


Kenai Peninsula Borough  
Planning Department

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**MEMORANDUM**

**TO:** Ryan Tunseth, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Aaron Hughes, Acting Planning Director 

**DATE:** May 1, 2026

**RE:** Vacates an irregular portion of the southern 33' section line easement located on the northern boundary of Lot 1, Block 4 Hill Park Estates Subdivision Unit 1, Plat HM 76-50.

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

During their regularly scheduled meeting of April 27, 2026 the Kenai Peninsula Borough Planning Commission granted approval of the above proposed vacation by unanimous vote (8-Yes, 1-Vacant) based on the means of evaluating public necessity established by KPB 20.65. 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.

April 27, 2026 Planning Commission Draft Meeting Minutes  
April 27, 2026 Agenda Item E2 Meeting Packet Materials

**ITEM #2 - SECTION LINE EASEMENT VACATION**

**VACATE AN IRREGULAR PORTION OF THE SOUTHERN 33-FOOT SECTION LINE EASEMENT LOCATED ON THE NORTHERN BOUNDARY OF LOT 1, BLOCK 4, HILL PARK ESTATES SUBDIVISION UNIT 1, PLAT HM 76-50, WITHIN SECTION 2, TOWNSHIP 5 SOUTH, RANGE 14 WEST, SAID IRREGULAR SHAPE BEING 1,762 SQUARE FEET IN AREA AND THE CLOSEST CORNER BEING 3.72 FEET SOUTH AND 6.28 FEET EAST OF THE W1/16<sup>TH</sup> CORNER, AS SHOWN ON THE SKETCH OF VACATION IN SAID LOT 1, BLOCK 4**

<b>KPB File No.</b>	2026-021V
<b>Planning Commission Meeting:</b>	April 13, 2025
<b>Applicant / Owner:</b>	Nelson Community Property Trust
<b>Surveyor:</b>	Jon Guffey / Survey Alaska, LLC
<b>General Location:</b>	At the intersection of North Fork Road & Knob Hill Road Anchor Point Area
<b>Parcel:</b>	171-370-05
<b>Legal Description:</b>	T 5S R 14W SEC 2 SM HM 0760050 HILL PARK ESTATES SUB UNIT 1 LOT 1 BLK 4

Staff report given by Platting Manager Vince Piagentini.

Commissioner Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

**MOTION:** Commissioner Whitney moved, seconded by Commissioner Gillham granting the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, adopting and incorporating by reference the staff report, staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti
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**ITEM #3 – ORDINANCE 2026-14**

**AUTHORIZING A COMMUNICATIONS SITE LEASE AGREEMENT WITH GCI COMMUNICATIONS CORPORATION IN BELUGA**

Staff report given by Land Management Officer Aaron Hughes

Commissioner Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

**MOTION:** Commissioner Gillham moved, seconded by Commissioner Venuti to forward to the Assembly a recommendation to adopt Ordinance 2026-14; Authorizing a communications site lease agreement with GCI Communications Corporation in Beluga.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti
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**ITEM #4 – ORDINANCE 2026-18**

**AUTHORIZING THE LEASE OF BOROUGH OWNED LAND FOR A MATERIAL SITE IN BELUGA BY COMPETITIVE LEASE OFFERING THROUGH SEALED BID PROCEDURES**

Staff report given by Land Management Officer Aaron Hughes

Commissioner Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

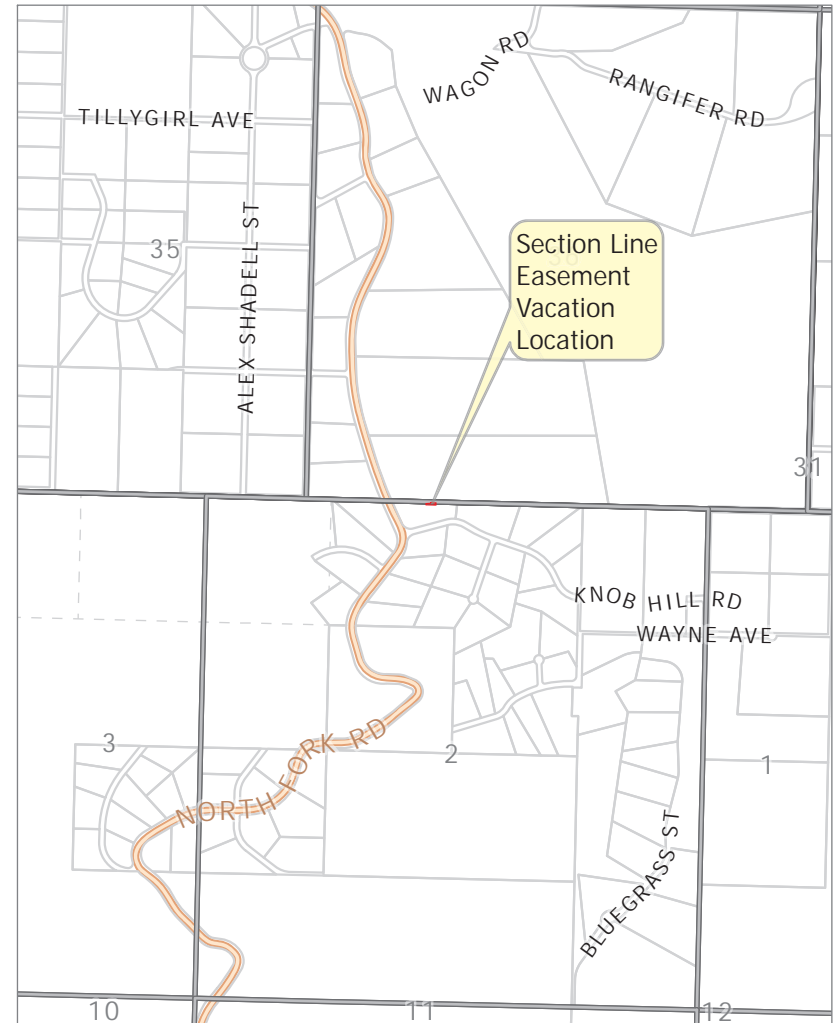
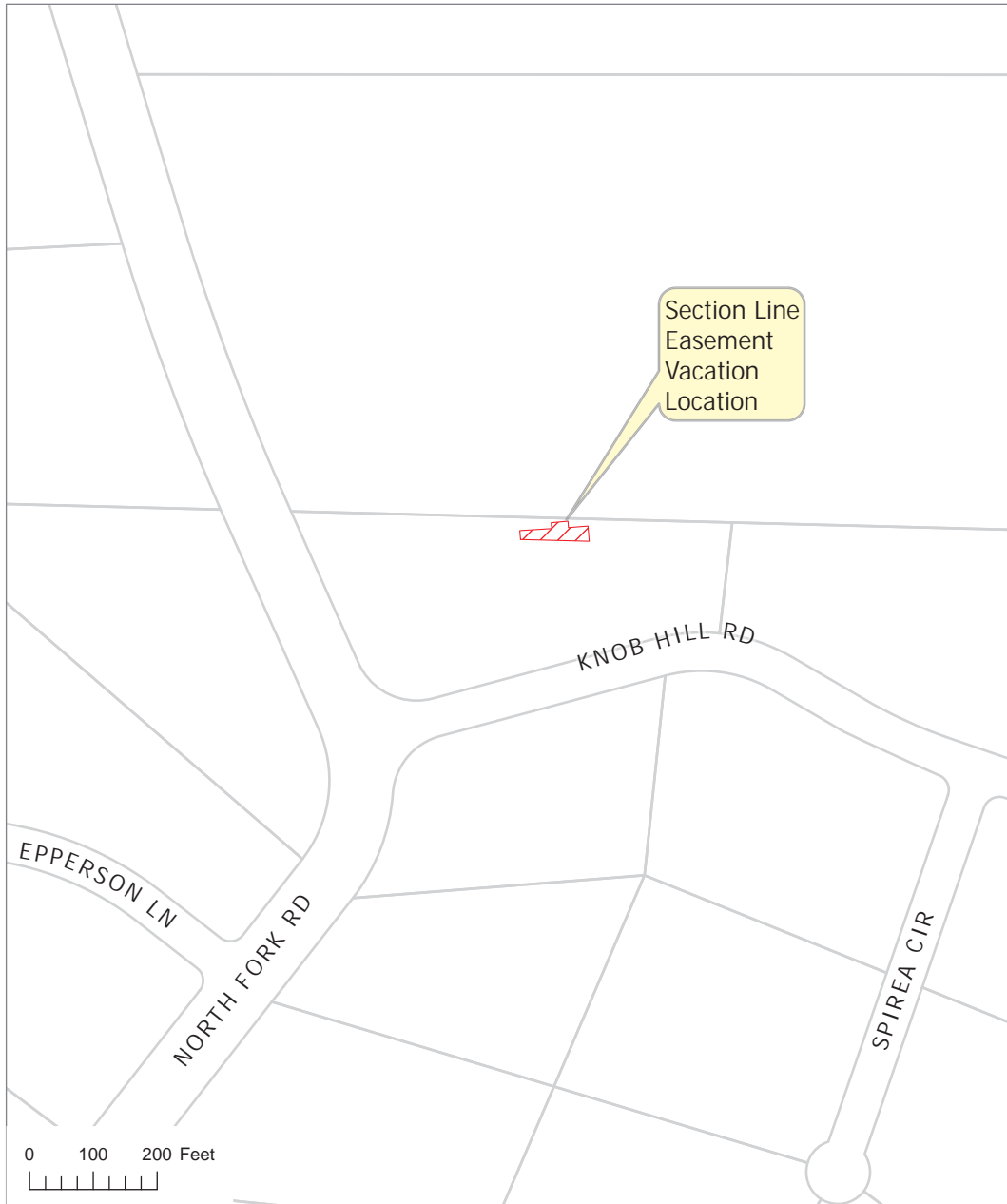
## **E. NEW BUSINESS**

### **2. Section Line Easement Vacation; KPB File 2026-021V**

**Global Positioning Services / Nelson Community Property Trust**

**Request: Vacates a portion of the 33' section line easement along the northern lot line of Lot 1, Block 4, Hill Park Estates Unit 1, Plat HM 76-50**

**Anchor Point Area**



KPB File 2026-021V  
T05S R14W SEC02  
Anchor Point

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.



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ITEM #2 - SECTION LINE EASEMENT VACATION

VACATE AN IRREGULAR PORTION OF THE SOUTHERN 33-FOOT SECTION LINE EASEMENT LOCATED ON THE NORTHERN BOUNDARY OF LOT 1, BLOCK 4, HILL PARK ESTATES SUBDIVISION UNIT 1, PLAT HM 76-50, WITHIN SECTION 2, TOWNSHIP 5 SOUTH, RANGE 14 WEST, SAID IRREGULAR SHAPE BEING 1,762 SQUARE FEET IN AREA AND THE CLOSEST CORNER BEING 3.72 FEET SOUTH AND 6.28 FEET EAST OF THE W1/16TH CORNER, AS SHOWN ON THE SKETCH OF VACATION IN SAID LOT 1, BLOCK 4.

<b>KPB File No.</b>	2026-021V
<b>Planning Commission Meeting:</b>	April 13, 2025
<b>Applicant / Owner:</b>	Nelson Community Property Trust of Anchor Point, Alaska
<b>Surveyor:</b>	Jon Guffey; Survey Alaska, LLC
<b>General Location:</b>	At the intersection of North Fork Road and Knob Hill Road, Anchor Point
<b>Parcel:</b>	171-370-05
<b>Legal Description:</b>	T 5S R 14W SEC 2 Seward Meridian HM 0760050 HILL PARK ESTATES SUB UNIT 1 LOT 1 BLK 4

STAFF REPORT

**Specific Request / Purpose as stated in the petition:**

We are requesting a partial section line easement vacation for Lot 1, Block 4, Hill Park Estates Unit 1, Plat 76-50 HRD. The reason for the vacation request is due to the existing home that is built in the easement.

**Notification:** The public hearing notice was published in the April 24, 2026 issue of the Peninsula Clarion and the April 23, 2026 issue of the Homer News as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building.

Six certified mailings were sent to owners of property within 300 feet of the proposed vacation. Six receipts had been returned when the staff report was prepared.

