

Kenai Peninsula Borough
Planning Department

MEMORANDUM

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

FROM: Melanie Aeschliman, Planning Director 

DATE: January 13, 2021

RE: Vacate 30 foot wide Oliver Street right of way, including the associated utility easement, north of Half Moon Avenue as dedicated on Arrowhead Estates Phase 1 Plat KN 2000-7. The right-of-way being vacated is unconstructed and located within the NW1/4 NW1/4 of Section 19, Township 5 North, Range 9 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-147V.

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 January 11, 2021 the Kenai Peninsula Borough Planning Commission granted approval of the above proposed vacation by majority vote (6 Yes, 4 No) based on the means of evaluating public necessity established by KPB 20.70. This petition is being sent to you for your consideration and action.

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

January 11, 2021 Planning Commission Draft Meeting Minutes
January 11, 2021 Agenda Item E1 Meeting Packet Materials

- *6. Commissioner Excused Absences
 - a. Virginia Morgan, East Peninsula

***Approved with adoption of consent agenda.**

- *7. Minutes
 - a. December 14, 2020 Planning Commission Meeting

***Approved with adoption of consent agenda.**

Chair Martin asked if anyone present want to speak or had concerns about any of the items on the consent agenda. Seeing and hearing no one, Chair Martin returned the discussion to the Commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Fikes to approve the consent agenda and the regular agenda.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	10	No	0	Absent	1
Yes	Bentz, Brantley, Carluccio, Chesser, Ecklund, Fikes, Gillham, Martin, Ruffner, Venuti				
No	None				
Absent	Morgan				

AGENDA ITEM E. NEW BUSINESS

AGENDA ITEM E.

1. Vacate 30 foot wide Oliver Street right of way, including the associated utility easement, north of Half Moon Avenue as dedicated on Arrowhead Estates Phase 1 Plat KN 2000-7. The right-of-way being vacated is unconstructed and located within the NW1/4 NW1/4 of Section 19, Township 5 North, Range 9 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-147V.

Staff report given by Scott Huff.

Purpose as stated in petition: The Oliver Street right of way has been previously cleared allowing access by other individuals. We would like to have this right of way abandoned as there is a history of unwanted traffic and others using it for undesirable purposes presenting a danger to our young children. The Borough owns 150 acres to the east of our property with multiple other access points off of Deville, Sterling Highway and Jim Dahler. This right of way does not have an outlet as our neighbor to the north does not have an Oliver Street right of way. This results in others littering, causing damage to vegetation and trees while turning around or getting stuck, and dumping of carcasses causing an increase in predator activity. We feel this short 630 foot section of right of way is unneeded and the abandonment would not adversely affect anyone in our area subdivisions or the borough. Thank you for your consideration.

Petitioners: Nathan D. and Julie A. Moore of Soldotna, AK.

Notification: Public notice appeared in the December 31, 2020 issue of the Peninsula Clarion as a separate ad. The public hearing notice was published in the January 7, 2021 issue of the Peninsula Clarion as part of the Commission's tentative agenda.

Four certified mailings were sent to owners of property within 300 feet of the proposed vacation. None of the receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to two owners within 600 feet of the proposed vacation.

Seventeen public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game

State of Alaska DNR

Kenai Peninsula Borough

State of Alaska DOT
State of Alaska DNR Forestry
Emergency Services of CES
Kenai Peninsula Borough Land Management
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc., (GCI)
Homer Electric Association (HEA)

Public hearing notices were made available to five KPB staff/Departments (Addressing, Code Compliance, Planner, Roads Dept., River Center) via a shared database.

Notices were mailed to the Sterling Post Office and Soldotna Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

ACS: Not available at the time the staff report was prepared.

ENSTAR: No comments, recommendations, or objections.

Homer Electric Association: Not available at the time the staff report was prepared.

KPB Addressing: Not available at the time the staff report was prepared.

KPB Planning: There are no material site or local option zone issues that affect this right of way vacation.

KPB River Center: Not within a flood hazard area.

KPB Roads Department: Within KPB jurisdiction. RSA objects to the ROW vacation. Removing this ROW could present a problem with future development of the surrounding lots that have not been subdivided.

State Parks: No comments.

Staff Discussion: Arrowhead Estates Phase 1, Plat KN 2000-7, dedicated a 30 foot wide right of way, named Ridge Street that was approximately 630 feet long. This dedication extends north from the Half Moon Avenue dedication. At that time the property to the north and east were unsubdivided. Resolution SN 2006-12 changed Ridge Street to Oliver Street. Oliver Street was depicted on plat KN 2010-47. The purpose of that plat was to combine two lots into one.

Oliver Street is an approximate 3,680 foot long right of way that is near milepost 89.5 of the Sterling Highway. The only portion of Oliver Street that appears to be constructed is directly off the Sterling Highway and is used as a driveway to a lot owned by the Kenai Peninsula Borough with an accessory building on the premises. The remaining length of the right of way appears to be partially cleared and not improved as a vehicular roadway. It appears that a trail may exist within Oliver Street.

The area proposed to be vacated is the northern 630 feet of the Oliver Street right of way. This area is located at the end of Half Moon Avenue. Half Moon Avenue is a 60 foot right of way located off of Jim Dahler Road. Half Moon Avenue is approximately 1,270 feet long. It is constructed and maintained by the Kenai Peninsula Borough. The maintenance of Half Moon Avenue ends shortly after the driveway to Lot 11A of Arrowhead Estates Moore Replat, which the proposed vacation abuts. It appears that the remainder of the right of way is cleared but is not constructed to borough standards.

