

# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)**

## **E. NEW BUSINESS**

- 6. Resolution 2025-XX: Authorizing the KPB to accept a public access easement to provide access to the proposed Graham Ranch Subdivision  
Responsible Staff Person: Platting Manager Vince Piagentini**

# Kenai Peninsula Borough

## Planning Department – Platting Division

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*  
Robert Ruffner, Planning Director *RR*

**FROM:** Vince Piagentini, Platting Manager *VP*

**DATE:** August 7, 2025

**RE:** Resolution 2025-\_\_\_\_, Authorizing KPB to Accept a Public Access Easement to Provide Access to the Proposed Graham Ranch Subdivision (Mayor)

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At its regularly-scheduled meeting on April 10, 2023, the KPB Plat Committee granted approval to the proposed Graham Ranch Subdivision. Final plat approval is contingent upon satisfactory access to the subdivision, as requested in the KPB Staff Report prepared for that meeting.

The accompanying resolution authorizes the Mayor to accept a public access easement across property located on Lot 2 US Survey 3354 Section 25 & 26, Township 4 South, Range 11 West, Homer Recording District, to the proposed Graham Ranch Subdivision, which satisfies the requirement for access.

Your consideration is appreciated.

Introduced by:

Mayor

Date:

08/19/25

Action:

Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2025-XX**

**A RESOLUTION AUTHORIZING KPB TO ACCEPT A  
PUBLIC ACCESS EASEMENT TO PROVIDE ACCESS TO  
THE PROPOSED GRAHAM RANCH SUBDIVISION**

**WHEREAS,** during its regularly-scheduled meeting on April 10, 2023, the Kenai Peninsula Borough (KPB) Plat Committee granted approval for the Graham Ranch Subdivision Preliminary Plat; and

**WHEREAS,** final plat approval is contingent upon satisfactory access to the proposed subdivision, as recommended by the KPB staff report prepared for that meeting; and

**WHEREAS,** Chris A. Rainwater and the Michael G. and Mary E. Rainwater Family Trust (Grantors) are willing to grant a public access easement across property owned by Grantors, located in Lot 2 US Survey 3354 Section 25 & 26, Township 4 South, Range 11 West, Homer Recording District to the proposed Graham Ranch Subdivision; and

**WHEREAS,** the public access easement will satisfy the requirement for access to the proposed subdivision; and

**WHEREAS,** pursuant to KPB 17.10.040, Assembly approval of the acquisition of interests in lands must be by resolution upon receipt of a Planning Commission recommendation; and

**WHEREAS,** the Planning Commission conducted a public hearing during its regularly-scheduled meeting on July 11, 2025, and recommended \_\_\_\_\_;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That the Mayor is authorized to accept a public access easement across property owned by Grantors, located in Lot 2 US Survey 3354 Section 25 & 26, Township 4 South, Range 11 West, Homer Recording District on behalf of KPB in a form substantially similar to the document attached.

**SECTION 2.** That this resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY  
OF \*, 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:





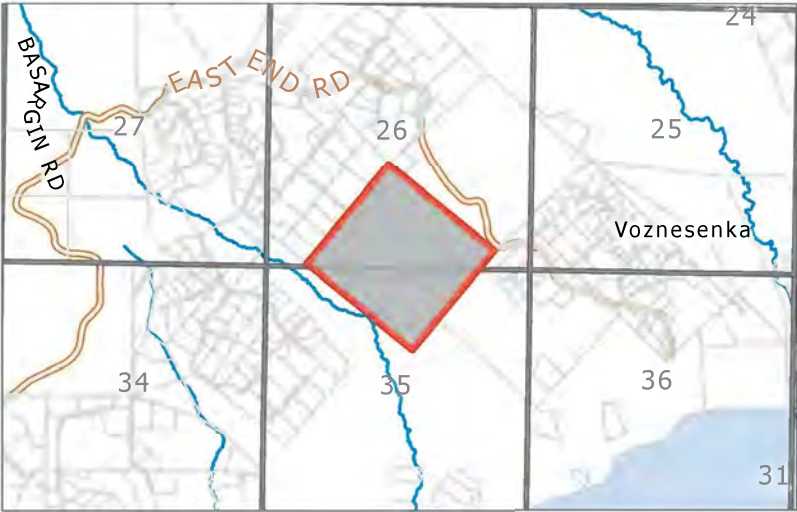
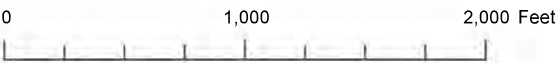
**Kenai Peninsula Borough** Planning Department

