

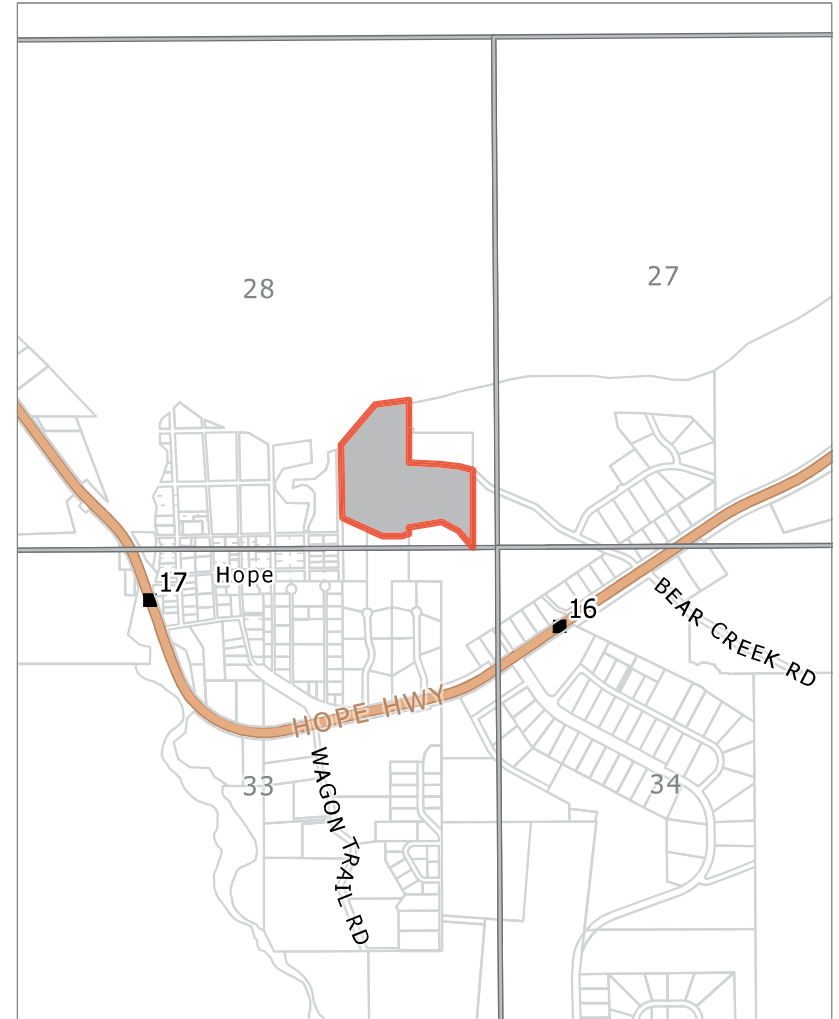
E. NEW BUSINESS

5. Graham-Miller Subdivision #3; KPB File 2023-067

Johnson Surveying / Linda L. Graham Trust

Location: Fifth Street

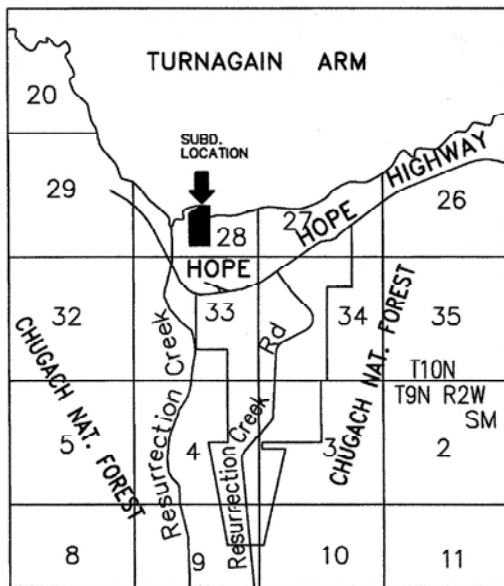
Hope Area / Hope-Sunrise APC



KPB File 2023-067
T 10N R 02W SEC 28
Hope



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.