To the north of the vacation, Barkman Subdivision 2014 Addition, Plat KN 2014-63, was finalized without extending the dedication of Oliver Street. The parent plat to Barkman Sub 2014 received an exception for extending Oliver Street which was carried over. Reasons given were that due to low wet areas and slopes

greater than 20 percent extending Oliver Street was impractical. There is a drainage way north of the proposed vacation as well as dedications for Arrowhead Avenue and Appaloosa Lane that may need to be extended in the future from the 15 acre parcel.

To the east is a 154 acre parcel owned by the Kenai Peninsula Borough. That parcel currently has access from Appaloosa Lane, Deville Rd, Half Moon Avenue, the southern portion of Oliver Street as well as 50 foot section line easements that run east-west north of the proposed vacation.

A 100 foot wide section line easement is located at the northerly end of Oliver Street. The section line easement extends in an east-west direction.

If approved, a plat will finalize the proposed right of way vacations. At this time a plat has not been submitted. Once a complete application is submitted it will be scheduled to be reviewed by the Plat Committee. Staff would like to note that an exception to KPB 20.30.170, block length requirements, will be required.

KPB 20.70 – Vacation Requirements.

Platting staff comments: Staff reviewed the vacation and all the items required by 20.70 were met, unless otherwise noted below:

20.70.040. Application—Petition required.

- C. In areas where right-of-way is being vacated due to excessive topographic features, a contour map or centerline profile and/or right-of-way cross sectional view may be required by the commission to substantiate the unusable right-of-way and show alternate and dedicated routes to insure ingress and egress to adjacent lands.

Platting Staff Comments: Staff prepared a contour map that can be found in the packet.

20.70.130. Vacation plat—Preparation, approval and recording. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent in KPB 20.70.110.

Platting Staff Comments: If the vacation is approved a preliminary plat submittal is required. An exception will be required and cannot be finalized by a right of way vacation plat.

Staff recommendation: Comply with 20.70.130.

20.70.150. Title to vacated area.

- A. The title to the street or other public area vacated on a plat attaches to the lot or lands bordering on the area in equal proportions, except that if the area was originally dedicated by different persons, original boundary lines shall be adhered to so that the street area which lies on one side of the boundary line shall attach to the abutting property on that side, and the street area which lies on the other side of the boundary line shall attach to the property on that side. The portion of a vacated street which lies within the limits of a platted addition attaches to the lots of the platted addition bordering on the area. If a public square is vacated, the title to it vests in the city if it lies within the city and to the borough if it lies within the borough outside a city. If the property vacated is a lot or tract, title vests in the rightful owner.

Platting Staff Comments: A plat has not yet been submitted but the vacated right of way will attach to parcel that the dedication came from, Lot 11A of Arrowhead Estates Moore Replat, KN 2010-47.

20.70.160. Partial vacation allowed. Where the planning commission finds that a right-of-way must be preserved, but determines there is excessive width for all intended uses within the right-of-way, the commission may approve a partial vacation of a right-of-way such that the width is reduced to the maximum necessary for the intended use. Such vacation shall conform to this title for the class of right-of-way involved except where the right-of-way is not intended to be used for vehicular purposes.

Platting Staff Comments: This is currently a half width dedication of 30 feet. If approved the entire 30 foot width will be vacated.

20.70.170. Vehicular Access. The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where

two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

Platting Staff Comments: Additional right of way is not proposed. The right of way is unconstructed and ends in an area of steep terrain. The undeveloped 50 foot section line easement provides similar access as this right of way. All lots in the area have access and some have multiple access points. Large acreage tracts surround the proposed vacation. When the large acreage tracts are further subdivided right of way dedications will be required to provide continuous access between Halfmoon Avenue, Oliver Street, Deville Road and Appaloosa Lane. Future right of way dedications will be based on lot configuration and topographic features. Those dedications can take into account the terrain and layout the right of ways in a way that allows for vehicular access.

20.70.180. Other access. Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

Platting Staff Comments: Oliver Street provides legal access for pedestrian use. The large tract to the east is borough property and open to the public for recreational use. The dedicated right of way does provide access to the KPB parcel to the east. There are multiple access points to the borough lands.

20.70.190. Utility provisions. All existing and future utility requirements shall be considered when evaluating a vacation request. Rights-of-way which are utilized by a public utility or which logically would be required by a public utility shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a public utility easement be granted in place of the right-of-way.

Platting Staff Comments: The petition included associated utility easements. The vacation has been sent to the utility providers for comment. Not all comments were not received when the staff report was prepared. The right of way and the associated utility easement could be used for the placement of utility lines. Electric lines are already in place to service the existing parcels.

Staff recommendation: *Preserve existing utility easements or grant requested easements as requested by the utility providers.*

STAFF RECOMMENDATION: Based on the above means of evaluating public necessity established by KPB 20.70, the merits of the proposed vacations, and the KPB Roads Department review, **staff recommends denial.**

If the Planning Commission recommends approval of the vacation, it will be subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Grant utility easements requested by the utility providers.
4. 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).

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.

