

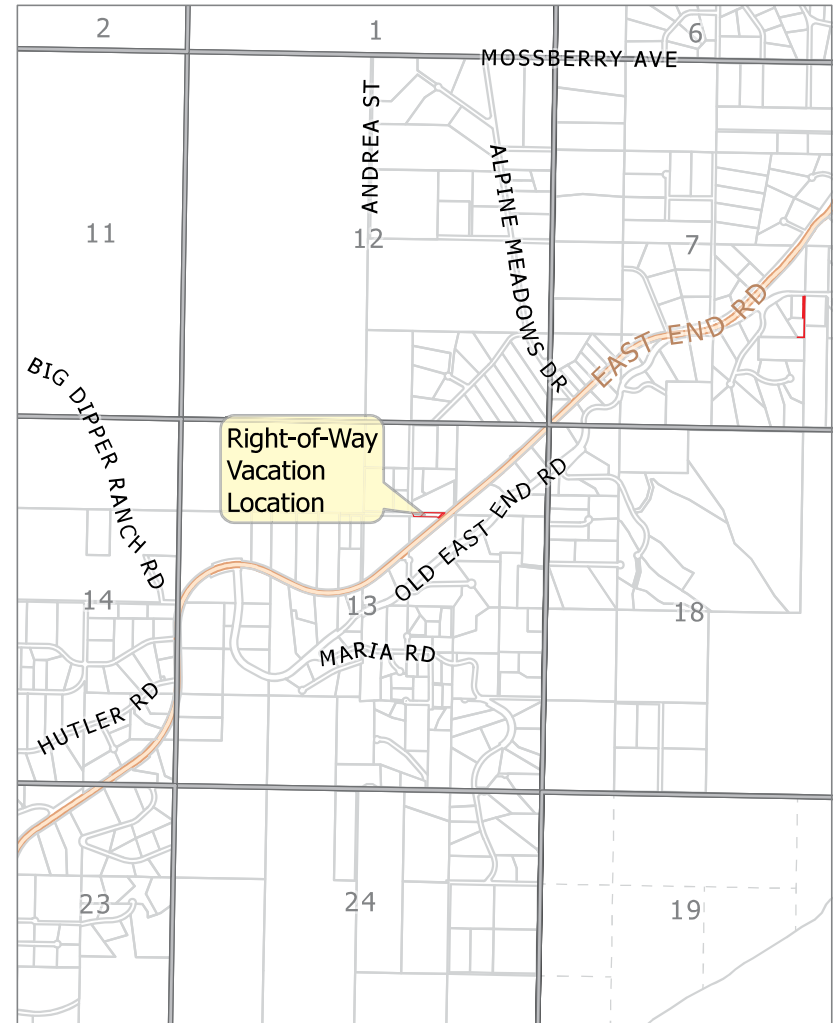
## **E. NEW BUSINESS**

**3. Right-Of-Way Vacation; KPB File 2026-046V**

**Seabright Survey & Design / Porter**

**Request: Vacates the eastern most approximately 25,662 sq ft portion of Apricity Avenue & associated utilities situated between Lot 2-I, Buena Vista No. 2 Subdivision, Plat HM 94-34 and Lot 4A3, Buttermilk Meadows Three, Plat HM 91-64.**

