

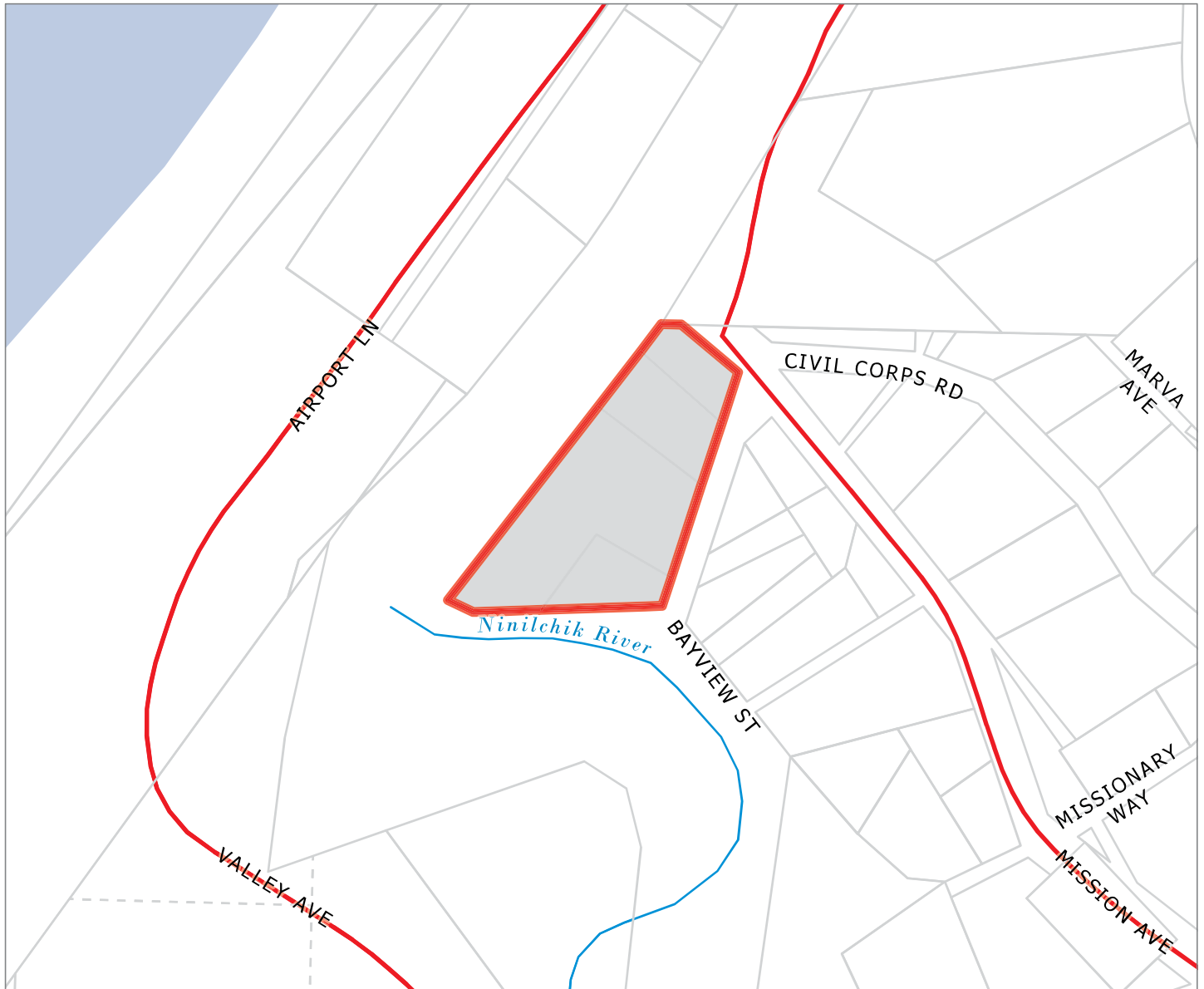
E. NEW BUSINESS

- 3. Ninilchik Townsite Vane 2023 Replat
KPB File 2022-182
Peninsula Surveying LLC / Vanek
Location: Bayview Street & Mission Avenue
Ninilchik Area**



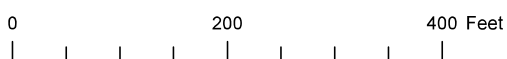
Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File 2022-182
 T 01S R 14W SEC 34
 Ninilchik

12/23/2022

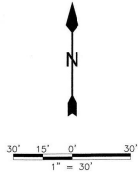




Aerial View



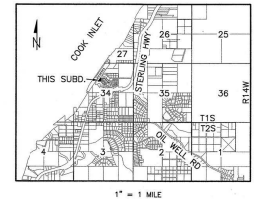
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF KENAI PENINSULA BOROUGH

BY: _____ AUTHORIZED OFFICIAL



NOTES

1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJOINING DEDICATED RIGHTS-OF-WAY THAT INCREASE TO 20' WITHIN 5' OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
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.
4. 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.
5. SUBJECT TO A UTILITY EASEMENT FOR ALASKA COMMUNICATIONS SYSTEMS, SERIAL NUMBER 2004-002624-D. RECORDED ON JUNE 3, 2004.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

BETSY ANN VANEK, AKA BETSY A VANEK
PO BOX 39251, NINILCHIK AK 99556

RION TEAGUE VANEK, AKA RION T VANEK
PO BOX 39251, NINILCHIK, AK 99556

NOTARY ACKNOWLEDGMENT

FOR: BETSY ANN VANEK AND RION TEAGUE VANEK

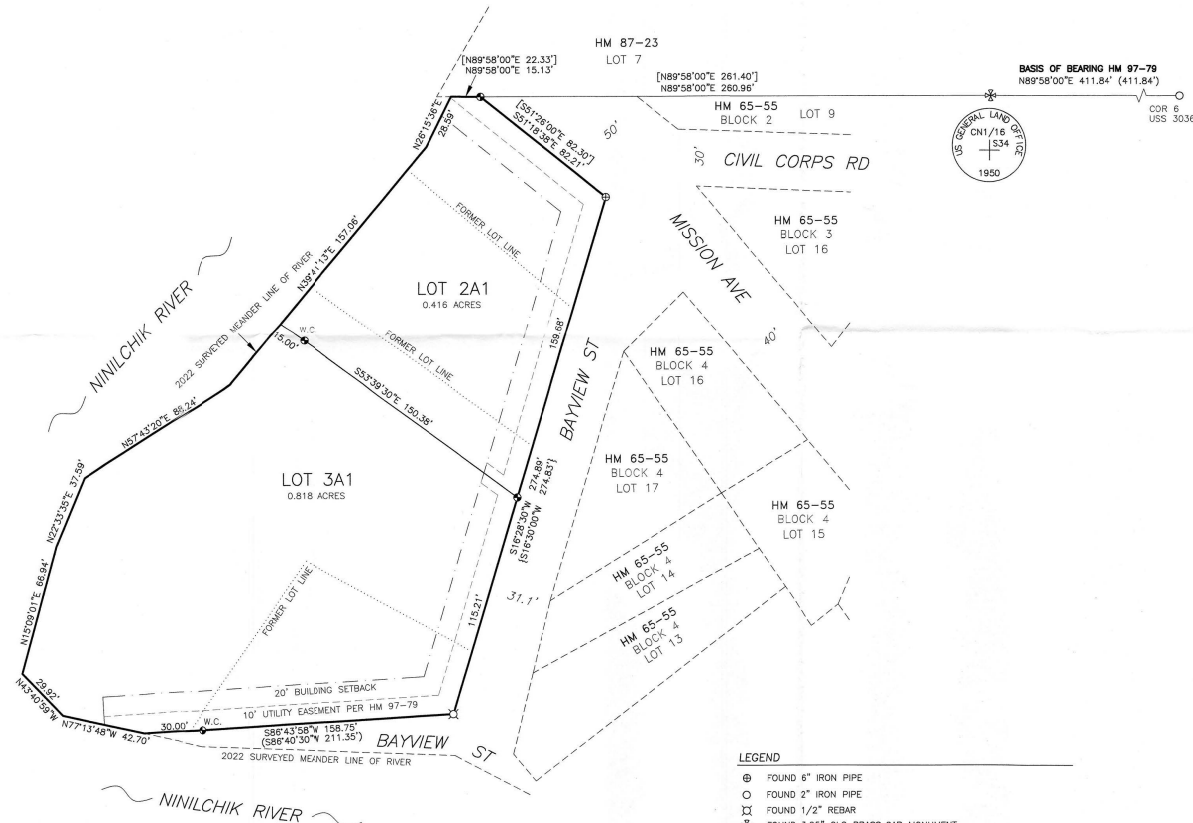
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