**KPB 20.70.130:
THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.**

END OF STAFF REPORT

Chair Martin open the item for public comment

Nathan Moore, Petitioner; 39750 Half Moon Ave., Soldotna, AK 99669: Mr. Moore is the petitioner and would ask that the commission grant his request. The reason they would like this easement to be abandoned is they get a lot of unwanted traffic down the easement. In the past, he has confronted young people back in the area partying and doing drugs. He had to chase them out and clean up the trash and drug paraphernalia. He does not want drug paraphernalia left around for his kids and pets. This area has also become a dumping zone for folks; they have found dead dogs, cats, beer cans and other types of trash. The trail that has been created on the easement has deep ruts and is getting worse with continued use. He does not see where it would be detrimental to the borough or the public to abandon this easement. He know the borough owns a 150-acre lot back there but there are already other ways to access this property. He would not consider Half Moon Ave, which is a borough maintained road, a good thoroughfare for traffic, as it is very steep. He has no plans for the area other than to put up "private property," signs to keep the riff-raff out. The borough has put up "dead end" signs on Half Moon and it still does not keep people out.

Commissioner Brantley asked Mr. Moore how is the public getting back to this area – are they using Half Moon Ave.? Also what kind of vehicles are they using? Mr. Moore responded that when they built Half Moon Ave. they built a cul-de-sac at the end of road that connects to his driveway. Half Moon also connects with Oliver St. Folks on ATVs, snow machines, horses and other types of vehicles, use it. The public uses Half Moon Ave. to access the borough property.

Seeing and hearing no one else from the public wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Fikes 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.

Commissioner Ecklund noted the staff report referred to a contour map but she did not see one. The applicant mentions that there are steep hills on Half Moon Ave. and she wondered if the right-of-way being petitioned to vacate has steep grades as well. Mr. Huff replied the missing map was an oversight and apologized. He did not believe the section of Oliver St. being requested to vacate was steep. To the north where the Barkman property was granted an exception, it does have a steep drop off. He referred the commission to the map found on page 22 of the meeting packet where it shows a depression just off to the left at the end of Oliver St. as well as a depression, with what appears to be standing water, west of the section of Oliver St. being requested to vacate. Mr. Huff then stated that Mr. Moore might be able to address the grade of Oliver St. more accurately. Mr. Moore replied that the portion of Oliver St. he would like abandoned does not have steep grades.

Seeing and hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY MAJORITY VOTE:

Yes	6	No	4	Absent	1
Yes	Brantley, Carluccio, Chesser, Ecklund, Fikes, Gillham				
No	Bentz, Martin, Ruffner, Venuti				
Absent	Morgan				

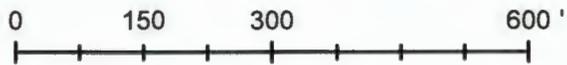
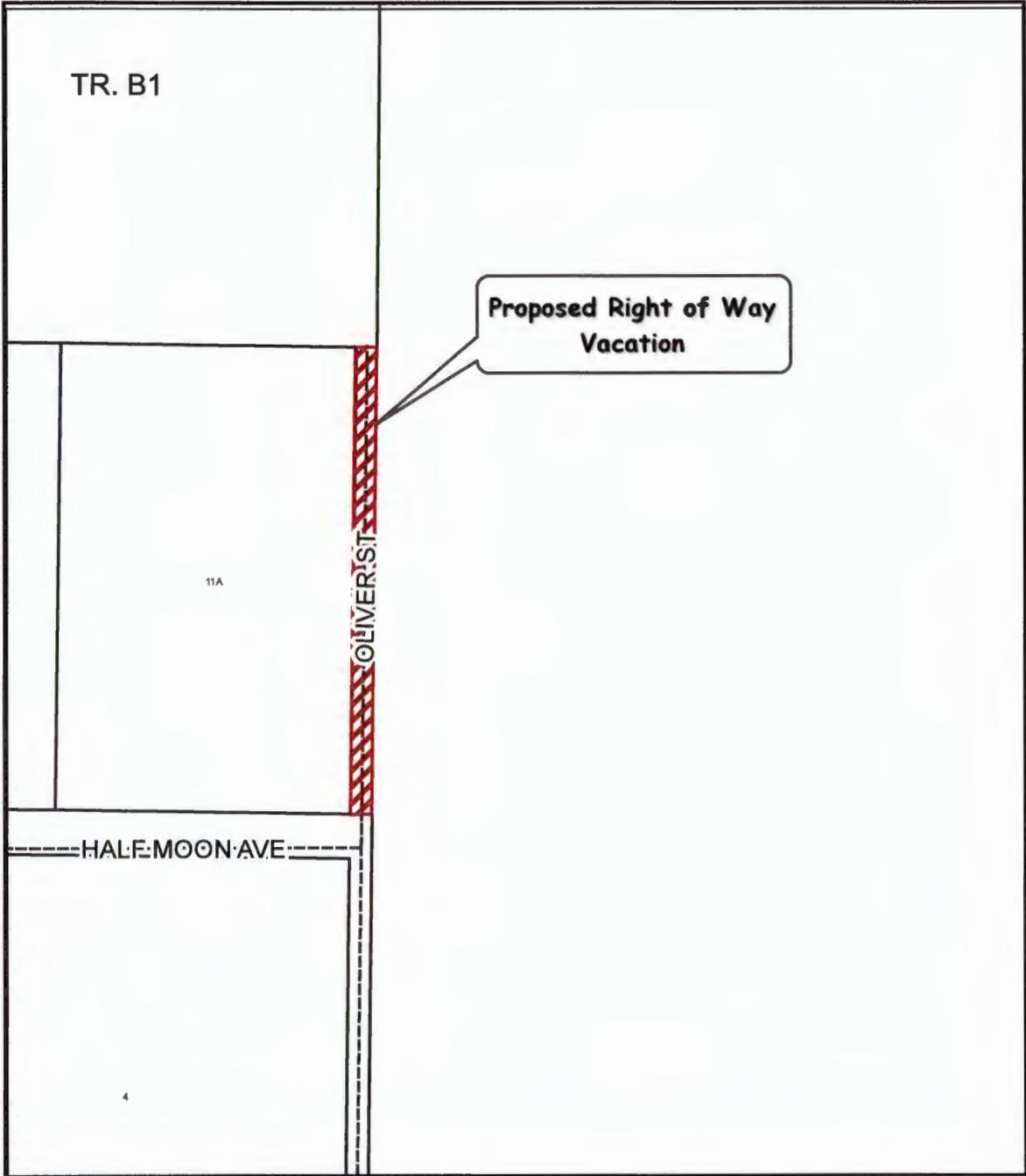
E. NEW BUSINESS

