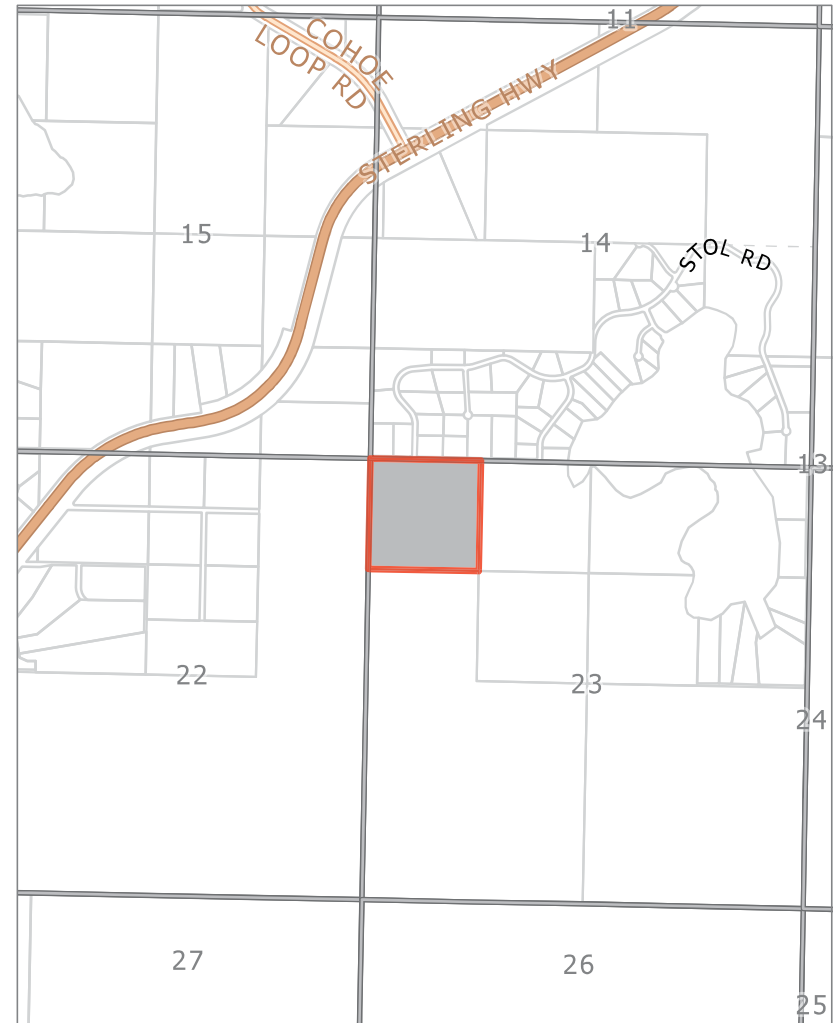
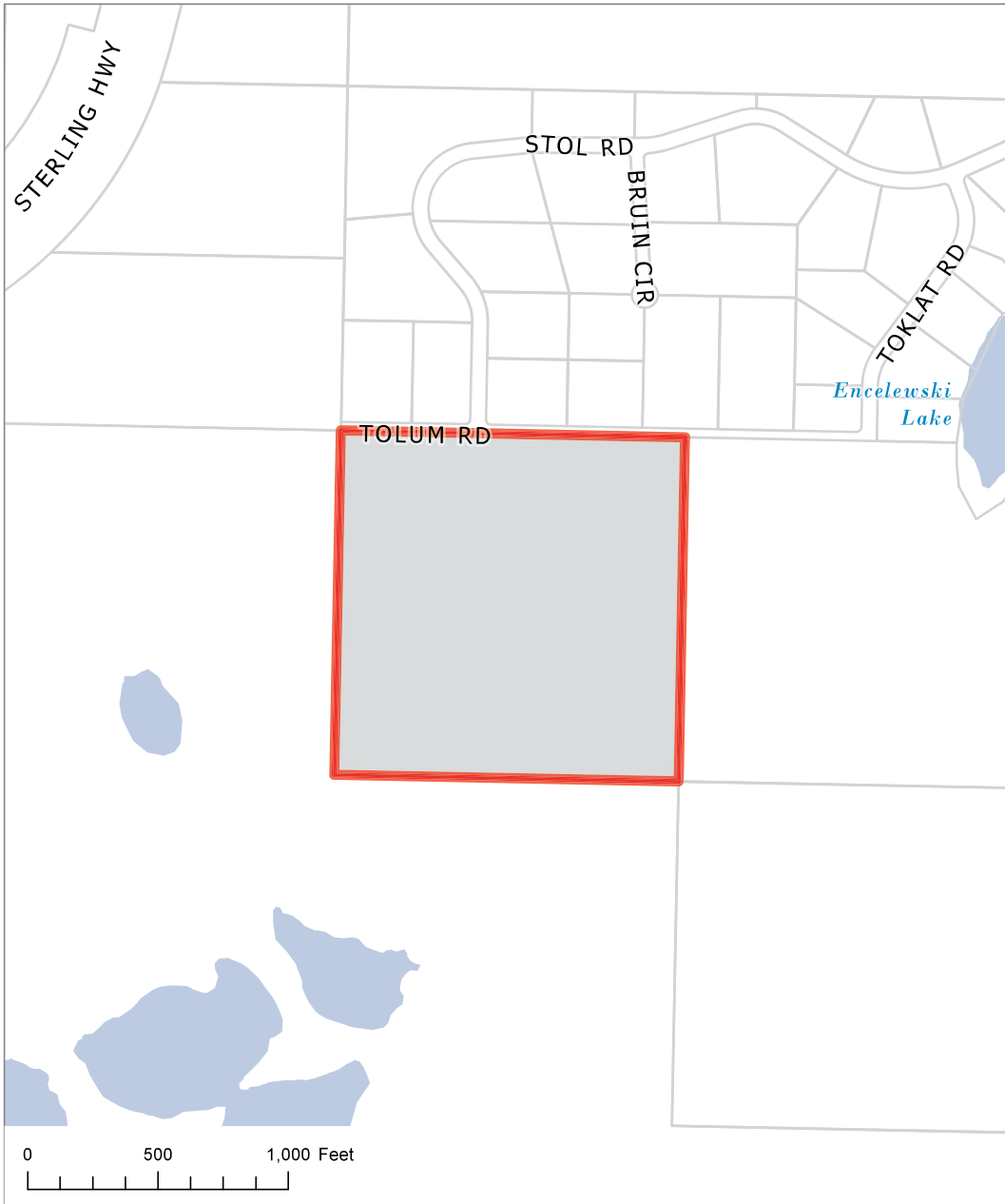