WASTEWATER DISPOSAL

WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



LEGEND

- ⊕ FOUND 6" IRON PIPE
- FOUND 2" IRON PIPE
- ⊠ FOUND 1/2" REBAR
- ⊗ FOUND 3.25" GLO BRASS CAP MONUMENT
- ⊙ SET 5/8" X 36" REBAR WITH 2.5" ALUMINUM CAP 2023, 14488-S
- () RECORD DATA PER PLAT HM 97-79
- [] RECORD DATA PER PLAT HM 65-55
- | | RECORD DATA COMBINED PER HM 97-79 AND HM 65-55

KPB 2022-182



KPB FILE NUMBER:

PENINSULA SURVEYING, LLC 10535 KATRINA BOLLIVARD, NINILCHIK, AK 99639 (907)306-7065	
PLAT OF NINILCHIK TOWNSITE VANEK 2023 REPLAT	
A SUBDIVISION OF LOT 1, BLK 5 NINILCHIK TOWNSITE OF USS 3036 A & B, HM 65-55, AND LOTS 2A, 3A, 4A, BLK 5 NINILCHIK TOWNSITE JACKSONY-VANEK REPLAT, HM 97-79	
LOCATED WITHIN NW 1/4 SEC. 34, T.1S., R.14W., S.4M HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH CONTAINING 1.234 ACRES	
OWNERS: BETSY ANN VANEK AND RION TEAGUE VANEK PO BOX 39251, NINILCHIK, AK 99639	
SCALE: 1" = 30'	DATE: DECEMBER 20, 2022
DRAWN: JLS	SHEET: 1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - NINILCHIK TOWNSITE VANEK 2023 REPLAT

KPB File No.	2022-182
Plat Committee Meeting:	January 23, 2023
Applicant / Owner:	Betsy and Rion Vanek of Ninilchik, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Mission Avenue, Bayview Street, Ninilchik area

Parent Parcel No.:	157-071-01, 157-071-05, 157-071-06, and 157-071-07
Legal Description:	Lot 1 Block 5 Ninilchik Townsite of USS 3036 A & B, HM 65-55 and Lots 2A, 3A, 4A, Block 5 Ninilchik Townsite Jackinsky-Vanek Replat, HM 97-79
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure four lots into two lots that will be .818 acres and .416 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located along the Ninilchik River. Mission Avenue intersects the Sterling Highway near mile 135. Mission Avenue meanders around with the proposed plat located at the end of the dedication. The subdivision is on the corner of Mission Avenue and Bayview Street. Mission Avenue is a state maintained right-of-way with varying widths and goes through a lot owned by Alaska DOT to provide access. The width of Mission Avenue adjacent to the subdivision is 50 feet in width and east of the intersection with Bayview Street it has a width of 40 feet. Bayview Street appears to be in use to access the lots within the subdivision but is not fully constructed or maintained by KPB or DOT. Per KPB Aerial Imagery, it may also be used to access the Ninilchik River. Bayview Street was dedicated by USS No 3036A and 3036B, HM 65-55, as a varying width right-of-way. The majority of the street adjacent to the proposed subdivision was dedicated as 50 feet wide and a 25 foot wide dedication running along the southern boundary and to the southeast. Ninilchik Townsite Jackinsky-Vanek Replat, HM 97-79, vacated a portion of the adjacent Bayview Street reducing it to a 31.1 foot width. The portions of Bayview Street along the southern portion is still a dedication but the river course has changed resulting in minimal usable area for Bayview Street. The lots are currently accessed from Bayview Street along the eastern boundary. The new lots will continue having access from Bayview Street. Lot 2A1 can have access from Mission Avenue if approved by State of Alaska DOT.

Due to the location of the Ninilchik River, right-of-way dedications do not provide a closed block. There are also some roadways being used that are not within dedications. Using the existing roads and the Ninilchik River to define the block the distances are not compliant. This areas was surveyed in the 1950's and recorded in 1965 resulting in some areas not complying with current KPB Code. The meandering of the river has also impacted some access areas and block lengths. **Staff recommends the plat committee concur that this subdivision cannot provide any dedications that would improve the block that would be within a desired location.**

The right-of-way widths are not compliant with KPB Code. The roads were dedicated with the recording of the USS in 1965. The plat done in 1997 further reduced the width of Bayview Street. The approval granted to the vacation was due to the reduced width on the northern portion, the road was constructed for access to lots and river, the reduction would not limit public access to the river, and the owners' were looking for additional usable area for their property. The Kenai Peninsula Borough Comprehensive Plan 2019 contains as Goal 3, "Preserve and improve quality of life in the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services." One of the focus areas under that goal is Historic Preservation with objectives that include efforts to protect cultural history and resources in borough communities and also to maintain the character of historic

towns and districts. Reviewing the proposal with the goals and objections within the Comprehensive Plan, the current right-of-way configuration fits with the historic character of the Ninilchik Townsite. **Staff recommends the plat committee concur that an exception for right-of-way width is not required nor any additional dedications.**

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	The ROW for Mission Avenue appears to be shown correctly.

Site Investigation: While no obvious wet areas are present, the entire subdivision is within a wetland assessment area. Portions along the southwest are considered tidal and the remaining is riverine. The note to have a wetland determination is present. **Staff recommends due to the entire subdivision containing areas designated as wetlands, the depiction is not required on the final but the plat note should remain.**

There does not appear to be any steep slopes present within the boundary of the subdivision.

