

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Brent Hibbert, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Melanie Aeschliman, Planning Director: *MA*

DATE: April 13, 2021

RE: Vacate a 10' Utility Easement excluding the west 20 feet, adjoining the north boundary of Lot 17 Block 2, granted by Forest Subdivision Part 1 (Plat KN 82-76); within Section 10, Township 7 North, Range 12 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-034V.

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of April 12, 2021 the Kenai Peninsula Borough Planning Commission granted approval of the above vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70 by unanimous vote (9-Yes, 0-No, 2-Absent).

A draft copy of the unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

April 12, 2021 Planning Commission Draft Meeting Minutes
April 12, 2021 Agenda Item E4 Meeting Packet Materials

AGENDA ITEM E. UTILITY EASEMENT VACATIONS

4. Vacate a 10' Utility Easement excluding the west 20 feet, adjoining the north boundary of Lot 17 Block 2, granted by Forest Subdivision Part 1 (Plat KN 82-76); within Section 10, Township 7 North, Range 12 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-034V.

KPB File 2021-034V

Staff report given by Scott Huff.

Petitioners: Jacob J. Doth of Nikiski, AK.

Location: Forest Glen Street, Nikiski area

Purpose as stated in petition: *This statement is in reference to an unused utility easement on the north side of Lot 17, Block 2 Forest Subdivision Part 1 - Plat KN 82-76. KPB Parcel NO. 01241010. Physical Address 50090 Forest Glen Street, Nikiski, AK 99635.*

I am requesting the vacation of this easement as the sole owner of this property. Plans to build onto my existing garage encroach on this easement. To be safe and sure there is no violation, I would like this easement vacated. Approximately 3 feet of this easement will have to be disturbed in order to complete the build.

I have attached documents from all utility companies stating their non-objection to this petition. There are no utilities located within the easement, nor is there any future plans for use of this easement.

Notification: Notice of vacation mailings were sent by regular mail to 18 owners of property within 300 feet. The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

Comments Received:

HEA: HEA has no objection to vacation of 10 ft. utility easement on Lot 17 Block 2 Forest Sub. Part 1 – Plat #82-76 KRD.

ENSTAR Natural Gas: ENSTAR Natural Gas Company has no objection to the ten foot utility easement vacation along the north side of Lot 17, Block 2 forest Subdivision Part 1 according to Plat No. 82-76, Records of the Kenai Recording District, Third Judicial District, State of Alaska.

GCI: Subject to your agreement to indemnify the company as set forth below, GCI Communication Corp has no objection to the garage encroaching into the easement of Lot 17, Block 2 forest Subdivision Part 1, also known as 50090 Forest glen Street, GCI WO#21-0340-07.

ACS: Please be advised that Alaska Communications has no objection to the encroachment of a garage into the public utility easement along the northern property line of the above referenced parcel. (Lot 17, Block 2 Forest Subdivision Part 1, KPB Parcel #01241010).

KPB Roads: The Roads Service Area has no objection to the proposed utility vacation along the north side of your property at this time.

SUPPORTING INFORMATION:

The landowner is planning to construct an addition on the north side of his residence. The request to vacate the utility easement is to avoid any encroachment issues with the addition.

The vacation of the utility easement will break the continuous easement that connects Forest Glen St to

Birch Grove St. Utility lines are located within the right of ways and no utility uses the connection easement between Forst Glen St and Birch Grove St.

Findings:

10. The petition does not state that the utility easement proposed to be vacated is not in use by a utility company.
11. ACS, ENSTAR, GCI, and HEA provided written non-objection to the proposed vacation.
12. Forest Subdivision Part 1, Plat KN 82-76, granted a 10' wide utility easement adjoining the north boundary of Lot 17 Block 2, Forest Subdivision Part 1, Plat KN 82-76.
13. No surrounding properties will be denied utilities.
14. A 10 foot utility easement will remain within Lot 18 and adjoining the north side of Lot 17.
15. Plat KN 82-104 depicts a 10 foot utility easement within Lot 10 Block 2 that aligns with this proposed vacation.
16. Plat KN 82-104 does not depict a utility easement that would align with the remaining 10 foot utility easement in Lot 18.

Staff reviewed the vacation request and recommends granting approval with Findings 1-5 supporting the vacation request.

STAFF RECOMMENDATION: Based on the above means of evaluating public necessity established by KPB 20.70, the merits of the proposed vacations, and staff findings, staff recommends approval of the vacations as petitioned, subject to:

3. Consent by KPB Assembly.
4. Finalize the approval of the vacation by either
 - a. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).
 - OR
 - b. Recording of a resolution within 90 days of adoption of the resolution by the Planning Commission, with the following requirements
 - i. Provide an exhibit drawing, prepared by a licensed land surveyor, clearly indicating the portion of the utility easement being vacated to be recorded with KPB Planning Commission Resolution 2021-09, becoming Page 2 of 2.
 - 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.

