

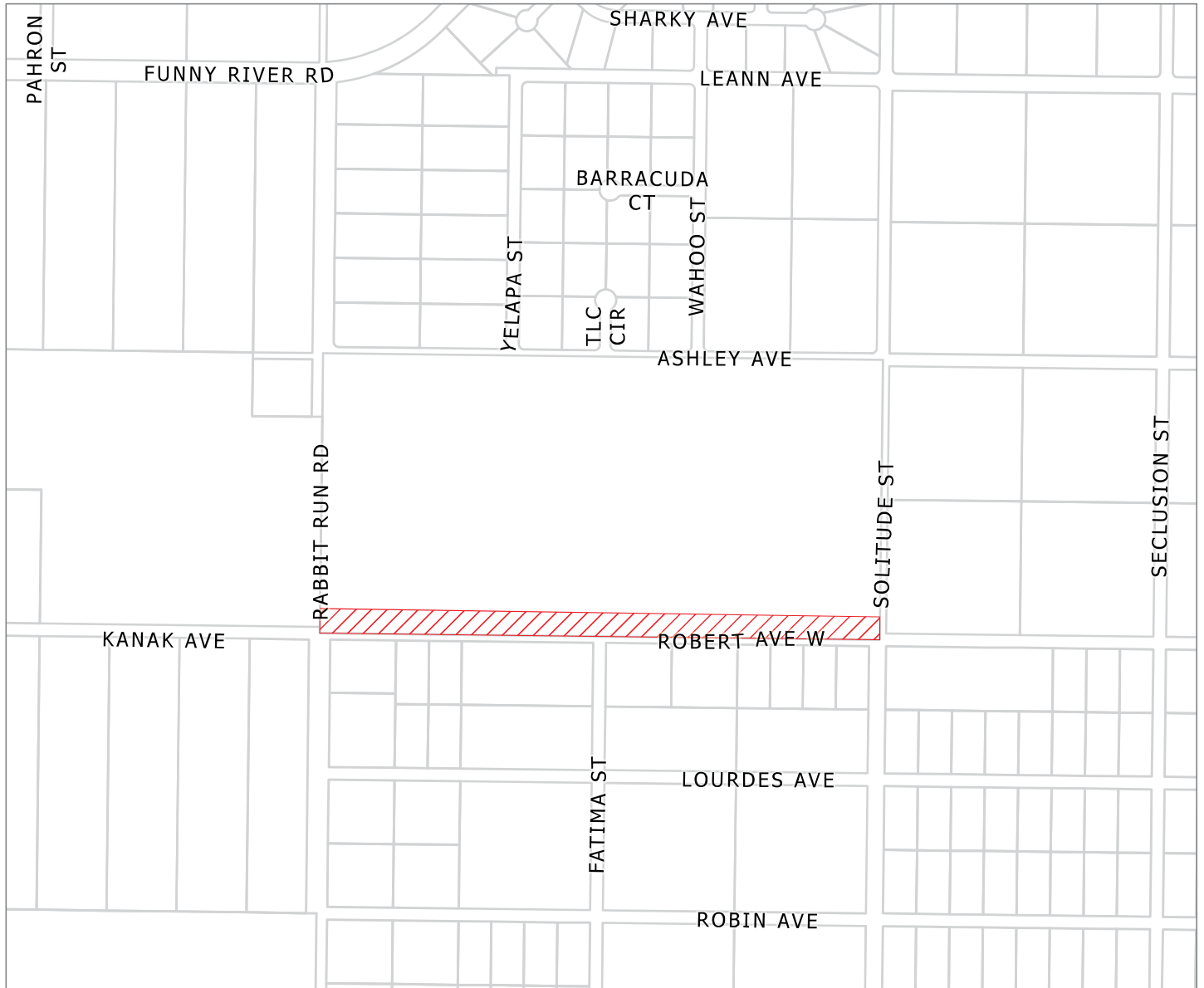
E. NEW BUSINESS

3. KPB Robert Avenue West ROW Acquisition Plat

KPB File 2024-104

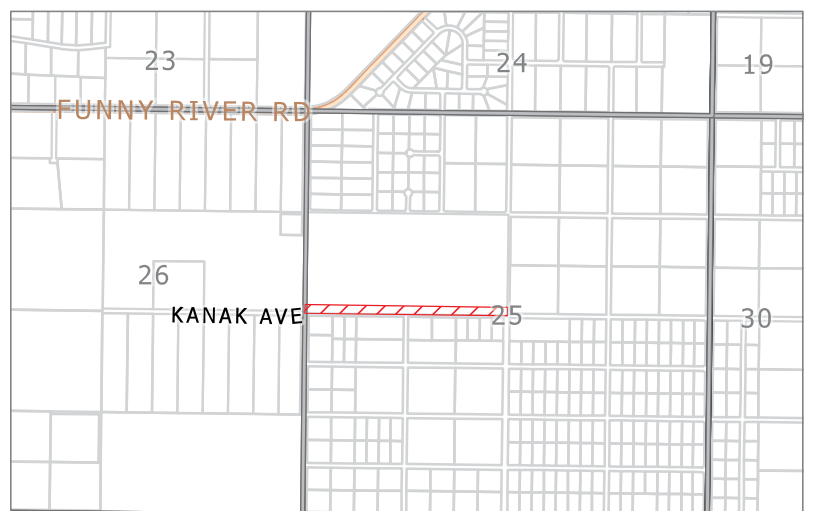
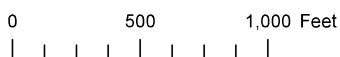
McLane Consulting Group / Zimmerman, O'Connell

**Location: Robert Ave W, Rabbit Run Rd, Ashely Ave & Solitude St
Funny River Area / Funny River APC**



KPB File 2024-104
T 05N R 09W SEC 25
Funny River

10/4/2024





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.

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

MARK V. ZIMMERMAN, OWNER
36225 MERE CIRCLE, SOLDOTNA, ALASKA 99669

COLLEEN O'CONNELL, OWNER
36225 MERE CIRCLE, SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: MARK V. ZIMMERMAN
ACKNOWLEDGED BEFORE ME THIS

____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____

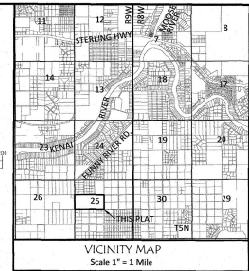
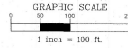
NOTARY PUBLIC FOR THE
STATE OF ALASKA