Vicinity Map



KPB File 2023-028  
T 04S R 11W SEC 26 AND 35  
Fox River

3/10/2023



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.



**PUBLIC RIGHT-OF-WAY EASEMENT**

**THIS PUBLIC RIGHT-OF-WAY EASEMENT** ("Easement") is granted by **CHRIS A. RAINWATER**, of 48250 E. End Rd., Homer, AK 99603, and **MICHAEL G. RAINWATER** and **MARY E. RAINWATER**, Trustees of **THE MICHAEL G. RAINWATER AND MARY E. RAINWATER FAMILY TRUST**, dated December 26, 2019, of PO Box 2392, Camp Verde, AZ 86322, hereinafter referred to as "**GRANTORS**", in favor of **KENAI PENINSULA BOROUGH**, an Alaska Municipal Corporation, hereinafter referred to as "**GRANTEE**", in connection with property in Kenai Peninsula Borough, Alaska owned by Grantors.

For valuable consideration, receipt for which is hereby acknowledged, and other performance to be rendered by Grantee hereunder, Grantors and Grantee desire to enter and use the Easement for the purposes and on the terms and conditions hereafter set out.

**AGREEMENT**

**NOW THEREFORE**, the Parties mutually covenant and agree as follows:

1. **GRANT.** The Grantors hereby grant Grantee a non-exclusive public right-of-way easement to the Easement Area depicted as "ACCESS ESMT." and legally described on **EXHIBIT A**, attached hereto, without warranty, over the following real property legally described as:

LOT TWO (2), U.S. SURVEY 3354, located in the Homer Recording District, Third Judicial District, State of Alaska, which is known as the "Grantor Tract", attached to East End Road, wherever it may be located.

2. **PERMITTED USES.**

A. During the term hereof, the public shall have the

Easement Area for vehicular and pedestrian access. No interest or property right, including but not limited to, the use or removal of gravel, rock, sand, peat, and any and all resources is conveyed by this authorization.

B. This Easement grants the public a right to develop the Easement Area for public access, and for the placement of utilities if necessary. Location and development of improvements constructed under this authorization must be done in a reasonable manner. Site preparation work must be commensurate with the scope of the intended project. Deviating beyond the boundaries of the Easement Area is not permitted. It is the developer's responsibility to properly locate the boundaries of the Easement Area with a surveyor and to secure all other required local, state and/or federal authorizations. Commencement of any use of the Easement Area signifies the user's acceptance of all terms and provisions herein and agreement to comply with and be bound by all such terms and provisions.

3. **TERM.** This Easement is perpetual, unless surrendered or abandoned, at which time it may be terminated, with notice, at Grantors' discretion.

4. **OPERATIONS.** Grantee shall conduct all of its operations on the Easement in strict compliance with all provisions of federal, state and local law and all provisions of the Easement.

5. **SURRENDER.** Grantee may upon sixty (60) days written notice to Grantors surrender all or part of the Easement. A partial surrender shall not reduce Grantee's obligation to comply with other obligations that may have accrued as a result of Grantee's activities on the surrendered area. A total surrender of the Easement by Grantee shall result in a termination of this Easement.