VICINITY 1" = 1 mile MAP

Graham-Miller Subd. #3 Preliminary Plat

A subdivision Tract A1 Graham-Miller Subd. #2, SWD 2013-12.
Located in the SE1/4 Section 28, T10N R2W, SM, Hope, Alaska.
Seward Recording District Kenai Peninsula Borough



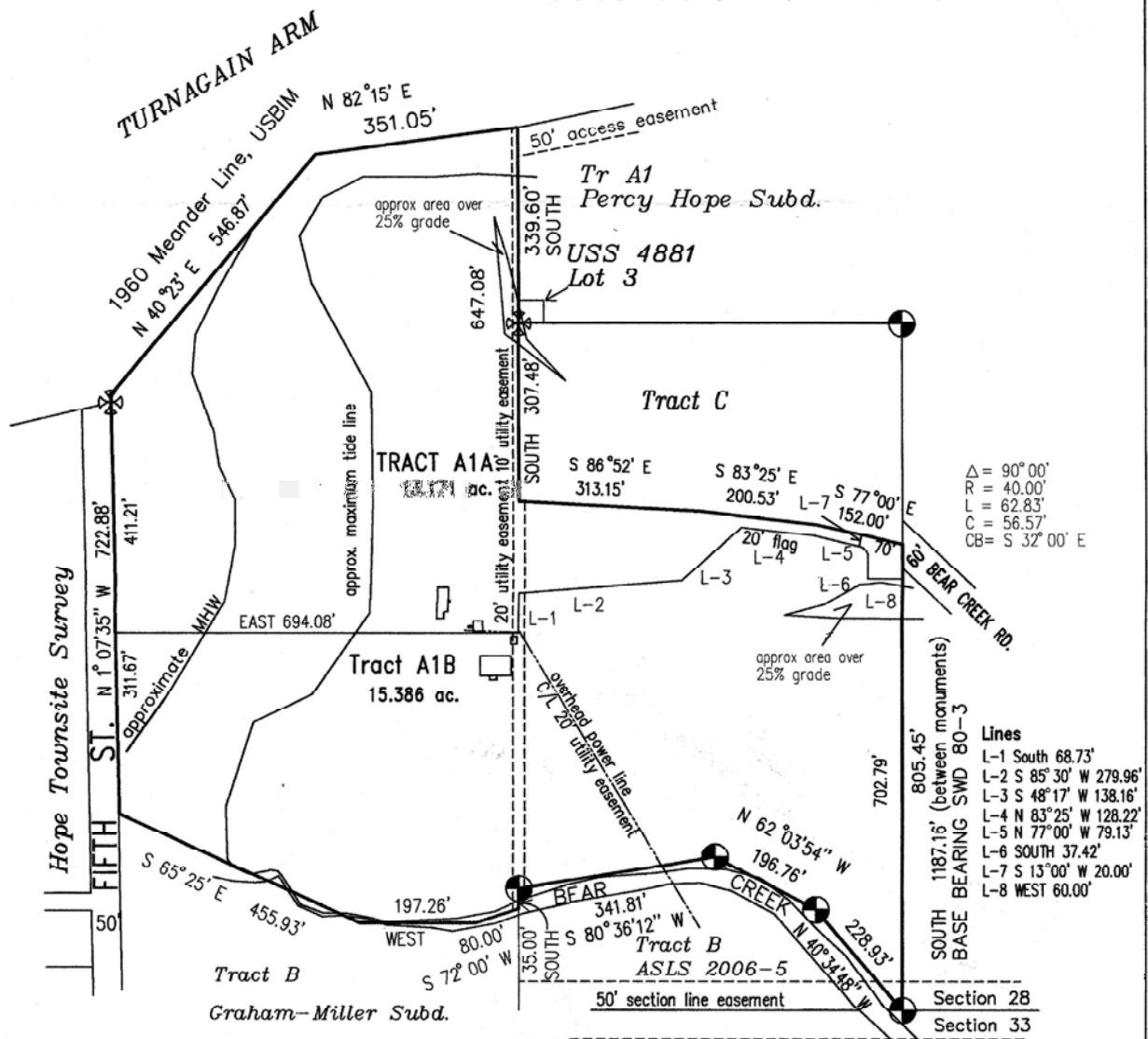
Prepared for
Linda L. Graham Trust
P.O. Box 11
Hope, AK 99605

Prepared by
Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568

SCALE 1" = 200' AREA = 28.737 acres 22 June, 2023

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. The front 10' adjoining ROWs is also a utility easement, extending to 20' within 5' of side lot lines.
2. 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.
3. 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.
4. State of Alaska DNR claims a 100' ROW along Bear Creek Road per RST 621.
5. Topography of property is fairly level, some steeper areas are shown.



