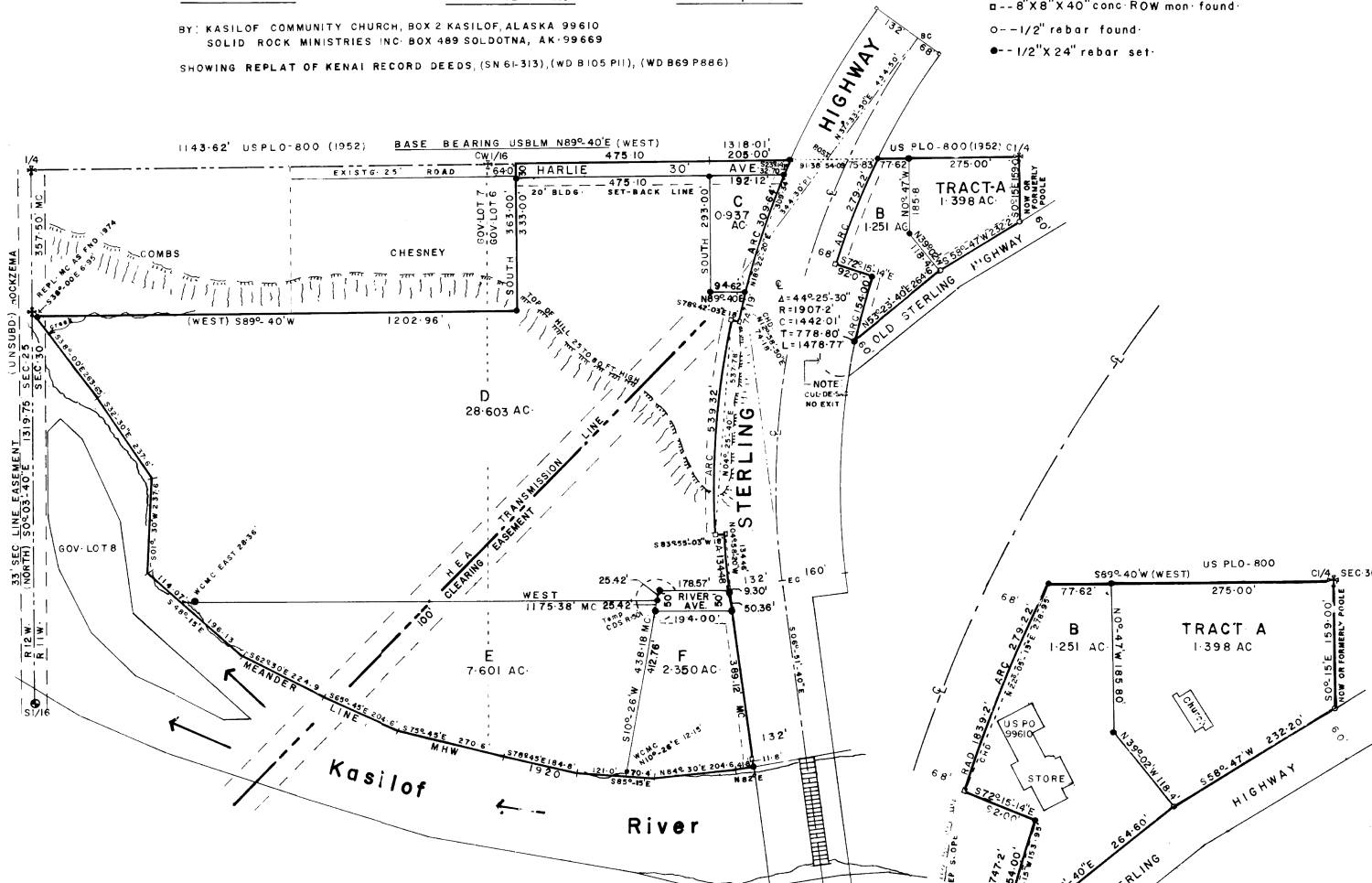
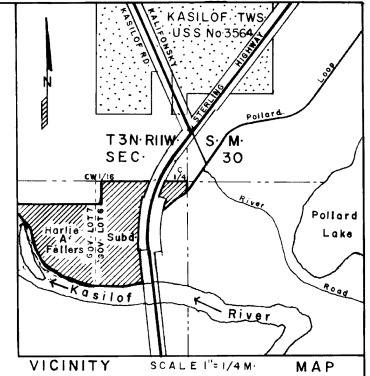
JUNE 20, 1977.

