

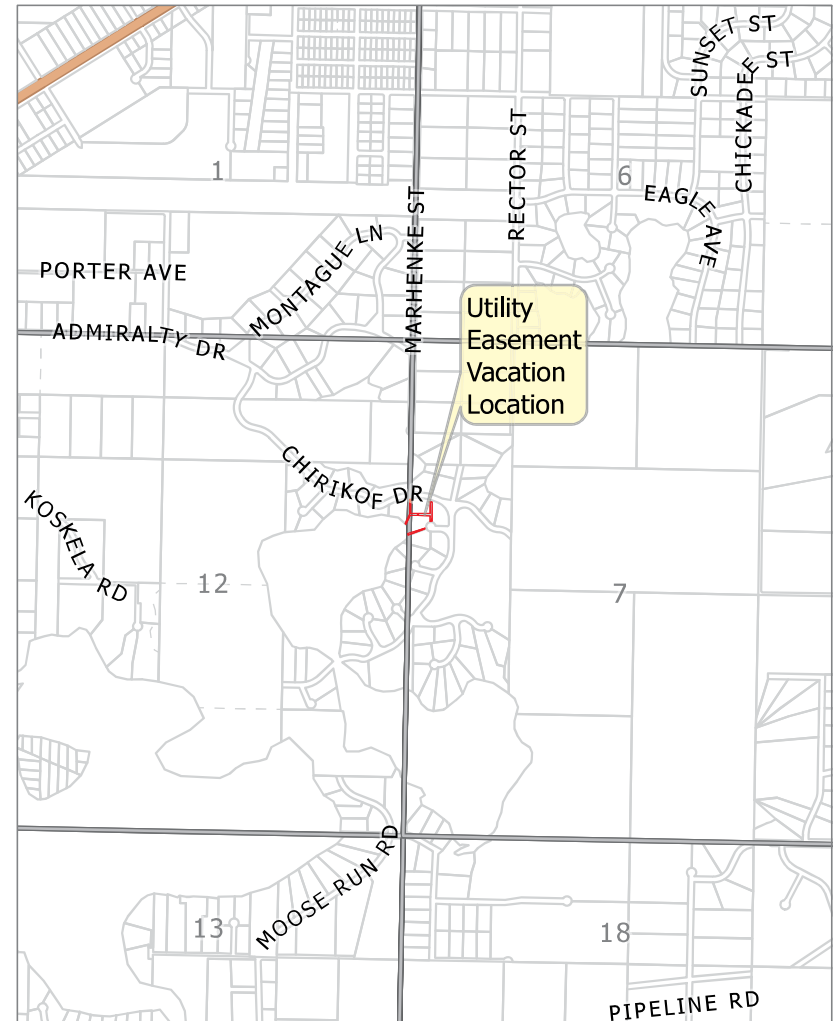
E. NEW BUSINESS

2. Utility Easement Vacation; KPB File 2025-121V

Edge Survey & Design / Christianson

**Request: Vacate the 10' utility easement along all interior lot lines
of Lots 8, 9 & 10, Block 5, Lake Hills Sub. Part 3, Plat KN 84-265**