KPB 2023-067

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - GRAHAM – MILLER SUBDIVISION #3

KPB File No.	2023-067
Plat Committee Meeting:	July 17, 2023
Applicant / Owner:	Linda L. Graham Trust of Hope AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Bear Creek Road, Hope, Alaska, Hope/Sunrise APC

Parent Parcel No.:	035-030-81
Legal Description:	Tract A1 of Graham – Miller Subdivision #2 SWD 2013-12
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 28.737-acre parcel into 2 tracts ranging in size from 13.171 to 15.386 acres and a dedication.

Location and Legal Access (existing and proposed): Legal access to the property is from Bear Creek Road a 60-foot unmaintained road. Per note 4 there is a 100-foot right-of-way along Bear Creek Road under former 43 USC 932 (R.S. 2477) identified by Alaska DNR as RST 621. Bear Creek Road gives access to both Tract A1A and A1B, there is a 50-foot access easement on the north coming in from the east to give access for Tract A1A also.

This plat will be dedicating a half of a hammerhead turnaround at the end of Bear Creek Road.

The two tracts look to be sharing a common drive in the panhandle portion of the Tract A1A. If either tract changes ownership, a joint access agreement should be drawn up.

There is a 50-foot section line easement on the south end of Tract A1B that crosses the southern tip of the tract.

A plat note from Graham – Miller Subdivision #2 states “That portion of Tract A-1 originating from ASLS 78-174 is subject to a 25’ pedestrian easement along the ordinary high-water line of Bear Creek and any other water frontage of any sort.” **Staff recommends:** *this note be transferred forward to this plat with the tract and references adjusted accordingly.*

Due to wetlands and large parcels in the surrounding area the block length is not compliant. **Staff recommends:** *The Plat Committee concur an exception is not required.*

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No comments
SOA DOT comments	

Site Investigation:

The plat is not located where staff is able to view the topography of the land, so no report was available on steep areas of the plat.

There are wetlands on the western side of the plat, with tidal being the majority of the subdivision in Tidal as classified by the Kenai Watershed Forum.

This area was determined to be in a Floodway and Flood Hazard are and the Floodplain – Planner provided the map panel in their comment to be included.

There are several structures located within both proposed lots and possibly in the utility easement. **Staff recommends: the buildings be removed from the final plat.**

This area is located along Turnagain Arm which is a Habitat Protection District. Per KPB Code 20.30.290 the Anadromous Waters Habitat Protection District note will be required.

KPB satellite imagery indicates this property may contain wet areas. **Staff recommendation: place a note on the final plat indicating 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 determination if applicable.**

KPB River Center review	<p>See attachments</p> <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: V, C, Floodway Map Panel: 020012-1125A In Floodway: True Floodway Panel: *same as FIRM Panel</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldrige</p> <p>C. State Parks</p> <p>Reviewer: VACANT Comments:</p>
State of Alaska Fish and Game	No objections

Staff Analysis

This land was originally parts or several government surveys that then had Tract A of Graham – Miller Subdivision SW2008-15 created where the house is located. ASLS 78-174 is located on the east side of Tract A Graham – Miller Subdivision SW 2008-15. Graham – Miller Subdivision #2 combined these two tracts together and created Tract A1 and Tract C. The current plat is proposing to divide Tract A1 from 28.737 acres into Tract A1A of 13.171 acres and Tract A1B of 15.386 acres and a dedication on the east.