# **E. NEW BUSINESS**

- 3. Shepherd Subdivision; KPB File 2024-098**  
**Segesser Surveys / Shepherd**  
**Location: Tolum Road**  
**Cohoe Area**



KPB File 2024-098  
T 02N R 12W SEC 23  
Cohoe

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





Aerial Map



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



**LEGEND:**

- ⊗ 3 1/4" BRASS CAP MON. GLO 1952 FOUND
- ⊙ 2 1/2" ALUM. CAP MON. 7328-S 1988 FOUND
- ⊙ 5/8" REBAR w/ALUM. CAP FOUND
- ⊕ 2 1/2" ALUM. CAP MON. LS8859 2024 SET
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- ( ) RECORD DATUM PLAT 88-76RS KR0

**NOTES:**

- 1) Basis of bearing taken from Shetlesworth Property Record of Survey, Plat 88-76RS, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Right-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 4) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement granted this plat. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 5) **WASTEWATER DISPOSAL:** Tract A This lot is least 200,000 square feet and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

**WASTEWATER DISPOSAL:** Lots 1-10 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer License No. Date

**CERTIFICATE of ACCEPTANCE**

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, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: TOLUM ROAD DEDICATION. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER COVERING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

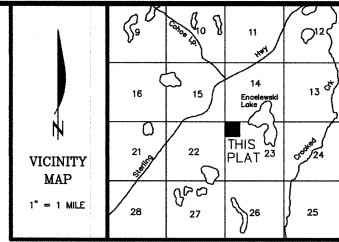
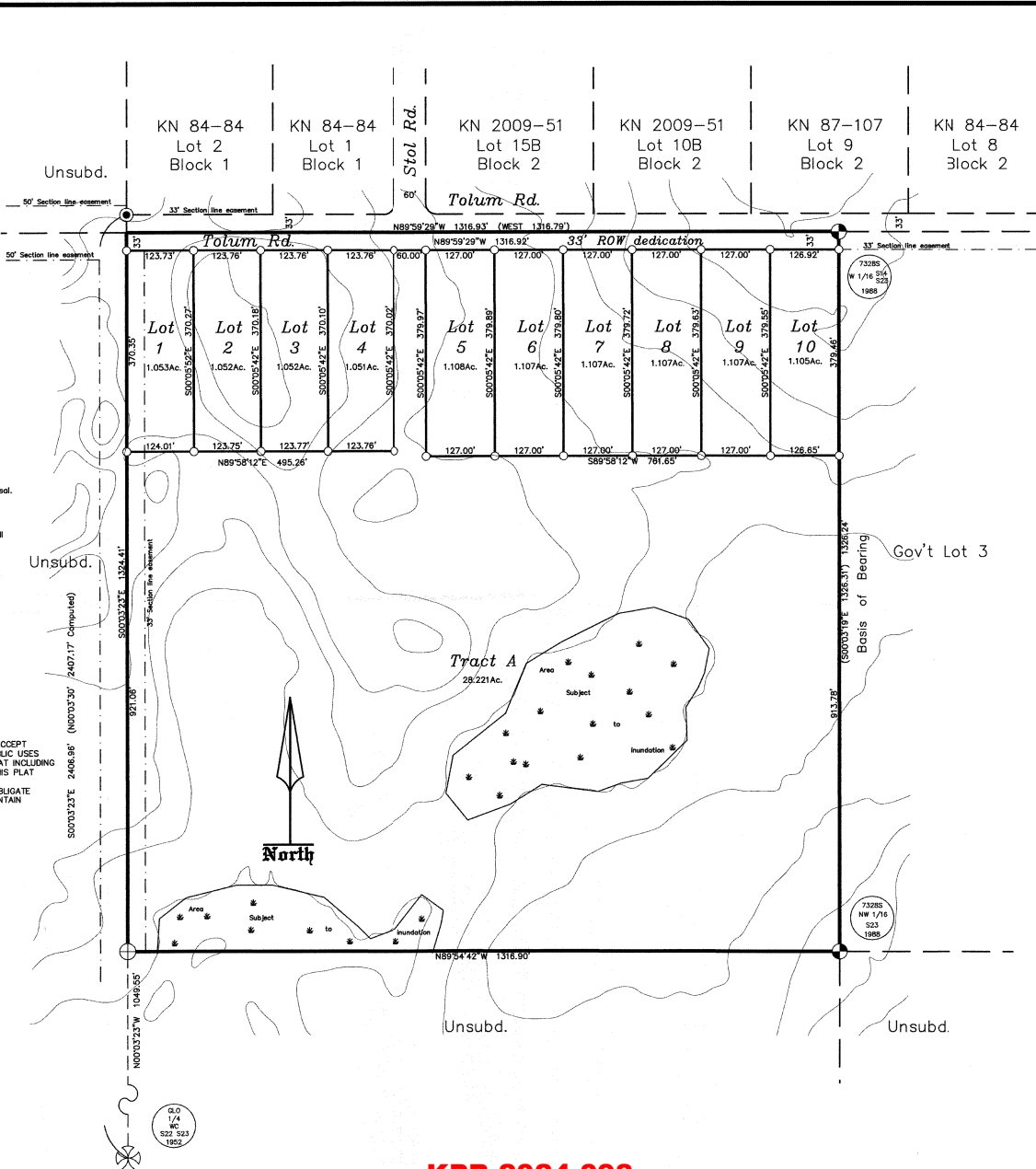
AUTHORIZED OFFICIAL DATE  
KENAI PENINSULA BOROUGH