1. Right-of-Way Vacation

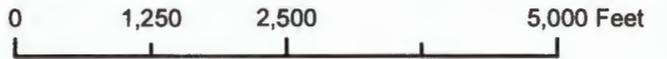
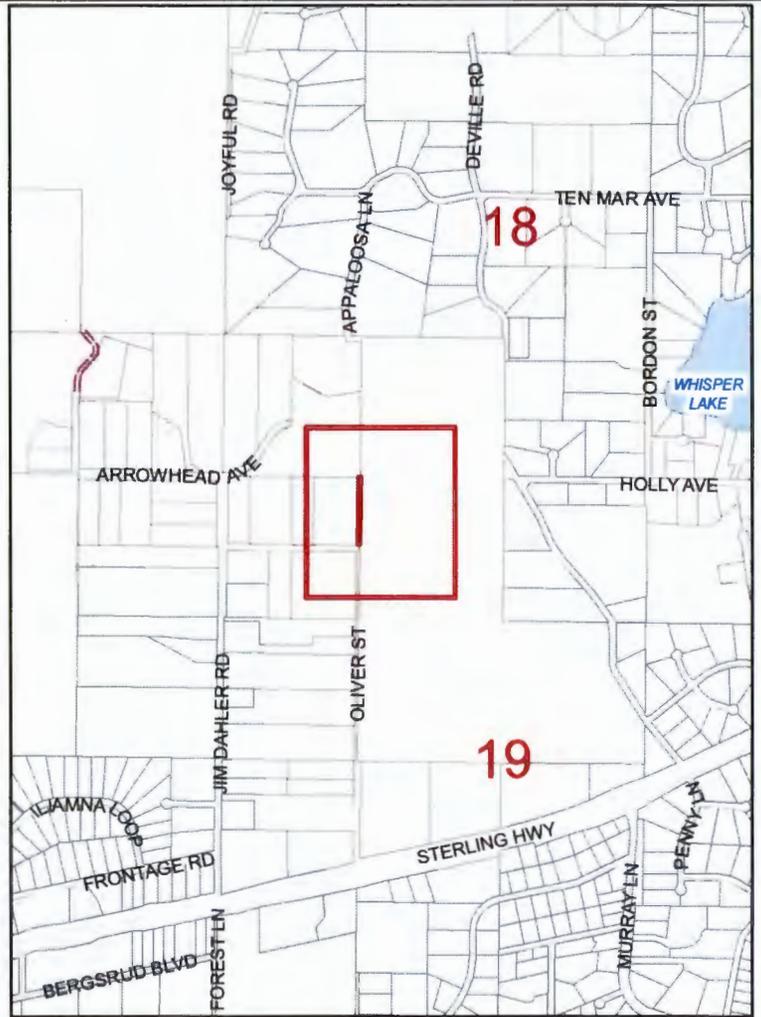
Arrowhead Estates Moore Replat Oliver Street Vacation