BY: KASIOLOF COMMUNITY CHURCH, BOX 2 KASIOLOF, ALASKA 99610
SOLID ROCK MINISTRIES INC. BOX 489 SOLDOTNA, AK 99669

SHOWING REPLAT OF KENAI RECORD DEEDS, (SN 61-313), (WD B105 P11), (WD B69 P886)

LEGEND

- ✦--Indicates GLO, BLM monument found.
- Ind. 3/4" X 3' IP W/BC found, 268-S
- 8" X 8" X 40" conc. ROW mon. found.
- 1/2" rebar found.
- 1/2" X 24" rebar set.



PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of July 11, 1977 is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH

By Ruby Wang

NOTE:

The natural line of mean high water of Kasilof River is the legal boundary of Tracts D, E, and F.

All waste water disposal systems shall comply with existing laws at time of construction.

A 20' bldg. set-back line along all streets. A 5' undergroud utility, or overhead clearing easement for H-E-A along streets.

CERTIFICATE OF OWNERSHIP AND 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 all streets to public use, and to the use of public utilities.

George Jackinsky James W. Turnbull Attorney in fact
GEORGE JACKINSKY BOX 2 KASIOLOF, AK JAMES W. TURNBULL
TRUSTEES, KASIOLOF COMMUNITY CHURCH

Floyd Seekins Bert Shultz
FLOYD SEEKINS, CHAIRMAN BERT SHULTZ, DIRECTOR
SOLID ROCK MINISTRIES INC.
BOX 489 SOLDOTNA, AK

Frederick V. Galloway Ruth V. Galloway
FREDERICK V. GALLOWAY RUTH V. GALLOWAY
BOX 151 KASIOLOF, AK 99610

Noble W. Webb Trudy S. Webb
NOBLE W. WEBB TRUDY S. WEBB
STAR ROUTE KASIOLOF, AK

Terence Cowart Daniel P. Casey
TERENCE COWART (PARTNER) DANIEL P. CASEY (PARTNER)
KASIOLOF RIVER DRIVE-IN
STAR ROUTE 2 KASIOLOF, AK

STATE OF ALASKA, THIRD JUDICIAL DISTRICT

Subscribed and sworn to before me this 20th day of August 1977.

Terence Cowart
NOTARY PUBLIC FOR ALASKA

My commission expires 1/1/81

78-31
Kenai
3-3
3:52
KPB



BOX 27 CLAW GULCH, AK 99568

KEITH A. LEE TRACT-"G"

DEED OF RECORD, BOUNDARY SURVEY

LOCATED IN GOV. LOT 5, IN FRACTIONAL SE 1/4 SEC 30, T3N. R11W. S.M.; KASLOF, ALASKA.

SCALE=1"=100' AREA=18,966sf. SEPT-1, 1980

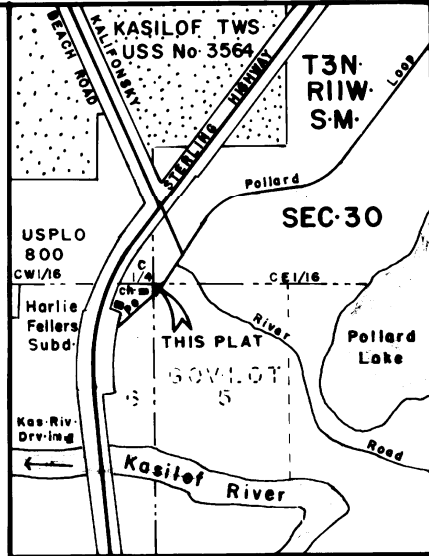
BY: KEITH A. LEE BOX 207 KASLOF, ALASKA 99610

NOTE:

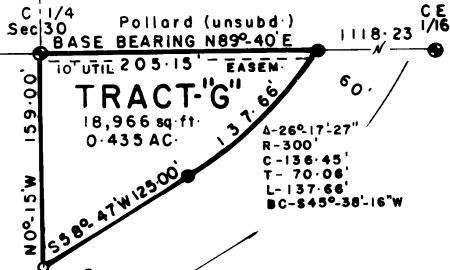
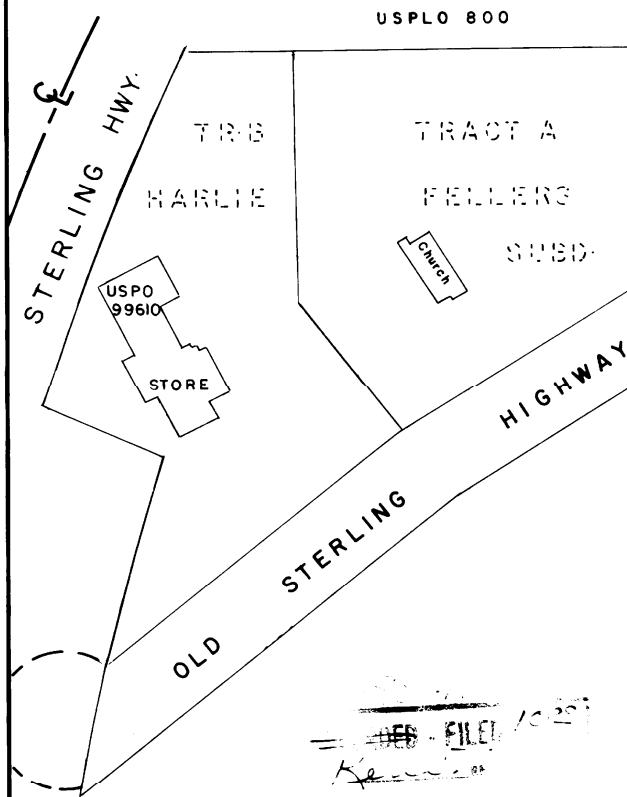
This plat purports to show that portion of Gov. Lot 5 lying west of the Old Sterling Highway, and designated hereon as TRACT-"G".

LEGEND

- -- USBLM mon. found.
- -- 1/2" X 2' rebar found.
- -- 1/2" X 2' rebar set.



VICINITY SCALE=1"=1/4M. MAP



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission on October 15 1980 for recording by the State Recorder as a Deed of Record Boundary Survey.

KENAI PENINSULA BOROUGH

BY: Jeffrey B. Lohman

OWNERS' CERTIFICATE

We hereby certify we are the owners of the property shown and described hereon, and we hereby adopt this plan of subdivision.

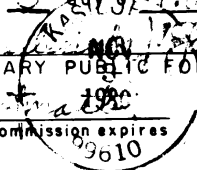
Keith A. Lee
KEITH A. LEE BOX 207 KASLOF, AK 99610

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 15th day of October 1980

NOTARY PUBLIC FOR ALASKA

My Commission expires 1980



Thermy & Johnson

POLLARD TRACT A

LOCATED IN SW1/4NE1/4 S30, T3N R11W, S.M., AK.
SCALE 1"=100' AREA=3.154 AC. 7-31-84
BY GEORGE R. POLLARD, BOX 40 KASILOF, AK.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of SEPT. 24 1984.
KENAI PENINSULA BOROUGH
BY Richard D. Truiga
Authorized Official

LEGEND

- ✦ - 1958, 3" brass cap mon. by USBLM, found
- - 1979 brass cap mon. by 268-S, found
- - 1/2" rebar, found
- - 1/2" x 2' rebar, set

OWNERS CERTIFICATE & 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 all ROWs to public use, and grant all easements to uses shown.

George R. Pollard
George R. Pollard, box 40 Kasilof, Ak. 99610

J. Clayton Pollard
J. Clayton Pollard, c/o box 40 Kasilof, Ak. 99610

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 30 day of October, 1984.
Richard D. Truiga
NOTARY FOR ALASKA
For George R. Pollard
My commission expires 10/1/84