NOTARY'S ACKNOWLEDGEMENT

FOR: COLLEEN O'CONNELL
ACKNOWLEDGED BEFORE ME THIS

____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

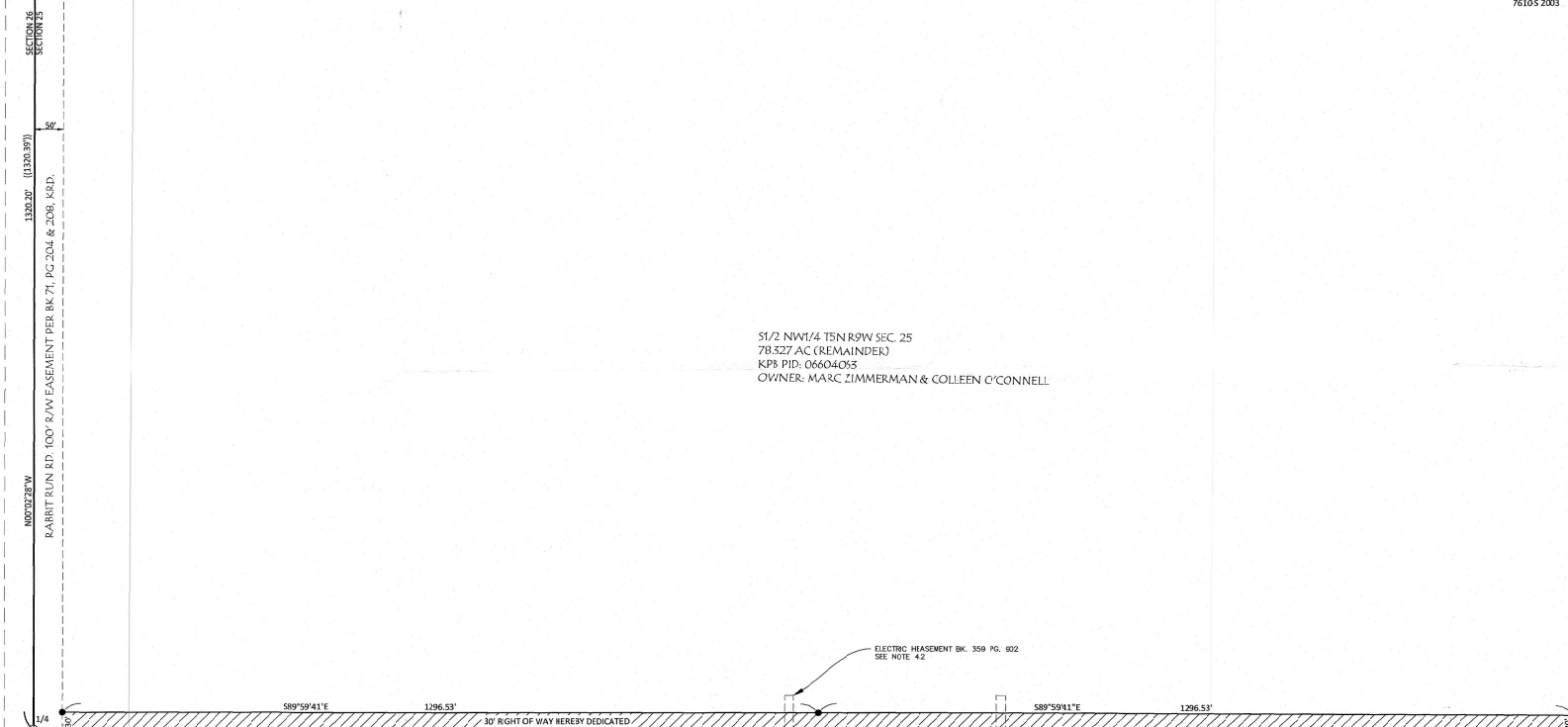


VICINITY MAP
Scale 1" = 1 Mile

N 1/16
FOUND 3-1/4" ALMON.
4238-9
2002

N89°57'53"E ASHLEY AVE. 50' R/W 2641.76' [643.36']

CN 1'16
RECORD 2-1/2"
BRASS CAP
76105-2003



51/2 NW 1/4 T5N R9W SEC. 25
78.527 AC (REMAINDER)
KPB PID: 06604053
OWNER: MARC ZIMMERMAN & COLLEEN O'CONNELL

NOTES

1. THIS RIGHT OF WAY ACQUISITION IS IN RELATION TO KENAI PENINSULA BOROUGH CAPITAL IMPROVEMENTS PROJECT SECLUSION, ROBIN, LOURDES AND ROBERTS.
2. LAND WAS ACQUIRED BY THE KENAI PENINSULA BOROUGH VIA RIGHT OF WAY EASEMENT AGREEMENT ON APRIL 1, 2024. CONSTRUCTION ESTIMATED SUMMER 2024.
3. KENAI PENINSULA BOROUGH TO ACQUIRE ± 1.786 AC. OF ADDITIONAL RIGHT OF WAY.
4. THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - 4.1. AN ELECTRICAL EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON JANUARY 29, 1990 RECORDED IN BOOK 251 PAGE 90, AS SHOWN HEREON.