6. **ASSIGNMENT.** This Easement or any interest herein may not be assigned or otherwise transferred by Grantee except upon written approval of Grantors. The Grantors reserve the right to reject any proposed assignment. Any unauthorized attempt to assign or otherwise transfer any of the Grantee's interest under this Easement is void and of no force or effect whatsoever.



A. **GOVERNING LAW.** This Easement is made under Alaska law.

B. **CLEARING LIMITS.** Clearing within the Easement Area shall be limited to that necessary for actual maintenance and construction/reconstruction.

C. **RELOCATION.** Parties agree that In the event the Developers wish to relocate, they will need to go through the process to vacate this Easement and grant another, or go through the ROW dedication process after vacating this Easement.

D. **VALID RECORDED EXISTING RIGHTS.** The Grantee's use of the Easement Area will not unreasonably interfere with valid recorded existing rights, if any, that exist within the Easement Area upon the effective date of the Easement. Grantors reserve for themselves all rights not expressly conferred herein, including rights of concurrent users, if any.

E. **AS IS.** Grantors make no representations or warranties with respect to the condition of the Easement Area, and are granting it AS IS, with all defects, apparent or latent.

F. **MAINTENANCE.** Grantees assume no responsibility for the construction and/or maintenance of improvements constructed in the Easement Area, nor for liability for injuries or damages attributed to the construction, maintenance, repair, and reconstruction as necessary for public access and use of this Easement. In accordance with AS 29.71.020, the mere granting of a public access easement does not obligate Grantee to maintain, improve, or provide for municipal services in the area granted, nor does it impose any liability on Grantee for the condition of the area granted.

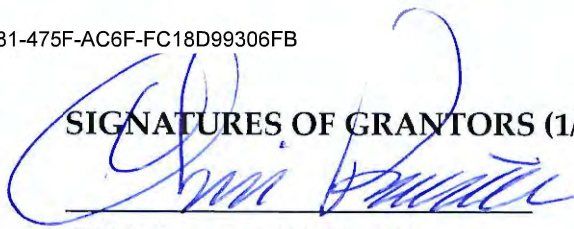
G. **MODIFICATIONS.** Any modifications to this Easement must be in writing and signed by the parties, or by their respective heirs, successors, or assigns.

**PERMANENT IRREVOCABILITY.** Any provision of this Easement which is found to be invalid or in violation of any statute, rule, regulation, or common law shall be considered null and void, with the remaining provisions remaining in effect.

I. **BINDING EFFECT.** This Easement, and the rights and obligations herein, run with the land and bind and benefit the future owners of the Grantor Tract and the Grantee.

**IN WITNESS WHEREOF,** the parties hereto have executed this Easement effective as of this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

SIGNATURES OF GRANTORS (1/2):



CHRIS A. RAINWATER

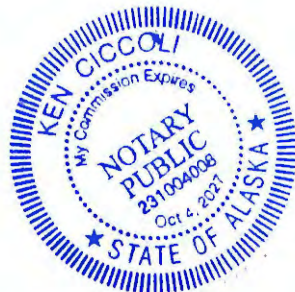
STATE OF ALASKA )

:SS. )

THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this 13<sup>n</sup> day of June, 2025, before me the undersigned Notary Public in and for the State of Alaska, personally appeared CHRIS A. RAINWATER known to me to be the persons named in the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein contained.

IN WITNESS HEREOF, I have hereunto set my hand and seal the day and year first hereinabove written.

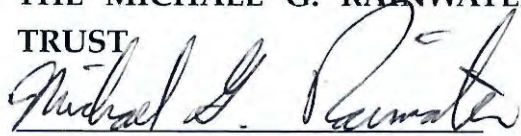


NOTARY PUBLIC, State of Alaska  
My Commission Expires: 10/4/27



**SIGNATURES OF GRANTORS (2/2):**

**THE MICHAEL G. RAINWATER AND MARY E. RAINWATER FAMILY TRUST**



**MICHAEL G. RAINWATER, Trustee**



**MARY E. RAINWATER, Trustee**

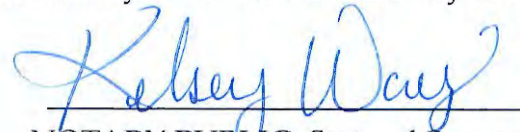
STATE OF OREGON )

:SS.