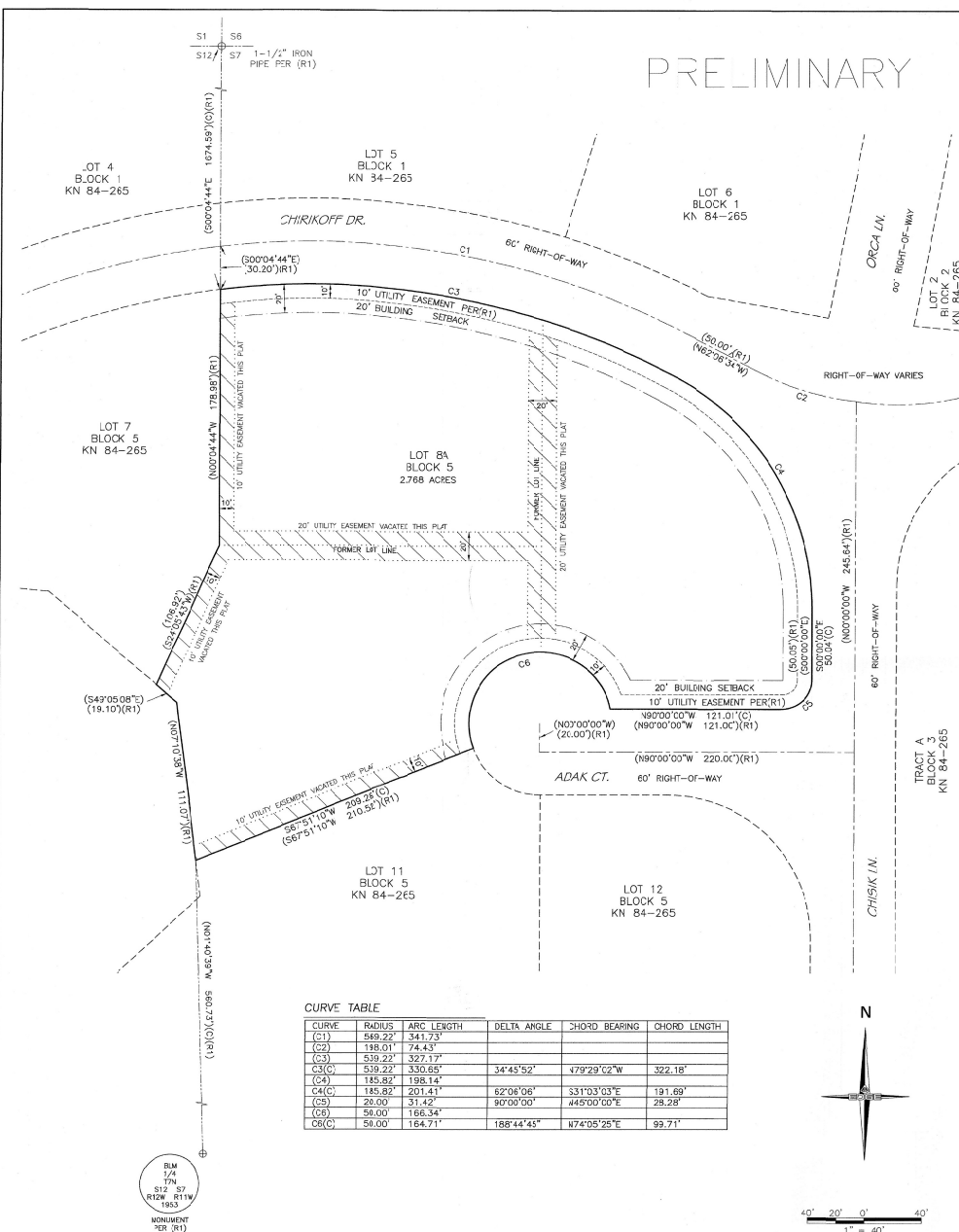
Nikiski Area



KPB File 2025-121V
T 07N R 11W S07 & T07N R12W S12
Nikiski



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.



NOTES

- 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.
- THE FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY IS A UTILITY EASEMENT, PER (R1). 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.
- 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.
- THESE PARCELS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED DECEMBER 21, 1984, VOLUME 253, PAGE 175, KRO.
- THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
- THIS SUBDIVISION IS SUBJECT TO THE RIGHTS OF THE PUBLIC AND OR GOVERNMENTAL AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF ST. PAUL LAKE AND ANY QUESTIONS OF RIGHTS OF ACCESS TO THE LAKE IN THE EVENT SAID LANDS DO NOT IN FACT ABUT THE LAKE.
- THIS SUBDIVISION IS SUBJECT TO ANY PROHIBITIONS OF LIMITATIONS ON THE USE, OCCUPANCY OR IMPROVEMENTS OF THE LAND RESULTING FROM THE RIGHTS OF THE PUBLIC OR RIPARIAN OWNERS TO USE ANY WATERS WHICH MAY COVER THE LAND OR TO USE ANY PORTION OF THE LAND WHICH IS NOW OR MAY FORMERLY HAVE BEEN COVERED BY WATER.
- WASTEWATER DISPOSAL - THE PARENT SUBDIVISION FOR THE LOTS RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON NOVEMBER 16, 1981. ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

NOTARY'S ACKNOWLEDGEMENT

FOR: CORINEY CHRISTIANSON
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2025

PUBLIC NOTARY SIGNATURE _____

MY COMMISSION EXPIRES: _____



NOTARY'S ACKNOWLEDGEMENT

FOR: EDWARD CHRISTIANSON
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2025