 - 4.2. A 50' RIGHT OF WAY EASEMENT GRANTED TO THE STATE OF ALASKA ON MAY 2, 1973, RECORDED IN BOOK 71 PAGE 204, AS SHOWN HEREON.

LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- SET 5/8"x3/32" REBAR w/ 1" STAINLESS STEEL CAP IS-211269
- ▨ RIGHT OF WAY ACQUIRED
- () RECORD DATA PER KN79-198
- [] RECORD DATA PER KN77-67
- [] RECORD DATA PER KN2093-100
- ([] RECORD DATA PER KN2093-28

Plat #

Rev. Date: _____
Date: _____
Time: _____



KENAI PENINSULA BOROUGH ROBERTS AVE WEST RIGHT OF WAY ACQUISITION PLAT
REPLAT OF THE 3/2 NW 1/4 TOWNSHIP 5 NORTH, RANGE 5 WEST, SECTION 25, SEWARD MERIDIAN, ALASKA.

MARK ZIMMERMAN, OWNER
36225 MERE CIR., SOLDOTNA, AK 99669
COLLEEN O'CONNELL, OWNER
36225 MERE CIR., SOLDOTNA, AK 99669
80.11 AC. MPL SITUATED IN THE NW 1/4 OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 5 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION IN ACCORDANCE WITH KPB 2010.070 AT THE MEETING OF _____, 2024.

