

PARTIAL RELEASE OF CONSERVATION EASEMENT DEED RESTRICTION

WHEREAS, the Kenai Peninsula Borough conveyed real property to Pixie Smith by quitclaim deed recorded on May 13, 1998, as **Book 90, Page 831 in the Seward Recording District**, pursuant to KPB Ordinance 91-20 which contained a conservation easement deed restriction.

WHEREAS, the real property is described on said deed as Tract B, Quartz Creek Subdivision, according to Plat No. 94-11, on file in the Seward Recording District, Third Judicial District, State of Alaska.

WHEREAS, Three Bears Alaska, Inc., is the successor in interest of the real property.

WHEREAS, on _____, 2022, the Kenai Peninsula Borough Assembly enacted Ordinance 2022-XX authorizing the partial release of said deed restriction on three of the four perimeter sides of that original parcel.

NOW, THEREFORE, the **GRANTOR, THE KENAI PENINSULA BOROUGH**, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, for the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 2022-XX, enacted _____, 2022, partially releases forever unto the successor in interest and **GRANTEE, Three Bears Alaska, Inc.**, an Alaska corporation, whose address is 445 N. Pittman Road, Suite B, Wasilla, AK 99623, its successors and assigns, the following restriction created in that Statutory Warranty deed recorded at Book 90, Page 831 in the Seward Recording District:

“pursuant to Ordinance 91-20, a 50-foot conservation easement around the perimeter of the parcel wherein no live, naturally existing vegetation over 3” in diameter shall be removed except for a 50-foot wide entry and a 50-foot wide exit”

As to the parts of along the North, West and South perimeter sides, such that the Conservation Easement deed restriction along the East side perimeter remains in effect, in conformance with Quartz Creek Subdivision Outfitters Way Replat.

Dated this ____ day of _____, 2022.

KENAI PENINSULA BOROUGH:

Charlie Pierce, Mayor

ATTEST:

APPROVED AS TO FORM AND
SUFFICIENCY

Johni Blankenship
Borough Clerk

A. Walker Steinhage
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022 by Charlie Pierce, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

Record in the Seward Recording District

Please return to: Kenai Peninsula Borough
 Planning Department
 144 North Binkley Street
 Soldotna, Alaska 99669