KPB 20.70.110:

A vacation of a street right-of-way, public area, or public easement within the borough outside of the limits of cities may not be made without the consent of the borough assembly.

The assembly shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the borough shall be considered to have given consent to the vacation.

KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.**
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation 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.**

END OF STAFF REPORT

Vice Chair: Ruffner opened the item for public comment. Hearing no one wishing to comment, Vice Chair Ruffner closed public comment and opened discussion among the Commission.

MOTION: Commissioner Ecklund moved, seconded by Commissioner Gillham to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code.

MOTION PASSED: Hearing no further discussion or objection the motion passed by the following vote:

Yes	9	No	0	Absent	2
Yes	Brantley, Carluccio, Chesser, Ecklund, Fikes, Gillham, Morgan, Ruffner, Venuti				
Absent	Bentz, Martin				

AGENDA ITEM E UTILITY EASEMENT VACATIONS

5. Utility Easement Vacations

- **Vacate a 10' utility easement adjoining the south boundary of Lot 2-C Block 1, excluding the 20 feet adjoining Mountain Vista Court, granted by Mountain Glacier Estates Sub Part 4 Amended, Plat HM 83-20 and**
- **Vacate a 10' by 30' anchor easement within the Lot 2-C Block 1 excluding the 20 feet adjoining Mountain Vista Court, granted by Mountain Glacier Estates Sub Part 2, Plat HM 81-22;**

Located within Section 5, Township 5 South, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-026V.

Staff report given by Scott Huff.

Purpose as stated in petition: My husband and I are planning to begin construction on our property this upcoming 2021 Spring. Our property has three utility easements, two of which we would like to have vacated. As you will see in my highlighted attachment, "a 20' utility easement exists along each side of all dedicated rights of way, and a 10' on each side of existing power lines." There is also a 10' by 30' anchor easement clearly marked. We would like to vacate the 10' utility easement on the south boundary of our lot, as well as the 10' by 30' anchor easement. Our plan is to put our driveway where these two easements are currently sitting.

Petitioners: Mirimia Sanarov of Homer, Alaska

Notification:

Notice of vacation mailings were sent by regular mail to owners of property within 300 feet and interested parties. 14 mailings were sent. The notice was posted on the Borough web site and on the Borough bulletin board in Soldotna.

Comments Received:

Alaska Communications Systems: ACS has no objections to vacating the 10' PUE along the southern edge of Lot 2-V, Block one and the 10 x 30 anchor easement.

ENSTAR Natural Gas: ENSTAR Natural Gas Company has no objection to the ten foot utility easement vacation along the south side of Lot 2-C, or the ten foot by thirty foot (10 FT x 30 FT) anchor easement vacation within the same lot, all within Mountain Glacier Estates part Four, according to Plat No. 83-20, Records of the Homer Recording District, Third Judicial District, State of Alaska.

GCI: (land owner attempted multiple times to contact the utility provider and was unable to get a response.)

Homer Electric Association: HEA has no objection to the requested vacation. HEA requests to retain the 20' utility easement adjacent to the Mountain Glacier Court dedicated right of way (Per Plat HM 83-20, plat note 4) since there is an existing HEA transformer within the easement and also to accommodate future



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

PETITION TO VACATE UTILITY EASEMENT PUBLIC HEARING REQUIRED

RECEIVED
MAR 18 2021
KPB PLANNING DEPT.

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

SUBMITTAL REQUIREMENTS

A utility easement vacation application will be scheduled for the next available planning commission meeting after a complete application has been received.

- \$75 non-refundable fee to help defray costs of advertising public hearing.
- Utility easement requested to be vacated was granted by subdivision plat, files as Plat No. _____ in _____ Recording District. OR
- Utility easement requested to be vacated was granted by FOREST Subdivision, filed as Plat No. 82-76 in the KENAI Recording District.
- Utility easement requested to be vacated was granted by _____ (specify type of document) as recorded under _____ in _____ Recording District.
(Copy of recorded document must be submitted with petition.)
- Comments from HEA Electric Association attached.
- Comments from ENSTAR Gas Company attached.
- Comments from ACS Telephone Company attached.
- Comments from GCI Cable Company attached.
- Comments from KPB Roads Department attached.
- Comments from City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- 1 copy of the plat or map showing the utility easement to be vacated. Must not exceed 11 x 17 inches in size. Area to be vacated shall be marked clearly with cross hatching or other identifiable markings.
- If an existing improvement is encroaching into the easement, an As-Built drawing showing the encroachment must be attached.
- Yes No Is the right of way/utility easement in use by any utility company? If yes, which utility?