	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 458 SOLDOTNA, AK 99686 VOICE: (907) 385-8218 FAX: (907) 385-5218 WWW.MCLAINC.COM	KPB File No.	2024-XXXX
		Project No.	24400

Scale 1" = 100' Date: MAY 2024 BOOK NO: 23-05 Drawn by: AHM

KPB 2024-104

AUTHORIZED OFFICIAL

AGENDA ITEM E. NEW BUSINESS

**ITEM #3 – RIGHT-OF-WAY ACQUISITION
KPB ROBERT AVENUE WEST ROW ACQUISITION PLAT**

KPB File No.	2024-104
Plat Committee Meeting:	October 28, 2024
Applicant / Owner:	Marc Zimmerman & Colleen O’Connell
Surveyor:	Andrew Hamilton / McLane Consulting, Inc.
General Location:	Roberts Ave West & Rabbit Run Rd / Funny River APC

Parent Parcel No.:	066-040-63
Legal Description:	T 5N R 9W SEC 25 SEWARD MERIDIAN KN S1/2 NW1/4

STAFF REPORT

Specific Request / Scope of Subdivision:

This right-of-way acquisition is in relation to Kenai Peninsula Borough Capital Improvement Project of Seclusion St., Robin Ave., Lourdes Ave., and Robert Ave. W. The land is being finalized by the right-of-way acquisition process of which this is the preliminary plat process.

Location and Legal Access (existing and proposed):

Legal access to the Robert Ave W is by Rabbit Run Rd on the west side of the property. Rabbit Run Rd is a state-maintained road. Rabbit Run Rd leads up to Funny River Rd.

KPB Roads Dept. Comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT Comments	No comment
SOA DNR Comments	

Site Investigation:

The parent parcel from which the acquisition is coming from does not have any structures that are visible on KPB GIS data. The acquisition is being done to give the dedication to complete the full 60’ right-of-way width to complete the road to borough standards installation.

There are no wetlands on the parcel or acquisition area and the River Center review did not identify the area to be in a FEMA designated flood hazard area or a habitat protection district.

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 & Game	

Staff Analysis This item falls under KPB 20.10.070 – Right-of-way acquisition plat. The approval of this item is only subject to the requirements of 20.10.070 and not subject to other portions of Chapter 20 except for those outlined within 20.10.070.

- If dedications are being granted for rights-of-way, an ownership and dedications certificate shall be provided in accordance with KPB 20.60.190.
- Minimum survey monumentation is required. Reinforced bars with appropriate identification caps are required on the margin of the right-of-way at all points marking the beginning and end of each curve and on tangents so that no distance between monumented points exceed 1,320 feet or by an alternate method using centerline points.
- The plat must be surveyed and monumented in conformance to applicable provisions of KPB 20.60.200.
- There shall be no remainder parcels that do not conform to KPB code unless a note is added that damages have been paid to the owner and that the remainder cannot be developed without being replated to comply.
- The remainder lots must meet the requirements for an exception under KPB 20.30.200(C) or KPB 20.50.010.

The approval of the proposed project by the platting authority is required to complete the acquisition process and define the area of interest.

Notices were sent to 40 interested parties regarding the project.

Funny River Advisory Planning Commission will not be meeting for the October meeting; therefore, no minutes are available.

If approval is granted, the preliminary approval is valid for 48 months. Additional time extensions may be granted by the planning director for specified time periods upon finding that it is in the public interest to do so.

Utility Easements HEA has requested edits to the drawing with these comments being included in the packet.

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	See comment page in packet
ENSTAR	No comment
ACS	
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: NONE Existing Street Names are Correct: Yes List of Correct Street Names: RABBIT RUN RD, ROBERT AVE W, ASHLEY AVE, SOLITUDE ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No other comments
Code Compliance	Reviewer: Ogren, Eric Comments: No comments

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.
Assessing	Reviewer: Windsor, Heather Comments: No comment

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Make the following corrections:

- In plat note #1 add street suffixes to streets.
- Correct the note to see in Electric HEA Easement on drawing.
- Check spelling on Electric easement on drawing
- Flag in both easement location at Electric HEA easement
- Add a note that remainder must be platted according the KPB Chapter 20 for further divisions
- Correct owners name to Marc V. Zimmerman in all locations necessary.
- Change KPB File No to 2024-104.
- Add Tract 2 KN2003-28 and corresponding dedication in northeast corner of parcel to west
- On the easement listed on the drawing for Rabbit Run Rd, Pg. 208 is not listed in the CTP, please verify and correct if needed.