Eleven notifications were emailed to agencies and interested parties as shown below;

- |  |                                    |
|--|------------------------------------|
| State of Alaska Dept. of Fish and Game | Ninilchik Traditional Council      |
| State of Alaska DNR                    | Alaska Communication Systems (ACS) |
| State of Alaska DOT                    | ENSTAR Natural Gas                 |
| State of Alaska DNR Forestry           | General Communications Inc, (GCI)  |
| Western Emergency Services             | Homer Electric Association (HEA)   |
| Homer Kenai Peninsula Borough Office   |                                    |

**Legal Access (existing and proposed):**

Legal access to the subdivision is provided by North Fork Road to the west and Knob Hill Road to the south.

Hill Park Estates Unit 1 (HM 76-50) dedicated the adjacent portions of both North Fork Road and Knob Hill Road. North Fork Road is a 100-foot state-maintained right-of-way that connects to Knob Hill Road, which is a 60-foot borough-maintained right-of-way.

The proposed plat grants a 33-foot public access easement along the eastern boundary of Lot 1, Block 4. Staff recommends the surveyor add a Certificate of Acceptance to the drawing for the 33' Public Access Easement. State of Alaska shall be the accepting government entity and signer of the Certificate of Acceptance.

KPB records identify an 83-foot section line easement located along the northern boundary of the property, being the north line of Section 2, Township 5 South, Range 14 West SM and the south line of Section 36, Township 4 South, Range 14 West, SM. Kenai Peninsula Alaska. Section 2 on the south side of the line, consisting of a 33 foot and Section 36 on the north side having a 50-foot section line easement. Approximately 1,762 square feet of the 33-foot section line easement located along the northern boundary of Lot 1, Block 4, Plat HM 76-50, is petitioned to for vacation as depicted on the submitted vacation plat.

Block length is not compliant around this lot. Staff recommends that the Plat Committee concur an exception to KPB 20.30.170 Block Length Requirements is not needed at this time as this plat is not a subdivision plat but only a Section Line Easement Vacation Plat. Block length is not an issue being dealt with at this time. For consideration purposes, the 33' Public Access Easement on the east side of the lot did create a break for access in the block.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: No comments
SOA DOT ROW comments	o DNR Survey Section has facilitated the petition for the vacation of the portion of the SLE, and therefore has no additional comments.
SOA DOT&PF comments	No comments

**Site Investigation:**

KPB data indicates that no wetlands are present within the subject area. Available contour information shows the site is generally flat, with a gradual slope from west to east.

The area is not located within a flood zone or a habitat protection district based on KPB review.

KPB River Center review	A. Floodplain  Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments  B. Habitat Protection  Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
State of Alaska Fish and Game	No Response

**Staff Analysis:**

In 1976, Hill Park Estates Unit 1 (HM 76-50) subdivided the area into four blocks, creating the subject parcel and dedicating the adjacent rights-of-way. The plat also depicted the 33-foot section line easement along the northern boundary of Lot 1, Block 4.

KPB Records indicate that an approximately 40-foot by 91-foot dwelling was constructed around 2011. The submitted drawing shows that portions of the existing structure encroach into the 33-foot section line easement. The house has an irregular footprint, and the encroaching area are hatched on the sketch, totaling approximately 1,762 square feet.

The AK DOT&PF reviewed the petition and requested that only the portion surrounding the existing structure be vacated. DOT&PF recommended retaining the remaining portion of the easement within the parcel to preserve the potential for east-west right-of-way connections in the area. Their comments are included in the staff packet.

The AK DNR has issued a preliminary decision granting contingent approval to vacate the keyhole portion of the section line easement.

A field survey conducted by DNR in 2020 confirmed that the structure does not encroach onto the adjacent northern parcel.

The parcel to the north is vacant and owned by the AK DNR. The parcel to the east is privately owned and currently developed.

Publicly available imagery indicates that the portion of the section line easement proposed for vacation is being used by the landowner, with areas cleared and improved for private parking or landscaping. The section line easement to the east and west does not appear to be used for pedestrian, ATV, or vehicular use.

The parent plat (HM 76-50) granted a 10-foot utility easement to the south of the 33' section line easement on the northern boundary of Lot 1, Block 4. The entire approximate 10-foot by 689.65-foot utility easement shown on the sketch is proposed for vacation. The associated vacation plat is granting a 20' utility easement adjacent to the dedicated road right of ways of North Fork Rd and Knob Hill Rd. Per KPB 20.30.060.D "Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement." **Staff recommends** the 20' utility easement adjacent to the roads be revised to match KPB Code of 10' utility easement required and surveyor add a note in reference to the addition of the 10' utility easement. The vacation plat is also dedicating the 33-foot utility easement along the eastern boundary of the lot that is included within the public access easement. A plat notes should be added for the 33' utility and 33' public access easements

A utility easement alteration petition is scheduled for Planning Commission review on May 11, 2026 for the vacation of the 10' utility easement adjacent to the section line easement. If approved, the utility easement vacation will be finalized by resolution.

If approval of the petition for the vacation of the portion of the 33' Section Line easement is granted, a Section Line Easement Vacation Plat will finalize the proposed vacation. The plat will be processed by the Planning Department following review by the DNR.

#### **20.65.050 – Action on vacation application**

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;  
**Applicant comments:** The portion of the 33-foot wide SLE proposed for vacation is partially cleared and constructed. Upon viewing the aerial imagery, it is evident that the petitioner/landowner has partially cleared a portion of their lot. The public does not appear to be utilizing the uncleared SLE portions within this lot for any pedestrian, ATV, or vehicular use according to recent aerial imagery. The property owners are currently utilizing a portion of the SLE; a large portion of the existing house that was constructed encroaches the 33-foot wide SLE almost entirely along it's width.

**Staff comments:**

2. A road is impossible or impractical to construct, and alternative access has been provided;

**Applicant comments:** The proposed alternate access is to be dedicated as a required part of this easement vacation action. They are proposing to dedicate the easterly 33-feet of Lot 1, Block 4, Hill Park Estates Unit 1, Plat No. 76-50, HRD, as a public access and utility easement that will serve as an alternate to the vacated easements.

**Staff comments:**

3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

**Applicant comments:** The SLE proposed for vacation can be accessed from the lot's northwest corner via North Fork Road, a 100-foot wide right-of-way (ROW), along the westerly boundary of the subject lot. The current state of the proposed alternate route is unconstructed and can be accessed from the lot's southeast corner via Knob Hill Road, a 60-foot wide ROW, which abuts the southerly boundary of the subject lot and intersects the aforementioned North Fork Road ROW to the west. The southerly and westerly 20-feet of the subject lot will be granted a public utility easement and building setback. With current existing access and future access to be dedicated, there are no practical reasons to retain the keyhole portion of the SLE proposed for vacation.

**Staff comments:**

4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

**Applicant comments:** The proposed alternate access is adequately wide to satisfy all present and reasonable foreseeable uses.

**Staff comments:**

5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

**Applicant comments:** The DOT&PF submitted an objection to the SLE vacation stating the following:

- "The State of Alaska, Department of Transportation & Public Facilities (DOT&PF) is concerned that the current proposal will negatively impact the functional integrity of the national Highway System by reducing the potential for East-West connections in the area. However, DOT&PF does not object to a keyhole vacation around the existing house.

The petitioner has complied with DOT&PF's conditional approval requirement.

**Staff comments:**

6. Other public access, other than general road use, exist or are feasible for the right-of-way;

**Applicant comments:** The public does not appear to be utilizing the uncleared SLE portions within this lot for any pedestrian, ATV, or vehicular use according to recent aerial imagery.

**Staff comments:**

7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a 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 utility easement be granted in place of the right-of-way.

**Applicant comments:** The proposed alternate access is adequately wide to satisfy all present and reasonable foreseeable uses.

**Staff comments:**

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

**Applicant comments:** The house cannot be moved. We have received a preliminary decision from the State giving contingent approval to vacate segments of the 33 foot SLE.

**Staff comments:**

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly. The KPB Assembly must hear the vacation within thirty days of the Planning Commission decision.

The KPB Assembly will hear the vacation at their scheduled May 19, 2026 meeting.

The State of Alaska has final jurisdiction over section line easement vacations. Per KPB Code 20.65.020, the Planning Commission, as the platting authority, has no authority to vacate public easement under the jurisdiction of the state. The Planning Commission may provide a recommendation to the State on the vacation.

If approved, the Section Line Easement Vacation plat associated with Lot 1, Block 4, HM 76-50, will finalize the proposed section line easement vacation after review of the Utility Easement Vacation and review of the SLEV by the KPB Assembly.

**KPB department / agency review:**

LOZMS Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.  Material Site Comments: There are not any material site issues with this proposed plat.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 65556 Knob Hill Rd.  Existing Street Names are Correct: Yes  List of Correct Street Names: Knob Hill Rd, North Fork Rd.  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: This action will not affect address.
Assessing	Reviewer: Windsor, Heather Comments: No comment

**Utility provider review:**

HEA	See comments
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ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

- o Revise the subdivision name to: "Section Line Easement Vacation Plat Associated with Lot 1, Block 4, Hill Park Estates Unit 1, Plat HM 76-50"
- o Include the following information:

**Detail 'A'**

- Depict and label the section line easement within the detail.
- Modify the utility easement label to include the granting plat.

**Drawing**

- Acreage of Lot 1, Block 4.
- Modify the label of the utility easement to be vacated to include the granting (parent) plat.
- Depict the 20-foot building setback separate from the utility easement adjacent to Knob Hill Road and North Fork Road.
- Provide lot labels for surrounding parcels.
- Add the standard plat notes.
- Revised 20' utility easement adjacent to the roads to 10' and show on the drawing and include a plat note.
- Add the names of the signers to the Notary's Acknowledgement
- Add Certificate of Acceptance
- Add North Fork Rd to vicinity map in areas of Section 2 & 36.

**RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Platting Department
3. Grant utility easements requested by 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 20.65.050(I)).

**KPB 20.65.050 – Action on vacation application**

**H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**

**I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, 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.

- J. A planning commission decision denying a vacation application is final. 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.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

- *Focus Area: Energy and Utilities*
  - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
    - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
    - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
    - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

*Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough*

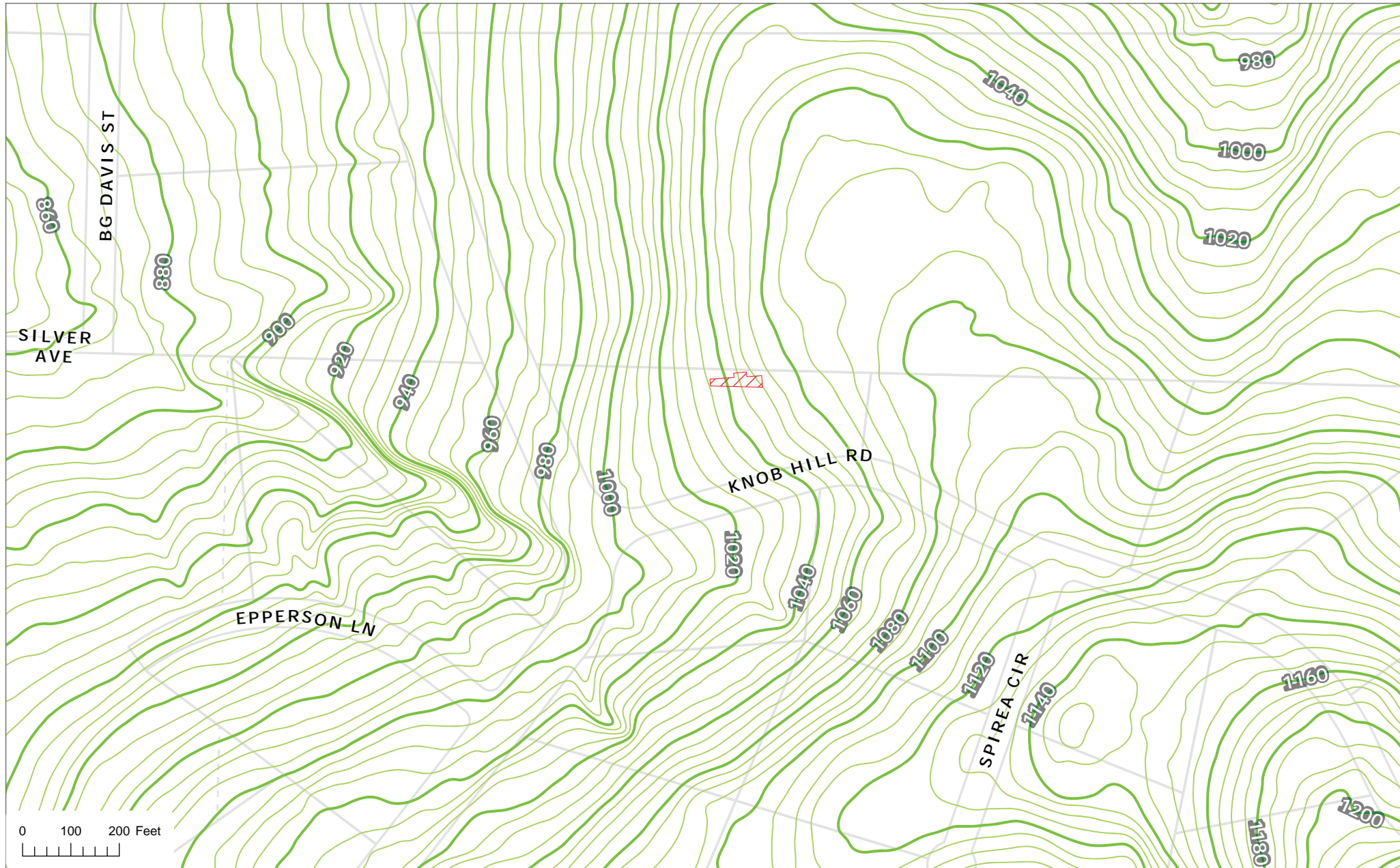
- *Focus Area: Transportation*
  - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
    - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
    - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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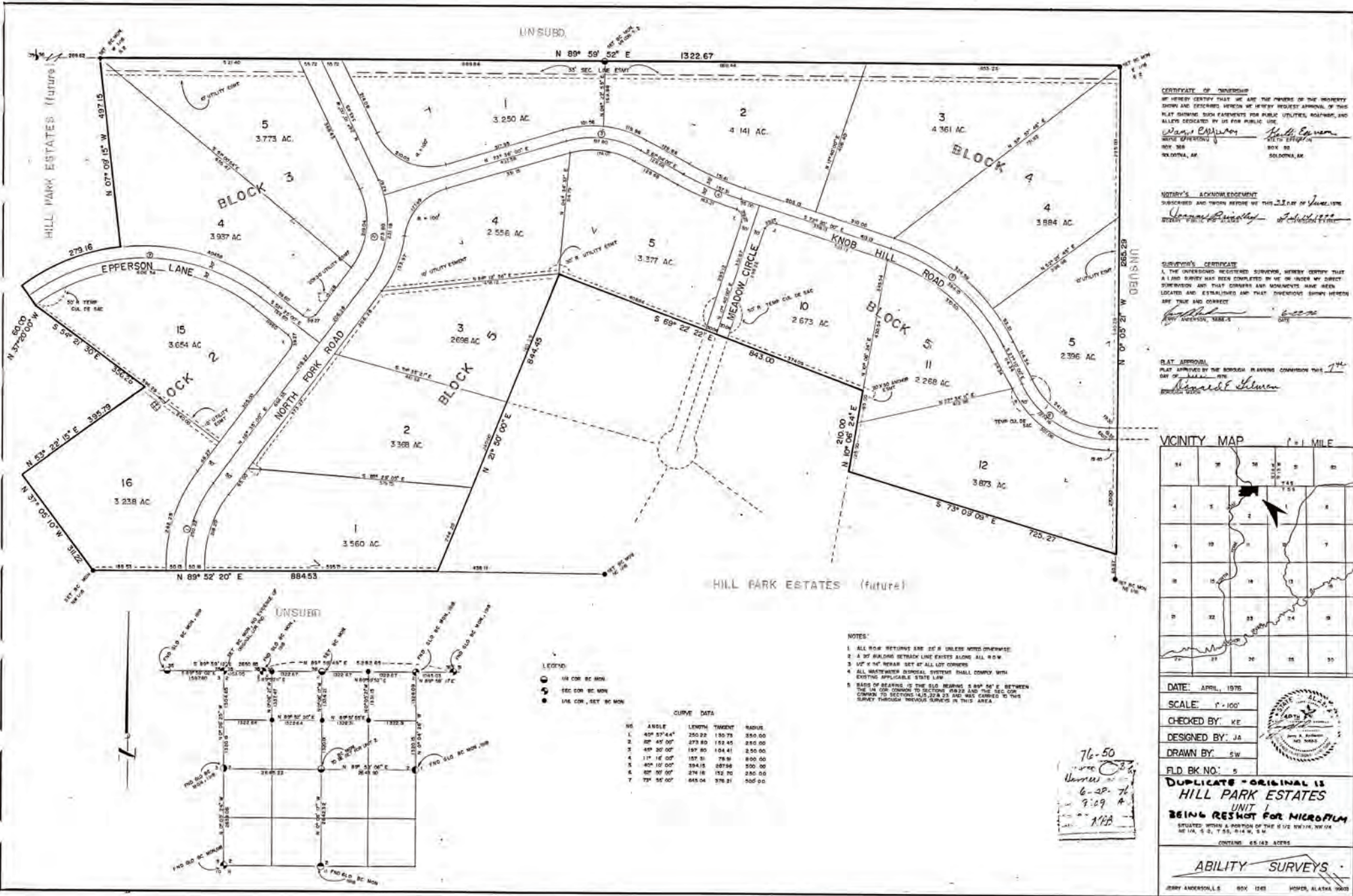
**END OF STAFF REPORT**



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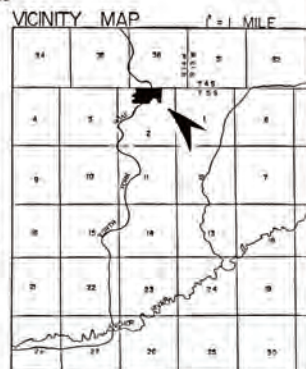


**CERTIFICATE OF OWNERSHIP**  
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AS SHOWN BY THE APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADS, AND ALLEYS DEDICATED BY US FOR PUBLIC USE.  
 James C. Peterson      Kelly L. Cannon  
 STATE OF ALASKA      CITY OF SODASKA, AK

**NOTARY'S ACKNOWLEDGEMENT**  
 SUBSCRIBED AND SWORN BEFORE ME THIS 21st day of June, 1976  
 James C. Peterson      Kelly L. Cannon  
 Notary Public for Alaska      State of Alaska

**SURVEYOR'S CERTIFICATE**  
 I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT.  
 Jerry Anderson      City

**PLAT APPROVAL**  
 PLAT APPROVED BY THE BOROUGH PLANNING COMMISSION THIS 17th DAY OF JUNE, 1976.  
 Ronald E. Shuren      Borough Clerk



- NOTES:**
1. ALL ROW RETURNS ARE 20' UNLESS NOTED OTHERWISE.
  2. A 30' BIALONG BACKTRACK LINE EXISTS ALONG ALL ROW.
  3. 1/2" X 1/4" NAIL SET AT ALL LOT CORNERS.
  4. ALL MEASUREMENTS SHOWN HEREON SHALL COMPLY WITH EXISTING APPLICABLE STATE LAW.
  5. BEARS OF BEARING IS THE OLD BEARING 2 1/2° 54' 54" BETWEEN THE 1/4" COR. COMMON TO SECTIONS 10, 23 AND THE 1/4" COR. COMMON TO SECTIONS 10, 23 & 25 AND WAS CARRIED TO THIS SURVEY THROUGH INTERIOR SURVEYS IN THIS AREA.

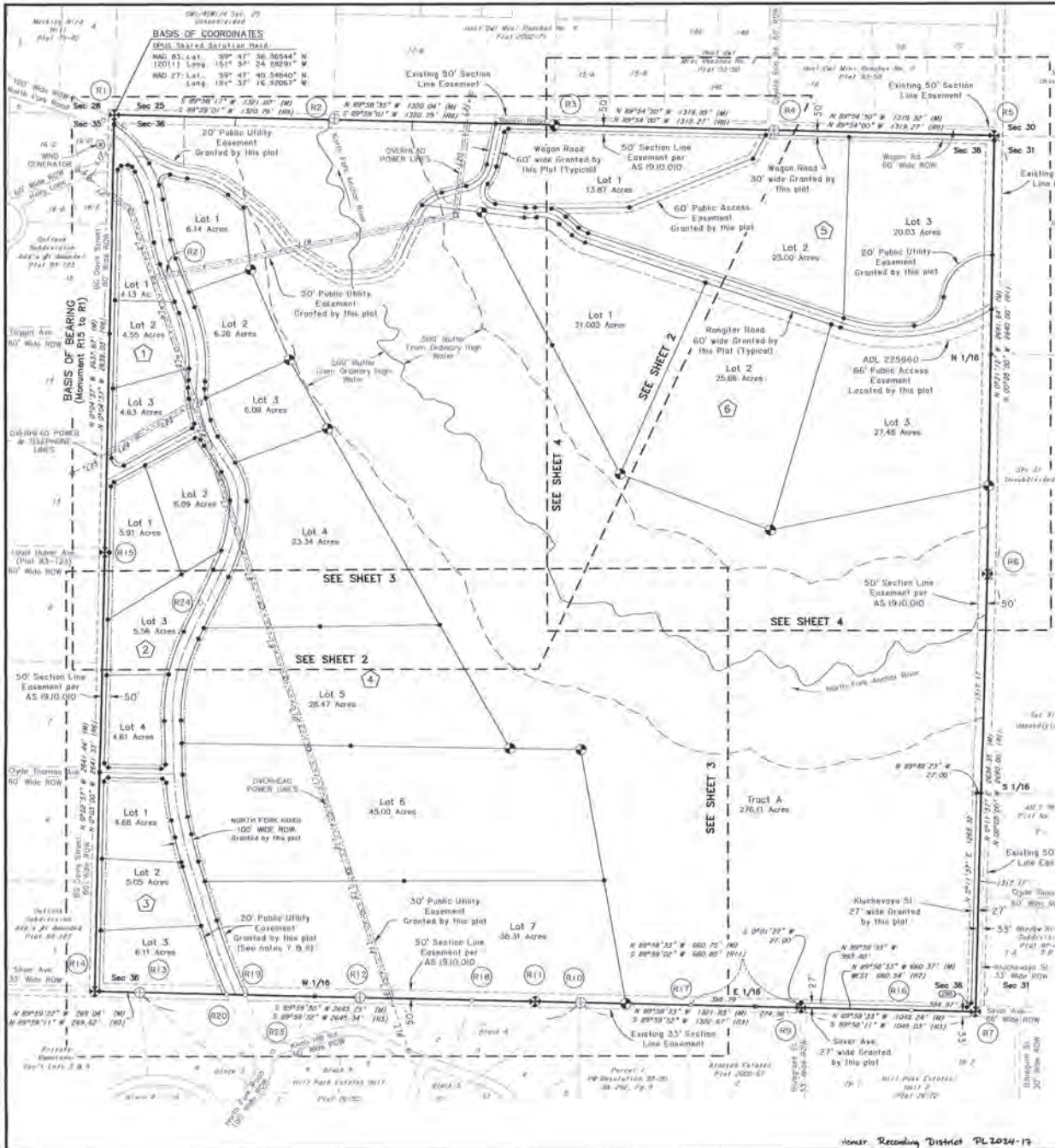
DATE: APRIL, 1976  
 SCALE: 1" = 100'  
 CHECKED BY: KE  
 DESIGNED BY: JA  
 DRAWN BY: SW



FLD BK NO.: 5  
**DUPLICATE - ORIGINAL IS HILL PARK ESTATES UNIT 1 BEING RESUBMITTED FOR MICROFILM**  
 SITUATED WITHIN A PORTION OF THE S1/2 SEC 10, T 55, R 14 W, S 4  
 CONTAINS 25.143 ACRES

**ABILITY SURVEYS**  
 JERRY ANDERSON, L.S.    BOX 1263    HOMER, ALASKA 99603

76-50  
 6-28-76  
 9:09 A  
 JJA



**CERTIFICATE OF ACCEPTANCE - ADOT**  
 THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE ALASKA DEPARTMENT OF TRANSPORTATION FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT BEING THE RIGHT-OF-WAY OF NORTH FORK ROAD, A 100' R/W AS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.  
 DATE: 2/28/24  
 CENTRAL REGION CHIEF OF RIGHT OF WAY FOR THE COMMISSIONER  
 ALASKA DEPARTMENT OF TRANSPORTATION

**CERTIFICATE OF ACCEPTANCE - KPBI**  
 THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY (RANGER ROAD, LOUIS HUBER AVENUE, CLYDE THOMAS AVENUE, SILVER AVENUE, KLUKNOYAYA STREET, WAGON ROAD, AND BIG DAWG STREET), ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.  
 DATE: 2/28/24  
 AUTHORIZED OFFICIAL: [Signature]