REASON FOR VACATING The petitioner must attach a statement with reasonable justification for the vacation of the section line easement.

LEGAL DESCRIPTION OF PARCEL CONTAINING THE UTILITY EASEMENT TO BE VACATED:

LOT 17, BLOCK 2 FOREST SUBDIVISION PART 1 K.R.D.	
Section, township, range KPB PARCEL # 01241010	
City (if applicable) NIKISKI	General area

The petition must be signed by owners of a majority of the land affected by the section line easement proposed to be vacated. Each petitioner must include address and legal description of his/her property. Attach additional signature sheets if needed.

Submitted by:

Petitioner

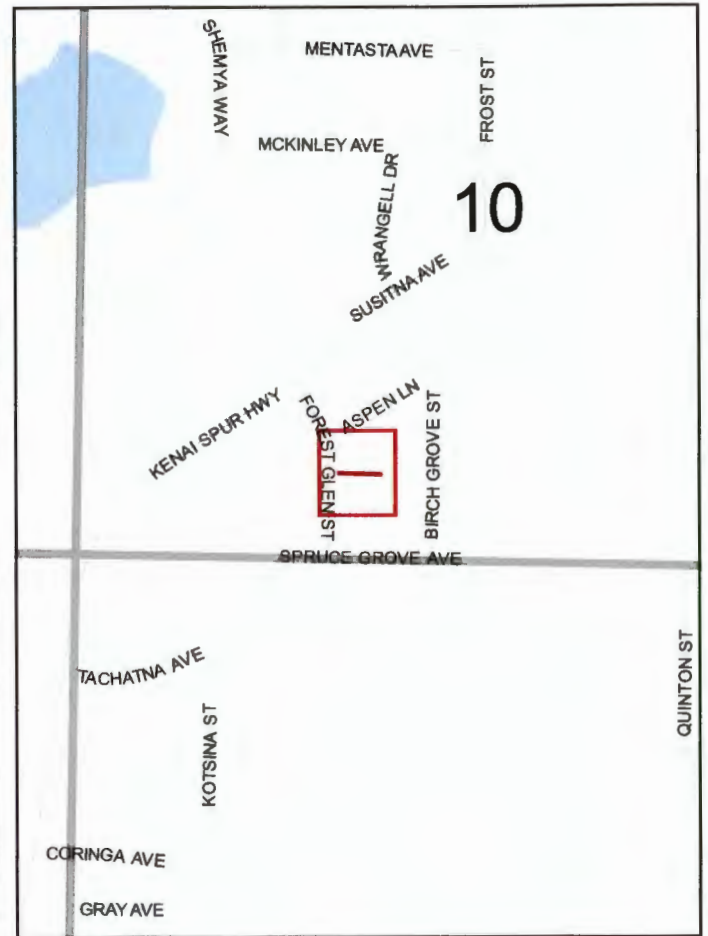
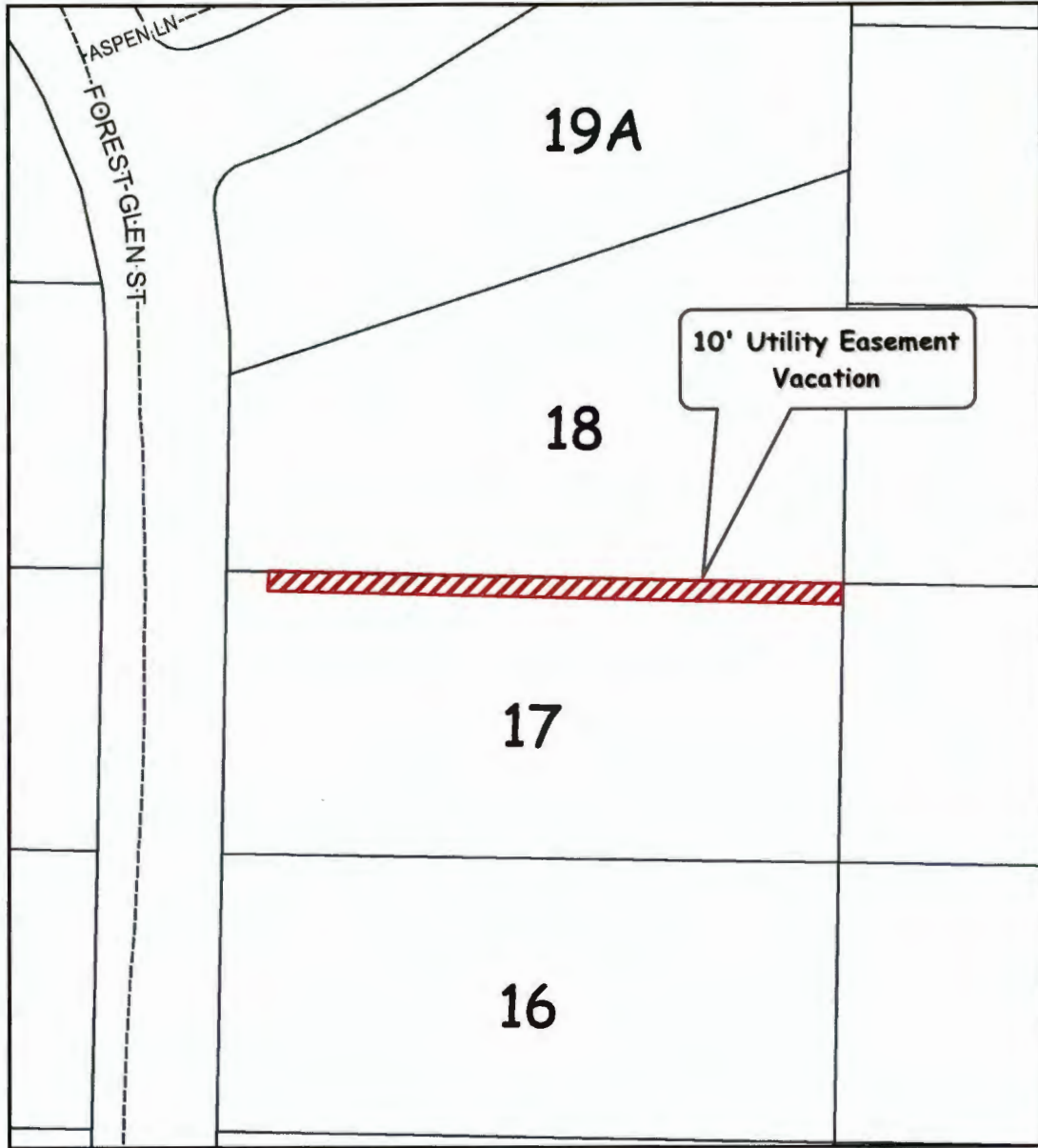
Representative