RECOMMENDATION:

STAFF RECOMMENDS:

- **GRANT APPROVAL SUBJECT TO STAFF RECOMMENDATIONS, AND**
- **COMPLIANCE WITH KPB 20.10.070**

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.

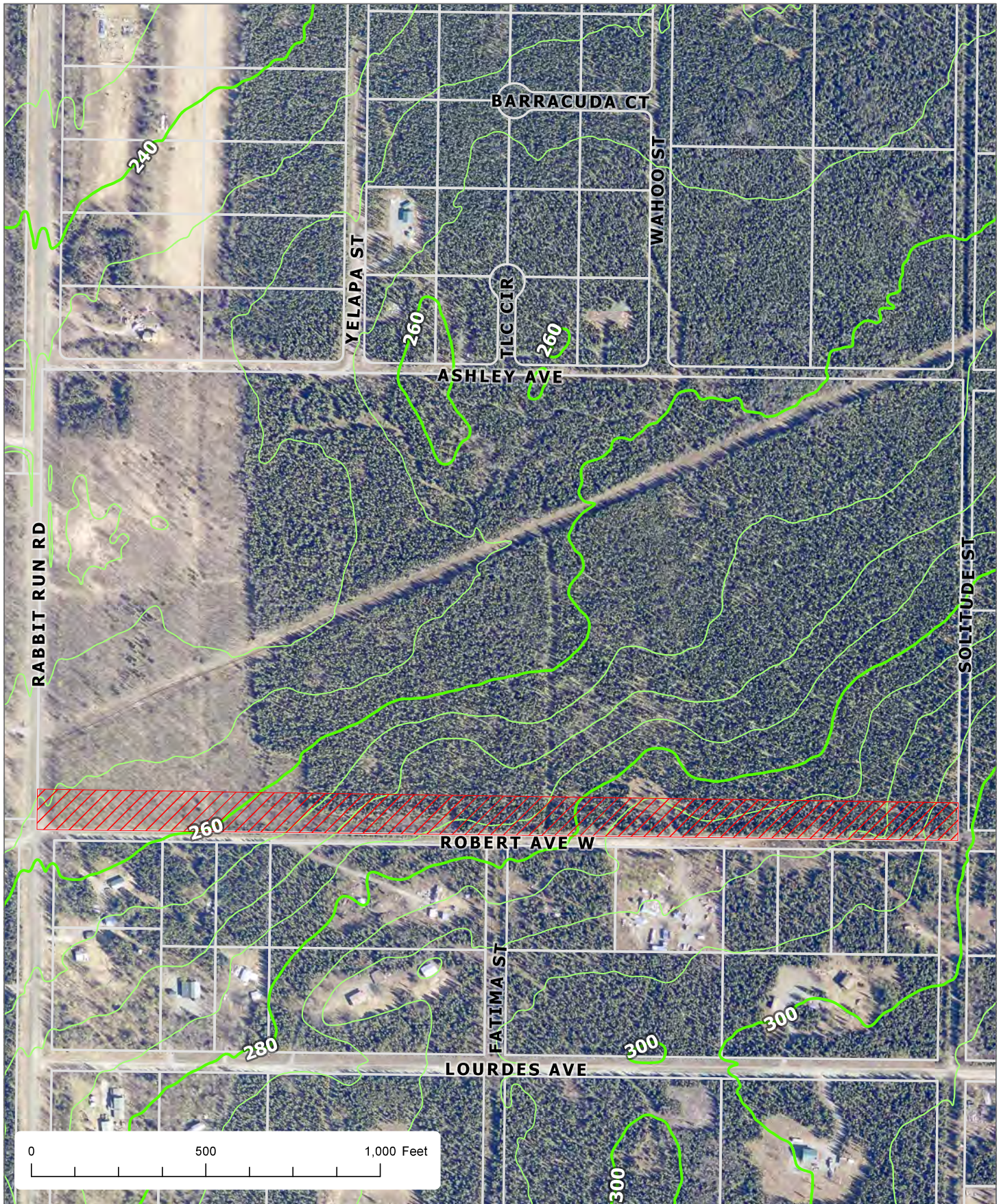
END OF STAFF REPORT



Aerial View



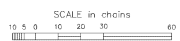
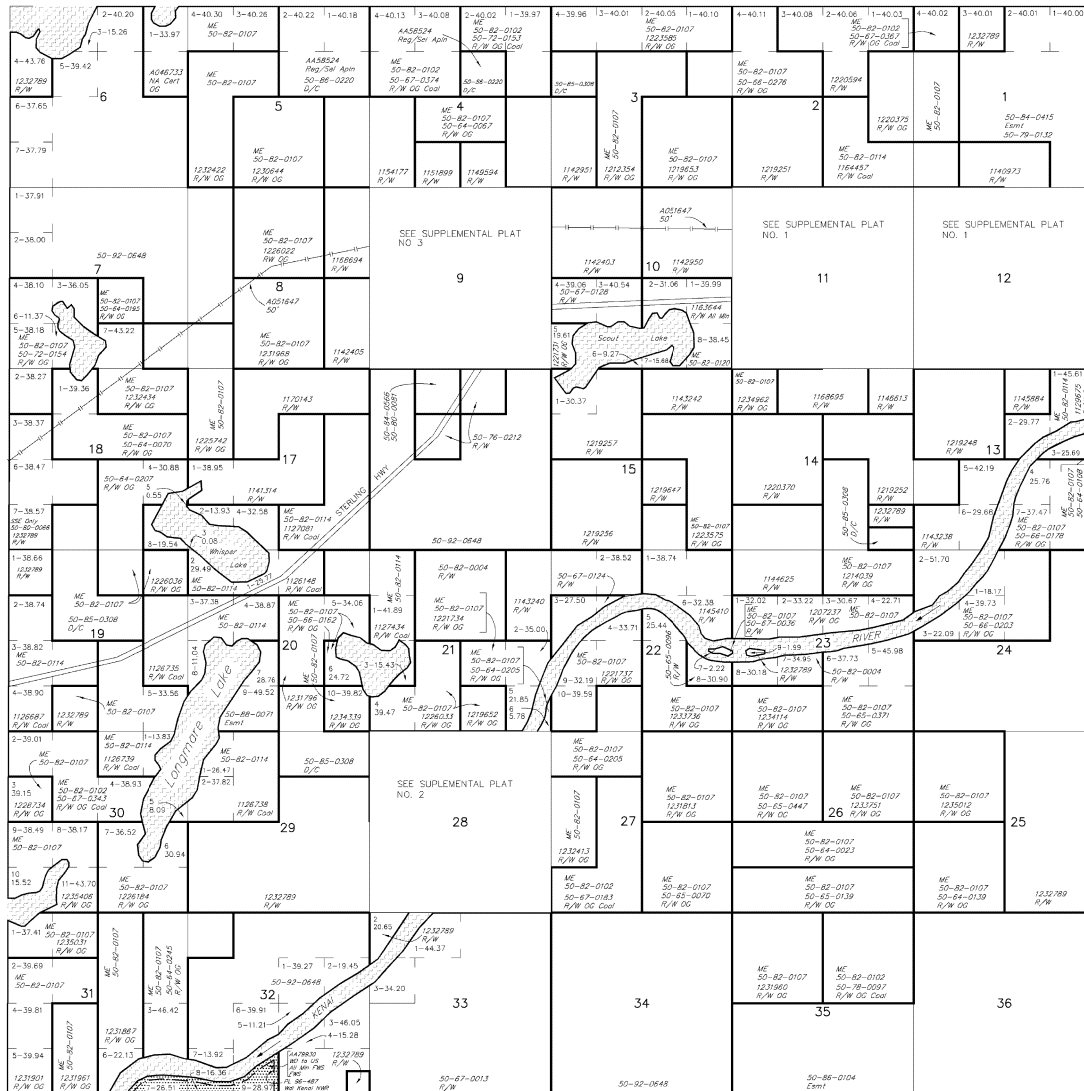
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SURVEYED TOWNSHIP 5 NORTH RANGE 9 WEST OF THE SEWARD MERIDIAN, ALASKA

Lat 60°33'26"N
Long 150°56'41"W



WARNING:
This list is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
affected by lateral movements of rivers or other bodies of water.
Refer to the cadastral surveys for official survey information.

**STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
ACQUIRED BY EGRESS**

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

- AA20231 SS Reserved Min Estate Only
- AA20228 Well Pl. 94-424 Sec 18 SE1/4 SW1/4, Sec 19
E1/2 NW1/2, SW1/4 NE1/4
- AA20248 Conservation Easmt affects:
Sec 22, Lots 4, 9, 10 and NE1/4 SW1/4
Seward Meridian, Kenai Recording District, Third
Judicial District, State of Alaska, according to the
plot of survey accepted by the United States
Department of the Interior General Land Office at
Washington D.C., on May 6, 1941.