- LEGEND:**
- (R1) RECORD PER G.L.O. PLAT ACCEPTED APRIL 20, 1946
  - (R2) RECORD PER AK DOT PROJECT X-11876, ANCHOR RIVER ACCESS ROAD
  - (R3) RECORD PER PLAT 76-50 HRD
  - (R6) RECORD PER PLAT 83-123 HRD
  - (R7) RECORD PER PLAT 88-50RS HRD
  - (R8) RECORD PER PLAT 92-5 HRD
  - (R11) RECORD PER PLAT 2000-87 HRD
  - (M) MEASURED BEARING AND DISTANCE
  - (C) COMPUTED USING RECORD VALUES
  - (HRD) HOMER RECORDING DISTRICT
  - (WC) WITNESS CORNER
  - (WD) WITNESS DISTANCE
  - (SM) MONUMENT RECOVERED
  - (P) PRIMARY MONUMENT RECOVERED
  - (S) PRIMARY MONUMENT SET THIS SURVEY
  - (D) SECONDARY MONUMENT RECOVERED THIS SURVEY
  - (E) SECONDARY MONUMENT SET THIS SURVEY
  - (SURVEYED)
  - (UNSURVEYED)
  - (P&P) OVERHEAD POWER LINE AND POLES
  - (E&P) SECTION LINE EASEMENTS AND PUBLIC ACCESS EASEMENTS
  - (PUE) PUBLIC UTILITY EASEMENT
  - (M) MONUMENT IDENTIFIER
  - (B) BLOCK NUMBER



**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.  
 DATE: 2/28/24  
 REGISTERED LAND SURVEYOR NO. LS-11443



**VICINITY MAP**  
 UTM COORDINATES: 18 Q UG 200000 69 5 50 0000  
 SCALE: 1" = 1 MILE

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 I, THE UNDERSIGNED, HENRY CROFT, THAT I AM THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF ASLS NO. 2021-37, AS SHOWN HEREON, I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.  
 DATE: 2/28/24  
 DIRECTOR: [Signature]  
 DIVISION OF MINING, LAND AND WATER

**NOTARY'S ACKNOWLEDGMENT**  
 ACKNOWLEDGED BEFORE ME THIS 28th DAY OF FEBRUARY, 2024.  
 BY: [Signature]  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES: 11/15/2025

**TAX CERTIFICATE**  
 THIS SUBDIVISION IS NOT SUBJECT TO TAXATION AT THE TIME OF FILING

**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF NOVEMBER 14, 2022.  
 BY: [Signature]  
 AUTHORIZED OFFICIAL

**SCALE**  
 1 inch = 300 feet  
 1 meter = 3.280833 US SURVEY FEET, 1 US ACRE = 0.4047 HECTARE

KPB FILE NO. 2022-158

**DATE OF SURVEY**  
 Beginning: JUNE 13, 2023  
 Ending: FEBRUARY 28, 2024

**STATE OF ALASKA**  
 DEPARTMENT OF NATURAL RESOURCES  
 DIVISION OF MINING, LAND & WATER  
 500 N 7TH AVE STE 600, ANCHORAGE, ALASKA 99501  
 Phone No. (907) 569-2000  
 Fax No. (907) 569-2000

**ALASKA STATE LAND SURVEY NO. 2021-37**  
 NORTH FORK MICRO AG SUBDIVISION

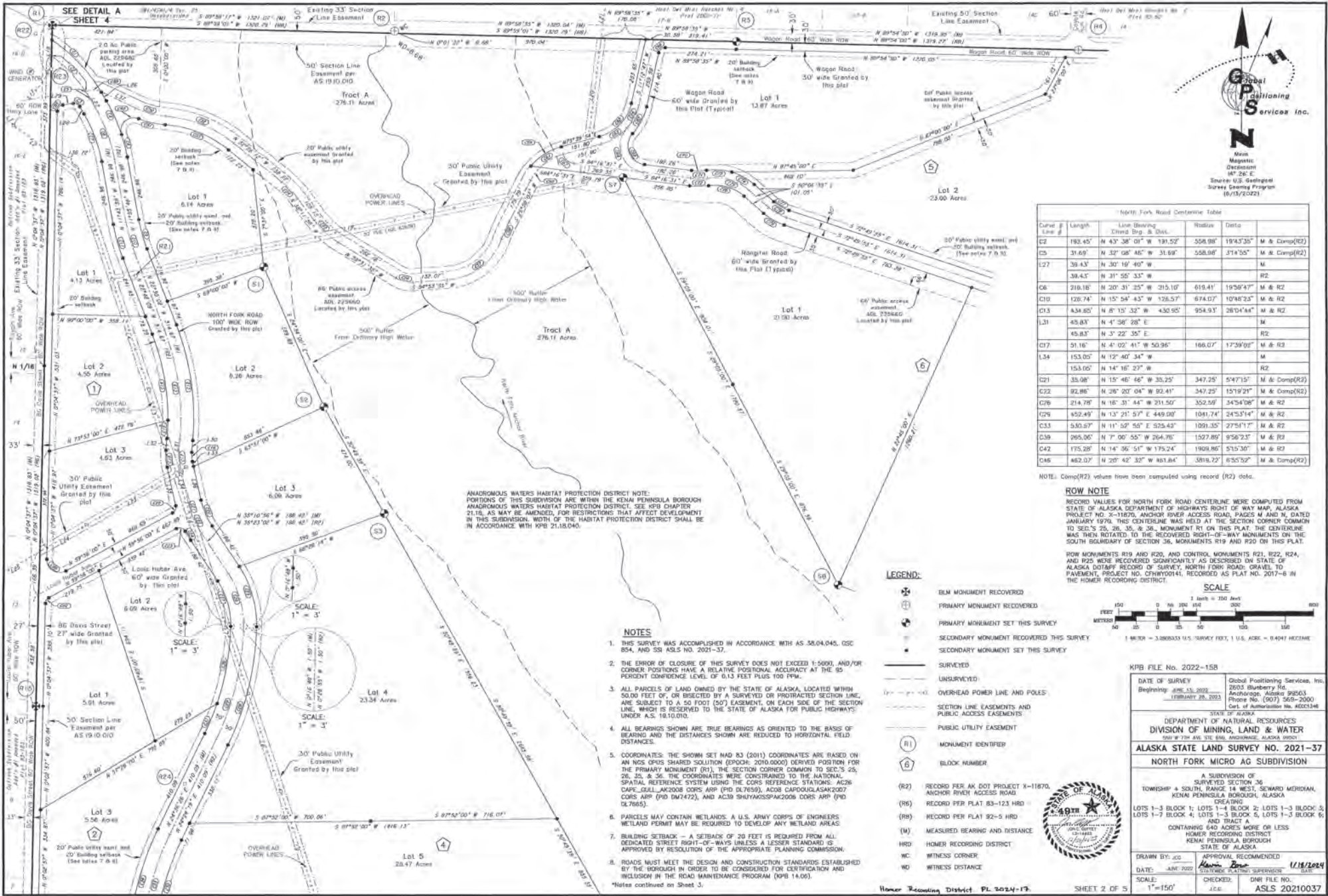
A SUBDIVISION OF SURVEYED SECTION 36 TOWNSHIP 4 SOUTH RANGE 14 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA

LOTS 1-3 BLOCK 1; LOTS 1-4 BLOCK 2; LOTS 1-3 BLOCK 3; LOTS 1-7 BLOCK 4; LOTS 1-3 BLOCK 5, LOTS 1-3 BLOCK 6; AND TRACT A CONTAINING 840 ACRES MORE OR LESS HOMER RECORDING DISTRICT KENAI PENINSULA BOROUGH STATE OF ALASKA

**DRAWN BY:** JCS  
**DATE:** JUNE 2023  
**SCALE:** 1"=300'

**APPROVAL RECOMMENDED**  
 STATE ENGINEER SUPERVISOR: [Signature]  
 DATE: 1/18/2024

**CHECKED:** DMR FILE NO. JCS  
**DATE:** ASLS 20210037



North Fork Road Centerline Table

Curve # Line #	Length	Line Bearing Chord Brg. & Dist.	Station	Table
C2	193.45'	N 43° 38' 01" W 191.52'	558.98'	19/43/35' M & Comp(R2)
C5	31.69'	N 32° 08' 46" W 31.69'	558.66'	31/08/46' M & Comp(R2)
L27	38.43'	N 30° 10' 40" W		M
	38.43'	N 31° 50' 33" W		R2
C6	218.18'	N 20° 31' 25" W 215.10'	619.41'	19/50/47' M & R2
C19	128.74'	N 15° 54' 43" W 128.57'	674.07'	10/48/23' M & R2
C13	434.85'	N 8° 13' 32" W 430.95'	954.93'	28/04/44' M & R2
L31	45.83'	N 41° 58' 28" E		M
	45.83'	N 3° 22' 35" E		R2
C17	51.16'	N 4° 02' 41" W 50.96'	166.07'	17/30/09' M & R2
L34	153.05'	N 12° 40' 34" W		M
	153.05'	N 14° 16' 29" W		R2
C21	35.08'	N 15° 46' 46" W 35.25'	347.25'	5/47/15' M & Comp(R2)
C22	92.86'	N 26° 20' 04" W 92.41'	347.25'	15/19/21' M & Comp(R2)
C29	214.78'	N 16° 31' 44" W 211.50'	352.50'	34/54/08' M & R2
C28	452.49'	N 13° 21' 57" E 449.00'	1081.74'	24/53/14' M & R2
C33	530.57'	N 11° 50' 56" E 525.43'	1091.35'	27/51/17' M & R2
C39	265.06'	N 7° 06' 45" W 264.76'	1527.85'	9/58/23' M & R2
C42	175.28'	N 14° 36' 51" W 175.24'	1909.86'	5/15/30' M & R2
C46	462.07'	N 20° 42' 32" W 461.84'	2619.72'	6/35/32' M & Comp(R2)

NOTE: Comp(R2) values have been computed using record data.

**ROW NOTE**  
 RECORD VALUES FOR NORTH FORK ROAD CENTERLINE WERE COMPUTED FROM STATE OF ALASKA DEPARTMENT OF HIGHWAYS RIGHT OF WAY MAP, ALASKA PROJECT NO. 2-11870, ANCHOR RIVER ACCESS ROAD, PAGES M AND N, DATED JANUARY 1974. THIS CENTERLINE WAS HELD AT THE SECTION CORNER COMMON TO SECS 25, 26, 35, & 36, MONUMENT R1 ON THIS PLAT. THE CENTERLINE WAS THEN ROTATED TO THE RECOVERED RIGHT-OF-WAY MONUMENTS ON THE SOUTH BOUNDARY OF SECTION 36, MONUMENTS R19 AND R20 ON THIS PLAT.

ROW MONUMENTS R19 AND R20, AND CONTROL MONUMENTS R21, R22, R24, AND R25 WERE RECOVERED SIGNIFICANTLY AS DESCRIBED ON STATE OF ALASKA DOT&P RECORD OF SURVEY, NORTH FORK ROAD, GRAVEL TO PAVEMENT, PROJECT NO. CTR00004, RECORDED AS PLAT NO. 2017-6 IN THE HOMER RECORDING DISTRICT.

**SCALE**  
 1 inch = 150 feet  
 METERS: 0 50 100 150 200  
 1 METER = 3.28083333 SURVEY FEET, 1 U.S. ACRE = 640.00 ACRES

**NOTES**

1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 58.04.045, GSC 854, AND 301 ASLS NO. 2021-37.
  2. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000, AND/OR CORNER POSITIONS HAVE A RELATIVE POSITIONAL ACCURACY AT THE 95 PERCENT CONFIDENCE LEVEL OF 0.13 FEET PLUS 100 PPM.
  3. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA, LOCATED WITHIN 50.00 FEET OF, OR INTERSECTED BY A SURVEYED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50 FOOT (50') EASEMENT ON EACH SIDE OF THE SECTION LINE, WHICH IS RESERVED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER A.S. 18.10.010.
  4. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
  5. COORDINATES: THE SHOWN SET MAD 83 (2011) COORDINATES ARE BASED ON AN NGS OPUS SHARED SOLUTION (EPOCH: 2010.0000) DERIVED POSITION FOR THE PRIMARY MONUMENT (R1). THE SECTION CORNER COMMON TO SECS 25, 26, 35, & 36, THE COORDINATES WERE CONTAINED TO THE NATIONAL SPATIAL REFERENCE SYSTEM USING THE CORS REFERENCE STATIONS: AC26 CAPL\_GULL\_AK2008 CORS APP (PID DL7659), AC08 CAPOOGLASAK2007 CORS APP (PID DN2472), AND AC30 SHUVAKSPAK2008 CORS APP (PID DL7665).
  6. PARCELS MAY CONTAIN WETLANDS: A U.S. ARMY CORPS OF ENGINEERS WETLAND PERMIT MAY BE REQUIRED TO DEVELOP ANY WETLAND AREAS.
  7. BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL DEDICATED STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
  8. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (KPB 14.06).
- \*Notes continued on Sheet 3.