A soils report will not be required as both lots ae over 200,000 square foot.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Hope-Sunrise Advisory Planning Commission minutes for the July 12, 2023 meeting were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements

There are utility easements shown on the plat Graham – Miller Subdivision #2 2013 – 012 that were transferred forward to the proposed plat along with notes.

Resolution 2015-03 appears to have vacated part of the 20-foot utility easement starting from the south end as shown. **Staff recommends:** *showing that portion of the easement being vacated and referencing the resolution as the source.*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	Outside HEA service area. No comments at this time.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 65026 BEAR CREEK RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: BEAR CREEK RD, FIFTH ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 65026 BEAR CREEK RD WILL BE DELETED AND NEW ADDRESSES ASSIGNED AT OWNER REQUEST.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:</p>

	There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comments
Hope-Sunrise Advisory Planning Commission	

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

- Add a legend
- Add the KPB number of 2023-067
- Correct any overstrikes on the face of the plat.

KPB 20.25.070 – Form and contents required

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.
- Staff recommendation:** Modify legal as follows – A subdivision of Tract A1
Add the KPB No. 2023-067
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Staff recommendation: C Street located to the west should be depicted and the width shown.
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Staff recommendation: Correct the shape of the subdivision on the vicinity map. Correct the location on the map to the SE1/4. Add Bear Creek Road to the vicinity map. Correct any overstrikes.
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation: Label the dedication on the drawing. Add a detail of the dedication for better clarification
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation: Correct the labels to the southwest, move the labeling on the northeast. The Hope Townsite Survey to the west should have lots labeled that are within 100 feet of the subdivision.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;
Staff recommendation: *Change the line type for the MHW and minimum tide line to not be the same as a lot line.*
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Staff recommendation: *Change the line type for areas of steep grade to not be the same as a lot line.*

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: *final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s). Exception requested was for panhandle longer than 150 feet.*

20.30.280. Floodplain requirements.

D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.020, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

E. All subdivisions or replats that include any portion of the mapped floodway shall contain the following note:

FLOODWAY NOTICE:

Portions of this subdivision are within the floodway. Pursuant to KPB Chapter 21.06, all development (including fill) in the floodway is prohibited unless certification by an engineer or architect is provided demonstrating that encroachments shall not result in any increases in flood levels during the occurrence of the base flood discharge.

20.30.290. Anadromous Waters Habitat Protection District. If any portion of a subdivision or replat is located within an anadromous waters habitat protection district, the plat shall contain the following note:

ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments: A soils report will not be required as both lots are over 200,000 square foot.

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

Staff recommendation: *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

EXCEPTIONS REQUESTED:

A. KPB 20.30.190(B) – Lots – Dimensions for width and length of access portion of flag

Surveyor's Discussion: Owner does not want to extend ROW dedication any farther than necessary and feels 20 feet is adequate for the width of the flag.

Findings:

1. Both proposed tracts are large and could be subdivided further.
2. The panhandle portion is atop of the shared driveway.
3. The length of the flag portion is proposed to be 207 feet.
4. Both tracts will have access to Bear Creek Road.
5. The drive may drop onto Tract A1B as it moves west through the flag portion of Tract A1A.
6. Bear Creek Road is not Borough maintained.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 2, 3 & 4 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is

the most practical manner of complying with the intent of this title;
Findings 2, 3, 4 & 6 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings 2, 3, 4 & 6 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