WROOK COUNTY )

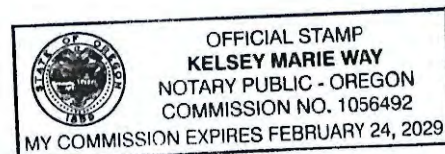
**THIS IS TO CERTIFY** that on this 1<sup>st</sup> day of July, 2025, before me the undersigned Notary Public in and for the State of Oregon, personally appeared MICHAEL G. RAINWATER and MARY E. RAINWATER known to me to be the persons named in the foregoing instrument, and the Trustees of THE MICHAEL G. RAINWATER AND MARY E. RAINWATER FAMILY TRUST, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein contained.

**IN WITNESS HEREOF**, I have hereunto set my hand and seal the day and year first hereinabove written.



NOTARY PUBLIC, State of Oregon

My Commission Expires: 2-24-2029





**SIGNATURE OF GRANTEE (1/1):**

**KENAI PENINSULA BOROUGH**

\_\_\_\_\_  
**PETER A. MICCICHE**, Borough Mayor

STATE OF ALASKA )

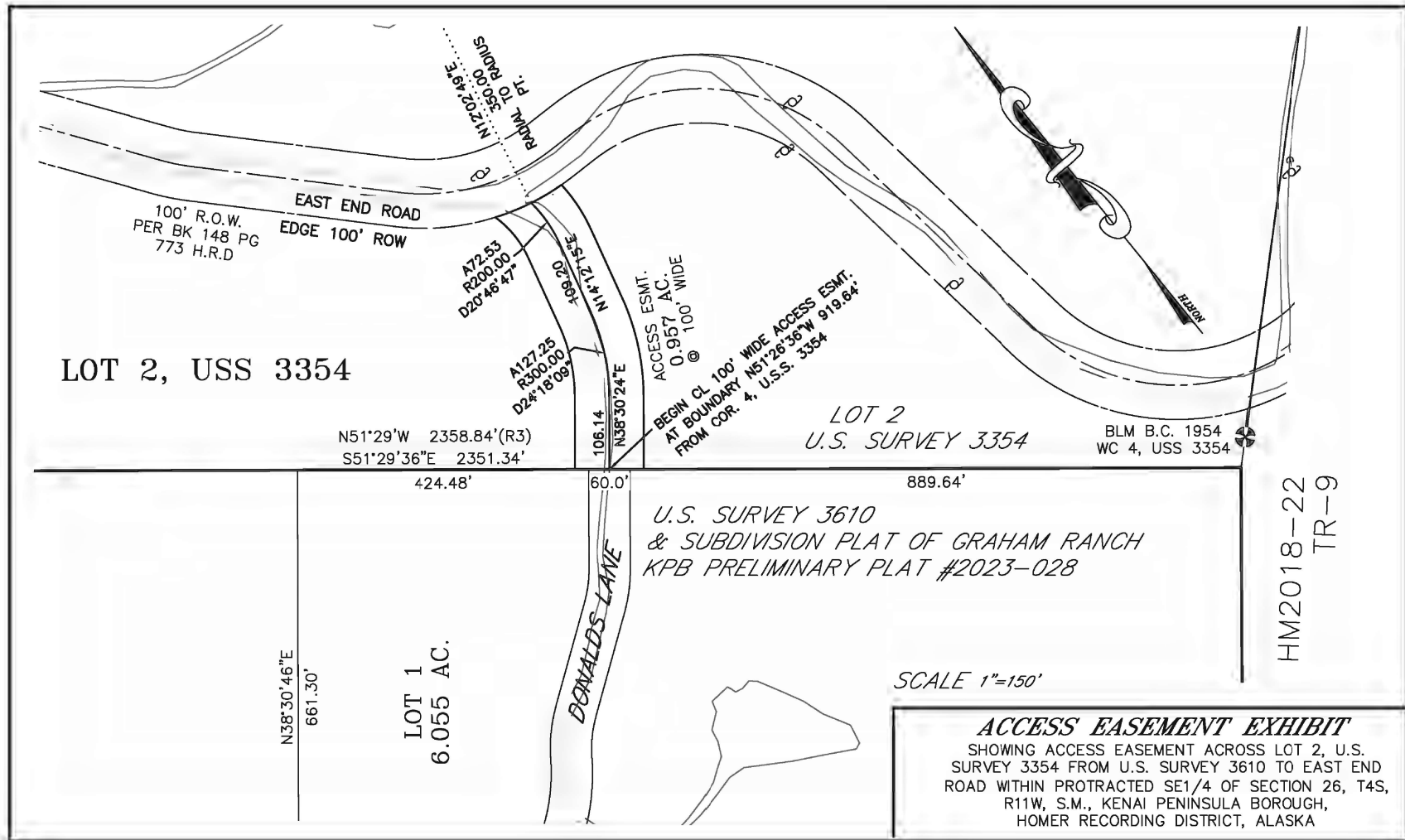
:ss.