CURRENT TO	Acq
3-21-2022	Sew Mer T 5 N R 9 W

ACAD

SURVEYED TOWNSHIP 5 NORTH RANGE 9 WEST OF THE SEWARD MERIDIAN, ALASKA

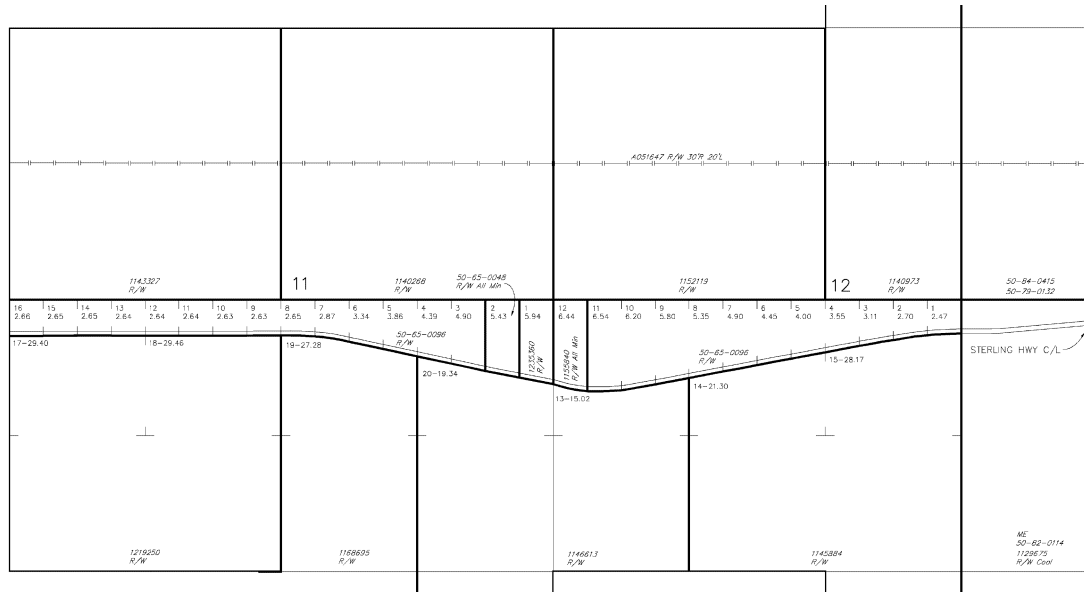
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SEC 11 & 12**

NO 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
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A098731 SS Reserved Min. Estate Only



SCALE in chains
0 5 10

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ords herein do not reflect title changes which may have been
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CURRENT TO		NO 1
3-16-2022		Sew Mer
		T 5 N
		R 9 W

ACAD

SURVEYED TOWNSHIP 5 NORTH RANGE 9 WEST OF THE SEWARD MERIDIAN, ALASKA

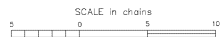
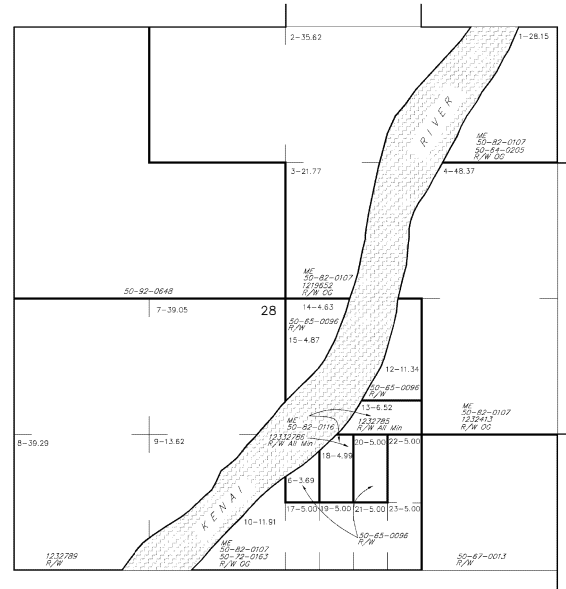
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP SUPPL SEC 28

NO 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

AG28731 SS Reserved Min Estate Only



WARNING:
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CURRENT TO		NO 2
3-17-2022		Sew Mer
		T 5 N
		R 9 W