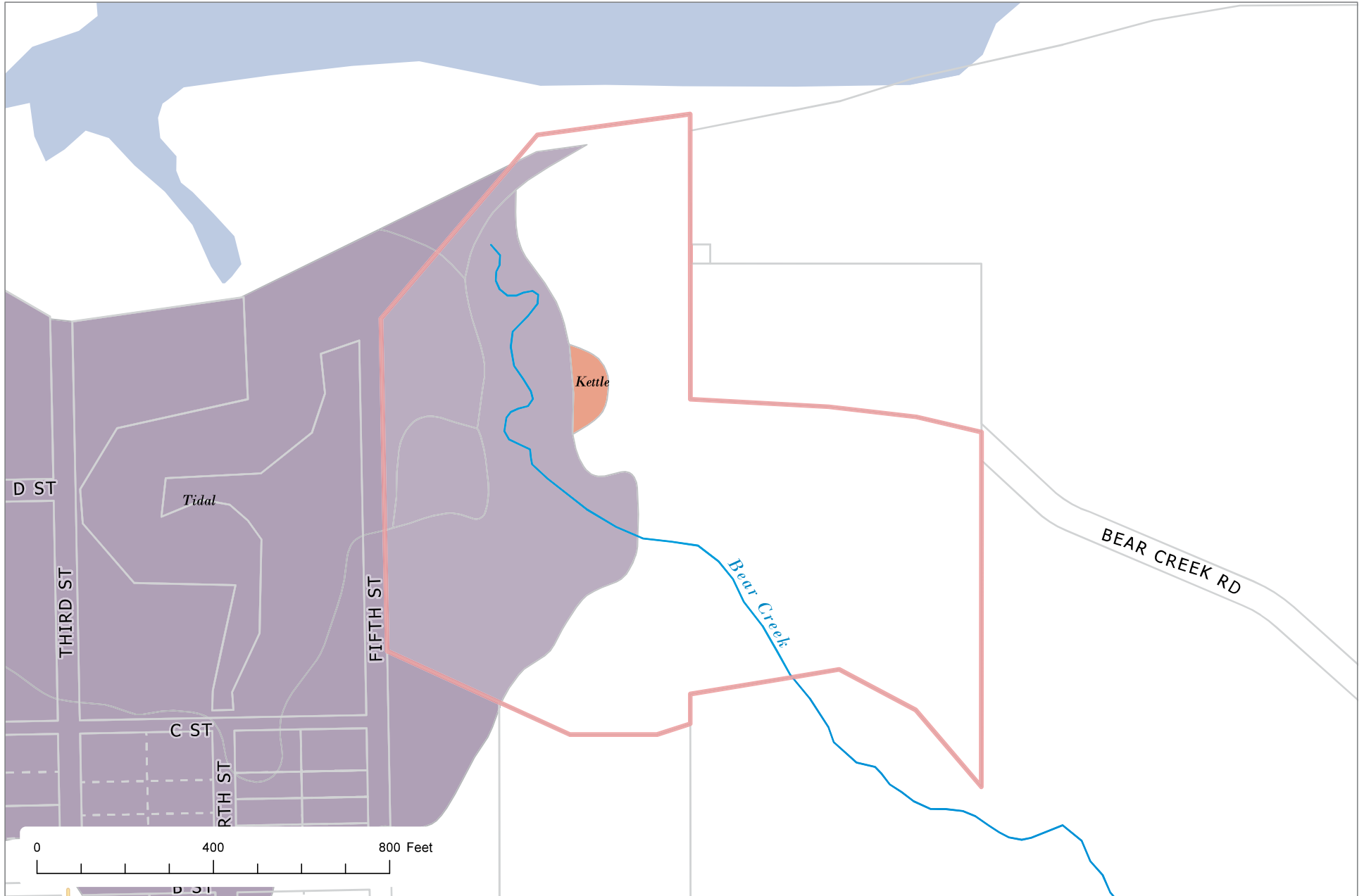
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



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.

Sec. 28, T.10N, R.2W, S.M., ALASKA (PROTRACTED)

Dedication of Easements and Public Utilities

I hereby dedicate for public or private use, as noted, all easements and public utility areas as shown and described hereon.

Date _____

Director, Alaska Division of Lands

Special Note

It is neither expressed nor implied that the State of Alaska will be responsible for the accuracy of the geodetic location, technical survey corrections, or accuracy of the original Basis of Bearing.