**SURVEYOR'S CERTIFICATE**

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

Date



**CERTIFICATE of OWNERSHIP and DEDICATION**

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

JAMES W. SHEPHERD MARY S. SHEPHERD  
4159 HOOD CT.  
ANCHORAGE, ALASKA 99517

**NOTARY'S ACKNOWLEDGEMENT**

FOR \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

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

**NOTARY'S ACKNOWLEDGEMENT**

FOR \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

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

**PLAT APPROVAL**

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL \_\_\_\_\_

KPB FILE No. \_\_\_\_\_

<b>Shepherd Subdivision</b>	
A subdivision of Government Lot 4 Section 23, T2N, R12W, S.M., Kenai Recording District.	
Located within the NW/4 NW/4 Section 23, T2N, R12W, S.M., Kenai Peninsula Borough, Alaska.	
Containing 40.067 Ac.	
Surveyor Seigesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 282-3909	Owners James W. & Mary S. Shepherd 4159 Hood Ct. Anchorage, AK 99517
JOB NO. 24020	DRAWN: 9-9-24
SURVEYED: April, 2024	SCALE: 1"=100'
FIELD BOOK: 24-2	SHEET: 1 of 1

**KPB 2024-098**

**ITEM #3 - PRELIMINARY PLAT  
SHEPHERD SUBDIVISION**

<b>KPB File No.</b>	2024-098
<b>Plat Committee Meeting:</b>	October 14, 2024
<b>Applicant / Owner:</b>	James & Mary Shepherd
<b>Surveyor:</b>	John Segesser / Segesser Surveys
<b>General Location:</b>	Tolum Road, Clam Gulch Area

<b>Parent Parcel No.:</b>	137-050-89
<b>Legal Description:</b>	T 2N R 12W SEC 23 SEWARD MERIDIAN KN GOVT LOT 4 NW1/4 NW1/4
<b>Assessing Use:</b>	Vacant
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	Onsite / Onsite
<b>Exception Request</b>	None Requested

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 40.067-acre parcel into ten lots, one tract, and one dedication. The lots will range in size from 1.051 acres to 1.108 acres, while the tract will be 28.221 acres.

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

Access to the plat is from Tolum Road to the north. Tolum Road, a borough-maintained road, exits the Sterling Highway just before milepost 115. As Tolum Road exits the Sterling Highway, it does so through a non-dedicated location on University of Alaska land. No evidence of an easement was presented, and no research was conducted on its history.

The plat proposes a dedication along the north line to complete the south portion of Tolum Road, making it a 66-foot dedication. This coincides with the 33-foot section line easement. There is also a 33-foot section line easement on the west line of the subdivision, as shown.

The plat shows Tract A with a 60-foot access point to Tolum Road directly across from Stol Road, appearing to extend Stol Road onto the property. There is no proposal for a road on the south end of the plat. The south line of the plat has a low wet area, making it a poor location for a road. **Staff recommends** the Plat Committee concur that an exception to KPB 20.30.170 Block – Length requirements is not required.

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

**Site Investigation:**

There are no structures shown on the KPB GIS data. The surveyor should not encounter any issues when conducting the field work for the final submittal.

According to KWF Wetland Assessment Data, there are wetlands located on the property. The areas shown on the drawing as subject to inundation are identified as Kettle on the KWF Wetlands Assessment map. There are also

areas of depression to the west and between the kettle areas. The River Center review did not identify the plat to be in a DEMA identified flood hazard zone or a habitat protection area.

**Staff recommends** the surveyor add the other wetland areas to the map for the final submittal.

Include a note on the final plat indicating: "Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable."

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

**Staff Analysis**

The land is currently known as Government Lot 4 in the NW1/4 NW1/4 of Section 23, Township 2 North, Range 12 West, Seward Meridian, Alaska. This platting action represents the first subdivision of the Government lot.

According to the certificate to plat, there are no recorded easements crossing the lot other than the section line easements.

A soils report will be required and an engineer will sign the final plat.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

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

**Utility Easements**

The proposed plat will grant a 10-foot utility easement adjacent to right-of-ways and 20-feet within 5-feet of the side lot lines. This easement is provided on the plat as note number four.

**Staff recommends:** *The utility easement be delineated on the plat.*

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

**Utility provider review:**

HEA	No Comments
ENSTAR	No Response
ACS	No Response
GCI	No Response

**KPB department / agency review:**

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: NONE Existing Street Names are Correct: Yes List of Correct Street Names: TOLUM RD, STOL RD 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

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

- Add the date of October 14, 2024 to the Plat Approval
- Show the 20' building setback on the drawing along with the 10' utility easement or add a typical detail.
- Add the KPB File number 2024-098 to the title block
- If the NW corner of the section is not found, it should be reset.

**KPB 20.25.070 – Form and contents required**

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

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;  
**Staff recommendation:**  
*Stol Road and Tolum Road to the north are dedications and should be shown with a solid line.*
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;  
**Staff recommendation:**  
*Add Tolum Road and Stol Road to the vicinity map.*
- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;  
**Staff recommendation:**

Wetlands should be shown on the plat. The Kettle area shown should be labeled, add depression per KWF Wetlands Assessment.