ACAD

SURVEYED TOWNSHIP 5 NORTH RANGE 9 WEST OF THE SEWARD MERIDIAN, ALASKA

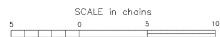
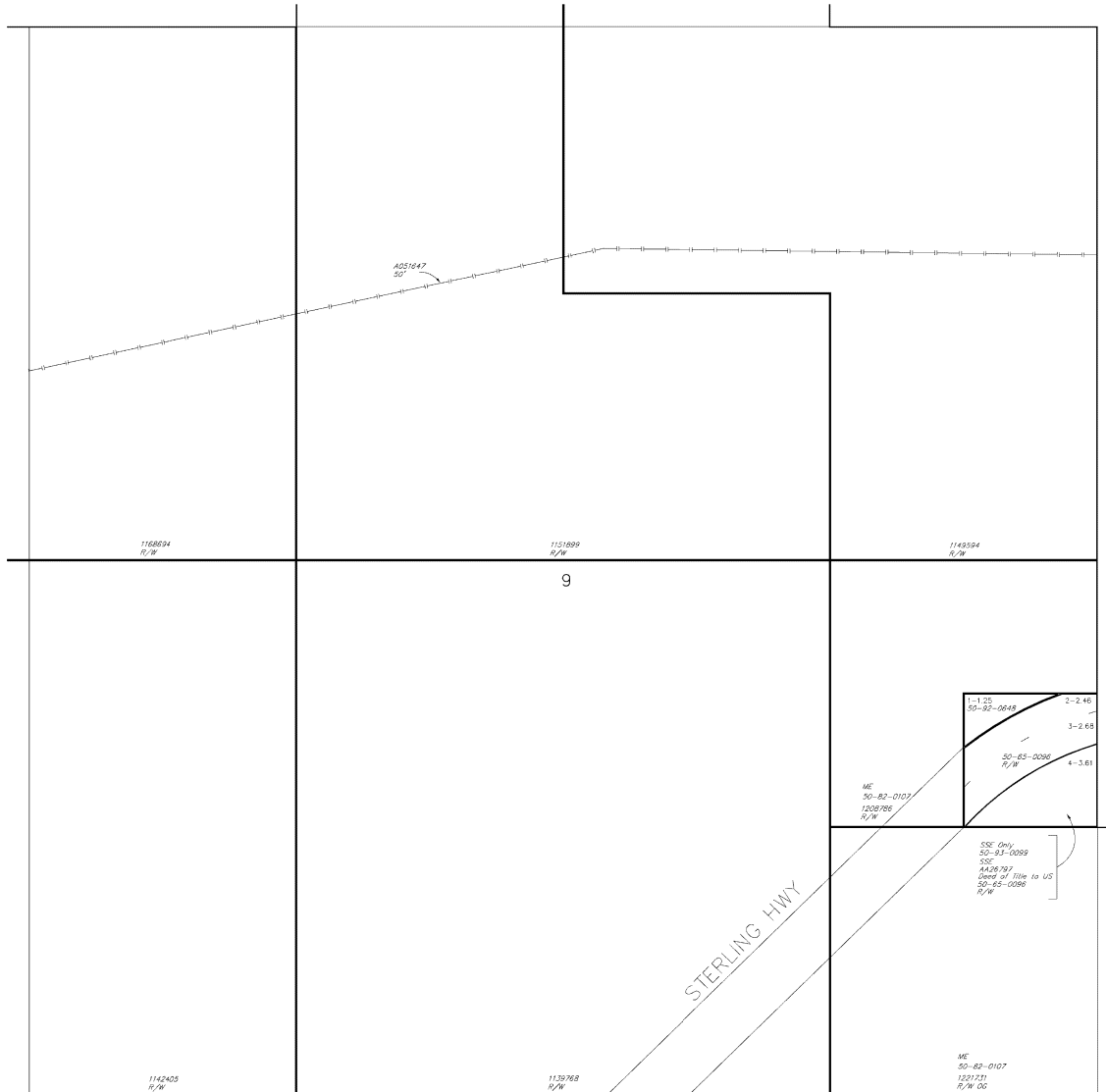
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SEC 9**

NO 3

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REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

AD58731 SS Reserved Min Estate Only



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CURRENT TO		NO J
11-20-2015		Sew Mer
		T 5 N
		R 9 W

ACAD