JACOB J. DOTH 3/3/21
[Signature]

E. NEW BUSINESS

4. Utility Easement Vacation

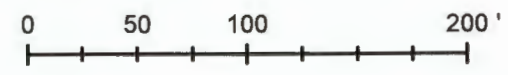
**KPB File: 2021-034V; Petitioner: Jacob J. Doth of Nikiski
Vacate a 10' utility easement, excluding the west 20',
adjoining the north boundary of Lot 17, Block 2, granted
by Forest Subdivision Part 1: Plat KN 82-76**



KPB 2021-034V
S10 T07N R12W
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.

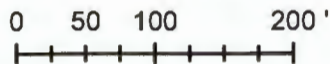



Date: 3/19/2021
 PClements, KPB 2021-034V



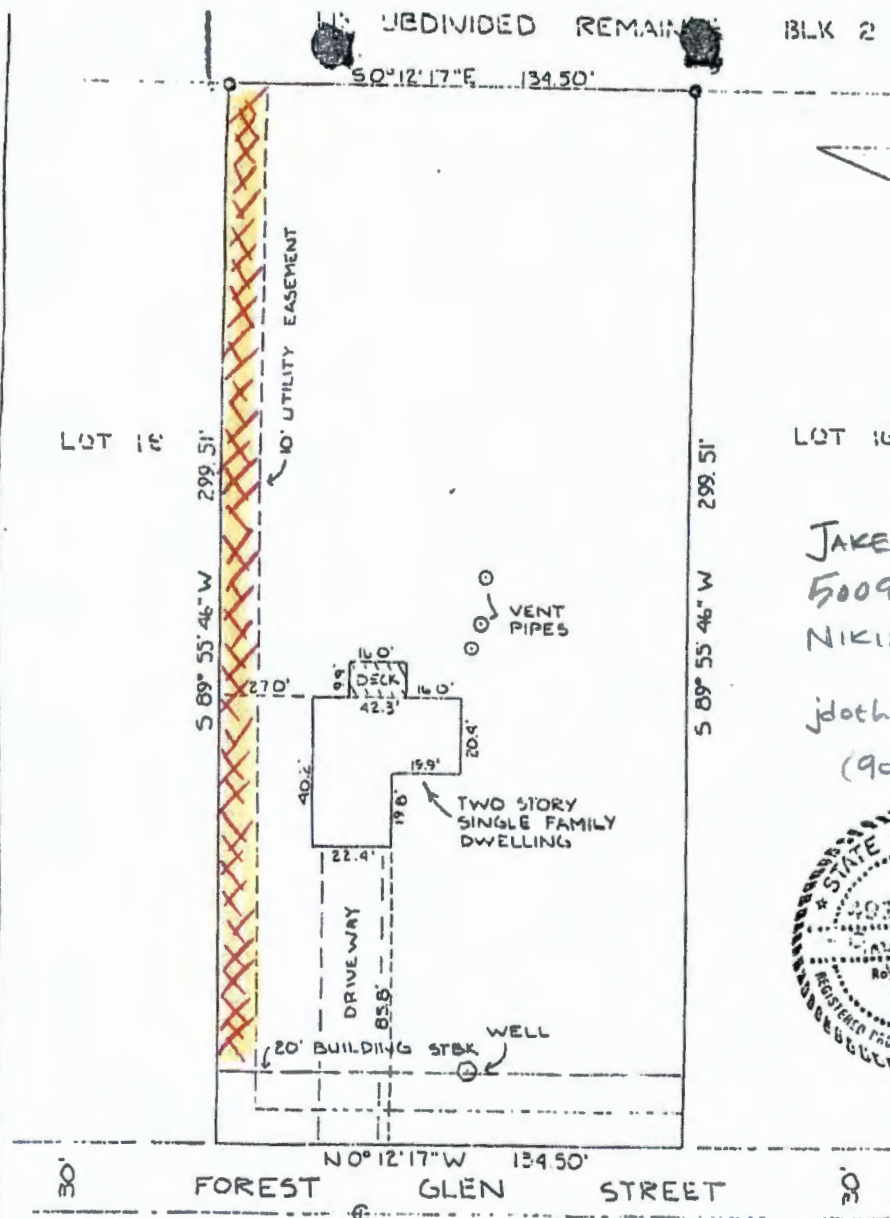
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Aerial View



 Utility Easement Vacation

PClements, KPB 2021-034V
 Date: 3/19/2021
 Imagery FixedWing 2012-2013



JAKE DOTH
 50090 FOREST GLEN ST
 NIKISKI, AK 99635
 jdoth@kpbsd.k12.ak.us
 (907) 690-2040



LOT SURVEY CERTIFICATION

LOT 17 BLOCK 2 TRACT _____

FOREST SUBDIVISION PART I

KENAI RECORDING DISTRICT

82.76

LEGEND

⊕ Brass Cap Mon. (Found) ● Rebar/Pipe (Found)

○ Rebar #5 x 30" (Set this survey)

Owner: _____

Date: SEPT. 1985 Drawn: WALLIS

Scale: 1"=40' W.O. # 2407 P.B. # _____

DOWLING - RICE & ASSOCIATES
 P.O. BOX 1974, SOLDOTNA, ALASKA
 ENGINEERS 262-9011 SURVEYORS

As-Built Certificate:

I hereby certify that I have surveyed the following described property:

LOT 17 BLK 2 FOREST SUBD. PART I

and that no encroachments exist except as indicated.

Exclusion Note:

It is the responsibility of the owner to determine the existence of any easements, covenants, or restrictions which do not appear on the recorded subdivision plat. Under no circumstances should any data hereon be used for construction or for establishing boundary or fence lines.