THIRD JUDICIAL DISTRICT )

**THIS IS TO CERTIFY** that on this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, before me the undersigned Notary Public in and for the State of Alaska,  
personally appeared **PETER A. MICCICHE**, Mayor of the Kenai Peninsula  
Borough, known to me to be the person who acknowledged that he executed the  
foregoing instrument, on behalf of the Kenai Peninsula Borough, freely and  
voluntarily for the purposes therein stated.

**IN WITNESS HEREOF**, I have hereunto set my hand and seal the day and  
year first hereinabove written.

\_\_\_\_\_  
NOTARY PUBLIC, State of Alaska  
My Commission Expires:\_\_\_\_\_



# CERTIFICATE OF OWNERSHIP

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 public rights-of-way and grant all easements to the use shown.

DAL D. GRAHAM  
13760 DE GARMO AVE  
RANCHO CASCADES, CA 91342

CHARLES SCOTT GRAHAM  
4806 SALMON CREEK DR  
BUHL, ID 83316

LINDA CHRISTINE GRAHAM  
P.O. BOX 15031  
FRITZ CREEK, AK 99603

GABRIEL MORGAN GRAHAM  
511 E GAINSBOROUGH RD  
THOUSAND OAKS, CA 91360

DONNA D. GRAHAM  
46103 E END RD  
HOMER, AK 99603

JOHN GRAHAM  
P.O. BOX 2034  
KENAI, AK 99611

DECEASED  
ESTATE OF ROBERT D. GRAHAM  
13760 DE GARMO AVE  
RANCHO CASCADES, CA 91342

# NOTARY'S ACKNOWLEDGMENT

For DAL D. GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2025.

Notary public for California My Commission Expires

# NOTARY'S ACKNOWLEDGMENT

For CHARLES SCOTT GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2025.

Notary public for Idaho My Commission Expires

# NOTARY'S ACKNOWLEDGMENT

For LINDA CHRISTINE GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2025.

Notary public for Alaska My Commission Expires

# NOTARY'S ACKNOWLEDGMENT

For GABRIEL MORGAN GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2024.

Notary public for California My Commission Expires

# NOTARY'S ACKNOWLEDGMENT

For DONNA D. GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2025.

Notary public for Alaska My Commission Expires

# NOTARY'S ACKNOWLEDGMENT

For JOHN GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2025.