PUBLIC NOTARY SIGNATURE _____

MY COMMISSION EXPIRES: _____



LEGEND

(E)	RECORD PRIMARY MONUMENT	-----	REPLAT BOUNDARY
()	RECORD DATA PER (R1)	-----	FORMER LOT/ EASEMENT LINE
(C)	COMPUTED DATA	-----	ADJACENT PROPERTY LINE
	UTILITY EASEMENT VACATED THIS PLAT	-----	EASEMENT
		-----	BUILDING SETBACK
		-----	CENTERLINE
		-----	MONUMENT TIE LINE

REFERENCES

(R1) LAKE HILLS PART 3, PLAT 84-265, KENAI RECORDING DISTRICT

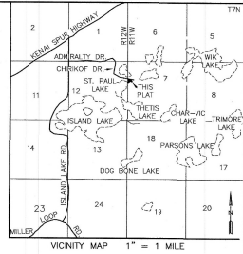
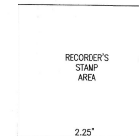
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 8, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

CERTIFICATE OF SURVEYOR

MARK AMONETTI 13022-S. HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

CORINEY CHRISTIANSON
2718 HERMIT RANCH RD.
BEN LOMOND, CA 95005

EDWARD CHRISTIANSON
2718 HERMIT RANCH RD.
BEN LOMOND, CA 95005

KPB FILE No. 2025-XXX

LAKEHILLS SUBDIVISION CHRISTIANSON ADDITION

A REPLAT OF
LOTS 8, 9 AND 10 BLOCK 5
LAKEHILLS ESTATES PART 3
PLAT 84-265
KENAI RECORDING DISTRICT

LOCATED WITHIN:
NW 1/4 SECTION 7 T7N R11W
AND NE 1/4 SECTION 12 T7N R12W
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT

OWNERS:
CORINEY CHRISTIANSON
AND
EDWARD CHRISTIANSON
2718 HERMIT RANCH RD.
BEN LOMOND, CA 95005

CONTAINING 2.768 ACRES



8003 KING STREET ANCHORAGE, AK 99518
Phone (907) 344-5990 Fax (907) 344-7734
AEC# 1382 www.edgesurvey.net

DRAWN BY: JY	DATE: 08/05/2025	PROJECT: 15-562
CHECKED BY: MA	SCALE: 1" = 40'	SHEET: 1 OF 1

KPB 2025-121V

AGENDA ITEM E. **NEW BUSINESS**

ITEM #1 - UTILITY EASEMENT ALTERATION

VACATE THE 10-FOOT UTILITY EASEMENT ALONG ALL INTERIOR LOT LINES OF LOTS 8, 9, 10, BLOCK 5, LAKE HILLS SUBDIVISION PART 3, PLAT KN 84-265

KPB File No.	2025-121V
Planning Committee Meeting:	September 8, 2025
Applicant / Owner:	Cortney Christianson and Edward Christianson of California, Alaska
Surveyor:	Jason Young / Edge Survey and Design, LLC
General Location:	Adak Court, Chisik Lane and Chirikof Drive, Nikiski

STAFF REPORT

Specific Request / Purpose as stated in the petition:

The petitioner requests the vacation of a 10-foot utility easement along all interior lot lines granted by Plat 84-265, Kenai Recording District.

Notification: Notice of vacation mailings were sent by regular mail to 14 owners of property within 300 feet. Notice of the proposed vacation was emailed to 13 agencies and interested parties.

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

Staff Analysis:

Lake Hills Subdivision Part 3 (KN 84-265) granted two utility easements on the plat; a 10-foot utility easement on each side of all interior lot lines and the front 10-feet of the building setback along all right-of-ways.

The utility easement along interior lot lines of Lots 8, 9, 10, Block 5, is being petitioned to be vacated and is represented by a hatched area on the diagram.

If approved, this utility easement vacation will be finalized by Lake Hills Subdivision Christianson Addition. This plat is scheduled to be reviewed by the Plat Committee during the September 8, 2025 meeting. The proposed plat will combine Lots 8, 9 and 10 into one Lot and eliminate the common lot lines between the lots.

No comment or opposition was received for the requested vacation of the easements has been received from any of the utility companies the surveyor sent request to, indicating no utilities are in use on the easement.

According to KPB GIS Imagery, no encroachments appear to be located within the utility easements proposed for vacation.