The property shows the 2022 surveyed meander of the Ninilchik River. **Staff recommends the source or method for finding the meander should be noted or provided within a note, and a note regarding natural meander is for computations only should be added.**

The proposed subdivision is within multiple Flood Hazard Zones. The majority is within X which is minimal risk and is non-regulatory. Portions within the western and southern areas are within AE zone. The AE zone is regulatory and has a 1% annual chance of flooding. **Staff recommends the AE zone boundary be shown on the plat and the required flood hazard note be added.**

The Ninilchik River is an anadromous stream. **Staff recommends the anadromous waters habitat protection district note is required to be added.**

There are multiple structures on the property. It appears the removal and movement of lot lines will fix any encroachment issues within the subdivision boundary. Per KPB GIS Imagery, there may be a structure within the Bayview Street dedication. Additionally, some of the structure may be close to the building setbacks and utility easements. Parent Lot 1 was not subject to a setback or platted utility easement until this plat is recorded. The remainder of the subdivision had setbacks put into place with Ninilchik Townsite Jackinsky-Vanek Replat, HM 97-79. If it can be proven buildings existed prior to setback creations plat notes may be added that they are exempt. **Staff recommends all structure locations be verified, if any permanent structures are found within the rights-of-way, setbacks or utility easements additional requirements or notes may be required, if no encroachment issues are found this should be disclosed in writing.**

Per the Certificate to Plat there is a cabin on the property that was sold. There is no mention if the cabin was to be later relocated or what the access rights are to the cabin. **Staff recommends if the cabin is still present to depict on the plat with a reference to a plat note with the information regarding the sale of the cabin.**

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: IS in flood hazard area Comments: Flood Zone: AE,X (shaded) Map Panel: 02122C-1620E In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD</p>
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	Comments: i:0#.w kpb\maldrige C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	

Staff Analysis The proposed subdivision is a replat of parcels originally create by U.S. Survey No 3036A and 3036B, HM 65-55. The design was small lots with irregular right-of-way widths. This is considered the plat for the Townsite of Ninilchik. Three of the lots from the Townsite survey were replatted by Ninilchik Townsite, Jackinsky-Vanek Replat, HM 97-79. The purpose of that plat was to vacate a portion of Bayview Street. The plat did not create or remove any lots. The plat did however put into place the building setback and utility easement within the lots shown on that plat. The proposed plat will take the four existing lots and will combine and reconfigure to create two lots. Staff will need to be notified of the status of the buildings to make sure there are no encroachment issues.

A cabin on parent Lot 3A Block 5 has been sold per a bill of sale that was recorded. The purchasers of the cabin have no rights to the underlying property unless agreements are in place. The purchases was for a historic cabin and was purchased by Ninilchik Native Descendants. Platting Staff sent a letter to the owners of the cabin as changes to the property could impact their personal property. It is not known by the Bill of Sale or per the Certificate to Plat if there are access easements or other usage of the property allowed by the owners of the cabin. **Staff recommends a plat note be added regarding the cabin as well as a depiction and if any additional agreements are in place they should be recorded and noted on the final plat.**

An easement for a leach field is shown on the Certificate to Plat. The easement affects Lot 3A Block 5. This easement is for the benefit of Lot 13 Block 4. **Staff recommends a plat note be added with the information regarding the easement.**

The lots being created are less than the required 40,000 square feet as provided in KPB 20.30.200. The lots are increasing in size and the subdivision is improving the lot sizes. **Staff recommends the plat committee concur that the platting action is improving the lot sizes and an exception is not required.**

The lots are being reconfigured so that more than 1,000 square feet will be added to each new lot. A soils report will not be required.

Notice of the proposed plat was mailed to the beneficial interest holder on December 27, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

Utility Easements A recorded easement to ACS is within the Certificate to Plat. The easement is within parent Lot 1. The easement states the location and it should be depicted on the final plat. This plat will be granting utility easements along the rights-of-way for those not previously granted. If it is found that the ACS easement will be within a new or already granted utility easement it does not require depiction but a reference to a plat note. **Staff recommends a plat note be added with the information regarding the ACS easement and if within another existing easement state as such.**

Parent lots 2A, 3A, and 4A had 10 foot utility easements granted along the rights-of-way that increased to 20 feet within 5 feet of the side lot lines. Parent Lot 1 does not have any platted easements to carry over. **Staff recommends the depiction of the utility easements be updated to include the 20 feet within 5 feet of the former side lot lines as they apply.**

This plat is proposing to grant 10 foot utility easements that increase to 20 feet within 5 feet of the side lot lines. These are depicted and noted on the plat. **Staff recommends** the portion of the utility easement within parent Lot 1 should include "granted by this plat".

If any buildings are within the utility easements it will need to be determined if the structures predate any easements. If they predate they will be required to be depicted and additional plat notes added. Any encroachments found will need to be discussed with KPB Staff.

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	No comments
ENSTAR	No comments or recommendations
ACS	No objection
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 15249 BAYVIEW ST 15251 BAYVIEW ST 15287 BAYVIEW ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: BAYVIEW ST MISSION AVE CIVIL CORPS RD</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: 15249 BAYVIEW ST and 15251 BAYVIEW ST will remain with lot 2A1. 15287 BAYVIEW ST will remain with lot 3A1.</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: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

*Update the plat note numbers.
Add KPB number*

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.*

- 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: *Provide a width label for the portion of Bayview Street located south of the plat even though the river takes up a portion.*
- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;
Staff recommendation: *Not shown. The entire subdivision is low wet areas and within a floodplain. Notes will be required.*
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: *Include a block label within the lots to carry over the block designation.*
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation: *Verification of structure locations will be needed.*

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.*

20.30.280. Floodplain requirements.

- A. All subdivision plats which are within areas where the floodplain has been identified by the Federal Emergency Management Agency (FEMA), and which involve 50 lots or five acres whichever is lesser, shall include the base flood elevation source.
- B. Any area of the subdivision within the floodplain, floodway or Seward Mapped Flood Data Area (SMFDA) is to be shown and labeled on the plat.
- C. All subdivisions which are wholly or partially located within flood hazard areas as defined by KPB 21.06.030 must comply with KPB 21.06.050 standards for Floodplain Management.
- 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.

- F. Each plat within a city which has met the requirements of this section shall contain the following statement: "The first finished and habitable floor of a building constructed within a floodplain shall be built at or above the 100-year flood level."
- G. This section applies to all cities which adopt a resolution requesting participation in the FEMA floodplain program and which are subsequently recognized by the state as participants.
- H. A city may adopt an ordinance as part of its building code with greater restrictions than those set forth in KPB 20.30.280(A). A note shall be placed on the plat to indicate that the developer is responsible for contacting the city to determine the restrictions prior to any development.

Staff recommendation: *Comply with 20.30.280.*

- 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.

Staff recommendation: *comply with 20.30.290.*

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: Lots are increasing by more than 1,000 square feet. Soils report not required.

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.*

- 20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

Staff recommendation: Block label needed.

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: Place the following notes on the plat.

- *“No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.”*
- **FLOOD HAZARD NOTICE:**
Some or all of the property shown on this plat has been designated by FEMA 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. Map panel 02122C-1620E.
- **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.
- *Subject to an easement for leach field access as recorded on November 23, 2020 as serial number 2020-004045-0, HRD.*
- *A cabin located on parent Lot 3A Block 5, Ninilchik Townsite Jackinsky-Vanek Replat, Plat HM 97-79 had title severed by a Bill of Sale recorded on September 23, 2022 as Serial Number 2003-004786-0, HRD.*
- *The natural meanders of mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*

RECOMMENDATION:

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



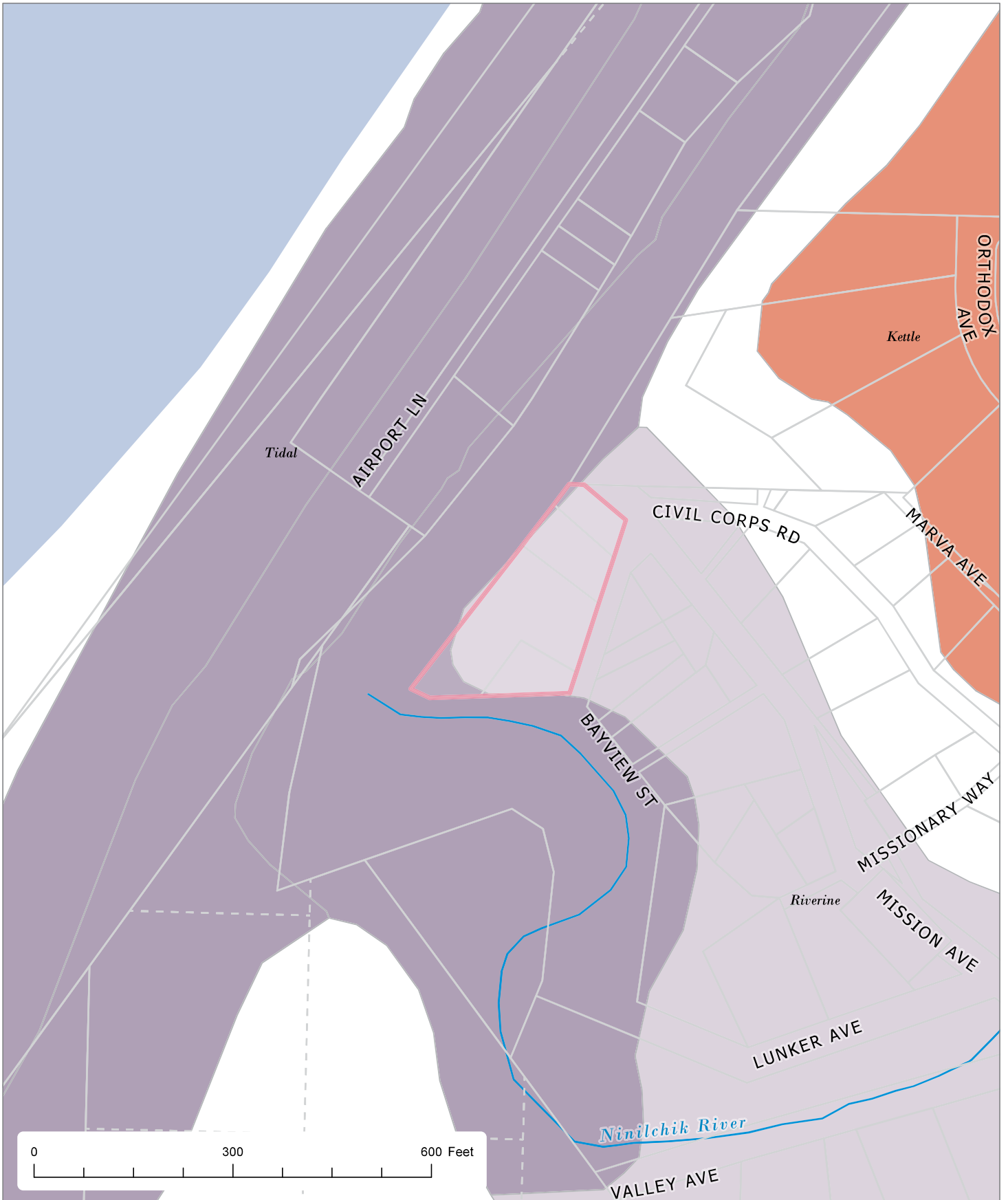
Aerial View



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.



Wetlands



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.



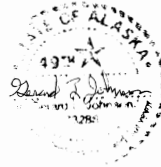
The information depicted herein is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

NINILCHIK TOWNSITE, JACKINSKY-VANEK REPLAT

Replat of lots 2, 3, & 4 block 5 of Ninilchik Townsite. (USS 3036B HR 65-55);
 vacating a portion of Bayview Street.
 Located in the NW 1/4 Section 34, T15 R14W, S1M, Ninilchik, Alaska.
 Homer Recording District KP8 File 97-088

Prepared for
 Gary Jackinsky
 P.O. Box 127
 Ninilchik, Ak 99639

Prepared by
 Johnson Surveying
 Box 27
 Clam Gulch, Ak 99568



Steve VaneK
 P.O. Box 103
 Ninilchik, Ak 99639

SCALE 1" = 50' AREA = 1.096 acres 24 Aug, 1997

LEGEND

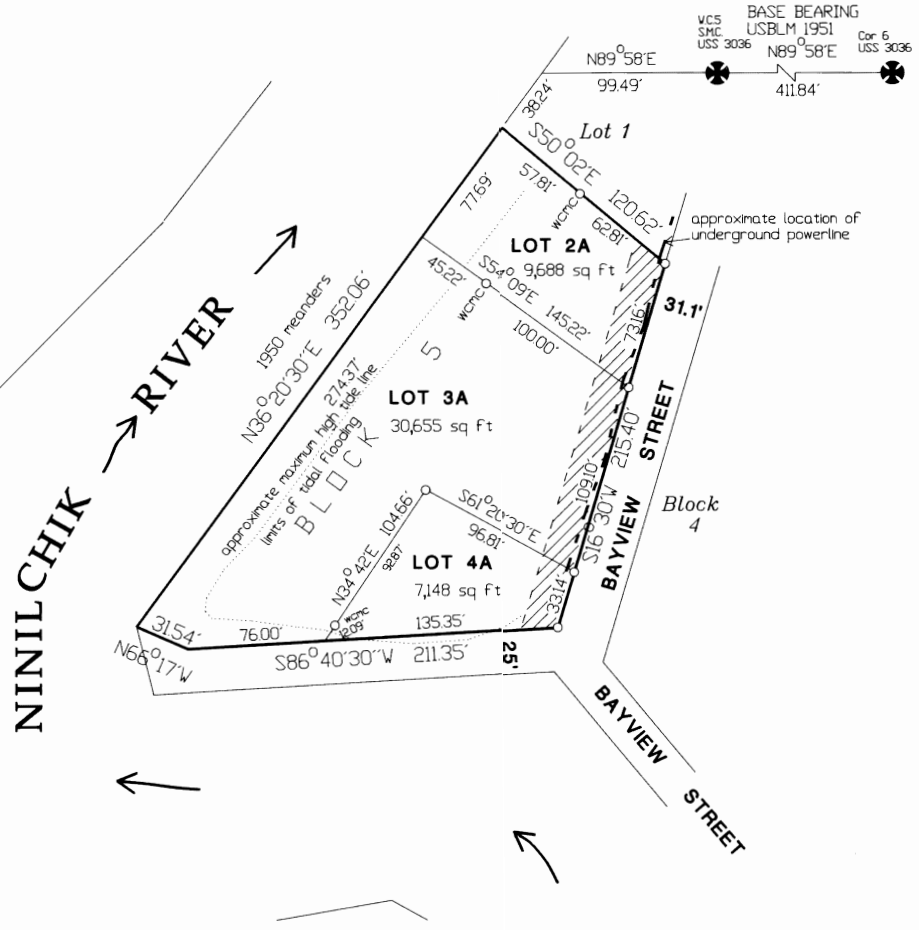
- ⊗ - 1950 USBLM brass cap monument found.
- ⊕ - 1/2" rebar lot corner found.
- - 1/2" x 2" or 4" rebar with 1" plastic cap, set.
- () - Record information HR 65-55.
- indicates ROW being vacated by this plat.