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**KPB 20.30 – Subdivision Design Requirements**

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

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**KPB 20.40 – Wastewater Disposal**

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

20.40.010 Wastewater disposal.

Platting Staff Comments:

**Staff recommendation:** comply with 20.40.

---

**KPB 20.60 – Final Plat**

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

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**RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:**

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

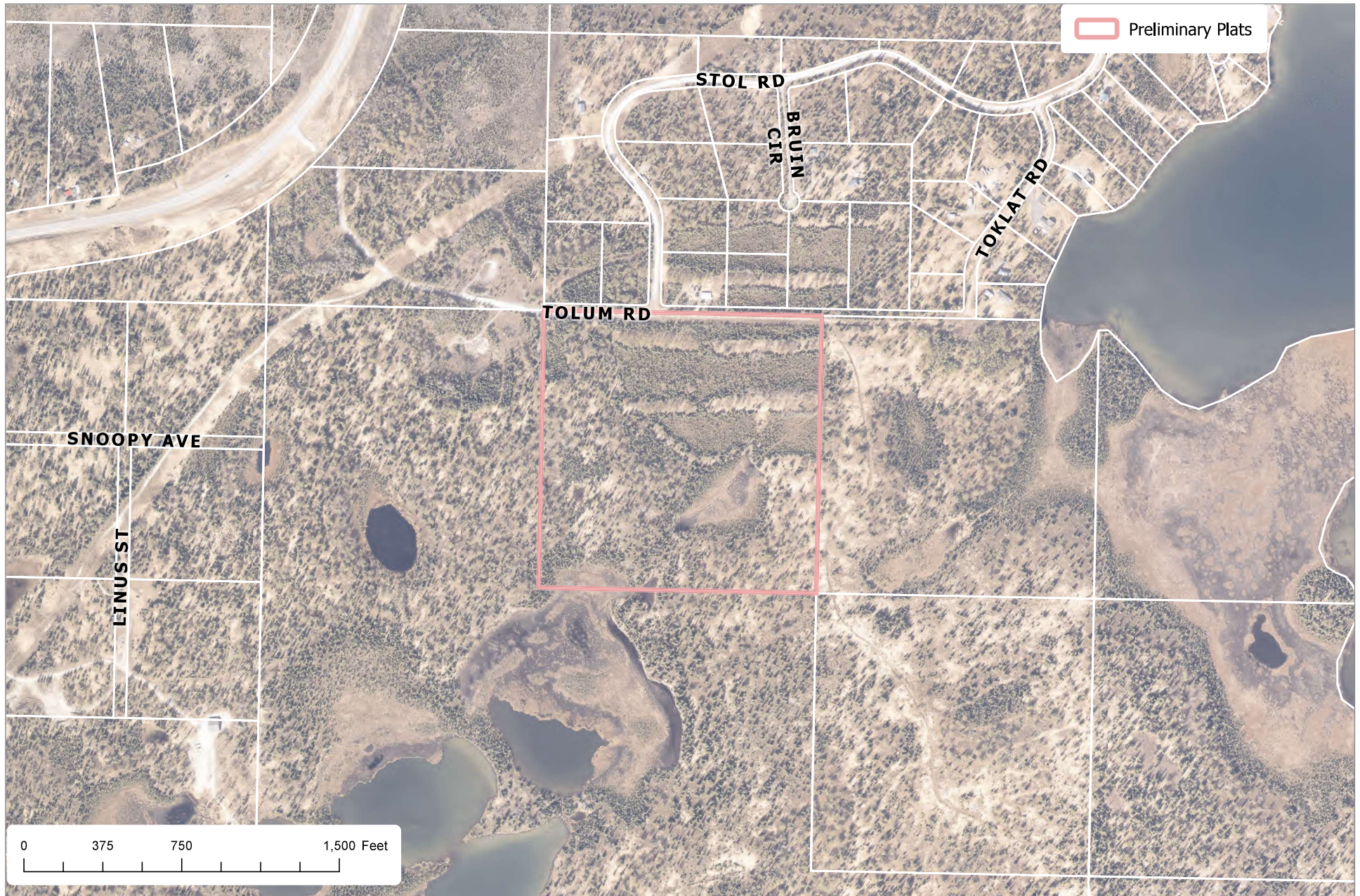
A DECISION OF THE PLAT COMMITTEE MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT





Aerial Map

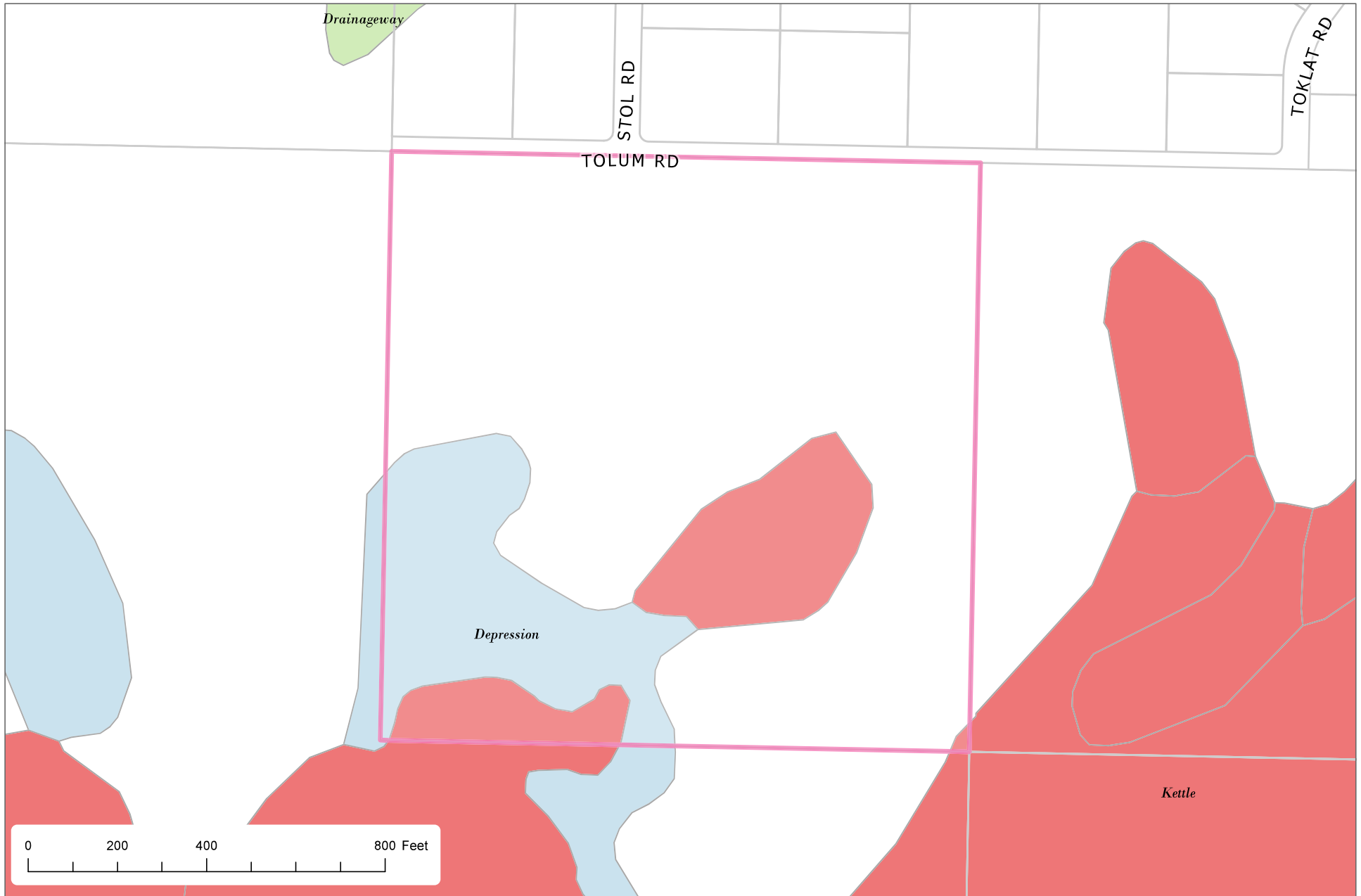


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### Wetlands

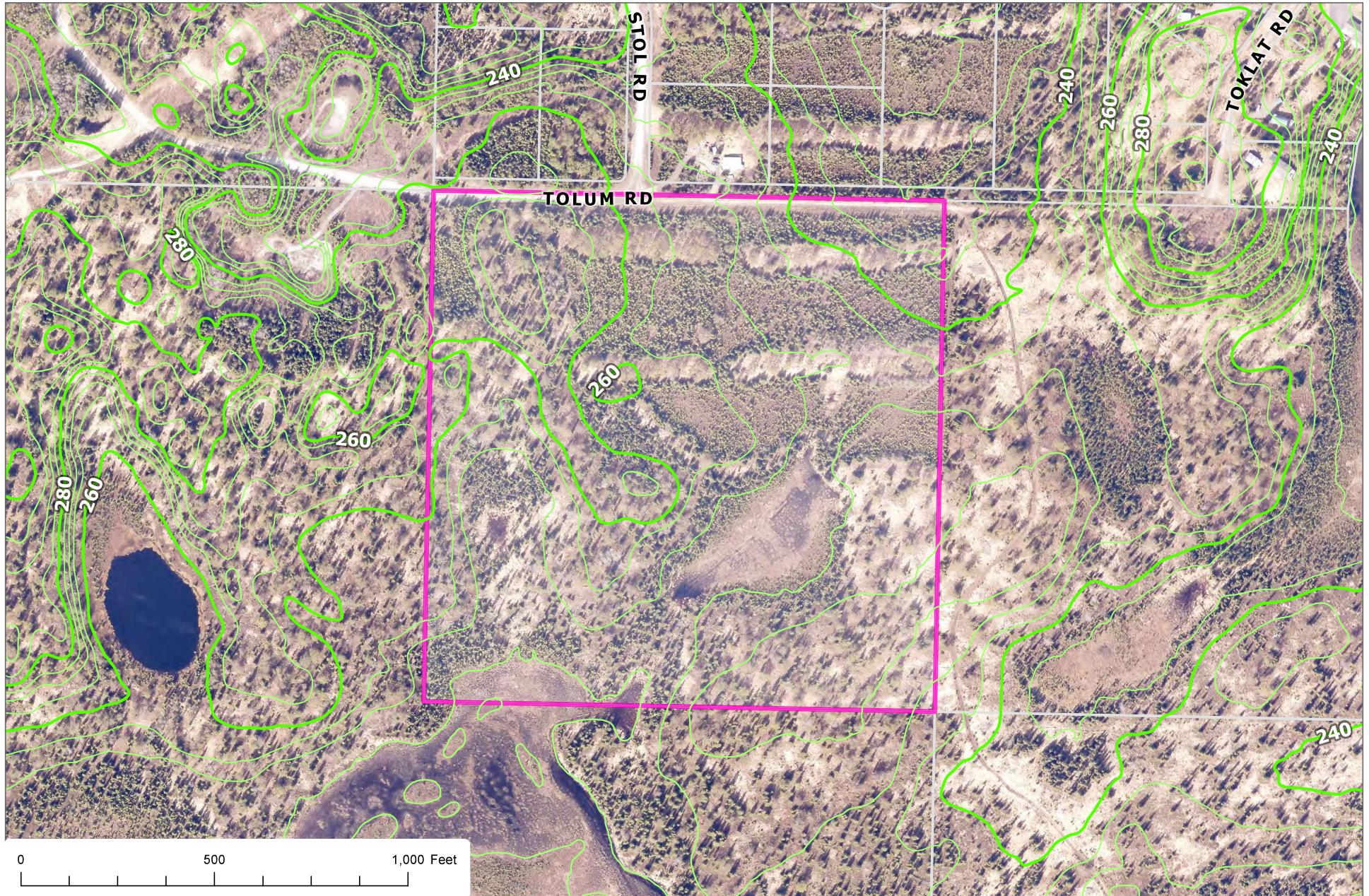


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Aerial with 5-foot Contours



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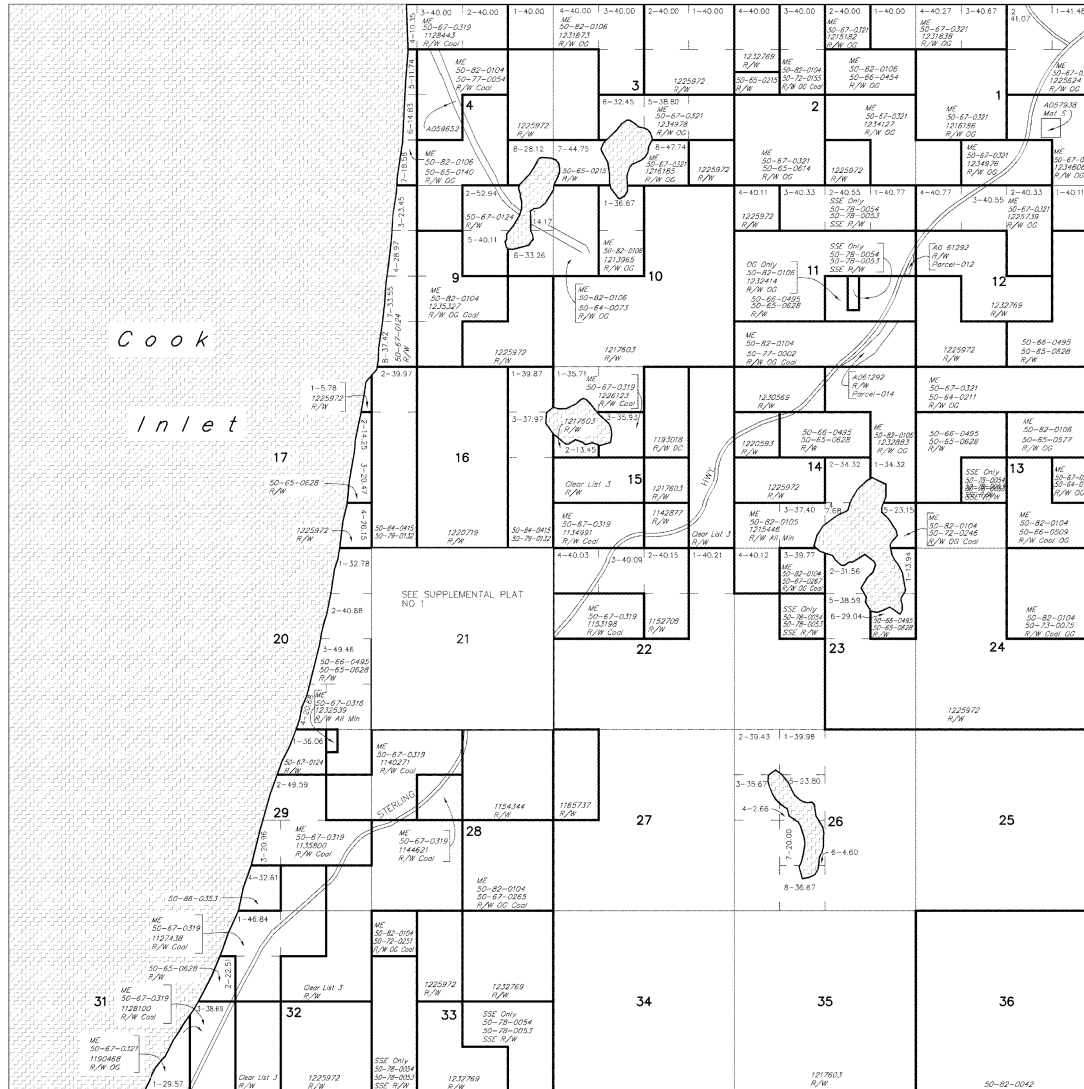
T, 2 N., R. 12 W., S.M.

Chains	
	<p>Land, gently rolling. Soil, sandy loam. Timber, spruce and scattering birch.</p> <hr/> <p>From the corner of Secs. 22, 23, 26 and 27. N. 0° 06' W., bet. Secs. 22 and 23. Over gently rolling timbered land.</p> <p>2.50 Leave timber, thence over swamp land.</p> <p>10.10 Leave swamp land; thence ascend gradually over timbered land.</p> <p>34.80 Southerly shore of small lake; shore line bears NE. and SW.</p> <p>40.00 True point for the <math>\frac{1}{4}</math> sec. cor. of Secs. 22 and 23 falls in the lake; not monumented.</p> <p>43.70 Northerly shore of a small lake, shore line bears SE. and W.</p> <p>44.165 Point selected for the witness corner <math>\frac{1}{4}</math> sec. cor. of Secs. 22 and 23. Set an iron post, 2<math>\frac{1}{2}</math> ins. diam., 28 ins. long, 24 ins. in the ground, with brass cap mkd.</p> <div style="text-align: center;"> <p>WC   +   S 22    S23   1953</p> </div> <p>from which</p> <p style="padding-left: 40px;">A spruce, 12 ins. diam., bears S. 2° 05' W., 35.7 lks. dist., mkd. WC <math>\frac{1}{4}</math> S22 BT.