The plat is not proposing any new utility easements

Utility provider review:

HEA	No objection to the vacation of the platted utility easements as depicted on this drawing or to the replat of the three parcels into one parcel
ENSTAR	Approved as shown
ACS	Approved as shown
GCI	No response
KPB RSA	No objections at this time

Applicant Findings:

1. The utility easements are currently unused and remain vacant.
2. The proposed platting action will keep in place the 10-foot utility easement along all rights-of-way, ensuring adequate space for future utility installation.
3. All utility providers who reviewed the request were in favor of vacating the unused portion of the easement.
4. Vacating the easement will provide the landowner with additional usable property area.

Staff Findings:

5. Lots 8, 9 and 10, Block 5 are owned by Edward and Cortney Christianson.
 6. ACS, ENSTAR, KPB RSA, and HEA provided written non-objection to the proposed vacation.
 7. Lake Hills Subdivision Christianson Addition will combine Lots 8, 9 and 10 into one Lot and eliminate the common lot lines between the lots.
 8. Lake Hills Subdivision Part 3 (KN 84-265) granted a 10-foot utility easement on each side of all interior lot lines.
 9. Lake Hills Subdivision Part 3 (KN 84-265) granted a 10-foot utility easement along all rights of way.
 10. Lake Hills Subdivision Christianson Addition will carry forward the 10-foot utility easement adjacent to rights-of-way.
 11. No surrounding properties will be denied utility access or blocked ways.
 12. This utility vacation request only affects interior utility easement lines.
-

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Make the following corrections:

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 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.*