KPB 2021-034V

AGENDA ITEM E. UTILITY EASEMENT VACATIONS

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KPB File 2021-034V

STAFF REPORT

PC Meeting: April 12, 2021

Petitioners: Jacob J. Doth of Nikiski, AK.

Location: Forest Glen Street, Nikiski area

Purpose as stated in petition: *This statement is in reference to an unused utility easement on the north side of Lot 17, Block 2 Forest Subdivision Part 1 - Plat KN 82-76. KPB Parcel NO. 01241010. Physical Address 50090 Forest Glen Street, Nikiski, AK 99635.*

I am requesting the vacation of this easement as the sole owner of this property. Plans to build onto my existing garage encroach on this easement. To be safe and sure there is no violation, I would like this easement vacated. Approximately 3 feet of this easement will have to be disturbed in order to complete the build.

I have I have attached documents from all utility companies stating their non-objection to this petition. There are no utilities located within the easement, nor is there any future plans for use of this easement.

Notification: Notice of vacation mailings were sent by regular mail to 18 owners of property within 300 feet. The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

Comments Received:

HEA: HEA has no objection to vacation of 10 ft. utility easement on Lot 17 Block 2 Forest Sub. Part 1 – Plat #82-76 KRD.

ENSTAR Natural Gas: ENSTAR Natural Gas Company has no objection to the ten foot utility easement vacation along the north side of Lot 17, Block 2 forest Subdivision Part 1 according to Plat No. 82-76, Records of the Kenai Recording District, Third Judicial District, State of Alaska.