**Fritz Creek Area**

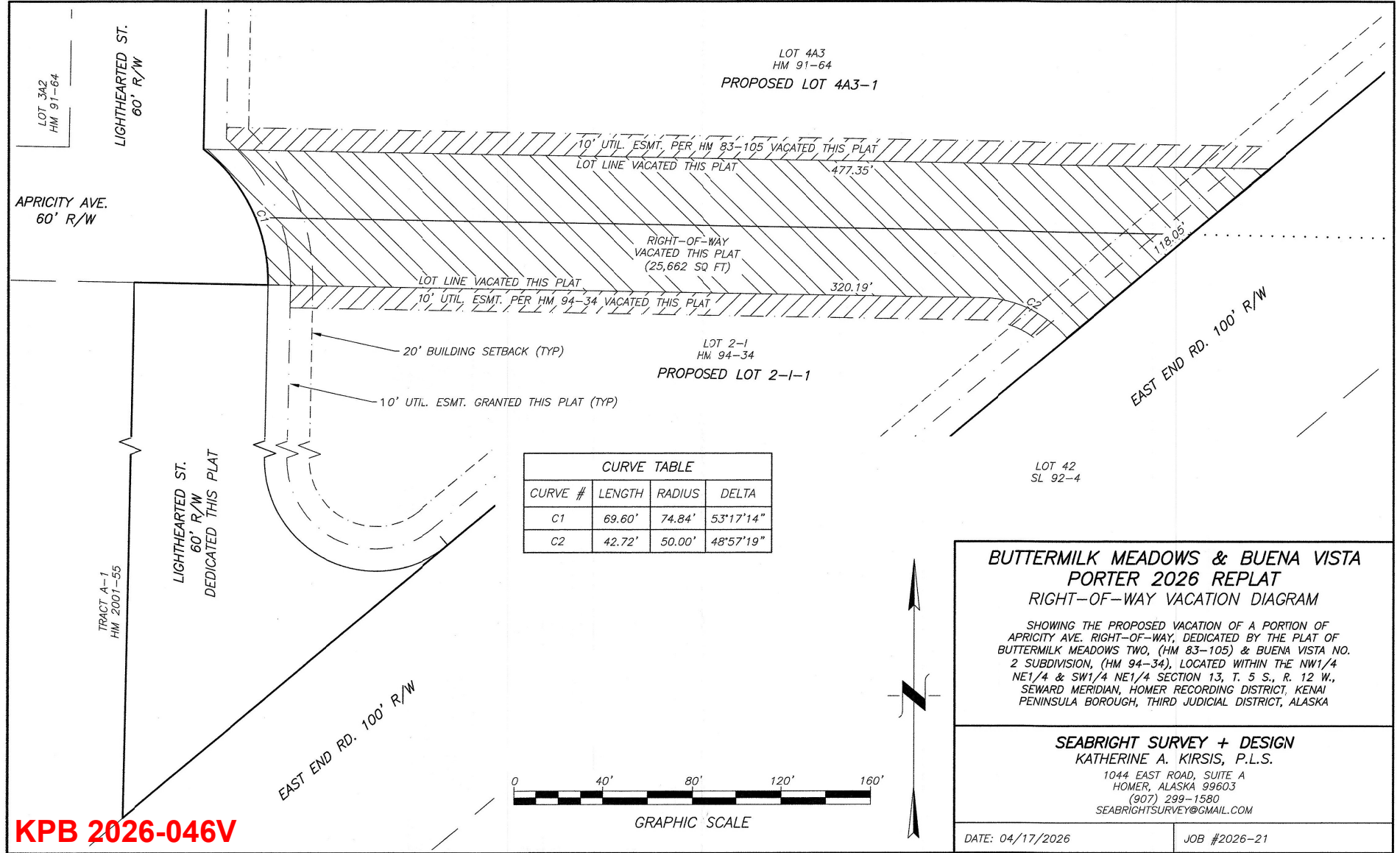


KPB File 2026-046V  
T 05S R 12W SEC 13  
Fritz Creek

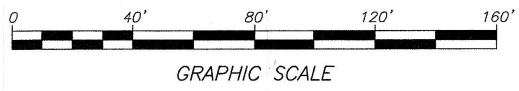
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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



CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	69.60'	74.84'	53°17'14"
C2	42.72'	50.00'	48°57'19"



**BUTTERMILK MEADOWS & BUENA VISTA  
PORTER 2026 REPLAT  
RIGHT-OF-WAY VACATION DIAGRAM**

SHOWING THE PROPOSED VACATION OF A PORTION OF APRICITY AVE. RIGHT-OF-WAY, DEDICATED BY THE PLAT OF BUTTERMILK MEADOWS TWO, (HM 83-105) & BUENA VISTA NO. 2 SUBDIVISION, (HM 94-34), LOCATED WITHIN THE NW1/4 NE1/4 & SW1/4 NE1/4 SECTION 13, T. 5 S., R. 12 W., SEWARD MERIDIAN, HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

**SEABRIGHT SURVEY + DESIGN  
KATHERINE A. KIRSIS, P.L.S.**

1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1580  
SEABRIGHTSURVEY@GMAIL.COM