85-237
99610

FILED 10
Kenai REC. DIST.
DATE 12/27 1985
TIME 10:22 P.
Witnessed by IL. JOHNSON

**AFFIDAVIT FOR
ISOLATED SUBDIVISION
FILED WITH ADEC**

NOTE

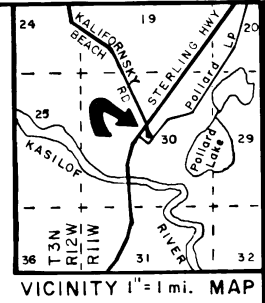
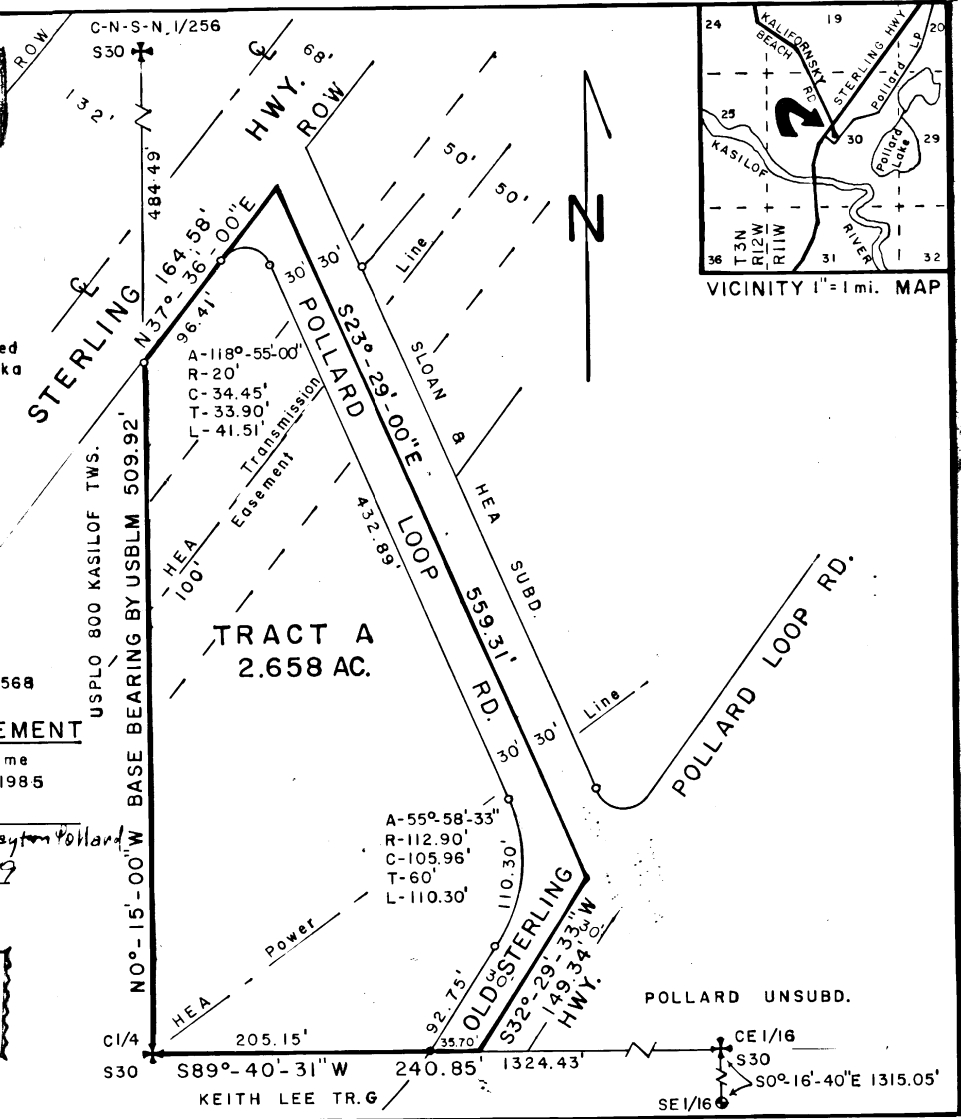
A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission.
Building setback line to be limit of utility easements along streets.
No direct access to state maintained ROWs except as approved by Alaska Department of Transportation.



BOX 27 CLAM GULCH, AK. 99568

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 29 day of August, 1985.
J. Clayton Pollard
NOTARY FOR CALIFORNIA
For J. Clayton Pollard
My commission expires 5/22/89



KN 87-80

KASILOF COMMUNITY CHURCH

PARCEL A-G.

SHOWING A REPLAT OF TRACT A, HARLIE A. FELLERS SUBD. KENAI RECORDING DISTRICT 7E-31 AND KEITH A. LEE TRACT G, DEED OF RECORD BOUNDARY SURVEY, K.R.D. 80-110.