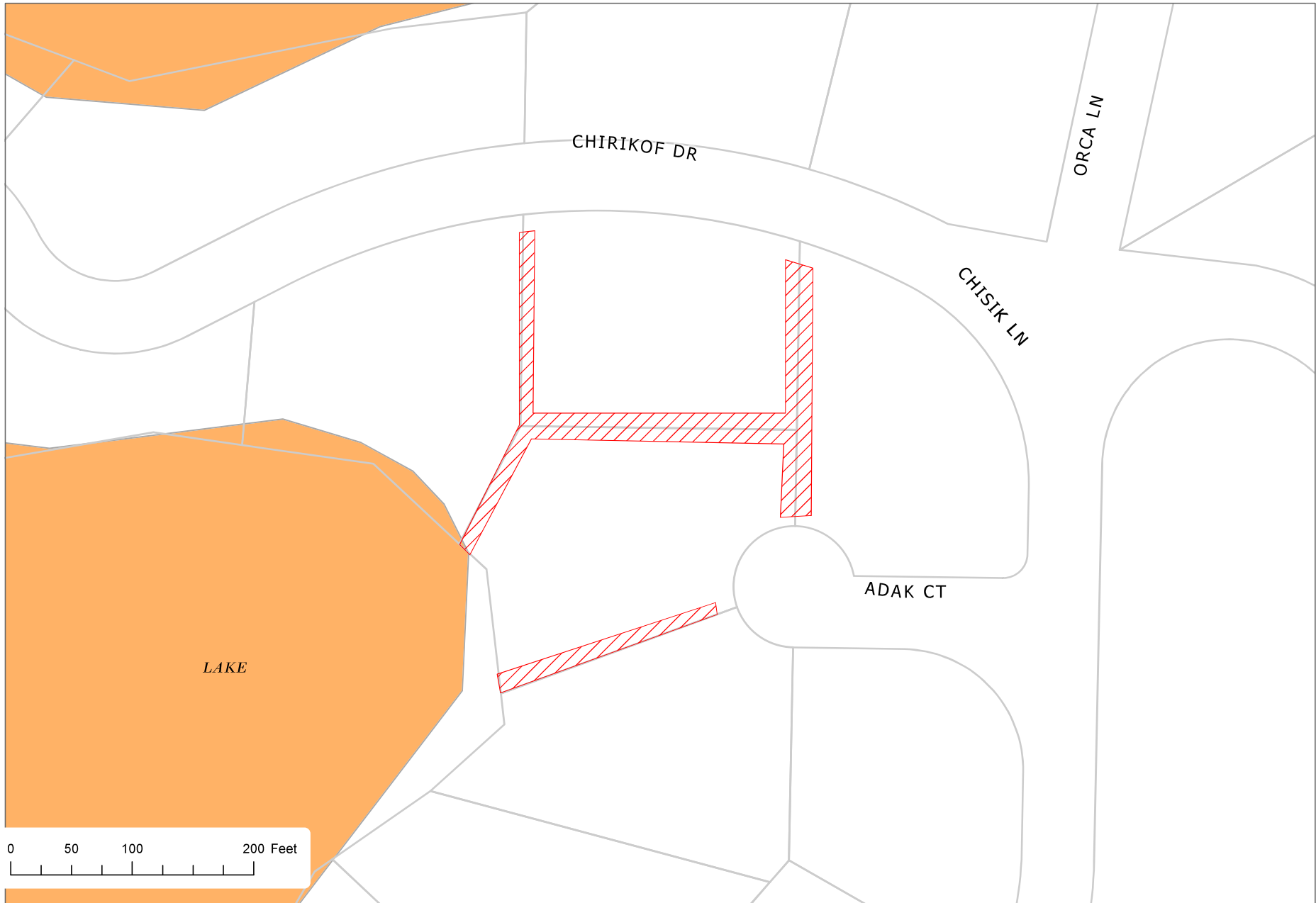
END OF STAFF REPORT



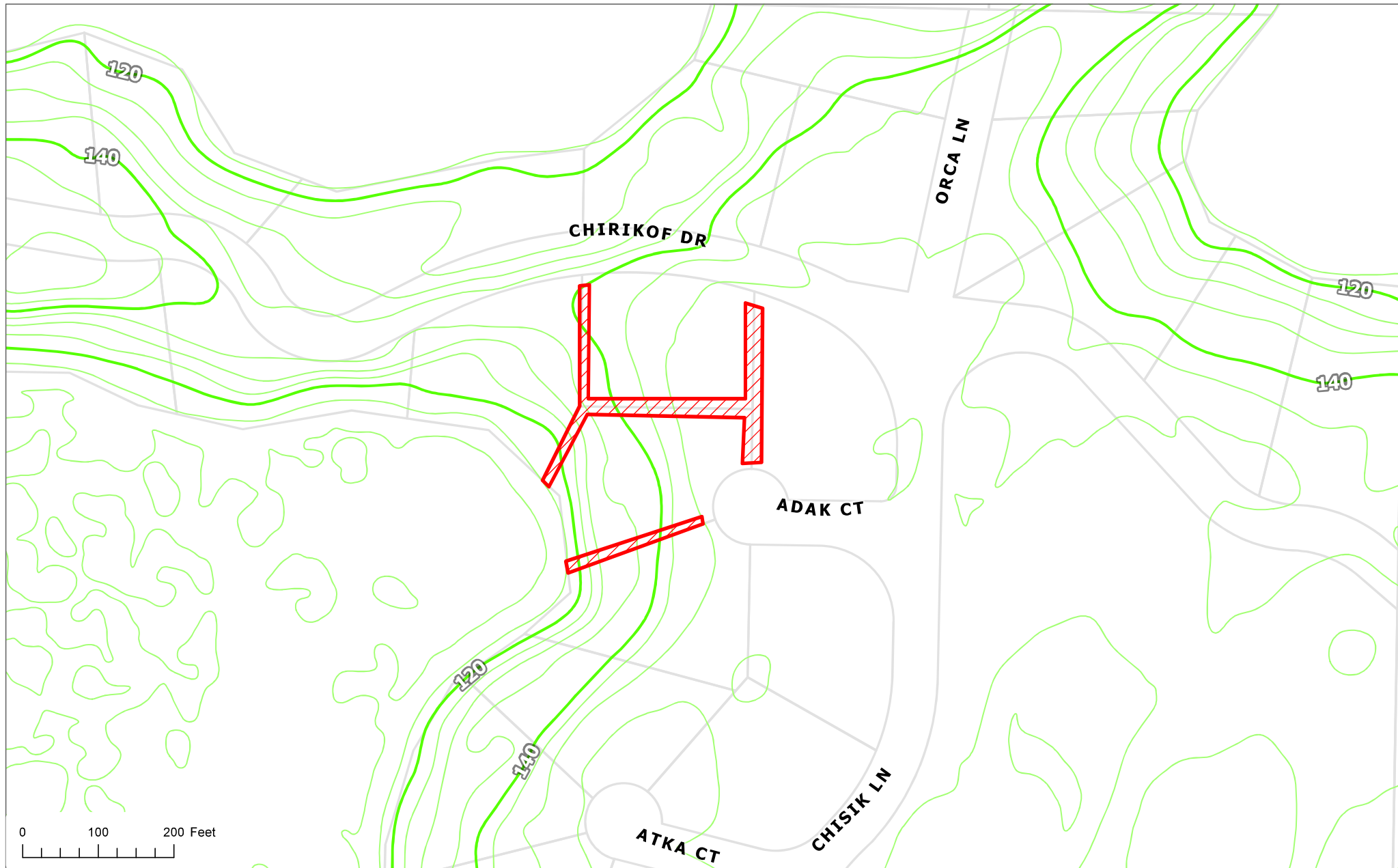
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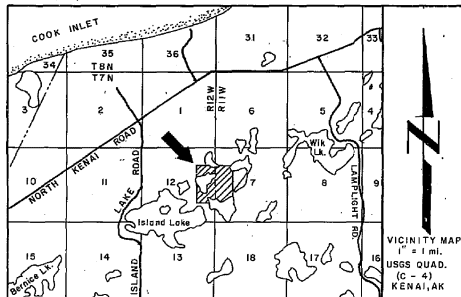
Wetlands