DATE: 04/17/2026      JOB #2026-21

**KPB 2026-046V**

LINE TABLE		
LINE #	LENGTH	BEARING
L1	60.00'	S89°57'01"E

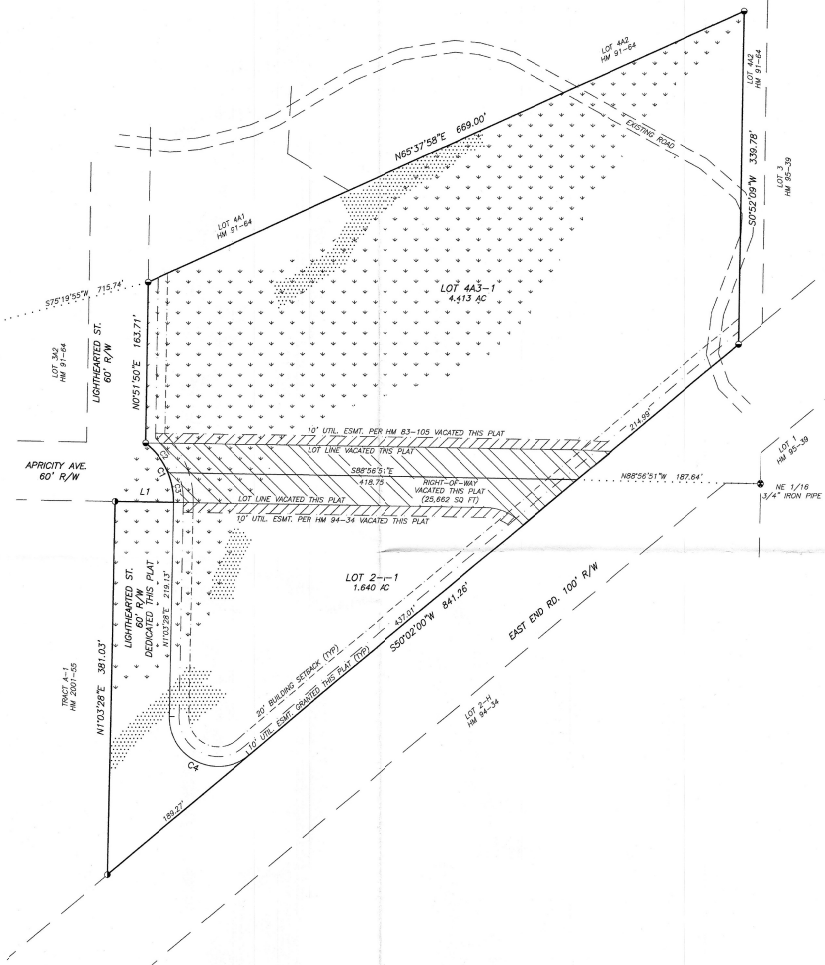
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	69.60'	74.84'	5°17'14"	N29°35'09"W	67.12'
C2	38.74'	74.84'	29°39'30"	N37°24'02"W	38.31'
C3	30.86'	74.84'	23°37'45"	N10°45'24"W	30.65'
C4	114.23'	50.00'	130°53'49"	N64°28'14"W	90.96'

**NOTES**

- A setback of 20' is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission. The front 10' adjacent to rights-of-way shall also be utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use said easement.
- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state, and federal permits.
- 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 (OPR 14.06).
- No access to state maintained rights-of-way permitted unless approved by the state of Alaska Department of Transportation.
- Subject to a right of way easement with no definite location granted to HOMER ELECTRIC ASSOCIATION, INC. BY BOOK 25 PAGE 224 HRD, AND BOOK 21 PAGE 3 HRD (RELEASED BY BOOK 125 PAGE 356 HRD).
- Subject to the covenants, conditions, restrictions and/or easements per book 237 page 137 HRD.

**WASTEWATER DISPOSAL**

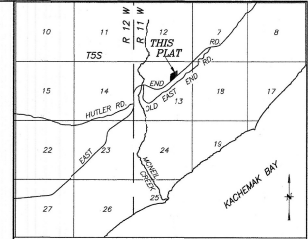
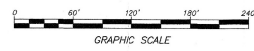
LOT 4A3-1: TBD  
 LOT 2-1-1: THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON JULY 15, 1993. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



**LEGEND**

- RECORD PRIMARY MONUMENT AS DESCRIBED
- RECORD 2" PLASTIC CAP 3686-S 1991
- ⊕ RECORD 2.5" AC 5786-S 1994
- ⊕ TO SET 2" AC 204396-S 2026 ON 30" x 5/8" REBAR
- (R1) RECORD DATA PER HL 94-34
- (R2) RECORD DATA PER HL 91-64
- (C) COMPUTED DATA PER RECORD PLAT

- [Symbol] APPROX. AREA WETLAND/UPLAND COMPLEX (KWP WETLANDS ASSESSMENT, KPB GIS)
- [Symbol] APPROX. AREAS OF 20% SLOPE OR GREATER (KPB GIS)
- [Symbol] RIGHT-OF-WAY VACATED THIS PLAT
- [Symbol] UTILITY EASEMENT VACATED THIS PLAT



**VICINITY MAP**  
 SCALE 1" = 1 MI. U.S.G.S. QUAD SELDOVA (C-4 & C-5)

**CERTIFICATE OF OWNERSHIP**  
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I HEREBY DEED THIS PLAT OF SUBDIVISION, AND BY MY THIS CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

ROBERT E. PORTER  
 P.O. BOX 3315  
 HOMER, AK 99603

**NOTARY'S ACKNOWLEDGMENT**

FOR: ROBERT E. PORTER  
 ACKNOWLEDGED BEFORE ME THIS  
 DAY OF \_\_\_\_\_, 2026

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

**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 IDENTIFIED BY THIS PLAT IDENTIFIED AS FOLLOWS: LIGHTHEARTED ST. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OF ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_  
 KENAI PENINSULA BOROUGH

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MAY/06/2026.