GCI: Subject to your agreement to indemnify the company as set forth below, GCI Communication Corp has no objection to the garage encroaching into the easement of Lot 17, Block 2 forest Subdivision Part 1, also known as 50090 Forest glen Street, GCI WO#21-0340-07.

ACS: Please be advised that Alaska Communications has no objection to the encroachment of a garage into the public utility easement along the northern property line of the above referenced parcel. (Lot 17, Block 2 Forest Subdivision Part 1, KPB Parcel #01241010).

KPB Roads: The Roads Service Area has no objection to the proposed utility vacation along the north side of your property at this time.

SUPPORTING INFORMATION:

The landowner is planning to construct an addition on the north side of his residence. The request to vacate the utility easement is to avoid any encroachment issues with the addition.

The vacation of the utility easement will break the continuous easement that connects Forest Glen St to Birch Grove St. Utility lines are located within the right of ways and no utility uses the connection easement between Forst Glen St and Birch Grove St.

Findings:

1. The petition does not state that the utility easement proposed to be vacated is not in use by a utility company.
2. ACS, ENSTAR, GCI, and HEA provided written non-objection to the proposed vacation.
3. Forest Subdivision Part 1, Plat KN 82-76, granted a 10' wide utility easement adjoining the north boundary of Lot 17 Block 2, Forest Subdivision Part 1, Plat KN 82-76.
4. No surrounding properties will be denied utilities.
5. A 10 foot utility easement will remain within Lot 18 and adjoining the north side of Lot 17.
6. Plat KN 82-104 depicts a 10 foot utility easement within Lot 10 Block 2 that aligns with this proposed vacation.
7. Plat KN 82-104 does not depict a utility easement that would align with the remaining 10 foot utility easement in Lot 18.

Staff reviewed the vacation request and recommends granting approval with Findings 1-5 supporting the vacation request.

STAFF RECOMMENDATION: Based on the above means of evaluating public necessity established by KPB 20.70, the merits of the proposed vacations, and staff findings, staff recommends approval of the vacations as petitioned, subject to:

1. Consent by KPB Assembly.
2. Finalize the approval of the vacation by either
 - a. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).
 - OR
 - b. Recording of a resolution within 90 days of adoption of the resolution by the Planning Commission, with the following requirements
 - i. Provide an exhibit drawing, prepared by a licensed land surveyor, clearly indicating the portion of the utility easement being vacated to be recorded with KPB Planning Commission Resolution 2021-09, becoming Page 2 of 2.
 - 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.

KPB 20.70.110:

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The assembly shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the borough shall be considered to have given consent to the vacation.

KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.**
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation 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.**

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2021-09
KENAI RECORDING DISTRICT**

Vacate a 10' Utility Easement excluding the west 20 feet, adjoining the north boundary of Lot 17 Block 2, granted by Forest Subdivision Part 1 (Plat KN 82-76); within Section 10, Township 7 North, Range 12 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-034V.

WHEREAS, a request has been received from Jacob J. Doth of Nikiski, AK to vacate a 10' utility easement excluding the west 20 feet, adjoining the north boundary of Lot 17 Block 2, granted by Forest Subdivision Part 1 (Plat KN 82-76); and

WHEREAS, affected utility companies have provided written non-objection to the proposed vacation; and

WHEREAS, the Kenai Peninsula Borough Roads Department provided written non-objection to the proposed vacation; and

WHEREAS, the easement is not in use by the utility companies; and

WHEREAS, no surrounding properties will be denied utilities; and

WHEREAS, on April 12, 2021, the Kenai Peninsula Borough Planning Commission reviewed the proposed vacation; and

WHEREAS, the Planning Commission has found that vacating the utility easement will not be detrimental to the public interest; and

WHEREAS, 20.70.140 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish vacations by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the 10' Utility Easement up to the 20' building setback adjacent to the north lot line within Lot 17 Block 2, granted by Forest Subdivision Part 1 is hereby vacated.

Section 2. That a sketch showing the location of the portion of the utility easement being vacated be attached to and made part of this resolution, becoming Page 2 of 2.

Section 3. That this resolution is eligible for recording upon being signed by the Planning Commission chairperson and will be deemed void if not recorded within 90 days of adoption.

Section 4. That this Resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fee.