</p> <p style="padding-left: 40px;">A birch, 7 ins. diam., bears N. 64° 49' W., 89.1 lks. dist., mkd. WC <math>\frac{1}{4}</math> S22 BT.</p> <p>45.50 Southerly shore of a small lake, shore line bears NW. and E.</p> <p>51.10 Northerly shore of a small lake, shore line bears E. and W., thence over swamp land.</p> <p>59.20 Leave swamp land, thence over gently rolling timbered land.</p> <p>61.20 Draw, course SW.</p> <p>73.90 Draw, course SSW.</p> <p>80.120 The corner of Secs. 14, 15, 22 and 23, which is monumented with an iron post, 2 ins. diam., 6 ins. above the ground, mkd. and witnessed as described in the official record. The original bearing trees remain intact.</p> <p>Land, gently rolling. Soil, sandy loam. Timber, spruce and scattering birch.</p> <hr/> <p style="text-align: center;">GENERAL DESCRIPTION</p> <p>Topographic features are in the nature of gently rolling ground, a dense growth of spruce and scattering birch timber; an ample supply of water is afforded by several small lakes. The soil is of sandy loam in texture and is well suited for agricultural purposes pertaining to the seasonal crops of Alaska. There are no roads into the area as of this date. The nearest trading post is located at Clam Gulch, about 4 miles SW. of this area.</p>



SURVEYED TOWNSHIP 2 NORTH RANGE 12 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES



Lot 60°12'49.187"N  
Long 151°16'07.240"W

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.