**LEGEND:**

- BLM MONUMENT RECOVERED
- PRIMARY MONUMENT RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- SECONDARY MONUMENT RECOVERED THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY
- SURVEYED
- UNSURVEYED
- OVERHEAD POWER LINE AND POLES
- SECTION LINE EASEMENTS AND PUBLIC UTILITY EASEMENTS
- MONUMENT IDENTIFIER
- BLOCK NUMBER
- RECORD PER AK DOT PROJECT X-11870, ANCHOR RIVER ACCESS ROAD
- RECORD PER PLAT 83-123 HRD
- RECORD PER PLAT 92-5 HRD
- MEASURED BEARING AND DISTANCE
- HOMER RECORDING DISTRICT
- WITNESS CORNER
- WITNESS DISTANCE

KPB FILE NO. 2022-15R

DATE OF SURVEY: **February 28, 2023**  
 Beginning: **June 13, 2023**  
 Ending: **February 28, 2023**

Global Positioning Services, Inc.  
 2503 Blueberry Rd.  
 Anchorage, Alaska 99503  
 Phone No. (907) 569-2000  
 Cert. of Authorization No. AGC031346

STATE OF ALASKA  
 DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF MINING, LAND & WATER**  
 500 W 7TH AVE STE 316 ANCHORAGE, ALASKA 99501

**ALASKA STATE LAND SURVEY NO. 2021-37**  
**NORTH FORK MICRO AG SUBDIVISION**

A SUBDIVISION OF SURVEYED SECTION 36 TOWNSHIP 4 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA

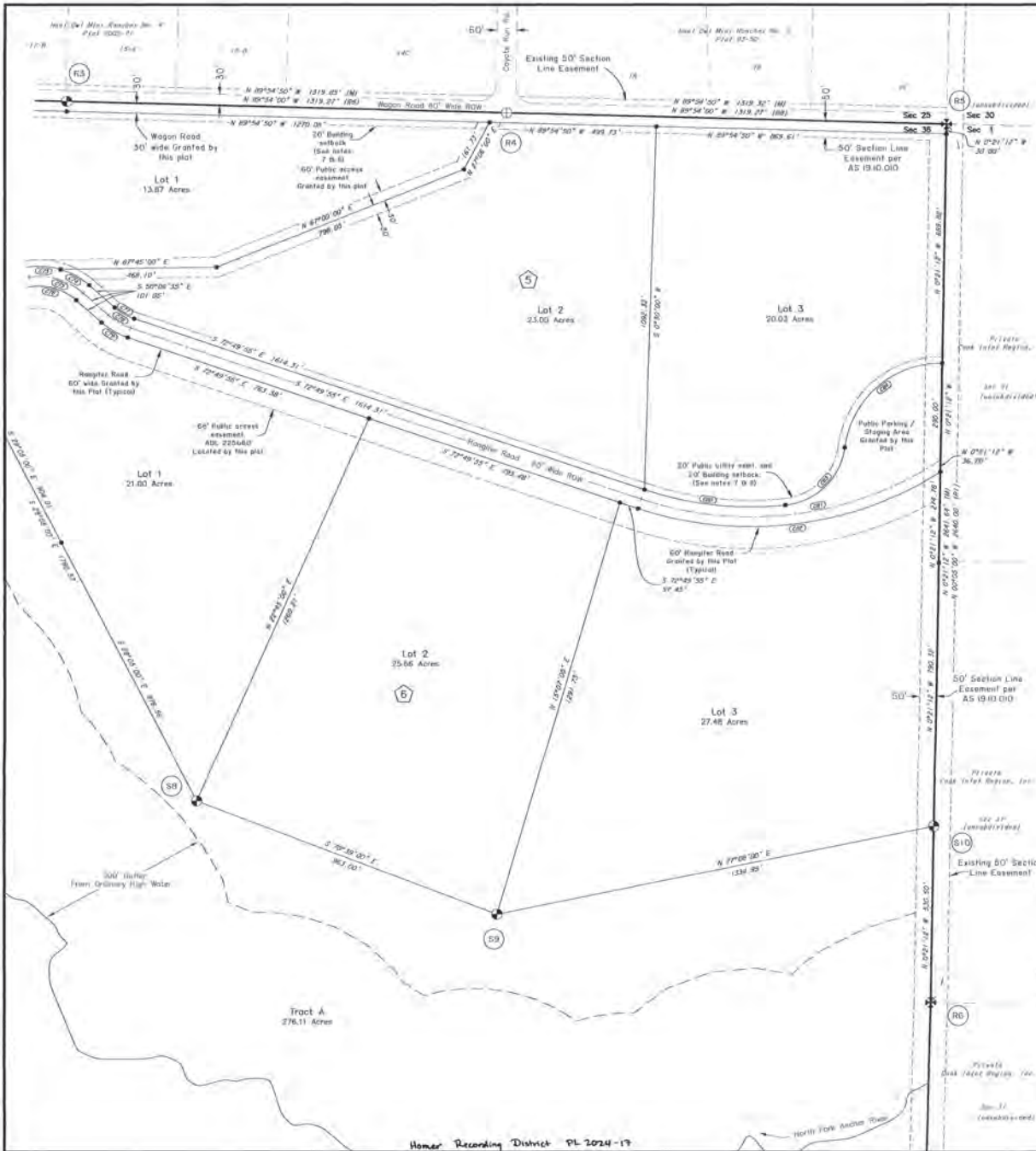
CREATING  
 LOTS 1-3 BLOCK 1; LOTS 1-4 BLOCK 2; LOTS 1-3 BLOCK 3; LOTS 1-7 BLOCK 4; LOTS 1-3 BLOCK 5; LOTS 1-3 BLOCK 6; AND TRACT A CONTAINING 640 ACRES MORE OR LESS HOMER RECORDING DISTRICT KENAI PENINSULA BOROUGH STATE OF ALASKA

DRAWN BY: **JD**  
 DATE: **June 2022**  
 SCALE: **1"=150'**

APPROVAL, RECOMMENDED  
 SUPERVISOR: **Kevin Dyer** **1/18/2024**  
 CHECKED: **JD**  
 DNR FILE NO.: **ASLS 20210037**







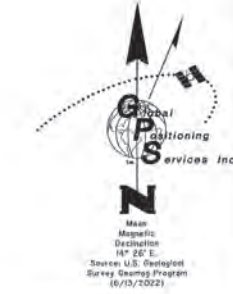
Line #	Length	Direction
L1	90.34	N 53° 55' 07" W
L2	313.20	N 53° 47' 25" W
L3	430.30	N 19° 31' 51" W
L4	449.14	N 19° 40' 55" W
L5	337.10	N 19° 28' 37" W
L6	480.10	N 19° 35' 12" W
L7	451.48	N 19° 38' 20" W
L8	386.84	N 19° 43' 33" W
L9	446.80	N 19° 25' 42" W
L10	447.95	N 19° 31' 00" W
L11	414.30	N 19° 29' 30" W
L12	398.35	N 19° 30' 09" W
L13	290.39	N 19° 36' 52" W
L14	433.40	N 19° 39' 55" W
L15	710.62	N 19° 37' 41" W
L16	336.63	N 19° 37' 41" W
L17	249.37	N 32° 11' 22" E
L18	180.72	N 2° 37' 37" E
L19	1854.48	N 76° 52' 33" E
L20	580.91	N 5° 47' 40" E

Line #	Length	Direction
L21	179.77	N 5° 47' 40" E
L22	49.58	S 60° 50' 21" W
L23	40.07	S 58° 15' 56" W
L24	207.43	S 58° 33' 47" W
L25	238.48	S 58° 33' 47" W
L26	31.43	N 19° 43' 26" W
L28	32.54	N 31° 43' 26" W
L29	40.54	S 80° 15' 00" W
L30	45.63	N 3° 34' 42" E
L32	45.63	N 5° 34' 42" E
L33	19.83	N 14° 04' 20" W
L35	153.06	N 14° 04' 20" W
L36	133.43	N 14° 04' 20" W
L37	143.69	N 63° 46' 28" W

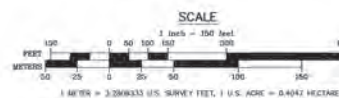
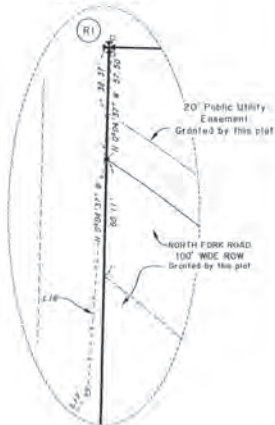
Note: These distances are to the subdivision location.

Curve #	Length	Radius	Delta	Chord Bearing & Distance
C65	118.18	232.60	29°00'42"	N 27°09'54" E 116.92
C66	34.39	25.00	78°48'38"	S 52°00'52" W 31.74
C67	59.26	48.97	67°56'28"	S 48°54'33" E 55.85
C68	223.23	102.85	124°36'03"	S 20°34'46" E 181.77
C69	157.99	72.65	124°36'01"	S 20°34'45" E 128.65
C70	58.23	220.00	15°09'51"	N 89°32'20" E 58.06
C71	66.17	250.00	15°09'51"	N 89°32'20" E 65.97
C72	74.11	280.00	15°09'51"	N 89°32'20" E 73.89
C73	86.63	230.00	24°34'09"	N 85°45'31" W 97.87
C74	99.40	230.00	24°45'38"	N 61°05'38" W 98.62
C75	172.19	200.00	49°19'47"	N 73°22'42" W 166.92
C76	146.36	170.00	49°19'47"	N 73°22'42" W 141.89
C77	67.42	170.00	22°43'21"	S 60°04'29" E 66.98
C78	78.32	200.00	22°43'21"	S 60°04'29" E 78.80
C79	91.21	230.00	22°43'21"	S 60°04'29" E 90.62
C80	428.57	1000.00	24°32'18"	S 83°42'18" E 425.00
C81	936.83	1030.00	52°04'47"	N 82°50'27" E 904.87
C82	943.56	1050.00	51°00'07"	N 83°03'47" E 912.72
C83	267.62	200.00	76°40'01"	N 45°41'33" E 248.09
C84	423.56	290.00	83°41'02"	S 49°12'03" W 398.01
C85	35.05	25.00	80°19'37"	S 41°28'56" W 32.25
C86	104.71	50.00	119°59'24"	S 58°40'33" E 86.60
C87	26.18	25.00	60°03'36"	S 31°19'27" W 25.00
C88	39.25	25.00	89°57'03"	S 43°37'42" E 35.34
C89	39.29	25.00	90°02'57"	S 48°22'18" W 35.37
C90	39.20	25.00	89°49'50"	N 46°30'16" E 35.37

- LEGEND:**
- ⊕ BLM MONUMENT RECOVERED
  - ⊕ PRIMARY MONUMENT RECOVERED
  - ⊕ PRIMARY MONUMENT SET THIS SURVEY
  - ⊕ SECONDARY MONUMENT SET THIS SURVEY
  - SURVEYED
  - - - UNSURVEYED
  - - - SECTION LINE EASEMENTS AND PUBLIC ACCESS EASEMENTS
  - - - PUBLIC UTILITY EASEMENT
  - MONUMENT IDENTIFIER
  - ① BLOCK NUMBER
  - (R1) RECORD PER S.L.G. PLAT ACCEPTED APRIL 29, 1949
  - (R9) RECORD PER PLAT 92-5 HER
  - (M) MEASURED BEARING AND DISTANCE
  - (C) COMPUTED USING RECORD VALUES
  - HRD HOMER RECORDING DISTRICT



DETAIL A FROM SHEET 2  
SCALE: 1" = 30'



KPB FILE NO. 2022-158

DATE OF SURVEY: JUNE 13, 2022  
Beginning: FEBRUARY 28, 2022

Global Positioning Services, Inc.  
2603 Blueberry Rd.  
Anchorage, Alaska 99503  
Phone No. (907) 569-2000  
Cert. of Authorization No. AEDCS148

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND & WATER  
500 W 7TH AVE STE 600, ANCHORAGE, ALASKA 99501

ALASKA STATE LAND SURVEY NO. 2021-37  
NORTH FORK MICRO AG SUBDIVISION

A SUBDIVISION OF SURVEYED SECTION 36 TOWNSHIP 4 SOUTH RANGE 14 WEST SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA CREATING LOTS 1-3 BLOCK 1; LOTS 1-4 BLOCK 2; LOTS 1-3 BLOCK 3; LOTS 1-7 BLOCK 4; LOTS 1-3 BLOCK 5; LOTS 1-3 BLOCK 6; AND TRACT A CONTAINING 640 ACRES MORE OR LESS HOMER RECORDING DISTRICT KENAI PENINSULA BOROUGH STATE OF ALASKA

DRAWN BY: JES  
DATE: JUNE 2023  
SCALE: 1"=150'

APPROVAL RECOMMENDED  
DATE: 1/18/2024  
BY: [Signature]  
TITLE: [Signature]  
DNR FILE NO. ASLS 20210037





Recovered 1/2" Brass cap on 2" iron post, 2" above ground, firmly set, marked as shown.