Notes

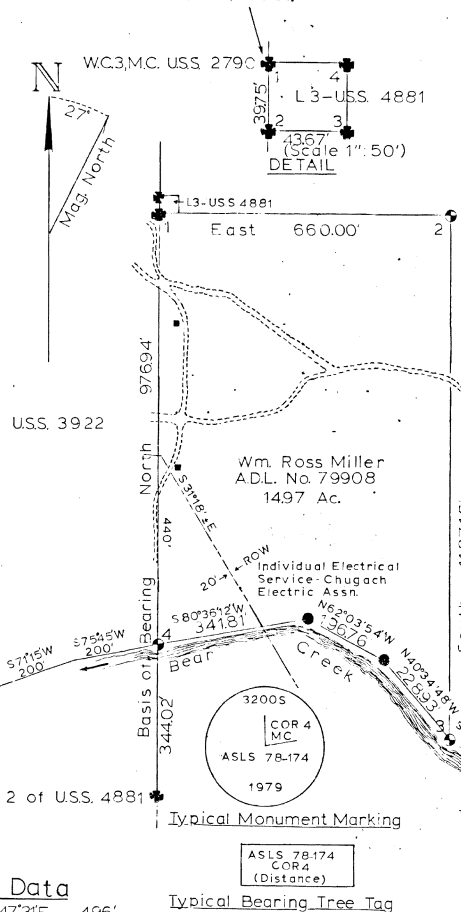
1. The natural meanders of the line of ordinary high water form the true bounds of the tract. The approximate line of ordinary high water as shown, is for survey computations and data only, with the true tract corners being on the extension of the tract side lines and their intersection with the natural meanders.
2. The drainage pattern within this survey involves only normal water runoff.
3. Basis of Coordinates, Geodetic Position for Cor 1, and protracted section not shown as requirements waived by ADL for this survey.
4. This survey was accomplished in accordance with Gen. S.I. No. 78-24.
5. All bearings and distances shown are true mean bearings and true distances.
6. The UTM and Metric Data is being shown hereon for information purposes only.
7. The tract is subject to a 25 foot pedestrian easement along the ordinary high water line of Bear Creek and any other water frontage of any sort.

Bearing Tree Data

NW. Cor.	10" Spruce	S47°31'E	496'
	5" Birch	N85°13'E	2365'
	9" Spruce	N9°30'E	22.05'
NE. Cor.	4" Birch	N154°6'E	1075'
	6" Birch	S55°44'E	2022'
	6" Birch	S63°12'W	5340'
SE. Cor.	11" Birch	N6°30'E	2373'
	10" Cottonwood	S37°30'E	1896'
	15" Cottonwood	N132°8'W	1470'
SW. Cor.	18" Cottonwood	N56°33'W	58'
	12" Cottonwood	S65°39'W	63'
	20" Cottonwood	N78°33'W	5632'

Origin of Survey

"Initial Point" Hope Elimination
from the Chugach National For-
est. See United States Surveys
No. 2790, 3922, 4881.

Property Description

That parcel of land situated within the SE 1/4 of protracted Section 28, T10N, R2W, SM, and being a portion of US Survey No.4881, Lot1, in the Kernal Recording District, Alaska, described by metes and bounds as follows: Point of Beginning, from the BLM 3" brass cap found marked C-2-L-3-L-1, S.4881, S2790, identical to Cor.1, ASLS 78-174, thence East 55000 feet to Cor.2 of ASLS 78-174, set 21/2" BCM, thence South 118716 feet to Cor.3, M.C., ASLS 78-174, set 21/2" BCM, thence N40°34'48" W 22893 feet to M.C., set 21/2" BCM, thence N62°03'54" W 19676 feet to M.C., set 21/2" BCM, thence S90°35'12" W 34181 feet to Cor.4, M.C., ASLS 78-174, which is common with the West boundary of USS. 4881, set 21/2" BCM, thence North 97694 feet to Cor.1 of ASLS 78-174 and the Point of Beginning, containing 14.97 Acres or 6.06 Hectares, more or less.

SELECTION INFORMATION

National Forest Community Grant - 3
Tentative Approval dated 7/27/66
Patent No. 50-73-0009 dated 7/27/72

Ownership Certificate

I, the undersigned, hereby certify that I am the Director, Alaska Division of Lands and that the State of Alaska is the owner of ASLS 7A-174 as shown hereon. I hereby approved this survey and plat for the State of Alaska.

Date 2/20/80 Cliff M. P.
Director, Alaska Division of Lands

Notary's Acknowledgement

Subscribed and sworn to before me this 20 day of Feb., 1979.