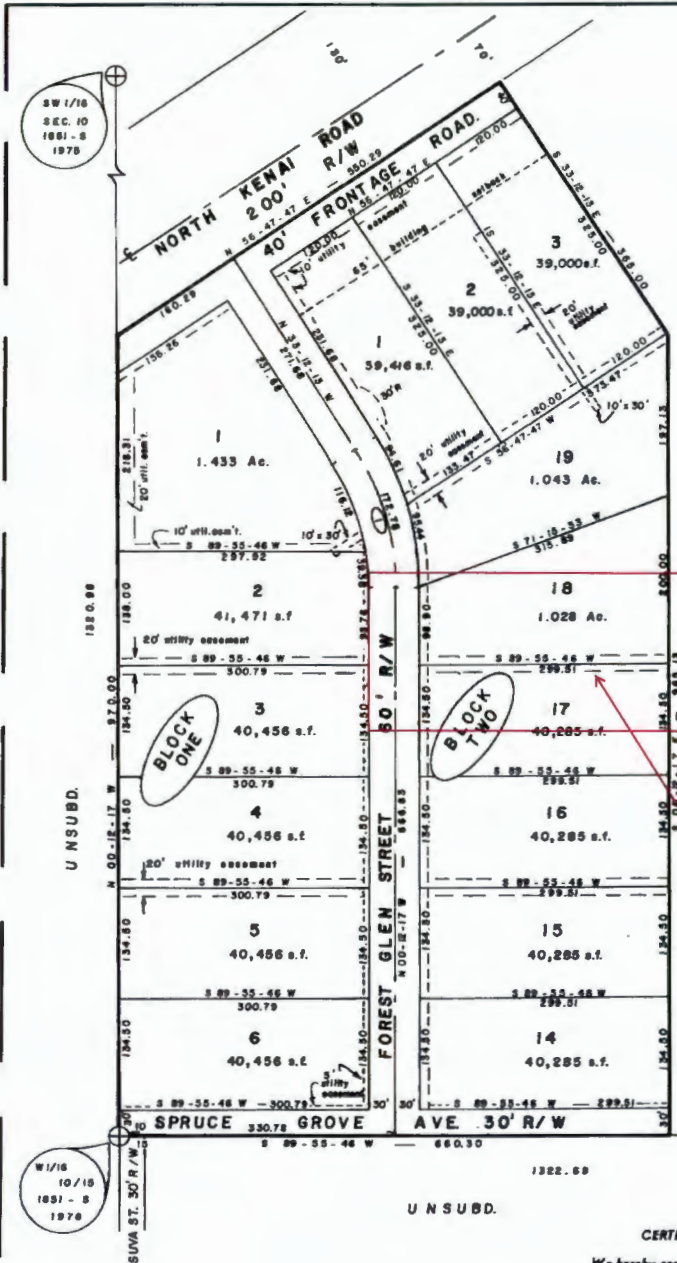
ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS ____ DAY OF _____, 2021.

Blair Martin, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg, Administrative Assistant

Return to:
Planning Department
Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, Alaska 99669



CURVE DATA				
CURVE	A	R	T	L
1	32°59'56"	300.00	88.86	172.78



LEGEND AND NOTES

- ⊕ Found BLM brass cap monument 1953.
 - ⊕ Found official brass cap monument.
 - ⊥ Set 1/2" x 24" steel rebar.
- All bearings refer to the N-S centerline of Section 10 as being S00-12-04E data of record.
- All wastewater treatment and disposal systems shall comply with existing law at time of construction.
- Building set back—A building set back of 20' is required from all street rights of ways unless a lesser standard is approved by resolution of the appropriate planning commission.
- Direct access to North Kenai Road is prohibited.

82-76
RECORDED - FILED 1000
Kenai
8-11
4:06
M. McLane

CERTIFICATE OF OWNERSHIP AND DEDICATION
We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and/or streets dedicated by us for public use.

Edwin R. Lowry
Edwin R. Lowry, owner
Rt. 2 Box 829 Soldotna, Ak. 99669

Julie K. Lowry
Julie K. Lowry, owner

NOTARY'S ACKNOWLEDGEMENT
For Edwin R. and Julie K. Lowry
Subscribed and sworn before me this 10th day of July, 1982.
My commission expires 11/23/1986
Michael P. McLane
Notary Public for Alaska

STATE OF ALASKA
NOTARY PUBLIC
MICHAEL P. McLANE
My Commission Expires 11/23/1986

PLAT APPROVAL
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of... 11/17/82... 1982.
Alan Thompson
Authorized Official