- Falls Creek Unit Inlet Agreement 14-08-0001-7321
- Approved 1/19/1961
- Sec. 28 SE 1/4, N1/2
- Sec. 29 All
- Sec. 31 All
- Sec. 32 All
- Sec. 33 All
- Known Geological Structure, Falls Creek Area effective 4/24/1961
- Sec. 31 Lot 1
- Sec. 32 Lot 3 SW 1/4 SW 1/4
- and that part of Cook Inlet lying in the SE 1/2 Sec. 31

- PLD 5184 Wd. Ct affects Lvs/Interests not conveyed
- A050463 SS entire tp
- A058731 SS Reserved Min Estate Only

CURRENT TO	Sew Mer
B-15-2023	T 2 N
	R 12 W

ACAD

SURVEYED TOWNSHIP 2 NORTH RANGE 12 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

**MTP SUPL SEC 21**

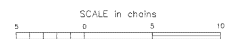
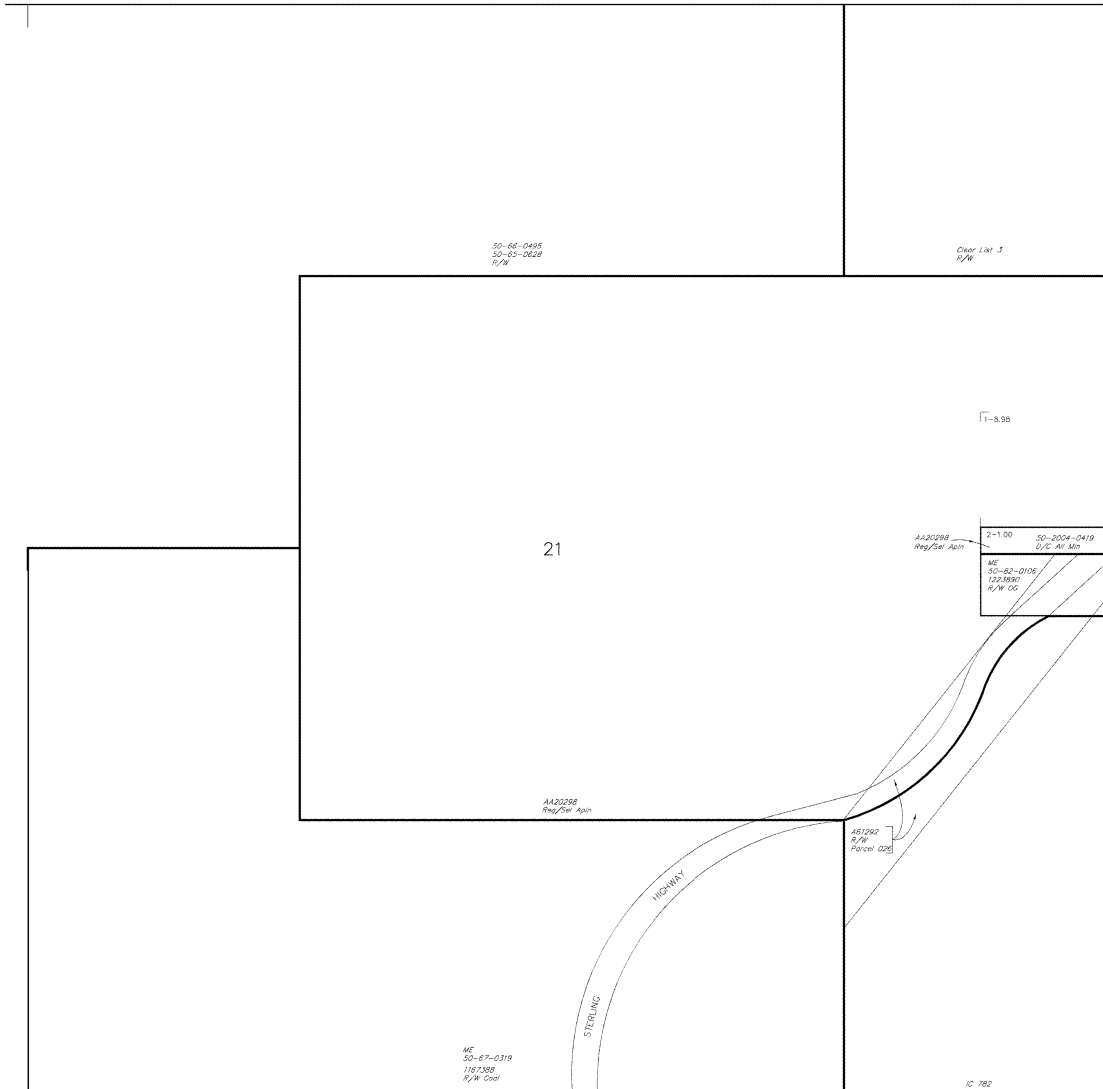
NO 1

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.

P.L.O. 5184 W/ C affects Lds/Interests not conveyed

A050483 SS entire Tp

A058731 SS Reserved Min Estate Only



WARNING:  
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Recorders should 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.