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 represents a survey made by me or under my direct supervision, and that monuments shown thereon actually exist as described, and that dimensions and other details are correct.

Date 11 November 1977
Registration No. 3350 Signature Edward K. McMillen

Kenai Peninsula Borough

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of September 24, 1977 is hereby acknowledged and accepted as the official plat subject to any and all conditions and requirements of ordinances and law pertaining thereto.

Kendall Peninsula Borough by Charles W. Waring

Certificate of Grantee

I, the undersigned hereby certify that I am the grantee shown hereon and that I hereby approve this survey and plat.

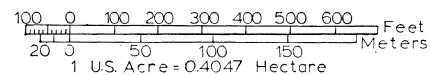
Date June, 1979. Grantee

Notary's Acknowledgement

Subscribed and sworn to before me this 22 day of August, 1979
My Commission expires Aug 22, 1982 Sharon M. C. [Signature]

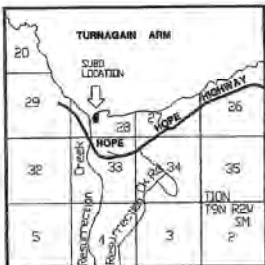
LEGEND.

- ✖ Existing BLM or GLQ Monuments of record.
 ● Primary Monuments set this survey.
 ● Secondary Monuments set this survey.
 --- Powerline (Individual service line).
 Dirt road.
 ■ Frame Sheds 100 0 100 200 300 400 500



DATE OF SURVEY Beginning <u>6 Jan, 1977</u> Ending <u>20 Jan, 1977</u>		NAME OF SURVEYOR <u>E.K. McMillan</u>	
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LANDS ANCHORAGE, ALASKA			
ALASKA STATE LAND SURVEY NO 78-174 Being a portion of US Survey No 4881, Lot 1, within (protracted) Sec.28, T10N, R2W, SM.			
DRWN. BY <u>C. Graham</u>	APPROVAL RECOMMENDED: <u><i>Ed. Beert</i></u> Chief Control		
DATE APPROVED: <u>2/20/80</u>	APPROVED: <u><i>E. K. McMillan</i></u> Director, Division of Lands		
SCALE: 1" = 200'	CHECKED <u><i>RM</i></u>	FILE NO <u>78-174</u>	

ALASKA STATE LAND SURVEY NO. 7.8-174



VICINITY 1" = 133 miles MAP

2008-15

RECORDED-FILED
SEWARD REC DIST
DATE August 15, 2008
TIME 12:19 P.M.
Requested by
Johnson Surveying
Box 27
Den Gulch, AK 99568

GRAHAM-MILLER SUBDIVISION

A subdivision of USS 3922.
Located in the SW 1/4 Section 28, T10N R2V, S1M, Hope, Alaska.
Seward Recording District Kenai Peninsula Borough File 2008-046

Prepared for
Chuck & Linda Graham
P.O. Box 11
Hope, AK 99505

Prepared by
Johnson Surveying
Box 27
Den Gulch, AK 99568



SCALE 1" = 200' AREA = 26.918 acres
18 January, 2008

LEGEND

- ✱ - 1947 USGLD 2 1/2" brass cap monument, Found
- ✱ - 1966 USBLM 3 1/2" brass cap monument, Found
- ⊕ - 1978 2 1/2" brass cap monument, 3200-S, ASLS 78-174, Found
- 1/2"x 4" rebar with 1" plastic cap set.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 25 February, 2008.

KENAI PENINSULA BOROUGH

BY: Mary Lee 8/8/2008
Authorized Official Date

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission.
2. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
3. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
4. Exception to KPB 2020.110, Street Width, for Fifth Street was granted by the KPB Planning Commission at the meeting of 25 February, 2008.
5. Lots within this subdivision may be located within a designated Flood hazards area; if such is the case development must comply with Title 21 Chapter 06 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
6. The seaward boundary of the riparian tract is the MHW that existed just prior to the March, 1964 earthquake; unless the MHW has extended seaward of that point, in which case the current MHW would form the boundary. The location of the MHW just prior to the March, 1964 earthquake was not determined during this survey.