BY Kasilof Community Church, Box 2 Kasilof, Ak.
SCALE 1"=100' AREA=1.833 AC. JAN. 19, 1987

LOCATED IN S1/2 SEC. 30, T3N R11W, S.M.

NOTE: This plat purports to show a replat of above two tracts as one parcel.

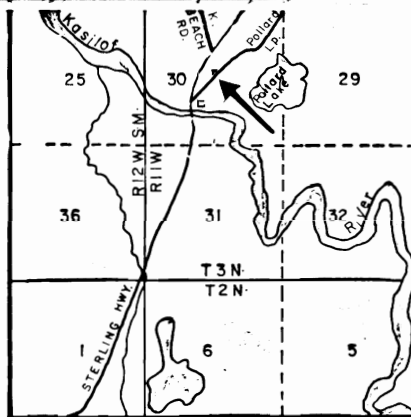
LEGEND

⊕ - USBLM mon. found.

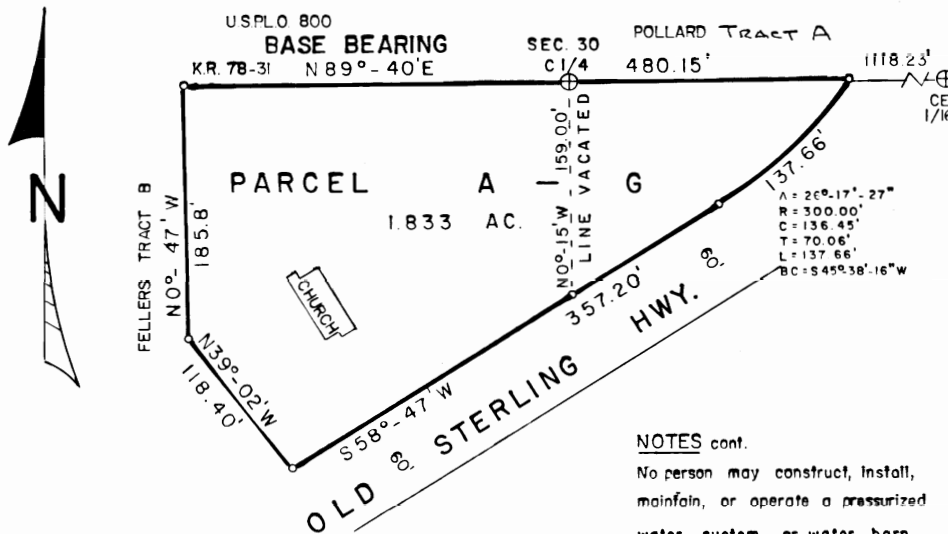
○ - 1/2" rerod found.

NOTES

A building setback of 20' from all street R.O.W.s is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement and also the entire setback within 5 feet of side lot lines, for guy wires. Soils on these lots may or may not be suitable for conventional on site waste disposal systems CONT. BELOW



VICINITY 1" = 1 mile MAP



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission as provided for in Section 20.04.070 KPB Subdivision Regulations.

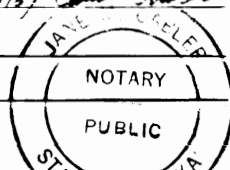
KENAI PENINSULA BOROUGH

BY Richard P. Torga 6-11-87
AUTHORIZED OFFICIAL DATE

OWNERS CERTIFICATE

We hereby certify that we are the owners of the property shown and described hereon, and we hereby adopt this plan of subdivision

George Jackinsky Trustee Kasilof Community Church
George Jackinsky, Trustee
Jana Weatherford
Greg A. Rozak



NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this day of January 1987.

Jane M. Gabler
NOTARY PUBLIC FOR ALASKA
for George Jackinsky (JANUARY 28, 1987)
My commission expires Sept. 13, 1987
FOR JEAN A. WEATHERFORD (JUNE 11, 1987)
FOR GREG A. ROZAK (JUNE 11, 1987)

NOTES cont.

No person may construct, install, maintain, or operate a pressurized water system, or water born waste disposal system unless approval of the ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION is obtained. **87-80**

RECORDED (FILED) **20-**
KENAI RECORDING DISTRICT
DATE 6/17/87
TIME 3:40 PM
REQUESTED BY H Johnson
ADDRESS _____



BOX 27 CLAM GULCH, AK 99568

KPB 87-020