VICINITY 1" = 1 mile MAP

97-79
RECORDED FILED
 HOMER RECORDING DIST.
 DATE 12/11/97 1997
 TIME 1:50 P.M.
 Requested by:
 Johnson Surveying
 Box 27
 Clam Gulch Ak 99568

- ### NOTES
- 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. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
 - No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
 - Bayview Street vacation approved by the Kenai Peninsula Borough Planning Commission on 12 May 1997.
 - This vacation does not constitute a subdivision as defined by 2008150 Borough Code of Ordinances.
 - All wastewater disposal systems shall comply with existing law at time of construction.
 - Lots within this subdivision may be within a designated tidal flood hazards area; if such is the case, development must comply with Title 21, Chapter 05 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
 - Underground powerline shown is the centerline of a 15' wide electrical distribution line easement.



PLAT APPROVAL
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 13 October, 1997.
 KENAI PENINSULA BOROUGH
 BY: Max J. Grest Dec. 18, 1997
 Authorized Official Date

OWNERSHIP CERTIFICATE & DEDICATION
 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 dedicate and grant all easements to the use shown.
Gary W. Jackinsky 12-10-97
 Gary W. Jackinsky P.O. Box 127 Ninilchik, Ak 99639
Stephen VaneK, Jr. 8-12-94
 Stephen VaneK, JR. P.O. Box 103 Ninilchik, Ak 99639

Monica J. VaneK 12-10-97
 Monica J. VaneK P.O. Box 103 Ninilchik, Ak 99639
 We further certify that Deeds of Trust affecting this property do not contain restrictions which would prohibit this replat, or require signature and approval of beneficiaries.
Ron T. VaneK 12-10-97
 Ron T. VaneK P.O. Box 251 Ninilchik, Ak 99639
Betsy A. VaneK 12/10/97
 Betsy A. VaneK P.O. Box 251 Ninilchik, Ak 99639

NOTARY'S ACKNOWLEDGEMENT
 For: Stephen VaneK, JR.
 Subscribed and sworn to before me this 11th day of December, 1997.
 KATHERINE L. BOWDEN
 NOTARY PUBLIC STATE OF MISSOURI
 SHANNON COUNTY
 Notary Public For Missouri
 MY COMMISSION EXP. MAR. 14, 2000
 My commission expires 3/14/00.

NOTARY'S ACKNOWLEDGEMENT
 For: Ron T. & Betsy A. VaneK, & Monica J. VaneK
 Subscribed and sworn to before me this 10th day of Dec, 1997.
Shirley A. Subrathel
 Notary Public for Alaska
 My commission expires 11/25/2001

NOTARY'S ACKNOWLEDGEMENT
 For: Gary W. Jackinsky
 Subscribed and sworn to before me this 10th day of Dec, 1997.
Shirley A. Subrathel
 Notary Public for Alaska
 My commission expires 11/25/2001

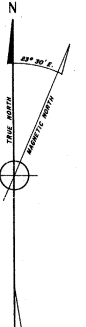
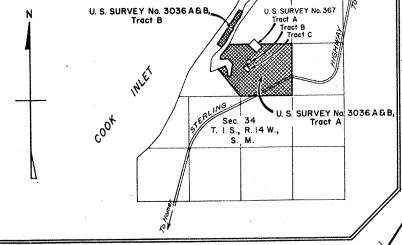
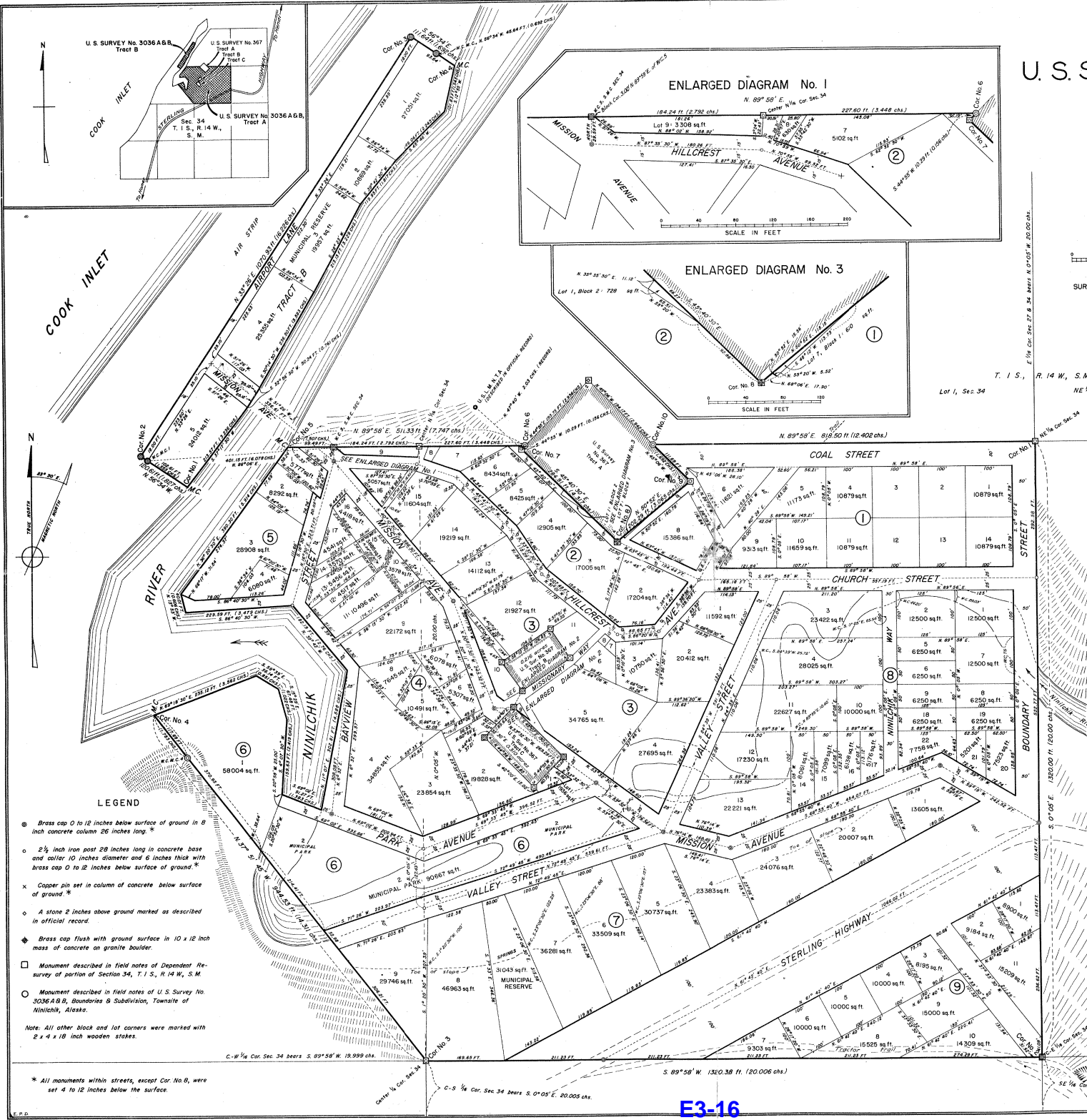
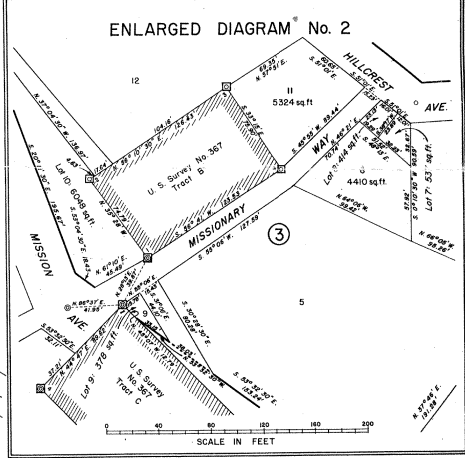
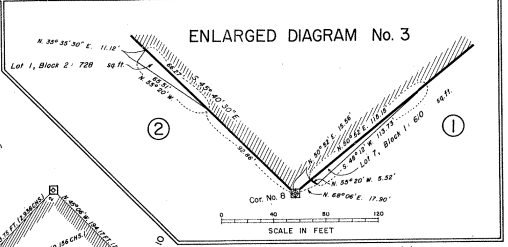
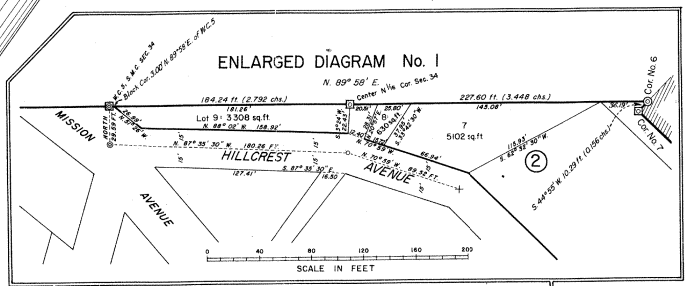
HOMER
Serial No. 65-55

