

RELEASE OF DEED RESTRICTION

WHEREAS, the Kenai Peninsula Borough conveyed real property to Jon James by quitclaim deed recorded on August 21, 2000 as **Book 102, Page 68 in the Seward Recording District**, pursuant to KPB Ordinance 99-55 which contained a deed restriction.

WHEREAS, the real property described in that initial conveyance has been further subdivided into two Tracts described as Tract D-1 and D-2, Quartz Creek James Addition.

WHEREAS, Shirley Ann Kuznicki, the current owner of Tract D-2, has petitioned the Kenai Peninsula Borough to release the above commercial deed restriction on the real property.

WHEREAS, on _____, 2022 the Kenai Peninsula Borough Assembly enacted Ordinance 2022-XX authorizing the release of said deed restriction specific to Tract D-2.

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, releases forever unto the successor in interest and **GRANTEE, Shirley Ann Kuznicki**, whose address is 3160 Admiralty Bay Dr., Anchorage, AK 99515, her successors and assigns, the following restriction created in that quitclaim deed recorded as Book 102, Page 68 in the Seward Recording District:

“FURTHER SUBJECT TO The real property described in this conveyance instrument shall be used primarily for commercial purposes, and any other uses shall be compatible with commercial uses. The use of the land for any other purpose, incompatible with commercial use, is prohibited”.

As to the real property legally described as:

Tract D-2, Quartz Creek Subdivision James Addition, according to the official plat thereof, filed under Plat Number 2005-14, Records of the Seward Recording District, Third Judicial District, State of Alaska.

Dated this ____ day of _____, 2022.

KENAI PENINSULA BOROUGH:

Charlie Pierce, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGAL 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

DRAFT