Notary public for Alaska My Commission Expires

# NOTARY'S ACKNOWLEDGMENT

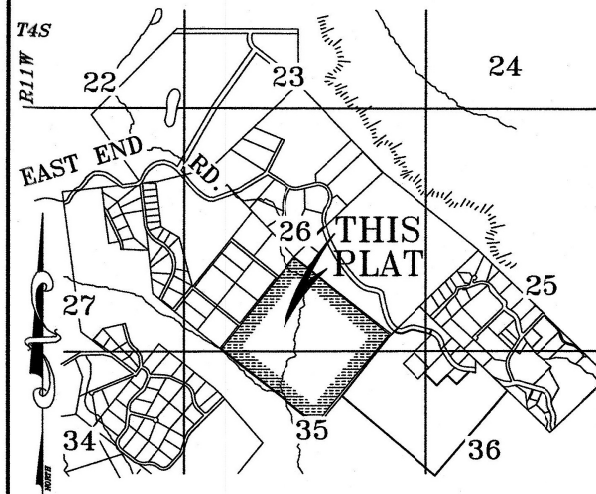
For ESTATE OF ROBERT D. GRAHAM  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2025.

Notary public for Alaska My Commission Expires

KPB FILE No. 2023-028

**SHEET 2 OF 2**

# VICINITY MAP



SCALE 1" = 1/2 MILE

DATE 05/22/2025

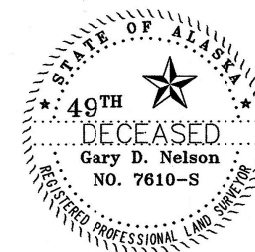
SCALE 1"=150'

DRAWING: 5306\_5343

JOB No. 5306

DRAWN:  
BT

CHECKED:  
XXX



# GRAHAM RANCH

A SUBDIVISION OF U.S. SURVEY 3610 WITHIN THE SW1/4  
AND SE1/4 OF SECTION 26 AND THE NE1/4 AND NW1/4  
OF PROTRACTED SECTION 35, T4S, R11W, S.M., KENAI  
PENINSULA BOROUGH,  
HOMER RECORDING DISTRICT, ALASKA  
CONTAINING 159.207 ACRES

# ABILITY SURVEYS

GARY D. NELSON, P.L.S.  
(907)235-8440  
152 DEHEL AVE., HOMER, ALASKA



1. A 20' BUILDING SETBACK SHALL EXIST ALONG ALL DEDICATED RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT. GRANTED THIS PLAT, NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO MAINTAIN THE EASEMENT.
3. 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.
4. SUBJECT TO EASEMENT FOR WATER COURSE OVER THAT PORTION OF THE PREMISES ADJACENT TO THE HEREIN NAMED CREEK AND TO ANY CHANGES IN THE BOUNDARY LINES OF SAID CREEK, AS IT NOW EXISTS, BY NATURAL CAUSES: CREEK: EAST FORK FALLS CREEK, WEST FORK FALLS CREEK AND UNNAMED CREEKS.
5. SUBJECT TO ALLSACE EASEMENTS FOR INGRESS AND EGRESS AS RECORDED APRIL 1, 1998 IN BOOK 274 PAGE 517, AND BOOK 274 PAGE 519, HOMER RECORDING DISTRICT.
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 WETLAND DITCH PERMIT, IF APPLICABLE.
7. WETLAND AND WADING REPRESENTS POTENTIAL WETLANDS AS CLASSIFIED BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING.
8. DOT MATCH PATTERN REPRESENTS SLOPE STEEPER THAN 20% AS SHOWN ON KENAI GIS MAPPING.
9. FUTURE EXTENSION OF DONALDS LANE SHALL NOT BE PROHIBITED.