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
 AUTHORIZED OFFICIAL \_\_\_\_\_  
 KENAI PENINSULA BOROUGH

HOMER RECORDING DISTRICT KPB FILE NO. 2026-046

**BUTTERMILK MEADOWS & BUENA VISTA PORTER 2026 REPLAT**

A REPLAT OF LOT 4A3, BUTTERMILK MEADOWS THREE (HM 91-64), LOT 2-1, BUENA VISTA NO. 2 SUBDIVISION (HM 94-34), & VACATION OF A PORTION OF APRICITY AVE. RIGHT-OF-WAY, LOCATED WITHIN THE NW1/4 NE1/4 & SW1/4 NE1/4 SECTION 13, T-5 S., R-12 W., SEWARD MERIDIAN, HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6,602 ACRES

**SEABRIGHT SURVEY + DESIGN**  
 KATHERINE A. KIRKS, P.L.S.  
 1044 EAST END ROAD, SUITE A  
 HOMER, ALASKA 99603  
 (907) 295-1590  
 SEABRIGHTSURVEY@GMAIL.COM

CLIENTS: ROBERT L. PORTER  
 P.O. BOX 3315  
 HOMER, AK 99603

DRAWN BY: BT CHW BY: KK JOB #2026-21  
 DATE: 04/2026 SCALE: 1"=60' SHEET #1 OF 1

**KPB 2026-046**

AGENDA ITEM E.      NEW BUSINESS

**ITEM #3 - RIGHT OF WAY VACATION**

**VACATE THE EASTERNMOST APPROXIMATELY 25,662 SQUARE-FOOT PORTION OF APRICITY AVENUE AND ASSOCIATED UTILITY EASEMENTS SITUATED BETWEEN LOT 4A3 (HM 91-64) AND LOT 2-I (HM 94-34), AS DEDICATED BY BUTTERMILK MEADOWS TWO (HM 83-105) AND BUENA VISTA NO. 2 SUBDIVISION (HM 94-34)**

<b>KPB File No.</b>	2026-046V
<b>Planning Commission Meeting:</b>	June 8, 2026
<b>Applicant / Owner:</b>	Robert E. Porter of Homer, Alaska
<b>Surveyor:</b>	Katherine A. Kirsis; Seabright Survey + Design
<b>General Location:</b>	Fritz Creek, Kachemak Bay APC
<b>Legal Description:</b>	Apricity Avenue  172-311-40: T 5S R 12W SEC 13 Seward Meridian HM 0940034 BUENA VISTA SUB NO 2 LOT 2-I  172-420-19: T 5S R 12W SEC 13 Seward Meridian HM 0910064 BUTTERMILK MEADOWS 3 SUB LOT 4A3

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**STAFF REPORT**

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

Request to vacate an unused portion Apricity Avenue right-of-way between East End Road and Lighthearted Street.

**Notification:** The public hearing notice was published in the June 5th issue of the Peninsula Clarion and the June 4<sup>th</sup> 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. Additional notices were mailed to the following with the request to be posted for public viewing.

Thirteen 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.

Fourteen public hearing notices 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)  |
| Kachemak Emergency Services of         | Homer Electric Association (HEA)   |
| Homer Kenai Peninsula Borough Office   |                                    |

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

The affected parcels are currently provided legal access from East End Road and Apricity Avenue. Lot 4A3 also has access from Buttermilk Rd on the northeast side running out to East End Rd. Buttermilk Rd is an existing private road crossing Lot 4A3 to access lots to the north and west.

Apricity Avenue is a 60-foot-wide dedicated right-of-way abutting the parcels and running between the two petitioning to vacate. Based on KPB imagery, it is unimproved and does not appear to support pedestrian or vehicular use. It connects to Lighthearted Street to the north, East End Road to the east, and Hutcheon Street to

the west. The petition requests vacation of approximately 25,662 square feet of Apricity Avenue, which presently provides access to the subject parcels and connects East End Road to Lighthearted Street.

Lighthearted Street is a 60-foot platted right-of-way coming from the north intersecting Apricity Avenue to the south and Moonbeam Lane to the north. The associated plat proposes an additional 60-foot dedication extending Lighthearted Street south from Apricity Ave to East End Road. The proposed dedication is offset from the existing right-of-way going north, creating a jog in the alignment and the surveyor is proposing a curve in the right-of-way to transition the connection. The Roads Director

East End Road is located to the south and is a 100-foot-wide, state-maintained right-of-way.