U. S. SURVEY No. 3036A (BOUNDARIES) AND 3036 B (SUBDIVISION)

TRACT A and TRACT B
TOWNSITE OF NINILCHIK, ALASKA
NET AREA TRACT A ----- 47.648 ACRES
AREA U.S. SURVEY No. 307, Tract B ----- 0.216
Tract C ----- 0.310
Total ----- 48.174 ACRES
AREA TRACT B ----- 3.039 ACRES
LATITUDE 60°02'52" N, LONGITUDE 151°30'43" W,
AT CORNER No. 1, TRACT A

SCALE IN FEET
SURVEYED BY ELLIOTT PEARSON, AUGUST 26 TO SEPTEMBER 14, 1950

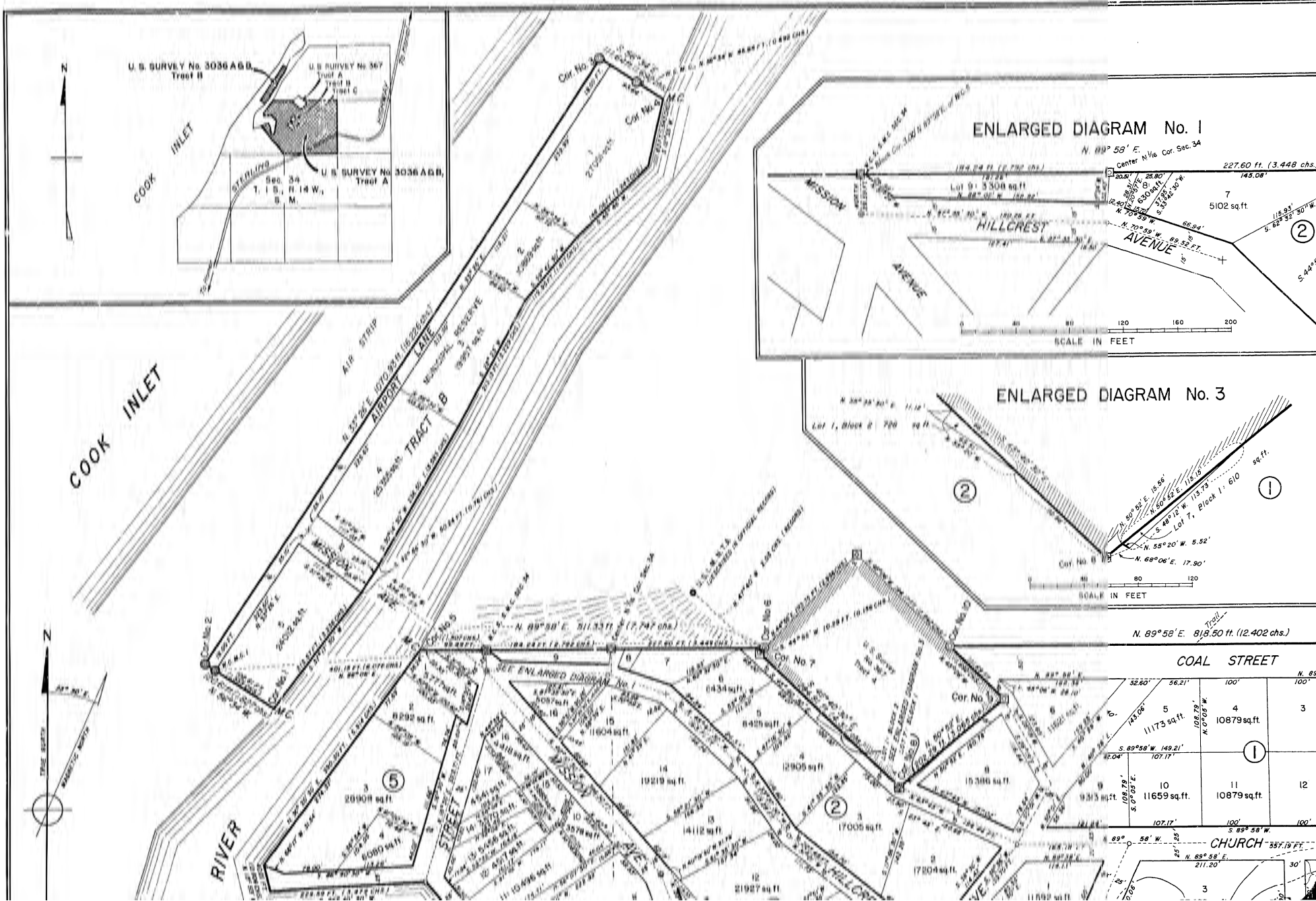
RECORDED FILED
Homer REC. DIST.
DATE 1-26-1965
TIME 1:40 P.
Requested by B. J. M.
Address Anch.



- LEGEND
- Brass cap 0 to 12 inches below surface of ground in 8 inch concrete column 26 inches long.*
 - 2 1/2 inch iron post 28 inches long in concrete base and collar 10 inches diameter and 6 inches thick with brass cap 0 to 12 inches below surface of ground.*
 - × Copper pin set in column of concrete below surface of ground.*
 - A stone 2 inches above ground marked as described in official record.
 - ◆ Brass cap flush with ground surface in 10 x 12 inch mass of concrete on granite boulder.
 - Monument described in field notes of Dependent Recovery of portion of Section 34, T. 1 S., R. 14 W., S. 4 M.
 - Monument described in field notes of U. S. Survey No. 3036A & B, Boundaries & Subdivision, Townsite of Ninilchik, Alaska.
- Note: All other block and lot corners were marked with 2 x 4 x 18 inch wooden stakes.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C., Aug. 7, 1951
This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and regulations of this bureau, is hereby accepted.