THE ORIGINAL SURVEYOR, GARY NELSON, SURVEYED AND PREPARED THIS SUBDIVISION PLAT. THE PLAT WAS UNABLE TO BE FINALIZED IN TIME TO OBTAIN HIS SIGNATURE. I, KATHERINE A. KIRSIS CHECKED THAT THE MONUMENTS EXIST IN THE FIELD AS DESCRIBED AND REVIEWED ALL OTHER DIMENSIONS AND DETAILS OF THIS DOCUMENT FOR ACCURACY AND COMPLETENESS.

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS  
AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE  
KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC  
PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT  
INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLIES AND OTHER PUBLIC  
AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: DONALDS  
LANE, AND SWIFT CREEK LANE.  
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES  
DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO  
CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

| CURVE TABLE  |        |          |             |        |
|--------------|--------|----------|-------------|--------|
| CURVE LENGTH | RADIUS | DELTA    | CHORD BRN2  | CHORD  |
| C1 122.80    | 330.00 | 21.19 17 | N8°55.54'E  | 122.98 |
| C2 170.00    | 330.00 | 30.93 25 | N6°16.16'E  | 166.77 |
| C3 78.92     | 240.00 | 19.95 25 | N41°12.4'E  | 78.53  |
| C4 46.10     | 170.00 | 15.32 10 | N48°16.30'E | 45.86  |
| C5 150.00    | 330.00 | 30.93 25 | N41°16.15'E | 149.78 |
| C6 58.53     | 170.00 | 19.95 25 | S44°12.4'E  | 58.05  |
| C7 273.04    | 330.00 | 47.24 26 | S68°05.16'W | 265.32 |
| C8 102.00    | 330.00 | 17.72 17 | N41°16.15'E | 101.88 |
| C9 67.84     | 330.00 | 14.42 16 | N8°40.55'E  | 67.72  |
| C10 273.08   | 330.00 | 47.24 27 | N58°05.16'E | 265.33 |
| C11 66.47    | 330.00 | 78.72 37 | S33°02.22'W | 63.25  |

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S86°24.48'E | 20.58    |
| L2         | N34°02.15'E | 152.89   |
| L3         | N41°16.15'E | 146.78   |
| L4         | S38°10.74'E | 146.78   |
| L5         | N47°16.15'E | 152.89   |
| L6         | S33°02.22'W | 150.00   |

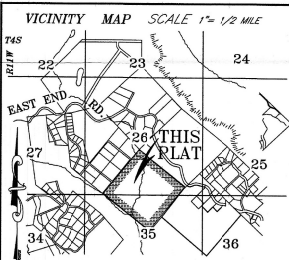
WASTEWATER DISPOSAL: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION..

PLAT # \_\_\_\_\_  
 Rec Dist \_\_\_\_\_  
 Date \_\_\_\_\_ 20 \_\_\_\_\_  
 Time \_\_\_\_\_ M

*This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of April 24, 2023.*

BY \_\_\_\_\_  
Authorized Official

KPB FILE No. 2023-028  
SHEET 1 OF 2



|          |            |
|----------|------------|
| DATE     | 05/22/2025 |
| SCALE    | 1"=150'    |
| DRAWING: | 5306_5343  |
| JOB No.  | 5306       |
| DRAWN:   | CHECKED:   |

A SUBDIVISION OF U.S. SURVEY 3610 WITHIN THE SW1/4  
AND SE1/4 OF SECTION 26 AND THE NE1/4 AND NW1/4  
OF PROTRACTED SECTION 35, T4S, R11W, S.W., KENAI  
PENINSULA BOROUGH,  
HOMER RECORDING DISTRICT, ALASKA  
CONTAINING 159.207 ACRES