KPB File 2020-147V

Petitioners: Nathan D. & Julie A. Moore

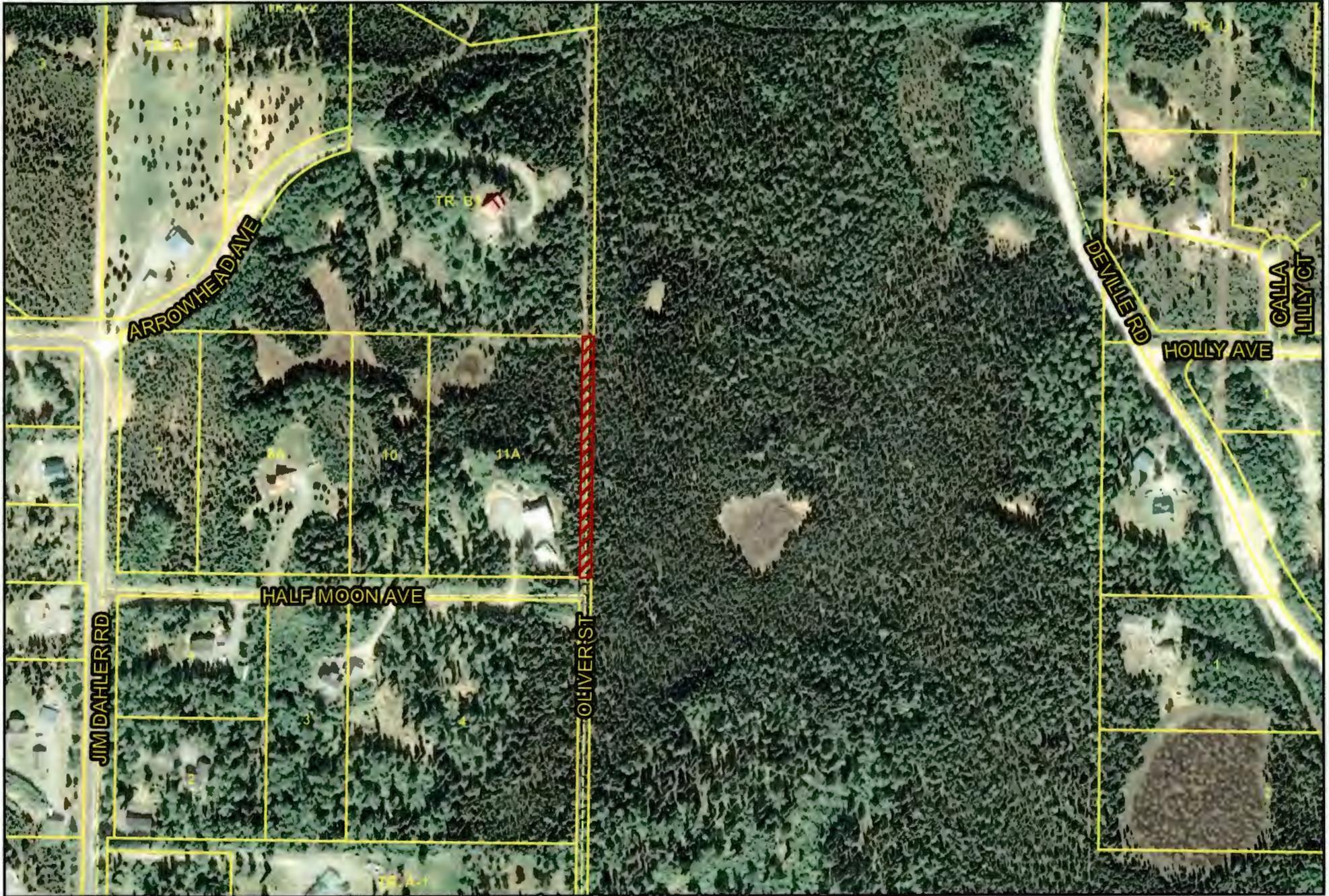


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



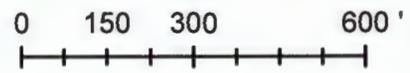
KPB 2020-147V
S19 T05N R09W
STERLING

Date: 11/30/2020
PClements, KPB 2020-147V



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Aerial View



 Right of Way Vacation

PClements, KPB 2020-147V
 Date: 11/30/2020
 Imagery 2018 Sterling

AGENDA ITEM E. PUBLIC HEARINGS

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STAFF REPORT

PC Meeting: January 11, 2021

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Staff recommendation: *Comply with 20.70.130.*

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- A. The title to the street or other public area vacated on a plat attaches to the lot or lands bordering on the area in equal proportions, except that if the area was originally dedicated by different persons, original boundary lines shall be adhered to so that the street area which lies on one side of the boundary line shall attach to the abutting property on that side, and the street area which lies on the other side of the boundary line shall attach to the property on that side. The portion of a vacated street which lies within the limits of a platted addition attaches to the lots of the platted addition bordering on the area. If a public square is vacated, the title to it vests in the city if it lies within the city and to the borough if it lies within the borough outside a city. If the property vacated is a lot or tract, title vests in the rightful owner.

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20.70.180. Other access. Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

Platting Staff Comments: Oliver Street provides legal access for pedestrian use. The large tract to the east is borough property and open to the public for recreational use. The dedicated right of way does provide access to the KPB parcel to the east. There are multiple access points to the borough lands.

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Staff recommendation: *Preserve existing utility easements or grant requested easements as requested by the utility providers.*

STAFF RECOMMENDATION: Based on the above means of evaluating public necessity established by KPB 20.70, the merits of the proposed vacations, and the KPB Roads Department review, **staff recommends denial.**

If the Planning Commission recommends approval of the vacation, it will be subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Grant utility easements requested by the utility providers.
4. 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).

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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.