New Bearing Object:  
 BT 1 3" Upr. Pole N. 20° E., 3.6 ft.  
 BT 2 8" Cottonwood N. 80° E., 98.7 ft.  
 BT 3 4" Spruce N. 30° W., 84.2 ft.

Orange concrete post North 1 ft.



Recovered 1/4" Aluminum cap on 2" diam. post flush with ground, firmly set, marked as shown.

New Bearing Trans:  
 BT 1 10" Cottonwood N. 80° E., 92 ft.  
 BT 2 1" Cottonwood S. 90° W., 37.6 ft.  
 BT 3 6" Cottonwood S. 80° W., 10.3 ft.



Recovered 1" dia. pipe, lying 10" underground, top 6" bent, making up Original 9 1/2" cone.

At the base of the iron pipe, set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

Original 9 1/2" pipe buried, oblique Aluminum Post.

New Reference Monument:  
 RM 1 N. 46° 30' 00" W., 20.00'  
 RM 2 N. 43° 30' 00" E., 20.00'

Orange concrete post North 1 ft.



Recovered 1/4" Aluminum cap on 2" diam. post flush with ground, firmly set, marked as shown.

New Bearing Trans:  
 BT 1 8" Spruce S. 80° W., 84.0 ft.  
 BT 2 10" Spruce S. 60° W., 69.1 ft.

No other suitable 9 1/2" within range.



Recovered 1/2" Brass cap on 2" iron post, flush with ground, firmly set, marked as shown.

New Bearing Trans:  
 BT 1 1" Spruce S. 43° E., 52.2 ft.  
 BT 2 14" Spruce N. 80° W., 74.2 ft.  
 BT 3 4" Spruce N. 9° W., 56.5 ft.

**TYPICAL PRIMARY WITNESS POST**  
 An Orange Fiberglass Reinforced Concrete Post, 6 ft long, set at a certain distance within 1 ft of all primary monuments.



**TYPICAL SET BEARING TREE TAG**  
 A Yellow 1/2" x 1/2" Aluminum Tag, set at BRASS ABOUT THREE FEET NORTH.



Recovered 1/2" Brass cap on 2" iron post, 2" above ground, firmly set, marked as shown.

Original Bearing Trans:  
 BT 1 8" Spruce stem, 4' high, N. 64° W., 39.0 ft.

New Bearing Trans:  
 BT 1 5" Spruce N. 80° E., 32.3 ft.  
 BT 2 1" Spruce S. 50° W., 11.1 ft.  
 BT 3 4" Spruce N. 30° W., 6.8 ft.



Recovered 1/2" Brass cap on 3" iron post, 2" above ground, firmly set, marked as shown.

Original PMS D. W. 9" dia. steel.

New Reference Monument:  
 RM 1 N. 80° 30' 00" E., 20.00'  
 RM 2 S. 1° 30' 00" E., 20.00'



Recovered 1/2" Brass cap on 3" iron post, 2" above ground, firmly set, marked as shown.

New Reference Monument:  
 RM 1 N. 7° 30' 00" W., 20.00'  
 RM 2 N. 68° 30' 00" E., 20.00'



Recovered 1/2" Brass cap on 2" iron post, flush with ground, firmly set, marked as shown.

New Reference Monument:  
 RM 1 N. 88° 30' 00" E., 20.00'  
 RM 2 N. 1° 30' 00" W., 20.00'



Recovered 1/2" Brass cap on 3" iron post, flush with ground, firmly set, marked as shown.

New Reference Monument:  
 RM 1 S. 1° 30' 00" E., 20.00'  
 RM 2 N. 80° 30' 00" E., 20.00'



Recovered 1/2" Brass cap on 2" iron post, 2" above ground, firmly set, marked as shown.

New Reference Monument:  
 RM 1 S. 1° 30' 00" E., 20.00'  
 RM 2 N. 80° 30' 00" W., 20.00'



Recovered 1/2" Brass cap on 3" iron post, flush with ground, firmly set, marked as shown.

New Reference Monument:  
 RM 1 N. 80° 30' 00" E., 20.00'  
 RM 2 S. 1° 30' 00" E., 20.00'



Recovered 1/2" Brass cap on 3" iron post, 2" above ground, firmly set, marked as shown.

New Bearing Trans:  
 BT 1 14" Spruce S. 80° E., 25.1 ft.  
 BT 2 6" Birch S. 40° W., 11.7 ft.  
 BT 3 8" Spruce N. 10° W., 64.7 ft.



Recovered 1/2" Brass cap on 3" iron post, 2" above ground, firmly set, marked as shown.

New Bearing Trans:  
 BT 1 5" Spruce S. 70° E., 41.5 ft.  
 BT 2 8" Spruce S. 10° W., 45.7 ft.  
 BT 3 10" Spruce N. 30° W., 51.3 ft.



Recovered 5/8" rebar, missing cap, 2" above ground, firmly set.



Recovered 2" Aluminum Cap on 5/8" rebar, 4" above ground, firmly set, marked as shown.



Recovered 1/2" Brass cap on 3" iron post, flush with ground, firmly set, marked as shown.

New Reference Monument:  
 RM 1 N. 80° 30' 00" E., 20.00'  
 RM 2 S. 1° 30' 00" E., 20.00'



Recovered Yellow plastic Cap on 5/8" rebar, flush with ground, firmly set, marked as shown.



Recovered Yellow plastic Cap on 5/8" rebar, 4" above ground, firmly set, marked as shown.



Recovered 2" Aluminum Cap on 5/8" rebar, flush with ground, firmly set, marked as shown.

**TYPICAL SET SECONDARY MONUMENT**



Set 5/8" Rebar, 30" long, above 20" in the ground and 2-1/2" Aluminum Cap. Wood Lath set 1" North.



Recovered 2" Aluminum Cap on 5/8" rebar, flush with ground, firmly set, marked as shown.



Recovered 1/2" rebar, missing cap, 2" above ground, firmly set.



Recovered 2" Aluminum Cap on 5/8" rebar, flush with ground, firmly set, marked as shown.



Recovered 2" Aluminum Cap on 5/8" rebar, flush with ground, firmly set, marked as shown.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 N. 6° 42' 00" W., 20.00'  
 RM 2 N. 80° 30' 00" E., 20.00'

Orange concrete post North 1 ft.

**TYPICAL SET REFERENCE MONUMENT**



Set 5/8" Rebar, 30" long, above 20" in the ground and 2-1/2" Aluminum Cap. Wood Lath set 1" North.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 S. 60° 30' 00" W., 20.00'  
 RM 2 S. 1° 30' 00" E., 20.00'

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 N. 1° 30' 00" W., 20.00'  
 RM 2 S. 68° 30' 00" W., 20.00'

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

BT 1 10" Spruce S. 84° E., 50.3 ft.  
 BT 2 10" Spruce S. 9° W., 50.3 ft.  
 BT 3 4" Spruce S. 18° W., 34.6 ft.

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 S. 66° 30' 00" W., 20.00'  
 RM 2 S. 1° 30' 00" E., 20.00'

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 N. 1° 30' 00" W., 20.00'  
 RM 2 N. 80° 30' 00" W., 20.00'

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

BT 1 8" Spruce S. 50° E., 91 ft.  
 BT 2 5" Spruce S. 70° W., 8.7 ft.  
 BT 3 4" Spruce N. 10° W., 7.5 ft.

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

BT 1 8" Spruce N. 70° E., 58.8 ft.  
 BT 2 5" Spruce S. 50° W., 85.8 ft.  
 BT 3 4" Spruce N. 30° W., 10.4 ft.

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 S. 80° 30' 00" W., 20.00'  
 RM 2 N. 1° 30' 00" W., 20.00'

Orange concrete post North 1 ft.



Set an Aluminum Post, 2 1/2" diam x 30" long, with an Aluminum Cap, 3 1/4" diam, marked as shown, set 20" in the ground with a clear magnet deposited at the base of the monument.

RM 1 S. 66° 30' 00" W., 20.00'  
 RM 2 N. 1° 30' 00" W., 20.00'

Orange concrete post North 1 ft.



KPE FILE No. 2022-158

DATE OF SURVEY: Beginning: June 13, 2022  
 February 28, 2023

Global Positioning Services, Inc.  
 2503 Blueberry Rd.  
 Anchorage, Alaska 99503  
 Phone No. (907) 569-2000  
 Cert. of Authorization No. A0203368

STATE OF ALASKA  
 DEPARTMENT OF NATURAL RESOURCES  
 DIVISION OF MINING, LAND & WATER  
 550 W 7TH AVE 3RD FLS, ANCHORAGE, ALASKA 99501

ALASKA STATE LAND SURVEY NO. 9921-37  
 NORTH FORK MICRO AG SUBDIVISION

A SUBDIVISION OF SURVEYED SECTION 36  
 TOWNSHIP 4 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN,  
 KENAI PENINSULA BOROUGH, ALASKA

CREATING  
 LOTS 1-3 BLOCK 1; LOTS 1-4 BLOCK 2; LOTS 1-3 BLOCK 3;  
 LOTS 1-7 BLOCK 4; LOTS 1-3 BLOCK 5; LOTS 1-3 BLOCK 6;

CONTAINING 640 ACRES MORE OR LESS  
 HOMER RECORDING DISTRICT  
 KENAI PENINSULA BOROUGH  
 STATE OF ALASKA

DRAWN BY: CO APPROVAL: RECOMMENDED  
 DATE: JUNE 2022 DATE OF PLATING: SURVEYOR  
 SCALE: AS SHOWN CHECKED: DNF FILE NO.  
 N/A I.C.G. ASLS 20210037

1/18/2022

2024-17  
 Plat #  
**Homer**  
 Red Star  
 5-22 2024  
 City  
 Twp. 10:34 AU



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Natural Resources**

DIVISION OF MINING, LAND & WATER  
Survey Section

550 West 7th Avenue, Suite 650  
Anchorage, Alaska 99501-3576  
Main: 907.269.8523  
TTY: 711 or 800-770-8973  
Fax: 907.269.8916

October 10, 2025

To: Jim and LuAnne Nelson  
65556 Knob Hill Road  
Anchor Point, AK 99556

cc: Survey Alaska, LLC  
Attn: Jon Guffey  
PO Box 91101  
Anchorage, AK 99509-1101

Email: [jonguffey@survey-alaska.com](mailto:jonguffey@survey-alaska.com)

bcc: Casefile

File: EV-3-396 Section-Line Easement Vacation  
Subject: Notice of Preliminary Decision

Greetings:

Enclosed is a copy of the Preliminary Decision (PD) for EV 3-396 giving contingent approval to the petition to vacate of segments the 33-foot section line easement and the 10-foot utility easement along the north boundary of Lot 1, Block 4, Hill Park Estates Unit 1, Plat 76-50, Homer Recording District. This action falls within the Section 2, T5S, R14W, S.M., Alaska, as depicted on Attachment A of the enclosed PD.

Public Notice of the referenced Preliminary Decision has been published on the State of Alaska Online Public Notices website at the following address: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>. The PD public notice is required to run for thirty (30) days. During this time, the public is invited to comment on the proposed action. **Any comments concerning the proposed action must be submitted in writing to DNR, DMLW and received on or before November 10, 2025.** All public comments will be considered. If any of the comments require a modification to the preliminary decision the Department will issue a revised PD. Otherwise, our office will proceed with drafting a Final Finding and Decision (FFD). The FFD also requires a thirty (30) day public notice.