The parent plat (HM 91-64) and KPB data show a private drive, Buttermilk Road, located along the east side of former lot 4A3. The parent plat includes a note stating:

“There is a 25-foot roadway easement for the owners of property within the NE 1/4 of the NE 1/4 of Section 13, their heirs and assigns and shall run with the land.” The NE1/4 NE1/4 is the quarter to the east of this property. **Staff recommends** the surveyor verify the easement is or should be valid for this area of the NW1/4 of the NE1/4 Section 13 also and supply information to staff and include on final plat submittal.

Surrounding parcels will continue to have legal access via Apricity Avenue to the west, Lighthearted Street, and Hutcheon Street.

No section line easements affect the subject area.

Block length complies with KPB 20.30.170 due to the presence of Hutcheon Street, East End Road, Lighthearted Street, and Apricity Avenue.

Platting Department staff contacted the KPB Roads Director and received confirmation that the 60-foot dedication of Hutcheon Street adequately addresses the concern raised in the review comment. Th Roads Director did suggest that the curve transition on the north into Lighthearted St be smoothed out with a long curve to prevent any line-of-sight issues. **Staff recommends** the surveyor fit a smooth curve onto the point of the top of curve C1 at the suggestion of the Roads Director.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: Vacating this ROW will prevent future development of roads to the properties on the backside of Apricity Ave and Lighthearted Street. It is the only ROW that meets the borough ROW width standards. The RSA does not support this vacation.
SOA DOT comments	

**Site Investigation:**

Available data indicates the subject area contains no improvements and is considered vacant land.

KPB data identifies areas of wetlands on the portion to be vacated and are designated as areas of inundation. The inundation area runs along the contours of a ‘draw’ running through the affected property and proposed vacation. These areas were not shown on the vacation drawing and **staff recommends** the area of inundation be shown on the preliminary and final plat.

KPB GIS Imagery shows minimal contours within the subject area, with no slopes exceeding 20%.

The subject area has not been mapped by FEMA, per the KPB River Center Reviewer.

This area is not within a Habitat Protection District.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie  Floodplain Status: Not within flood hazard area  Comments: Area not mapped by FEMA.</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan  Habitat Protection District Status: Is NOT within HPD  Comments: No comments</p>
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**Staff Analysis:**

The subject area includes parcels from two separate subdivisions, both of which have undergone multiple replats. The most current plats are Buena Vista No 2. Subdivision (HM 94-34) and Buttermilk Meadows Three (HM 91-64).

The associated plat, Buttermilk Meadows & Buena Vista Porter 2026 Replat, will adjust lot lines between former lots 4A3 (HM 91-64) and 2-I (HM 94-34) and finalize the vacation of Apricity Avenue, resulting in lots 4A3-1 and 2-I-1.

The property to the west and south of Apricity Ave is in the final stages of platting. **Staff recommends** the surveyor check with staff when submitting the final plat for the statues of the adjacent plat to be labeled on this plat.

The parent plats (HM 83-105 and HM 94-34) granted a 10-foot utility easement along all rights-of-way. The utility easement adjacent to the area proposed for vacation is also petitioned for vacation, as shown on the sketch.

The associated plat proposes granting a 10-foot utility easement along the proposed dedication of Lighthearted Street.

**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:**

**Staff comments:** Apricity Avenue is a 60-foot-wide dedicated right-of-way that does not appear to support pedestrian or vehicular use.

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

**Applicant comments:** Construction of Apricity Avenue in its current location would be physically partition the land in a manner that is inconsistent with the planned use. The proposed right-of-way vacation is accompanied by a proposed dedication to provide equal or better access by shifting Apricity Avenue to the west.

**Staff comments:** The associated plat proposes an additional 60-foot dedication extending Lighthearted Street south to East End Road.

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

**Applicant comments:**

**Staff comments:** The surrounding area is partially developed and includes multiple rights-of-way: East End Road, Lighthearted Street, Hutcheon Street, and Apricity Avenue to the west. The parent plats granted 10-foot utility easements along all rights-of-way, and the associated plat proposes a new 10-foot utility easement along the Lighthearted Street dedication. No utilities or improvements are located within the portion of Apricity Avenue proposed for vacation.

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:**

**Staff comments:** The right-of-way does not provide access to a lake, river, or other public area. The vacation will not affect public access to any area of public interest.

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

**Applicant comments:**

**Staff comments:** Interconnectivity will remain available through Lighthearted Street, Hutcheon Street, and Apricity Avenue.

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

**Applicant comments:**

**Staff comments:** No trails or other public access features are present within the vacation area. The right-of-way does not appear to serve any public access function beyond potential roadway use.