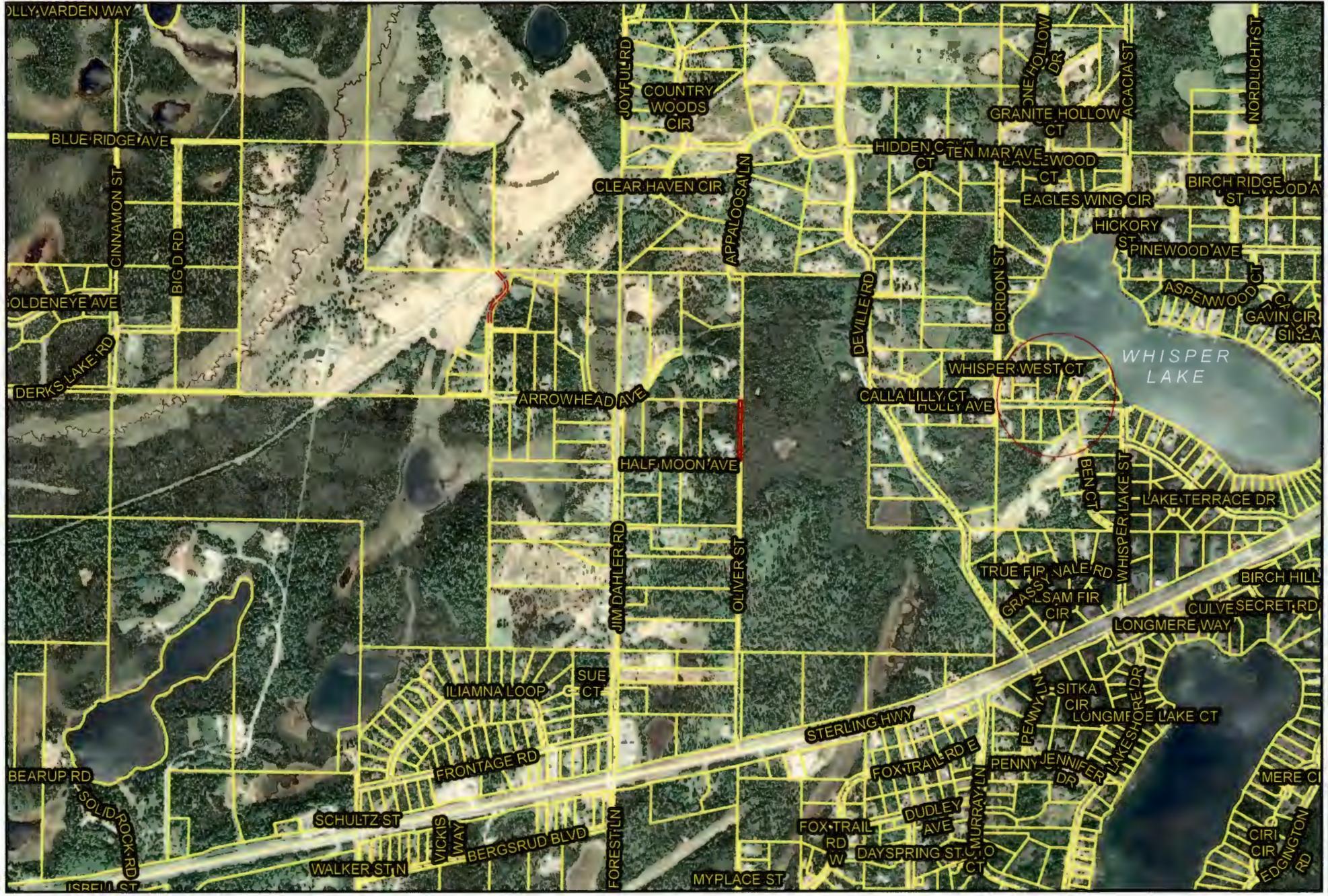
KPB 20.70.120:

- 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.**

KPB 20.70.130:

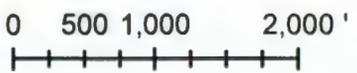
THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

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.

Aerial View



 Right of Way Vacation

PClements, KPB 2020-147V
 Date: 11/30/2020
 Imagery 2018 Sterling



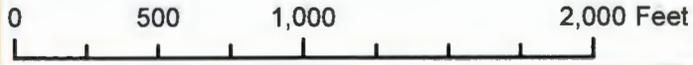
100' section line easement

ROW vacation

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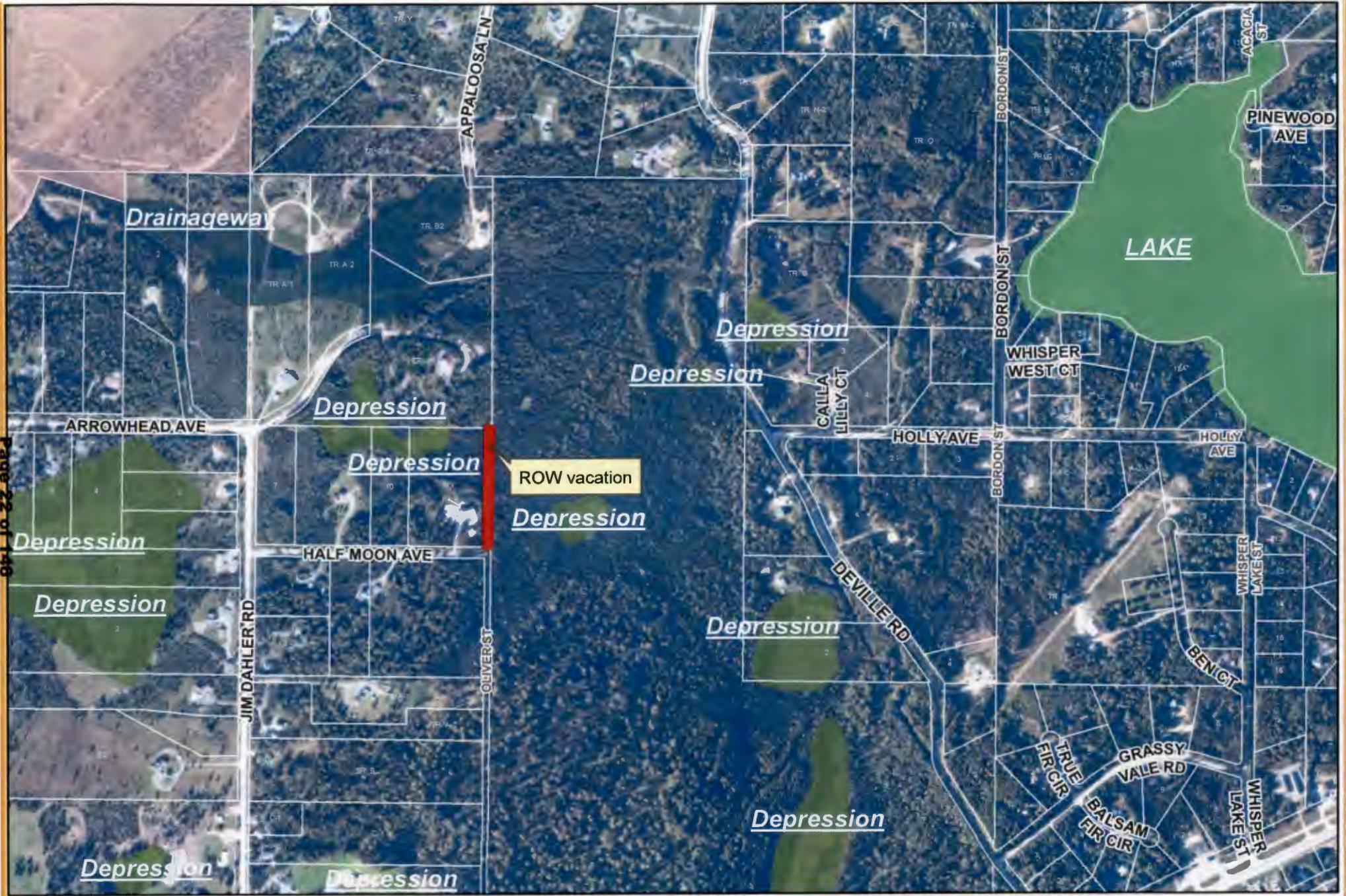
The information depicted hereon is for a graphical representation only of best available sources. The Kenel Peninsula Borough assumes no responsibility for any errors on this map.