The following DNR staff members can be contacted with questions: Victoria Braun 907-375-7733, [victoria.braun@alaska.gov](mailto:victoria.braun@alaska.gov) or Louanne Lamas 907-269-8610, [Louanne.lamas@alaska.gov](mailto:Louanne.lamas@alaska.gov) or Stan Brown 907-269-8521, [stanley.brown@alaska.gov](mailto:stanley.brown@alaska.gov).

If you have any questions, please do not hesitate to contact any one of us.

Sincerely,

A handwritten signature in cursive script that reads "Victoria Braun".

Victoria Braun  
Natural Resource Specialist 2

Enclosure: Preliminary Decision EV-3-396  
EV 3-396 Attachment A

# EV 3-396 Section Line Easement & Public Utility Easement Vacation

Notice of Preliminary Decision  
Section Line Easement & Public Utility Easement Vacation  
EV 3-396

Per AS 19.30.410 & 11 AAC 51.065, the Department of Natural Resources, Division of Mining, Land and Water has made a Preliminary Decision (PD) giving contingent approval to vacate a keyhole portion of the 33-foot wide section line easement and the 10-foot wide utility easement within Lot 1, Block 4, Hill Park Estates Unit 1, recorded as Plat No. 76-50 in the Homer Recording District (HRD). This action falls within Lot 3 of Section 2, T5S, R14W, S.M., Alaska, as depicted on Attachment A.

The public is invited to comment on the PD. Copies are available from DMLW, 550 W. 7th Avenue, Suite 650, Anchorage, AK 99501-3576 or <https://aws.state.ak.us/OnlinePublicNotices/>. Persons wanting to provide comments on this proposed easement vacation can submit their comments in writing or by email. To be eligible to appeal under AS 38.05.035(i)(j), one must respond in writing during the comment period. All comments must be received in writing by DMLW on or before November 10, 2025. Correspondence or questions should be addressed to DNR, DMLW, Survey Section, Attn: Victoria Braun, 550 W. 7th Avenue, Suite 650, Anchorage, AK 99501. Comments may also be submitted via e-mail at [victoria.braun@alaska.gov](mailto:victoria.braun@alaska.gov). Please reference EV 3-396 in your correspondence, include the date, your name, telephone number, mailing address and e-mail address to ensure you receive copies of all subsequent decisions.

If public comment analysis indicates the need for significant changes to the PD, additional public notice will be given. If no significant change is required, the PD, including any minor changes, will be issued as a Final Decision (FD).

DMLW reserves the right to waive technical defects in this publication.

Those with audio impairments may call Anchorage DNR Public Information Center, 10-5, M-F, TDD#269-8411.

## Attachments, History, Details

### Attachments

[2025.10.10-EV\\_3-396\\_PD.pdf](#)  
[EV\\_3-396\\_Attachment A Keyhole.pdf](#)

### Revision History

Created 10/10/2025 11:55:25 AM by vkbraun  
Modified 10/10/2025 12:02:19 PM by vkbraun

### Details

Department: Natural Resources  
Category: Public Notices  
Sub-Category:  
Location(s): Statewide  
Project/Regulation #:

Publish Date: 10/10/2025  
Archive Date: 11/11/2025

Events/Deadlines:

**STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER**

**Preliminary Finding & Decision  
Petitioner: James and LuAnne Nelson  
RS 2477 Section Line & Utility Easement Vacation  
EV 3-396**

**Petitioned Action:**

The subject property is located approximately 7.5 miles east of Anchor Point, Alaska, at the intersection of North Fork Road and Knob Hill Road. The petitioners are requesting the vacation of a portion of the 33-foot wide section line easement (SLE) and the abutting 10-foot wide utility easement (UE) along the north boundary of Lot 1, Block 4, Hill Park Estates Unit 1, Plat No. 76-50, Homer Recording District (HRD). The petitioned action falls within Section 2, T5S, R14W, S.M., Alaska. They are proposing to dedicate a 33-foot wide public access and utility easement along the east boundary of said lot to serve as alternate access to the existing easements to be vacated by the petitioned action. During Agency Review, the Alaska Department of Transportation & Public Facilities (DOT&PF) required the adjustment of this action (see the Agency Review portion of this decision). Thus, the amended petition reduced the full SLE vacation area down to a ‘keyhole’ vacation to meet DOT&PF’s requirement for approval. Essentially the request reduced the SLE area to only include the portion of the existing house that encroaches the SLE as depicted on Attachment A.

The reasons cited by the applicant:

- “Existing house built into the 33 foot SLE”.

**Legal Authority:**

AS 19.10.010, AS 19.30.410, AS 38.05.035(e), AS 38.05.945, 11 AAC 51.025, 11 AAC 51.065 and 11 AAC 51.100.

The Alaska DOT&PF and the Department of Natural Resources (DNR) have concurrent authority for approving the vacation of SLEs.

**Administrative Record:**

The DNR Survey Case File EV 3-396 constitutes the administrative record used for the basis of this decision.

**Borough:**

The proposed action is located within the Kenai Peninsula Borough (KPB).

**State Easement Interest:**

A 33-foot wide RS 2477 section line easement exists within the subject property pursuant to Chapter 19, SLA 1923 (See Discussion 1).

**Underlying Interest:**

The petitioner owns the estate underlying the SLE and UE proposed for vacation.

**Alternate Route:**

The proposed alternate access is to be dedicated as a required part of this easement vacation action. They are proposing to dedicate the easterly 33-feet of Lot 1, Block 4, Hill Park Estates Unit 1, Plat No. 76-50, HRD, as a public access and utility easement that will serve as an alternate to the vacated easements, as depicted on Attachment A.

**Land Management Policies:**

1) Pursuant to AS 19.30.410 the Department of Natural Resources, the Department of Transportation and Public Facilities, or another agency of the state may not vacate a right-of-way acquired by the state under former 43 U.S.C. 932 unless:

- a reasonably comparable, established alternate right-of-way or means of access exists that is sufficient to satisfy all present and reasonably foreseeable uses.

2) Pursuant to 11 AAC 51.065, before any vacation, modification, or relocation of a public easement, the petitioner must demonstrate to the satisfaction of the department that equal or better access is available. Equal or better access must be access that is:

- protected by an easement of record that is adequately wide for the purpose; if the easement of record is new, the petitioner must arrange for a note in the vacation document to be recorded that identifies the new easement as a replacement for the vacated easement; and,
- at least equally usable, considering length, type of terrain, and level of improvement, as the easement to be vacated; if development or improvement is needed to make the replacement easement at least equally usable, the petitioner must arrange for the development or improvement to be completed before the vacation takes effect.
- the department will determine if the vacation is in the State's best interest.

**Public Use Patterns:**

The portion of the 33-foot wide SLE and adjacent 10-foot wide UE proposed for vacation within Lot 1 Block 4, Hill Park Estates Unit 1, Plat No. 76-50, HRD, is partially cleared and constructed. Upon viewing the aerial imagery, it is evident that the petitioner/landowner has partially cleared a portion of their lot. The public does not appear to be utilizing the uncleared SLE portions within this lot for any pedestrian, ATV or vehicular use according to recent aerial imagery. The property owners are currently utilizing a portion of the SLE; a large portion of the existing house that was constructed encroaches the 33-foot wide SLE almost entirely along its width.

A field inspection of this lot was conducted by DNR Survey Staff on September 17, 2020, prior to the submittal of an easement vacation petition. The purpose of the field inspection was to verify if the existing structure on the subject lot was in trespass; needing to confirm whether the structure went beyond the boundaries of the subject lot into the adjacent Lot 7, Block 4, as shown on the plat of Alaska State Land Survey No. 2021-37, North Fork Micro Ag Subdivision, recorded as Plat No. 2024-17, HRD, which is currently owned by the State of Alaska. The field inspection determination confirmed the structure was within the 33-foot wide SLE of Lot 1, Block 4, Hill Park Estates Unit 1, Plat No. 76-50, HRD, and was not in trespass on the abutting State-owned lot to the north.

According to Homer Electric Association (HEA), the 10-foot wide PUE shows “a pad mount transformer, being fed by an underground electric line from the east, is located within the platted utility easement”. HEA has provided a written non-objection to this action as the newly dedicated public access and utility easement will allow for HEA’s mount transformer to remain within the newly oriented dedicated easement. The public does not appear to be using the 10-foot wide PUE and recent aerial imagery shows no evidence of any type of public use of the 33-foot wide SLEs along the East-West running section line common to Section 2, T5S, R14W, S.M. and Section 36, T4S, R14W, S.M., except for the encroachment of the property owner’s existing structure.

**Practicality of Use:**

The current state of the existing SLE and UE that are proposed to be vacated are partially cleared and constructed along a portion of the subject lot’s north boundary and can be accessed from the lot’s northwest corner via North Fork Road, a 100-foot wide right-of-way (ROW), along the westerly boundary of the subject lot. There does not appear to be any evidence of pedestrian, ATV, or vehicular use within the uncleared and fully vegetated portions of the existing SLE and UE. The current state of the proposed alternate route is unconstructed and can be accessed from the lot’s southeast corner via Knob Hill Road, a 60-foot wide ROW, which abuts the southerly boundary of the subject lot and intersects the aforementioned North Fork Road ROW to the west. The southerly and westerly 20-feet of the subject lot is a dedicated public utility easement (PUE) and building setback. Recent aerial imagery shows that 20-foot wide PUE and building setback portions are cleared and nothing has been constructed, deeming it to be a viable alternative to the 10-foot UE proposed for vacation. With current existing access and future access to be dedicated, there are no practical reasons to retain the keyhole portion of the SLE proposed for vacation.

**Agency Review:**

Initial Agency review of the proposed action began on November 12, 2024 and concluded March 13, 2025. Agencies notified included Department of Transportation & Public Facilities (DOT&PF) Central Region, Alaska Department of Fish & Game (ADF&G), DNR Division of Mining, Land and Water (DMLW) – Southcentral Regional Land Office (SCRO), Alaska Mental Health Trust Land Office (MHTLO) and DNR Division of Parks and Outdoor Recreation (DPOR), Homer Electric Association (HEA) and the Kenai Peninsula Borough (KPB).

**Agency Comments:**

1. The following agencies submitted comments of non-objection DPOR, HEA, ADF&G and SCRO.
2. KPB indicated they would fully review this action when the surveyor formally presents the easement vacation plat to KPB’s Planning Commission. The Borough’s review is incorporated into DNR, DMLW’S conditions for approval (see that portion of this decision).
3. On December 5, 2024 the DOT&PF submitted an objection particularly to the SLE vacation stating the following:
  - “The State of Alaska, Department of Transportation & Public Facilities (DOT&PF) Right of Way Section has reviewed the section line easement vacation request serialized by DNR as EV 3-396. DOT

&PF is concerned that the current proposal will negatively impact the functional integrity of the national Highway System by reducing the potential for East-West connections in the area. However, DOT &PF does not object to a keyhole vacation around the existing house.”

On March 19, 2025, an Agency Response Letter was sent to the petitioner and their surveyor communicating DOT&PF’s objection and proposed stipulation for conditional approval provided the action is limited to a keyhole vacation within the SLE. Comment reconciliation discussions between DOT&PF staff, the petitioner and the surveyor commenced.

The petitioning party agreed to DOT&PF’s keyhole SLE vacation to be in compliance with DOT&PF’s condition for approval.

3. No other comments or objections on the proposed action were received.

**Discussion:**

**1. Determination of the existence of the Section Line Easements:**

- a. The U.S. Rectangular Survey Plat for Township 5 South, Range 14 West, Seward Meridian, Alaska, was approved by the U.S. Surveyor General’s office on May 29, 1919, and accepted on June 21, 1919, by the General Land Office (GLO).
  - b. On June 1, 1965, Patent No. 50-65-0647 granted Lots 3 & 4 of Section 2, T5S, R14W, S.M., Alaska (subject property in this area), to Keith A. Epperson. The date of entry (application received) for Keith A. Epperson, according to BLM Case Abstract for Case Serial No. AKA 047236, was January 26, 1959.
  - c. According to the BLM Historical Index, research verified that the subject lands were affected by the following Proclamations:
    - i. On February 23, 1909, Proclamation 852 enlarged the boundary of Chugach National Forest to include most of the Kenai peninsula. This proclamation reserved the subject lands for the Chugach National Forest.
    - ii. On August 2, 1915, Proclamation 1307 changed the boundary of Chugach National Forest and restored the subject lands to settlement and entry. The subject lands became unreserved again thirty-five days after this proclamation.
    - iii. Historical Index research indicated that there were no other federal reservations of the subject lands prior to April 6, 1923.
  - d. For surveyed federal land that was unappropriated and unreserved at anytime on or after April 6, 1923 through January 17, 1949, the width identified in Ch. 19, SLA 1923 for any section-line easement is 33-feet (11 AAC 51.025, Editor’s Note #2).
2. The proposed alternate access is reasonably comparable and meets the requirements for vacation of the subject section line easements pursuant to AS 19.30.410 and 11 AAC 51.065. The proposed alternate route is adequately wide to satisfy all present and reasonable foreseeable uses.