For the Director:
William F. Richards
Chief Branch of Surveys



U. S. SURVEY No. 3036A (BOUNDARIES) AND 3036 B (SUBDIVISION)

TRACT A and TRACT B TOWNSITE OF NINILCHIK, ALASKA

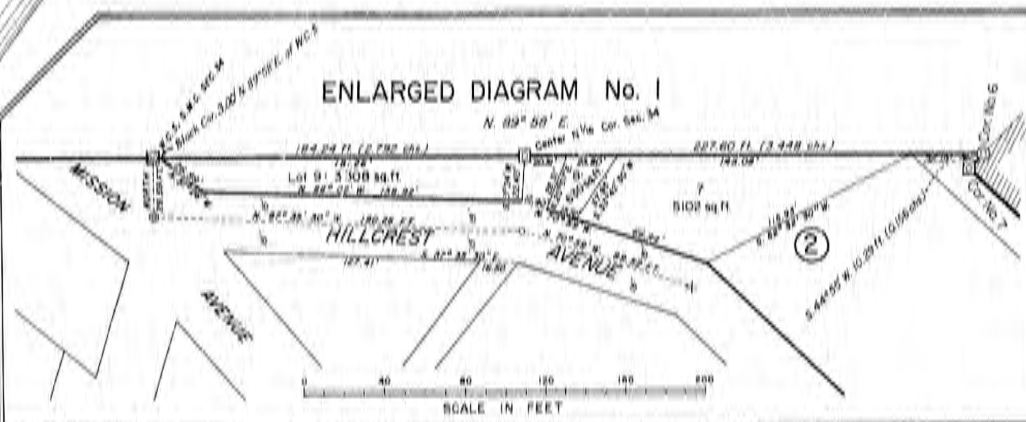
NET AREA TRACT A:----- 47.648 ACRES
 AREA U. S. SURVEY No. 367, Tract B:----- 0.216 "
 Tract C:----- 0.310 "
 Total:----- 48.174 "
 AREA TRACT B ----- 3.039 ACRES