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SECTION LINE EASEMENT VACATION CERTIFICATE APPROVAL RECOMMENDATION

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

THE VACATION STATEMENT AS SHOWN HEREON HAS BEEN REVIEWED BY THE CENTRAL REGIONAL OFFICE AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE COMMISSIONER.

RECOMMENDED BY [Signature] DATE 11-23-84
REGIONAL CHIEF RIGHT-OF-WAY AGENT

STATE OF ALASKA DIVISION OF TECHNICAL SERVICES

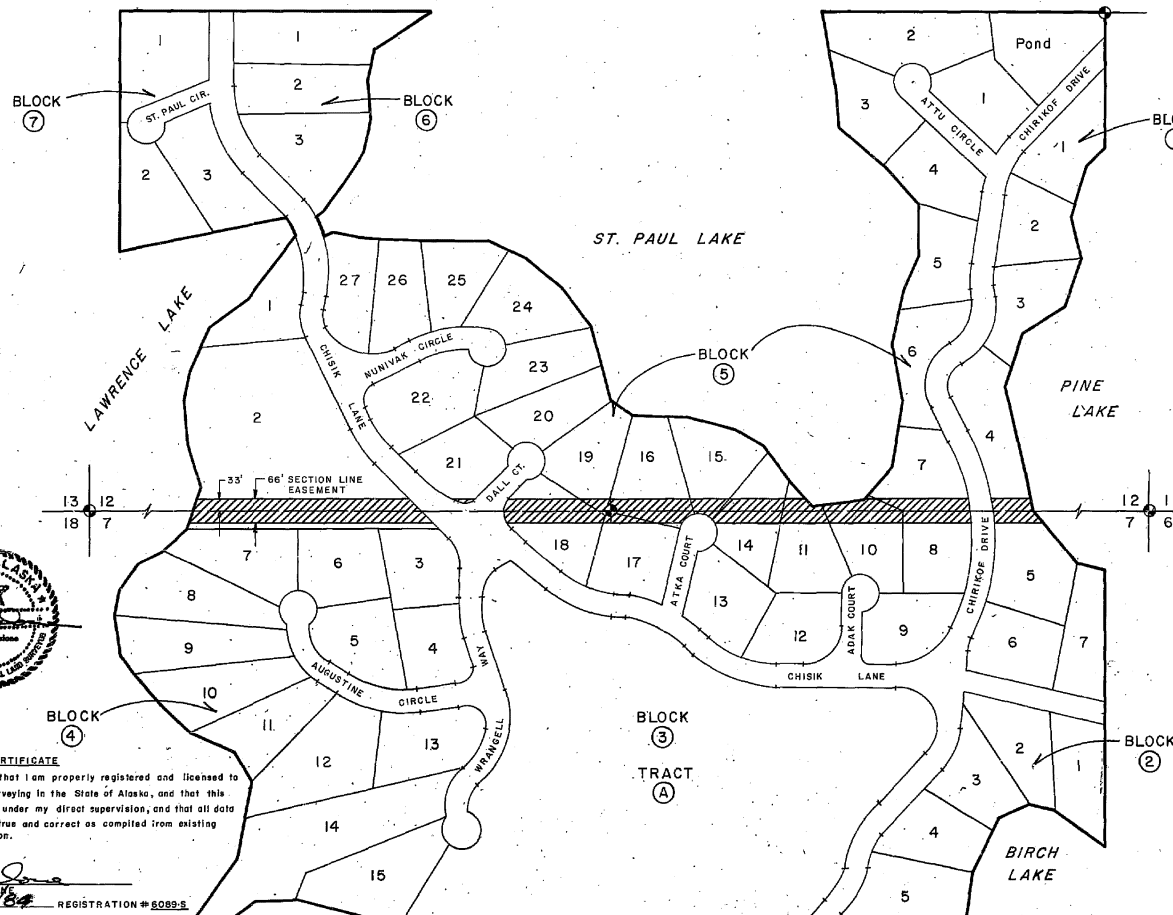
THE VACATION STATEMENT AS SHOWN HEREON HAS BEEN REVIEWED BY THE DIVISION OF TECHNICAL SERVICES AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE COMMISSIONER.