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:**

**Staff comments:** The parent plats granted 10-foot utility easements along all rights-of-way, including the area proposed for vacation. The associated plat petitions to vacate the utility easement adjacent to the vacation area and proposes a new 10-foot utility easement along the Lighthearted Street dedication. No utility providers have indicated a need to retain the existing easement within the vacation area.

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

**Applicant comments:** The purpose of the right-of-way realignment is primarily to unify the properties involved in this replat. Both parcels, Lot 4A3 and Lot 2-I, are owned by the same party and are planned for similar future use. We believe that the realignment will also provide a safer approach off of East End Road by increasing the separation distance between Apricity Avenue and Buttermilk Road to the east.

**Staff comments:** The associated plat will reconfigure the adjoining lots and finalize the vacation area. The proposed offset dedication of Lighthearted Street creates a jog in the right-of-way; however, access and connectivity remain intact. The existing 25-foot roadway easement (Buttermilk Road) is constructed and provides functional access for the intended parcels.

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, or City Council if located

within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled June 16, 2026 or July 7, 2026 meeting.

If approved, Buttermilk Meadows & Buena Vista Porter 2026 Replat will finalize the proposed right-of-way vacation.

**KPB department / agency review:**

Addressing	<p>Reviewer: Pace, Rhealyn                  Affected Addresses:                  51698 East End Rd, 51678 East End Rd</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:                  Apricity Ave, Lighthearted St, East End Rd</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments:                  No Comment</p>
Code Compliance	Currently vacant
LOZMS Planner	<p>Reviewer: Raidmae, Ryan                  There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:                  There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather                  Comments: No comment</p>

**Utility provider review:**

HEA	HEA has no objection to the vacation of Apricity Avenue and the dedication of Lighthearted Street as depicted on this drawing.
ENSTAR	
ACS	No objections.
GCI	

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

- Add KPB 2026-046V to the title block
- Add to Lighthearted St the dedication information
- On the parent lots, show the existing utility notes and granted by information.
- Remove Lot 42, SL 92-4 from the middle of East End Rd
- Add to the legal, that “Associated Utilities” are also being vacated

### **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 Plat Committee.
  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*