LATITUDE 60°02' 52" N., LONGITUDE 151° 30' 43" W.,
 AT CORNER No. 1, TRACT A

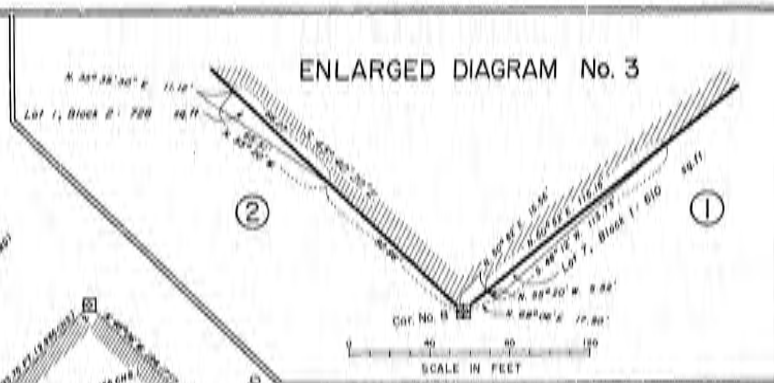


SURVEYED BY ELLIOTT PEARSON, AUGUST 26 TO SEPTEMBER 14, 1950

ENLARGED DIAGRAM No. 1

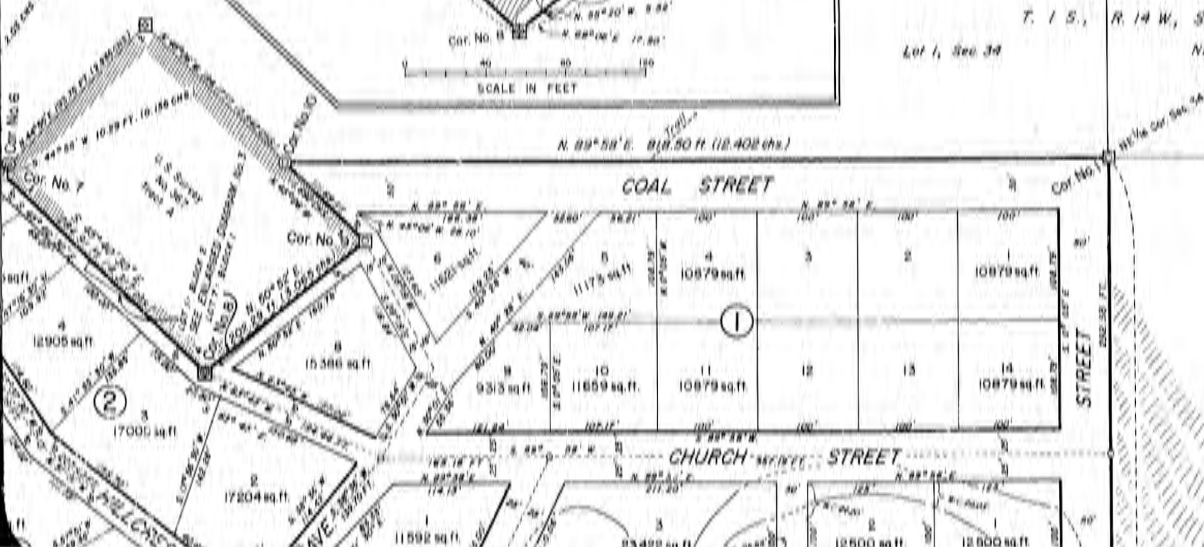


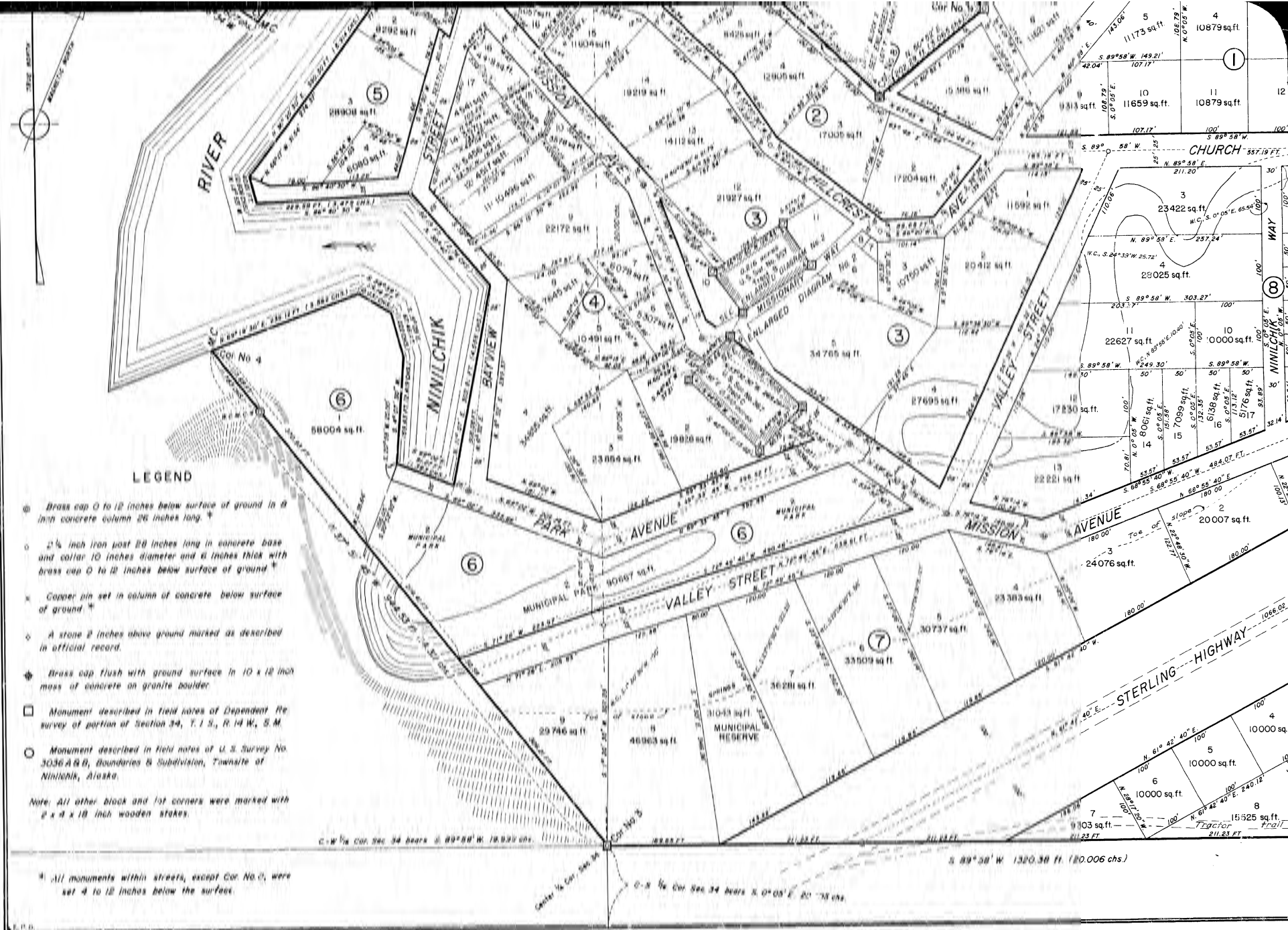
ENLARGED DIAGRAM No. 3



T. 1 S., R. 14 W., S. M.
 Lot 1, Sec. 34 NE ¼, NE ¼, Sec. 34

ENLARGED DIACRAM No. 2

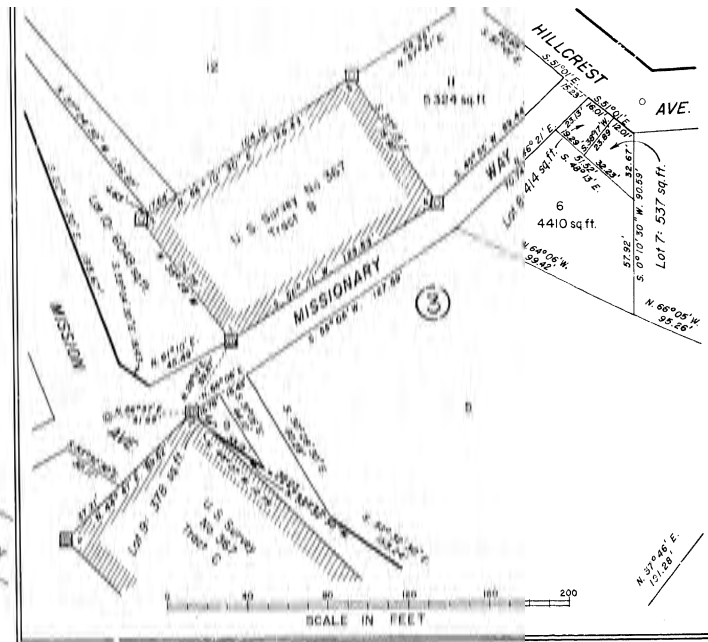




LEGEND

- ⊙ Brass cap 0 to 12 inches below surface of ground in 4 inch concrete column 26 inches long. *
 - 2 1/4 inch iron post 28 inches long in concrete base and collar 10 inches diameter and 6 inches thick with brass cap 0 to 12 inches below surface of ground. *
 - × Copper pin set in column of concrete below surface of ground. *
 - ◇ A stone 2 inches above ground marked as described in official record.
 - ◆ Brass cap flush with ground surface in 10 x 12 inch mass of concrete on granite boulder.
 - Monument described in field notes of Dependent Re survey of portion of Section 34, T. 1 S., R. 14 W., S. M.
 - Monument described in field notes of U. S. Survey No. 3036 A B, Boundaries & Subdivision, Townsite of Ninilchik, Alaska.
- Note: All other block and lot corners were marked with 2 x 4 x 18 inch wooden stakes.

* All monuments within streets, except Cor No. 0, were set 4 to 12 inches below the surface.



UNITED STATES DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 Washington, D. C., Aug. 7, 1951

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and regulations of this bureau, is hereby accepted.

For the Director:

William F. Richards

Chief, Branch of Surveys

1/4 Cor. Sec. 34 & 35 bears N 89° 58' E, 20,006 chs.

SE 1/4 Cor. Sec. 34 bears S 0° 05' E, 20,000 chs.

PEC
43X

U.S. SURVEY NO.
3036 A & B
(THE BOUNDARIES AND
SUBDIVISION, RESPECTIVELY,
OF THE TOWNSITE
OF NINILCHIK)
TRACT A

LEGEND

- ◇ - Original corner or accepted corner established by previous dependent resurvey
- ◆ - Original corner or accepted corner established by previous dependent resurvey (remonumented this survey)
- - Accepted local corner
- - Proportioned or calculated position (not monumented this survey)
- - Proportioned or calculated position (monumented this survey)
- * - Corner description designator
- ⊛ - Townsite block number

THE RETRACEMENT AND DEPENDENT RESURVEY
OF CERTAIN BOUNDARIES, RIGHT-OF-WAY LIMITS,
AND LOTS, WITHIN TRACT A OF

**U.S. SURVEY NO.
3036 A & B, ALASKA**

(THE BOUNDARIES AND SUBDIVISION,
RESPECTIVELY, OF THE TOWNSITE
OF NINILCHIK)

INCLUDING CONTIGUOUS PORTIONS OF THE
SUBDIVISION OF SECTION LINES IN SECTION 34,
TOWNSHIP 1 SOUTH, RANGE 14 WEST,
SEWARD MERIDIAN

SITUATED
SOUTHERLY OF THE STERLING HIGHWAY
AT THE COMMUNITY OF NINILCHIK

WITHIN
TOWNSHIP 1 SOUTH, RANGE 14 WEST
SEWARD MERIDIAN, ALASKA

THE
GEOGRAPHIC POSITION OF
CORNER NO. 2, TRACT A, U.S. SURVEY NO. 3036 A & B
(THE BOUNDARIES AND SUBDIVISION, RESPECTIVELY, OF
THE TOWNSITE OF NINILCHIK), IDENTICAL WITH THE
CENTER-EAST 1/16 SECTION CORNER OF SECTION 34
TOWNSHIP 1 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN

IS:

LATITUDE: 60°02'48.860" NORTH
LONGITUDE: 151°39'35.417" WEST
NAD 83

SURVEYED BY
CHRISTOPHER D. WIITA, CADASTRAL SURVEYOR
JUNE 24 THROUGH JUNE 30, 2012
UNDER SUPPLEMENTAL SPECIAL INSTRUCTIONS
DATED MAY 8, 2012
APPROVED MAY 10, 2012

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved
field notes, and the survey, having been correctly
executed in accordance with the requirements of
law and the regulations of this Bureau, is hereby
accepted.

For the Director
Michael J. DeLeon JUNE 7, 2013
Date

Chief Cadastral Surveyor for Alaska