**AERIAL IMAGERY - 2016
SECTION LINE EASEMENT**



Date: 12/18/2020
S. Huff, KPB



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 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 IMAGERY - 2016
KENAI WATERSHED WETLAND MAPPING

0 500 1,000 2,000 Feet



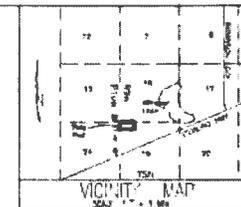
Date: 12/18/2020
 S. Huff, KPB

WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Rural Permitting Program. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Job Number: CE 7221 Date: 11/20/00
 Engineer: License #:

LEDRS

SET 5' R' REBAR AT EACH LOT CORNER



End 2 1/2" Brass Cap



**UNSUBDIVIDED
SW 1/4 SW 1/4 Section 19**

BASIS OF BEARING MKD 97-7 RS

N 90°55'26" W 1271.73

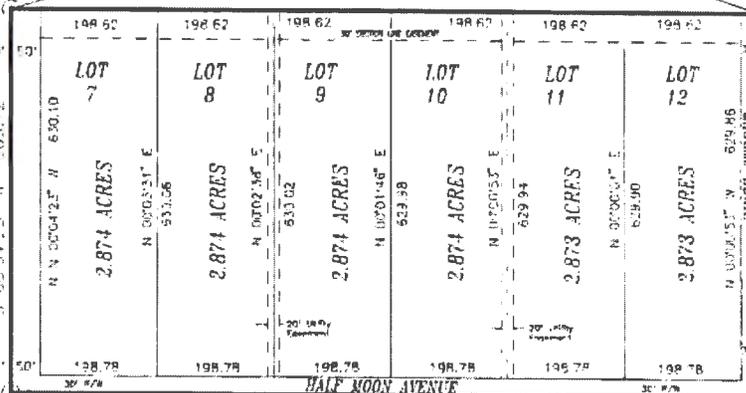


End 2 1/2" Alum. Cap

50' R' W ARROWHEAD DRIVE

ARROWHEAD ESTATES

JIM DAILLAR ROAD



UNSUBDIVIDED



End 2 1/2" Alum. Cap

S 89°58'09" E 1272.74

**PARCEL 2 PLAT WAIVER RESOLUTION 97-24
S 1/2 NW 1/4 NW 1/4
Section 19**

NOTES

1. No deed shall be filed until after 90 days' notice has been given to the Alaska Department of Transportation.
2. Utility Subject - A utility of 20 feet in radius from its center line of any utility is shown. It is approved by resolution of the appropriate Planning Commission.
3. No proposed structure shall be constructed or placed within the easement area until the owner obtains the approval of the appropriate Planning Commission.
4. Front 10 feet of building setback to a utility easement shall be a lot set-back setback shall be 10 feet of lot set-back.
5. Development may be subject to Coastal Zone Management and other applicable laws and regulations.



MICHAEL A. SWAN
REGISTRATION NO. 15-6840

End 2 1/2" Alum. Cap

2000-7
PLAT WAIVER RESOLUTION 97-24
DATE: 2-28-00
TIME: 10:53 AM
DRAWN BY: SWAN

**ARROWHEAD ESTATES
PHASE 1**

THIS IS A RESUBDIVISION OF PARCEL 1 IN R-4
AS PER PLAT WAIVER RESOLUTION 97-24

OWNER: The Trustees of the Arrowhead
Papier Corporation Trust (Sharing
Plan Trust)
6250 S 100 W # A
Sitka, Alaska, 99810

LOCATED IN THE NW 1/4 NW 1/4 SECTION 19
T29N R10W S10W ALASKA MERIDIAN
AS SHOWN ON THE ABOVE RECORDED INSTRUMENT.
CONTAINING 16.274 ACRES



P.O. Box 987
SITKA ALASKA 99801
PHONE 907-262-1014

CERTIFICATE OF OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT ALL THE LAND IN THE HEREIN BEFORE SHOWN AND DESCRIBED
HEREIN AND I HEREBY DEDICATE THE SAME TO THE PUBLIC AND IN MY OWN RIGHT I HEREBY
ALL RIGHTS TO THE PUBLIC AND ALL CLAIMS TO THE SAME.