OWNERSHIP CERTIFICATE

I hereby certify that I am the owner of the real property shown and described hereon; and that I hereby adopt this plan of subdivision, and by my free consent grant all easements to the use shown.

Linda Lu Graham
Linda Lu Graham
P.O. Box 11 Hope, AK 99505

NOTARY'S ACKNOWLEDGEMENT

For: Linda Lu Graham
Subscribed and sworn to before me this 29 day of July, 2008.

[Signature]
Notary Public for Alaska
My commission expires: 4/19/2011

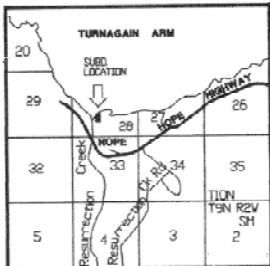


2008-15

SEWARD REC DIST
Date August 15, 2008
Time 12:19 P.M.
Requested by Johnson
Address

WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.



GRAHAM-MILLER SUBDIVISION #2

A replat of Tract A Graham-Miller Subd. SWD 2008-15, and ASLS 78-174, SWD 80-3. Located in the SW1/4 Section 28, T10N R2W, SM, Hope, Alaska. Seward Recording District Kenai Peninsula Borough File 2011-011

Prepared for
Frank Miller
P.O. Box 39083
Ninilchik, AK 99639

Prepared by
Johnson Surveying
Box 27
Clam Gulch, AK 99568

Linda Lu Graham
P.O. Box 11
Hope, AK 99605



SCALE 1" = 200' AREA = 33.783 acres
20 November, 2012

LEGEND

- ⊗ - 1947 USGLD 2 1/2" brass cap monument, Found
- ⊗ - 1966 USBLM 3 1/2" brass cap monument, Found
- ⊕ - 1978 2 1/2" brass cap monument, 3200-S, ASLS 78-174, Found
- ⊔ - 1/2" x 4" rebar with 1" plastic cap, set

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 25 April, 2011.

KENAI PENINSULA BOROUGH

By: Mary A. Best Oct 22, 2013
Authorized Official Date

NOTES

1. A building setback of 20' from all street RDW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines. Fifth Street only. There is no utility easement reserved within the building setback on Bear Creek Road.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. Exception to KPB 2020110, Street Width, for Fifth Street, was granted by the KPB Planning Commission at the meeting of 25 February, 2008.
4. Lots within this subdivision may be located within a designated flood hazards area; see FIRM Panel #020012-1125A. If such is the case development must comply with Title 21 Chapter 016 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
5. The seaward boundary of the riparian tract is the MHW that existed just prior to the March, 1964 earthquake, unless the MHW has extended seaward of that point, in which case the current MHW would form the boundary. The location of the MHW just prior to the March, 1964 earthquake was not determined during this survey.
6. The following notes are limited in application only to Tract C & those portions of Tract A1 that is now or was previously known as Alaska State Land Survey No. 78-174 as shown on Plat 80-3 Seward Recording District: The natural meanders of the line of ordinary high water form the true bounds of the tract. The approximate line of ordinary high water as shown is for survey computations and data only, with the true tract corners, being on the extension of the tract side lines and their intersection with the natural meanders. That portion of Tract A-1 originating from ASLS 78-174 is subject to a 25' pedestrian easement along the ordinary high water line of Bear Creek, and any other water frontage of any sort.

OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the real property shown and described hereon; and that we hereby adopt this plan of replat, and by our free consent grant all easements to the use shown.

Linda Lu Graham
Linda Lu Graham
P.O. Box 11 Hope, AK 99605

Frank Llewellyn Miller
Frank Llewellyn Miller
P.O. Box 39083 Ninilchik, AK 99639

NOTARY'S ACKNOWLEDGEMENT

For: Linda Lu Graham
Subscribed and sworn to before me this 17
day of September, 2013

Krista Costello
Notary Public for Alaska
My commission expires 04-11-17



NOTARY'S ACKNOWLEDGEMENT

For: Frank Llewellyn Miller
Subscribed and sworn to before me this 17
day of September, 2013

Krista Costello
Notary Public for Alaska
My commission expires 04-11-17



WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or noninal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.