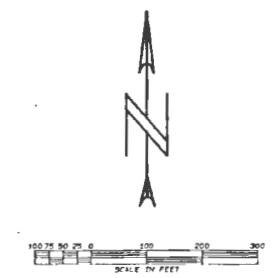
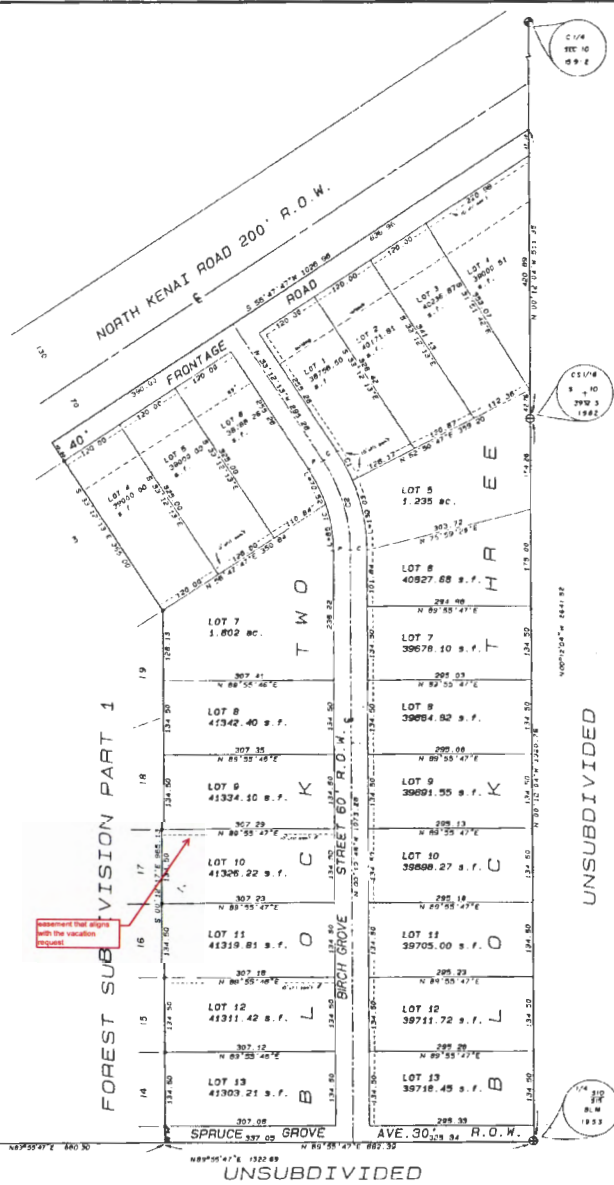
FOREST SUBDIVISION PART I
Edwin R. Lowry, owner
Route 2 Box 829
Soldotna, Ak. 99669

DESCRIPTION
16.972 Acres located in the E 1/2 SW 1/4 of Section 10, T7N, R12W, S.M., Ak. and the Kenai Peninsula Borough.

Surveyed by: McLane & Associates, Inc.
Soldotna, Ak. 99659

Date of Survey	Scale	Bk. No.
6/1 - 8/10/82	1" = 100'	82-39

MN 84-79



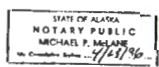
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BEG
1	10° 19' 51"	230.00	80.17	30.17	86.09	
2	29° 01' 25"	300.00	170.81	88.49	170.53	N 16° 41' 30" W

- NOTES**
- a) Basis of Bearing for survey is the N-T Extension of Section 10 East Being N0°12'04"W according to the official plat of record.
 - b) All wastewater treatment and disposal systems shall comply with existing law at the time of construction.
 - c) BUILDING SET BACK - A building set back of 20 FEET is required from all street rights of ways unless a lesser is approved by resolution of the appropriate Planning Commission.
 - d) Direct access to the North Kenai Road is prohibited.
 - e) The light 10 feet of a building set back is for use as underground utility easements.

PLAT APPROVAL
 This plat was approved by the KENAI PENINSULA PLANNING COMMISSION at the meeting of May 17, 1982
 KENAI PENINSULA BOROUGH
 By: Steve Thompson
 AUTHORIZATION # 116161

CERTIFICATE OF OWNERSHIP AND DEDICATION
 We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roads, and/or streets dedicated by us for public use.
Edwin R. and Julie K. Louny

NOTARY'S ACKNOWLEDGEMENT
 FOR Edwin R. and Julie K. Louny
 Subscribed and sworn before me this 28 day of September, 1982.
 My commission expires 11/23/86
 Notary Public for the State of Alaska



82-104
 Kenai 10"
 10-6 82
 3:09 P.
 M. Jones & Assoc.

FOREST SUBDIVISION PART TWO
 Edwin R. Louny, owner
 Route 2 Box 829
 Selkirk, AK. 99582

LOCATION
 25.979 AC ± HOME OR LESS SITUATED IN THE E 1/2 OF THE SW 1/4 OF SEC. 10, T24N, R25W, S.M., AK. AND IN THE KENAI PENINSULA BOROUGH

SURVEYED BY:
 MILLANE AND ASSOCIATES, INC.
 SELKIRK, AK. 99582

DATE: 9/28/1982 **DRAWN BY:** M. S. H. **FILE NO:** 82-104

82-104