*Rt Honorable Trustees of the Arrowhead
Papier Corporation Trust (Sharing Plan Trust)*

Notary's Acknowledgment

Subscribed and sworn before me on this 28th day
of February, 2000, for said purpose, before of me
a Notary Public, State of Alaska, the following named parties:

[Signature]

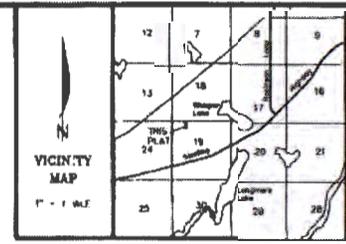
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12/31/03



PLAT APPROVAL

This plat was approved by the ALASKA PROFESSIONAL SURVEYOR
REGULATORY BOARD at the meeting of February 5, 1999.

[Signature]
SURVEYOR



CERTIFICATE of OWNERSHIP and DEDICATION

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 DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Nathan D. Moore
 NATHAN D. MOORE
 30485 HALF MOON AVENUE
 SOLDOTNA, ALASKA 99689

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 3 DAY OF SEPTEMBER 2010 FOR Nathan D. Moore



Kacey Fuller
 KACEY FULLER
 NOTARY PUBLIC FOR ALASKA
 BY COMMISSION EXPIRES 7-29-2012

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JUNE 26, 2010.

KENAI PENINSULA BOROUGH
Debra Alvest
 AUTHORIZED OFFICIAL

KPB FILE No 2010-082

Arrowhead Estates Moore Replat
 A subdivision of Lots 11 and 12, Arrowhead Estates Phase 1, Plat 2000-7, Kenai Recording District.
 Located within the NE1/4 NW1/4 NW1/4 Section 16, T24N, R24W, S4M, Kenai Peninsula Borough, Alaska.
 Containing 3.748 Ac.

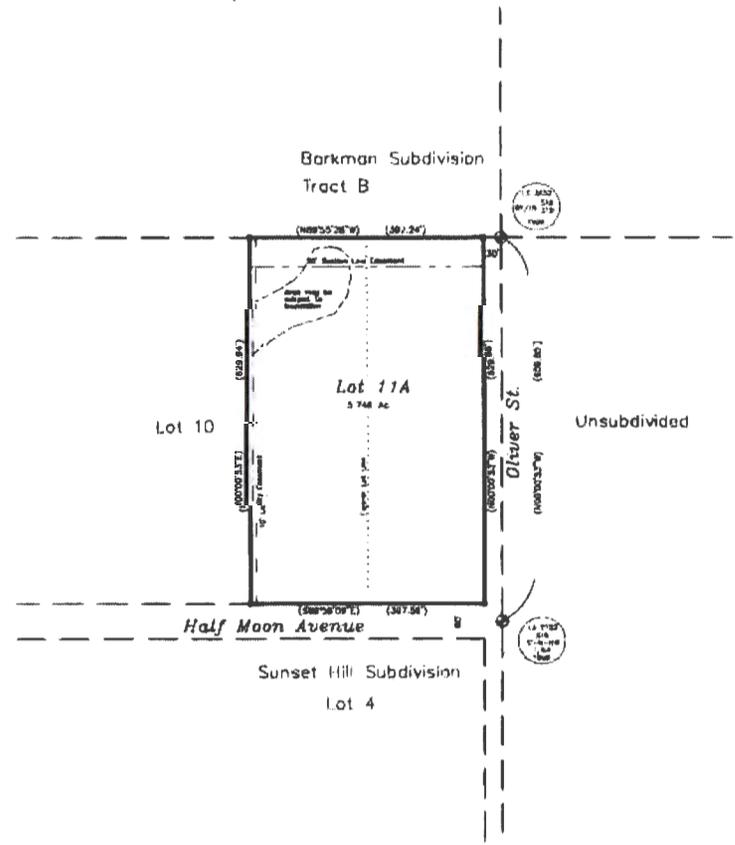
SEGESSER SURVEYS
 30485 Roaland St.
 Soldotna, AK 99689

JOB NO	10044	DRAWN	8-18-10
SURVEYED	N/A	SCALE	1"=100'
FIELD BOOK	N/A	SHEET	1 of 1

2010-47
 RECORDED
 MENAS REC. DE.
 DATE: 9 21 2010
 TIME: 3:13 P.M.
 REQUESTED BY:
 SEGESSER SURVEYS
 30485 ROALAND ST.
 SOLDOTNA, AK 99689

LEGEND:

- ① MEASUREMENT OF RECORD
- 5/8" REBAR OF RECORD
- () RECORD CANNOT PLAT 2000-7 KPB



NOTES:

- 1) Record information taken from Arrowhead Estates Phase 1, plat 2000-7, Kenai Recording District.
- 2) Building Setback - A setback of 20 feet is required from all street Right-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Development may be subject to Existing Park Management and Care of Engineers reviews and permits.
- 4) Covenants, conditions and restrictions which affect this plat are recorded in Book 560 Page 887 and Book 581 Page 57 in the Kenai Recording District.
- 5) From 10 feet of the 20-foot building setback and the entire setback area 5 feet of the side lot area is a utility easement. 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.
- 6) **WATER TREATMENT** - This lot is at least 200,000 square feet or more and is used in other conditions may not be suitable for water treatment treatment and disposal. Any water treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation. A site report from the general plat of this subdivision is on file with the Kenai Peninsula Borough.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the measurements shown hereon actually exist as described, and all dimensions and other details are correct.

Date: 8-10-10