RECOMMENDED BY [Signature] DATE Nov 9, 1984
DIRECTOR - DIVISION OF TECHNICAL SERVICES

THE STATE OF ALASKA, ACTING BY AND THROUGH THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES AND THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, DOES HEREBY STATE AND DECLARE THAT THE STATE OF ALASKA VACATES AND RELEASES ALL RIGHTS AND TITLE TO ANY AND ALL PORTIONS OF SECTION LINE EASEMENTS FOR PUBLIC HIGHWAYS RESERVED TO IT UNDER ALASKA STATUTE 19-01-010 (SPECIFIC AREA DELINEATED BY DIAGONAL HATCHING).

DATE 11/26/84 APPROVED [Signature] COMMISSIONER, DEPT. OF TRANSPORTATION AND PUBLIC FACILITIES
DATE 11-29-84 APPROVED [Signature] COMMISSIONER, DEPT. OF NATURAL RESOURCES

1" = 200'



CERTIFICATE OF OWNERSHIP & DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN & DESCRIBED HEREON, THAT WE HEREBY APPROVE VACATION OF THE SECTION LINE EASEMENT AS SHOWN HEREON.

[Signature]
PAUL V. TRAXINGER

[Signature]
LOUIS B. SCHILLING

[Signature]
LAWRENCE TRAXINGER & KATHLEEN TRAXINGER, P.O.A.

NOTARY'S ACKNOWLEDGMENT FOR Paul V. Traxinger
Louis B. Schilling & Kathleen Traxinger, P.O.A.
SWORN AND SUBSCRIBED TO BEFORE ME THIS 4th DAY OF October, 1984

[Signature]
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 11/1/88

STATE OF ALASKA
NOTARY PUBLIC
STACEY TAYLOR
My Commission Expires 5-2-88

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF July 9, 1979

KENAI PENINSULA BOROUGH

BY: [Signature]
AUTHORIZED OFFICIAL

84-318
RECORDED FILED MC
Kenai SEC. DIST.
12/10 1984
2:56 P.M.
by Pat Malone
Index 93503

SCALE

0 100 200 300 FEET
0 10 50 100 METERS
1 METER = 3.280833 U.S. SURVEY FEET
1 U.S. ACRE = .4047 HECTARES

Section Line Easement Vacation Plat

DATE OF SURVEY	NAME OF SURVEYOR
Beginning <u>NO FIELD SURVEY</u>	<u>MALONE SURVEYING</u>
Ending	<u>BOX 566, KENAI, AK 99611</u>
	<u>PATRICK J. MALONE, S.L.S.</u>
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF TECHNICAL SERVICES ANCHORAGE, ALASKA	
SECTION LINE EASEMENT VACATION PLAT associated with LAKE HILLS SUBDIVISION PT. 3 Located within SECTIONS 7 & 12, T7N, R12W, S.M., ALASKA	
DRAWN BY <u>Stacey Taylor</u>	APPROVAL RECOMMENDED BY <u>[Signature]</u> <u>11-8-84</u>
DATE <u>JULY 1984</u>	CHIEF CADASTRAL SURVEYOR DATE
SCALE: <u>1" = 200'</u>	CHECKED: <u>[Signature]</u> FILE NO. Pat Malone EV-2-279