**OWNERS:**

|                           |                            |
|---------------------------|----------------------------|
| DAL D. GRAHAM             | LINDA CHRISTINE GRAHAM     |
| 13760 DE GARMO AVE        | P.O. BOX 15031             |
| RANCHO CASCADES, CA 91342 | FRITZ CREEK, AK 99603      |
| CHARLES SCOTT GRAHAM      | DONNA D. GRAHAM            |
| 4806 SALMON CREEK DR      | 46103 E END RD             |
| BUHL, IL 83316            | HOMEK, AK 996C3            |
| GABRIEL MORGAN            | JOHN GRAHAM                |
| 511 E GAINSBOROUGH RD     | P.O. BOX 2034              |
| THOUSAND OAKS, CA 91360   | KENAI, AK 99611            |
|                           | ESTATE OF ROBERT D. GRAHAM |
|                           | 13760 DE GARMO AVE         |
|                           | RANCHO CASCADES, CA 91342  |

GARY D. NELSON, P.L.S.  
(907)235-8440  
152 DEHEL AVE., HOMER, ALASKA

AGENDA ITEM E. NEW BUSINESS

**ITEM - Public Access Easement Recommendation  
Resolution 2025-XX**

|                                |                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>KPB File No.</b>            | 2023-028                                                                                                                                                                                                                                                                                                                                                   |
| <b>Plat Committee Meeting:</b> | August 11, 2025                                                                                                                                                                                                                                                                                                                                            |
| <b>Applicant / Owner:</b>      | Dal Graham of Rancho Cascades, California; Charles Graham of Buhl, Idaho; Gabriel Graham of Thousand Oaks, California; Linda Graham of Fritz Creek, Alaska; Donna Graham of Homer, Alaska; John Graham of Kenai, Alaska; and the Estate of Robert Graham, Rancho Cascades, California<br>Chris Rainwater, Homer, AK, Michael & Mary Rainwater Family Trust |
| <b>Surveyor:</b>               | Katie Kirsis, Seabright Surveys + Design                                                                                                                                                                                                                                                                                                                   |
| <b>General Location:</b>       | Swift Creek Lane, East End Road, Fox River                                                                                                                                                                                                                                                                                                                 |

|                                                  |                                                                           |
|--------------------------------------------------|---------------------------------------------------------------------------|
| <b>Parent Parcel No.:<br/>Graham Property</b>    | 185-210-06                                                                |
| <b>Legal Description:</b>                        | T 4S R 11W SEC 26 & 35 SEWARD MERIDIAN HM 0003610 US SURVEY 3610          |
| <b>Parent Parcel No.:<br/>Rainwater Property</b> | 185-210-03                                                                |
| <b>Legal Description:</b>                        | T 4S R 11W SEC 25 & 26 SEWARD MERIDIAN HM 0003354 US SURVEY 3354<br>LOT 2 |

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**STAFF REPORT**

**Background to request:**

Graham Ranch KPB 2023-028 was granted preliminary approval at the April 10, 2023 Plat Committee meeting. The plat is located to the south of East End Rd. The plat is proposing two dedications, a half dedication of Swift Creek Lane to complete the road, which is accessed from East End Rd by established access easements. The other dedication on the plat is Donalds Lane. In the staff report, staff recommended “*documentation that the access from East End Road has been established or acquire an access easement.*”

**Specific Request / Scope of Request:**

Request to accept the public access easement across the Chris A. Rainwater and the Michael G. and Mary E. Rainwater Family Trust property to access the plat Graham Ranch in fulfillment of KPB 20.30.050. Legal Access.

**Staff Analysis**

KPB 17.10.040(A) states assembly approval of the acquisition of interests in lands, such as a public access easement, shall be by resolution upon receipt of a planning commission recommendation. The KPB Assembly will consider the resolution at its regularly-scheduled meeting on August 19, 2025.

Resolution shall be filed prior to finalization of the Graham Ranch Subdivision, so to be identified on the plat.

**RECOMMENDATION:**

**STAFF RECOMMENDS:**

- **RECOMMEND APPROVAL OF THE PUBLIC ACCESS EASEMENT TO PROVIDE ACCESS TO THE PROPOSED GRAHAM RANCH SUBDIVISION.**

**END OF STAFF REPORT**