CURRENT TO		NO 1
11-22-2022		Sew Mer
		T 2 N
		R 12 W

ACAD

KA/88-76 RS

# SHETTLESWORTH PROPERTY

## 1988 RECORD OF SURVEY

KENAI DEEDS BOOK 291 PAGE 556

LOCATED IN GOV. LOT 3 NW1/4 SEC. 23 T2N R12W S.M.  
KENAI RECORDING DISTRICT, ALASKA

SCALE: 1"=200' AREA: 39.887 AC. SEPT. 12, 1988

### OWNER'S CERTIFICATE

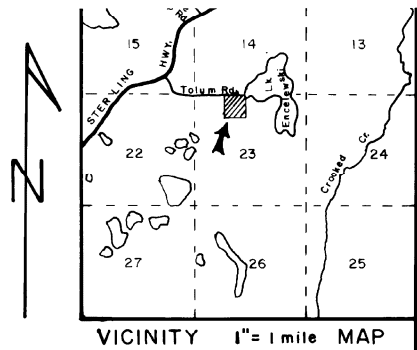
We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and grant all easements to uses shown.

*Karen S. Gleason*  
Karen S. Gleason

*Renie L. Shettlesworth*  
Renie L. Shettlesworth

*Gregory R. Shettlesworth*  
Gregory R. Shettlesworth

88-76RS  
Kenai  
12/15  
4:05  
H. Johnson



### LEGEND

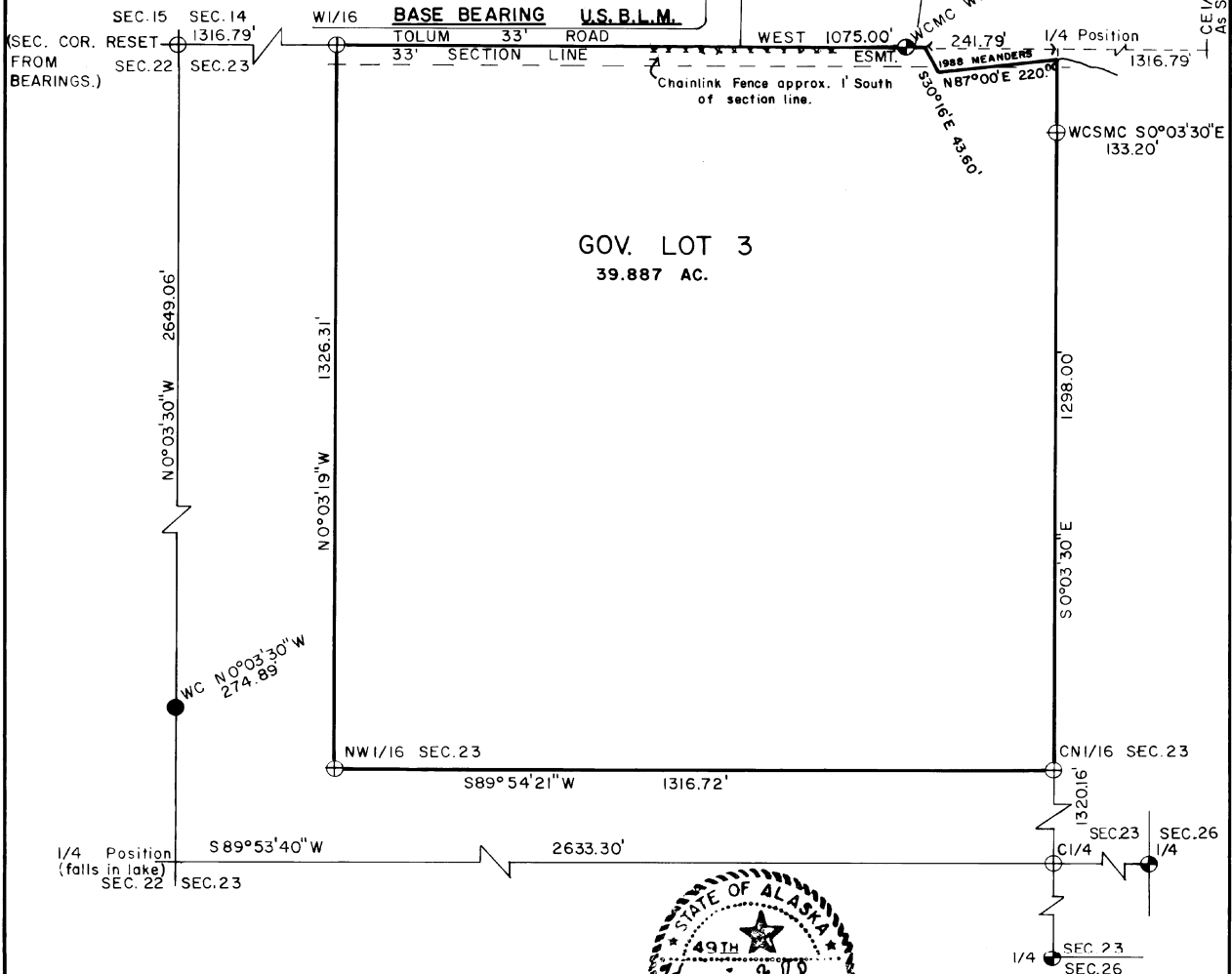
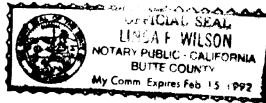
- ⊕ - 1954 brass cap mon. by U.S. B.L.M.
- - 1951 brass cap mon. by U.S. G.L.O.
- ⊕ - 3" X 30" AL. MON. set.

### NOTARY'S CERTIFICATE

Subscribed and sworn to before me this 12 day of September, 1988.

*[Signature]*  
NOTARY FOR CALIFORNIA

My commission expires 2/15/92



### NOTE

This survey does not constitute a subdivision as defined by AS. 40.15.190(2).



BOX 27 CLAM GULCH, AK. 99568