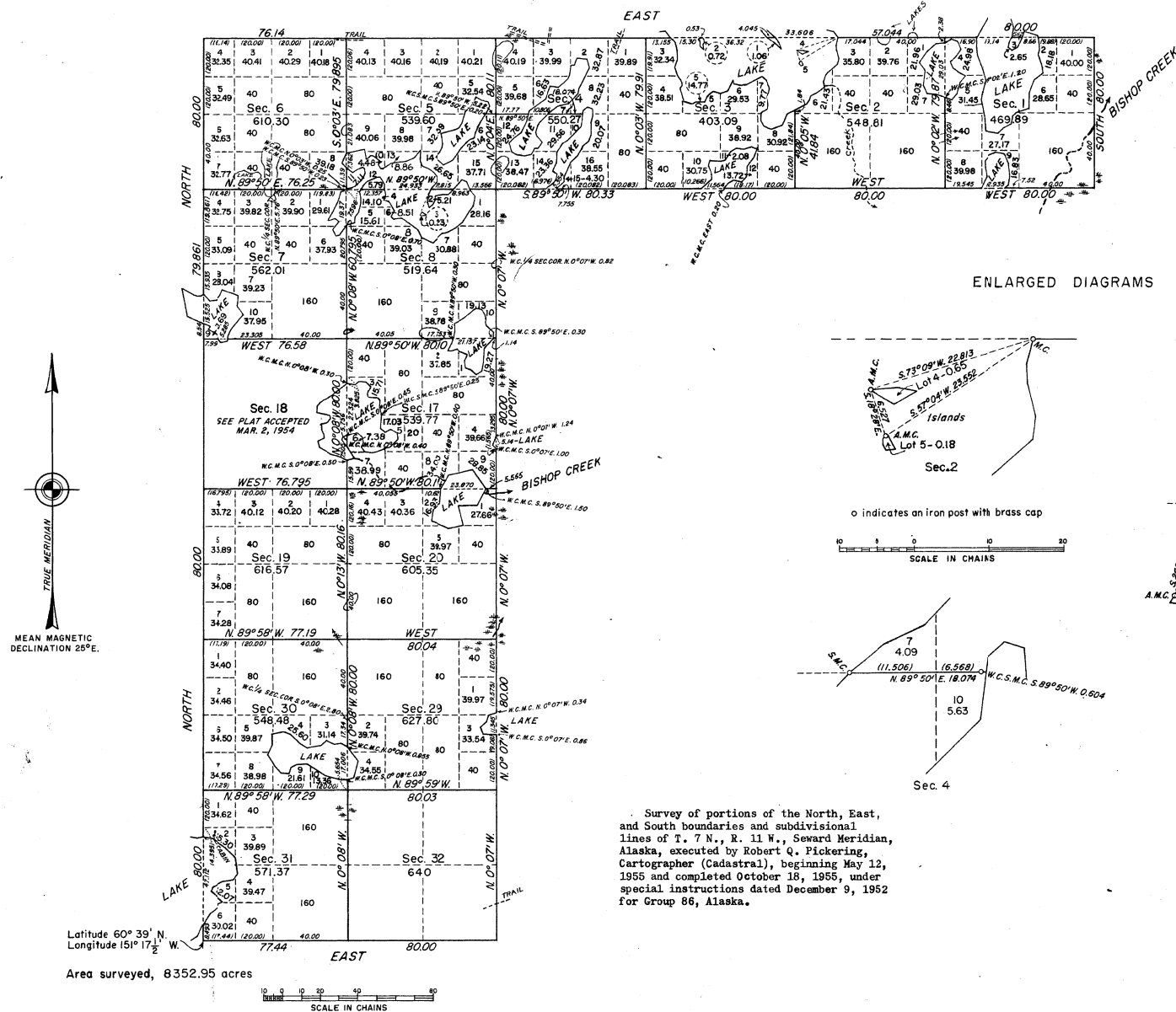
SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, and that this plat was drafted under my direct supervision, and that all data shown hereon is true and correct as compiled from existing record information.

[Signature]
PATRICK J. MALONE
DATE 10/2/84 REGISTRATION # 5089-S

SECTION LINE EASEMENT VACATION PLAT

TOWNSHIP 7 NORTH, RANGE 11 WEST, OF THE SEWARD MERIDIAN, ALASKA



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C. September 30, 1958

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Carl G. Harrington
Cadastral Engineering Staff Officer

TOWNSHIP 7 NORTH, RANGE 12 WEST, OF THE SEWARD MERIDIAN, ALASKA