3. Pursuant to 11 AAC 51.065(e)(1), the Department will give consideration to the recommendations of the Kenai Peninsula Borough's Platting Board regarding this action when a copy of the Approved Minutes have been received at DNR.

**Approval of the proposed action is contingent upon the following conditions:**

1. Pursuant to AS 38.05.945, a Public Notice must be completed. The Department of Natural Resources may modify the decision after analyzing public comments.
2. Comply with KPB's conditions of approval unless waived by the Director, DMLW.
3. The petitioner has complied with DOT&PF's conditional approval requirement. The petitioners have agreed to reduce the action from a full vacation of the SLE in Lot 1 Block 4, Hill Park Estates Unit 1, Plat 76-50, HRD down to a 'keyhole' SLE vacation in this lot around the footprint of the encroaching structure.
4. Dedication of a 33-foot public access and utility easement along the east boundary of Lot 1, Block 4.
5. Submittal of a Certificate to Plat, current within 90-days, with the final plat.
6. A final plat (owner signed / surveyor sealed Mylar) must be submitted to DNR within two years from the date of approval of the Final Finding and Decision unless extended by DMLW, Survey Section.

**Recommendation:**

Based on our findings, the applicant meets DNR's requirements to vacate the subject section-line easement. The proposed vacation may be in the state's best interest. Therefore, the Division of Mining, Land and Water, Survey Section recommends approval of this action and may proceed with adjudication and public notice in accordance with AS 38.05.945.

Prepared by:

Victoria Braun  
Victoria Braun  
Natural Resource Specialist 2

10/16/2025  
Date

Approved by:

Ryan Quigley  
Ryan Quigley, PLS, CFES  
for Gwen M. Gervelis, PLS  
Chief, Survey Section

10/10/25  
Date

**PUBLIC NOTICE:**

**Notice of Preliminary Decision  
RS 2477 Section Line & Utility Easement Vacation  
EV-3-396**

Per AS 19.30.410 & 11 AAC 51.065, the Department of Natural Resources, Division of Mining, Land and Water has made a Preliminary Decision (PD) giving contingent approval to vacate a keyhole portion of the 33-foot wide section line easement and the 10-foot wide utility easement within Lot 1, Block 4, Hill Park Estates Unit 1, recorded as Plat No. 76-50 in the Homer Recording District (HRD). This action falls within Lot 3 of Section 2, T5S, R14W, S.M., Alaska, as depicted on Attachment A.

The public is invited to comment on the PD. Copies are available from DMLW, 550 W. 7<sup>th</sup> Avenue, Suite 650, Anchorage, AK 99501-3576 or <https://aws.state.ak.us/OnlinePublicNotices/>. Persons wanting to provide comments on this proposed easement vacation can **submit their comments in writing or by email. To be eligible to appeal under AS 38.05.035(i)(j), one must respond in writing during the comment period. All comments must be received in writing by DMLW on or before November 10, 2025.** Correspondence or questions should be addressed to DNR, DMLW, Survey Section, Attn: Victoria Braun, 550 W. 7<sup>th</sup> Avenue, Suite 650, Anchorage, AK 99501. Comments may also be submitted via e-mail at [victoria.braun@alaska.gov](mailto:victoria.braun@alaska.gov). Please reference EV 3-396 in your correspondence, include the date, your name, telephone number, mailing address and e-mail address to ensure you receive copies of all subsequent decisions.

If public comment analysis indicates the need for significant changes to the PD, additional public notice will be given. If no significant change is required, the PD, including any minor changes, will be issued as a Final Decision (FD).

DMLW reserves the right to waive technical defects in this publication.

Those with audio impairments may call Anchorage DNR Public Information Center, 10-5, M-F, TDD#269-8411.

SECTION-LINE EASEMENT VACATION CERTIFICATE APPROVAL RECOMMENDATION

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES  
 THE VACATION STATEMENT, AS SHOWN HEREON, HAS BEEN REVIEWED BY THE CENTRAL REGIONAL OFFICE AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE COMMISSIONER.




STATE OF ALASKA DIVISION OF MINING, LAND & WATER  
 THE VACATION STATEMENT, AS SHOWN HEREON, HAS BEEN REVIEWED BY THE DIVISION OF MINING, LAND & WATER AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE COMMISSIONER.

RECOMMENDED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 TITLE: REGIONAL CHIEF OF RIGHT-OF-WAY AGENT

RECOMMENDED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 TITLE: DIRECTOR, DIVISION OF MINING, LAND & WATER

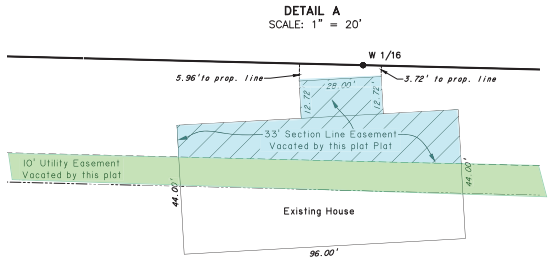
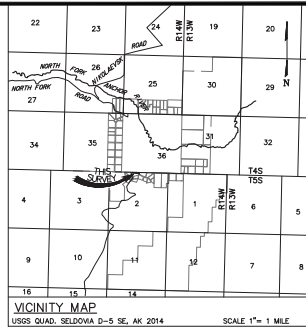
THE STATE OF ALASKA, ACTING BY AND THROUGH THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES AND THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, DOES HEREBY STATE AND DECLARE THAT THE STATE OF ALASKA VACATES AND RELEASES ALL RIGHTS AND TITLE TO ANY AND ALL PORTIONS OF SECTION-LINE EASEMENTS FOR PUBLIC HIGHWAYS RESERVED TO IT UNDER A.S. 19.10.010 (SPECIFIC AREA DELINEATED BY DIAGONAL HATCHING ON THIS PLAT.)

DATE: \_\_\_\_\_ APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
 COMMISSIONER COMMISSIONER  
 DEPARTMENT OF TRANSPORTATION DEPARTMENT OF NATURAL RESOURCES  
 AND PUBLIC FACILITIES

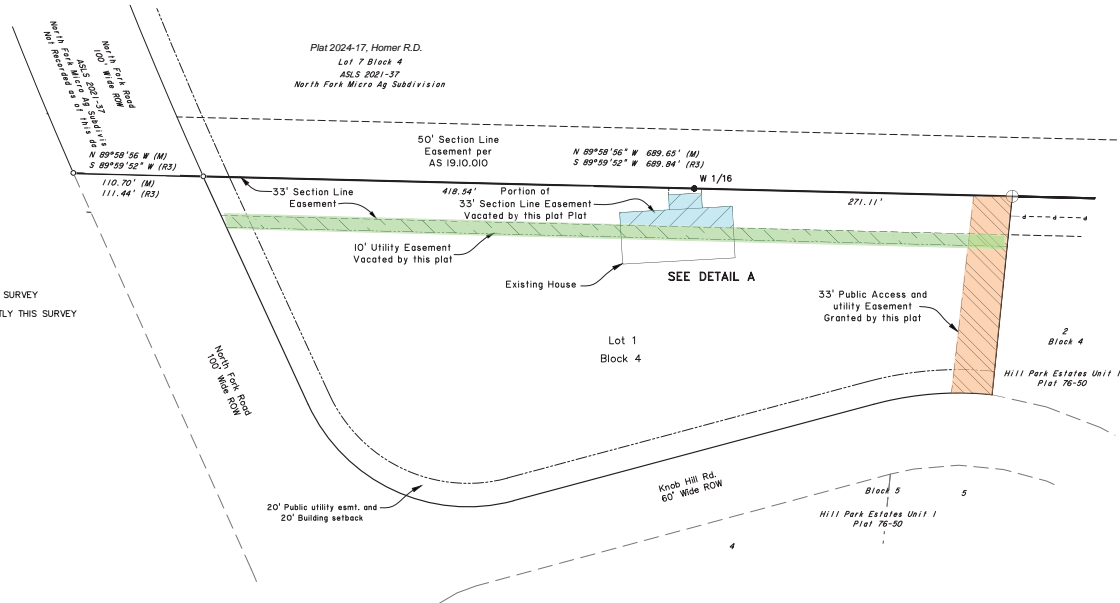
-  PUBLIC ACCESS EASEMENT GRANTED THIS PLAT
-  SECTION LINE EASEMENT VACATED THIS PLAT 'KEYHOLE' VACATION AROUND EXISTING STRUCTURE
-  UTILITY EASEMENT VACATED THIS PLAT

# EV 3-396 Attachment A

## 33-foot SLE Keyhole Vacation and 10-foot Public Utility Easement Vacation



- LEGEND:**
- (R1) RECORD PER PLAT 76-50 HRD
  - (R2) RECORD PER PLAT 2024-17 HRD
  - (R3) RECORD PER AK DOT PROJECT X-11870, ANCHOR RIVER ACCESS ROAD
  - (M) MEASURED BEARING AND DISTANCE
  - (C) COMPUTED USING RECORD VALUES
  - HRD HOMER RECORDING DISTRICT
  - WC WITNESS CORNER
  - WD WITNESS DISTANCE
  - ⊗ BLM MONUMENT RECOVERED
  - ⊕ PRIMARY MONUMENT RECOVERED
  - ⊙ PRIMARY MONUMENT SET THIS SURVEY
  - SECONDARY MONUMENT RECOVERED THIS SURVEY
  - SECONDARY MONUMENT SET CONCURRENTLY THIS SURVEY
  - SURVEYED
  - UNSURVEYED
  - ⊖ --- OVERHEAD POWER LINE AND POLES
  - SECTION LINE EASEMENTS AND PUBLIC ACCESS EASEMENTS
  - PUBLIC UTILITY EASEMENT
  - (R1) MONUMENT IDENTIFIER
  - ⬡ BLOCK NUMBER



**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY XX, 2024

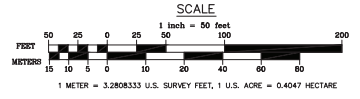
BY: \_\_\_\_\_ AUTHORIZED OFFICIAL

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 I, THE UNDERSIGNED, CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I APPROVE THIS SECTION-LINE EASEMENT VACATION PLAT AND DEDICATE OR RESERVE FOR PUBLIC OR PRIVATE USE, AS NOTED ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS OF WAY AS SHOWN AND DESCRIBED ON THIS PLAT.

DATE: JIM NELSON

**NOTARY'S ACKNOWLEDGEMENT**  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

BY: \_\_\_\_\_  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_



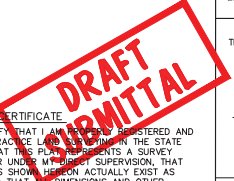
- NOTES**
- BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL DEDICATED STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
  - THE FRONT TWENTY FEET ADJOINING RIGHTS-OF-WAY AS DEPICTED IS DESIGNATED AS A UTILITY EASEMENT GRANTED BY THIS PLAT.

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.



DATE: JON C. GUFFEY  
 REGISTERED LAND SURVEYOR NO. LS-14463

DATE OF SURVEY Beginning: JUNE 13, 2022 Ending: FEBRUARY 26, 2023	Survey Alaska LLC 6402 Air Guard Road Anchorage, Alaska 99502 Phone No. (907) 317-3140 Chf. of Administration No. Z20035
<b>SECTION LINE EASEMENT VACATION</b> THE VACATION OF A PORTION OF SECTION LINE EASEMENT AND UTILITY EASEMENT WITHIN	
LOT 1, BLOCK 4 HILL PARK ESTATES UNIT 1 Plat 76-50	
LOCATED WITHIN SECTION 2 TOWNSHIP 5 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA	
HOMER RECORDING DISTRICT KENAI PENINSULA BOROUGH STATE OF ALASKA	
DRAWN BY: jcg	APPROVAL RECOMMENDED
DATE: JUNE 2022	STATEWIDE PLATING SUPERVISOR DATE
SCALE: 1"=50'	CHECKED: j.c.g. DNR FILE NO.



Adapted from submittal by Jon Guffey. Edited with Surveyor's Permission.