- *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*

- *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**



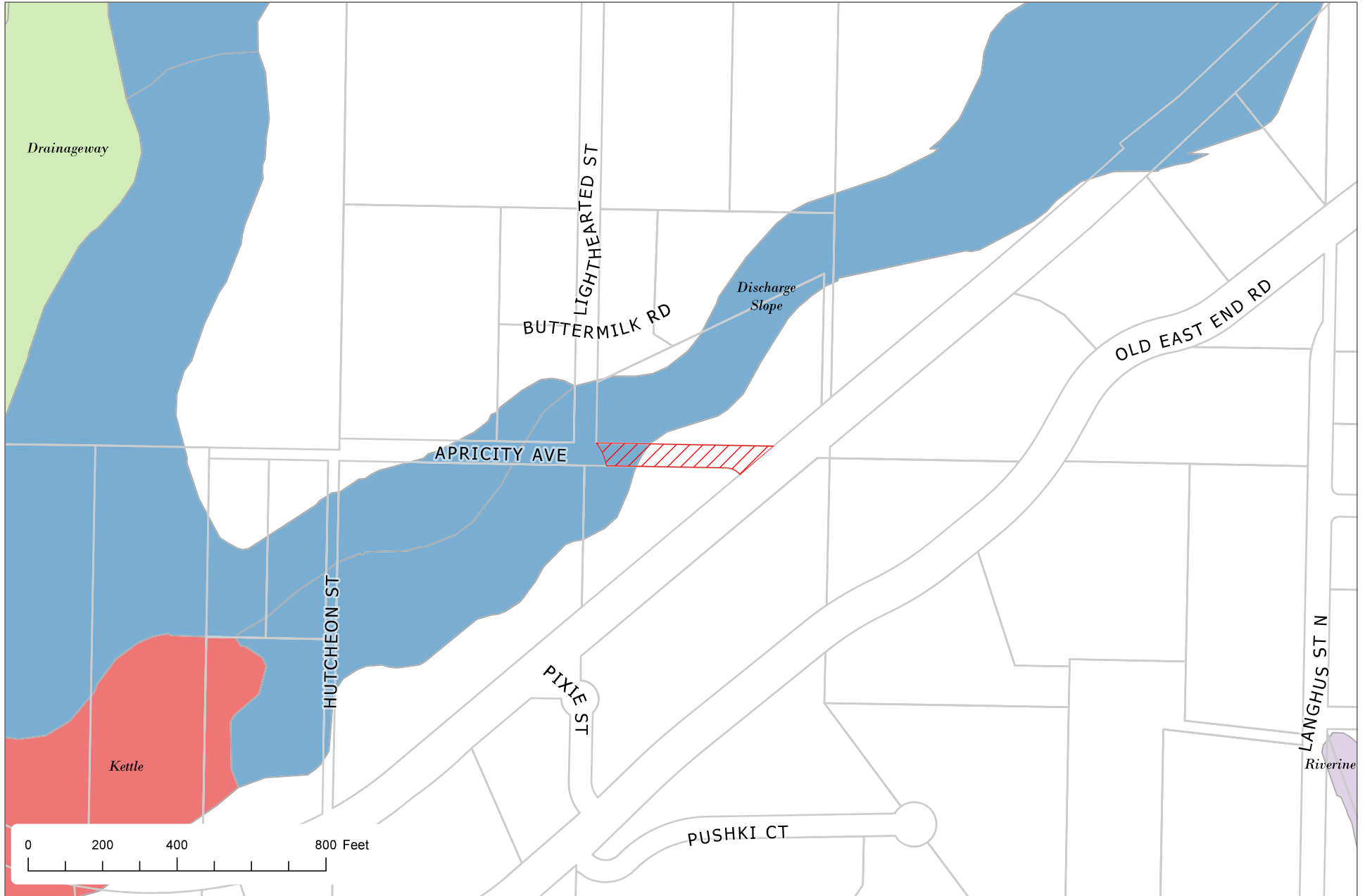
Aerial Map



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Wetlands

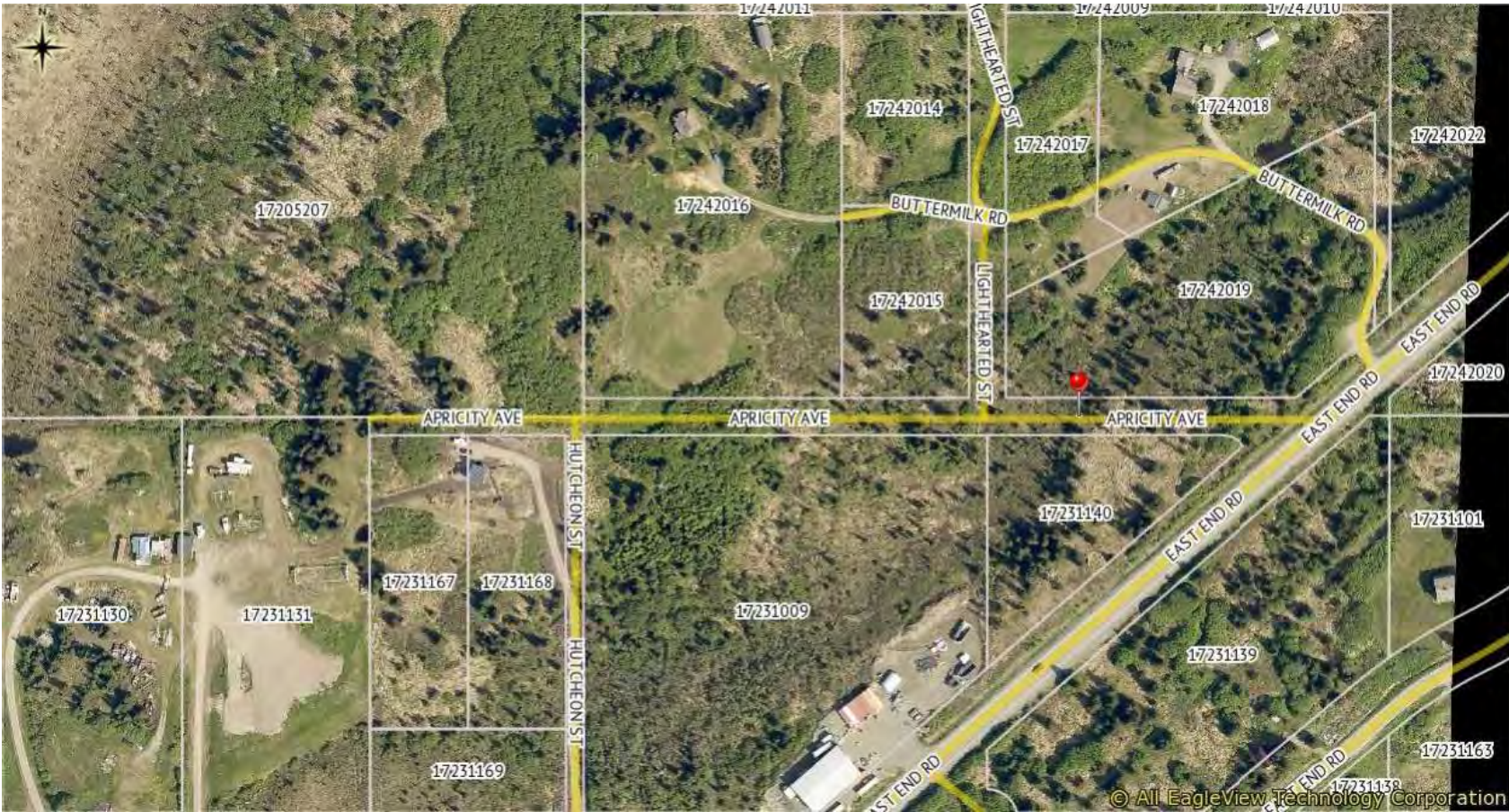


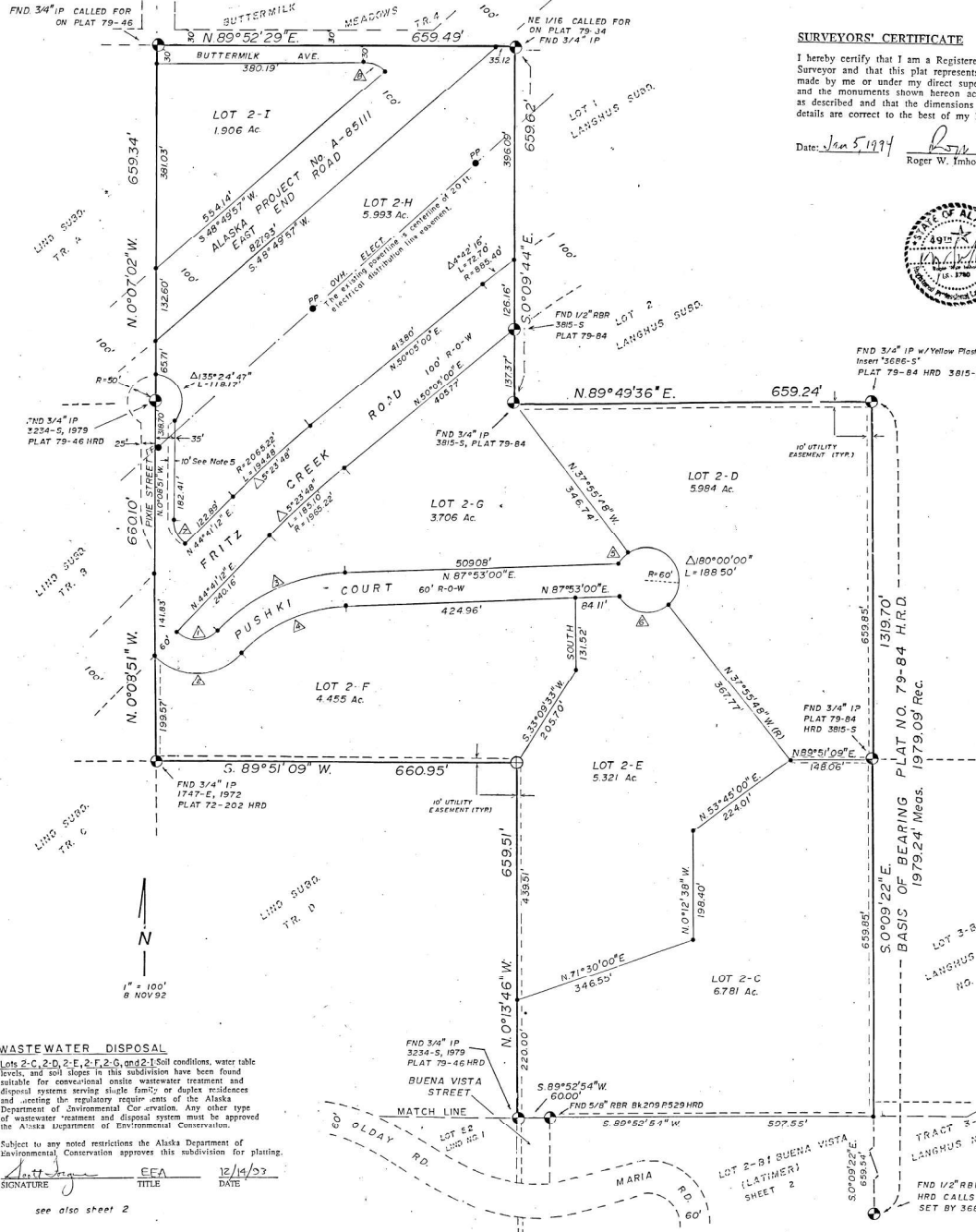
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# KPB Pictometry 2023





**WASTEWATER DISPOSAL**  
 Lots 2-C, 2-D, 2-E, 2-F, 2-G, and 2-H. 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 Alaska Department of Environmental Conservation. Any other type of wastewater treatment and disposal system must be approved by the Alaska Department of Environmental Conservation.

Subject to any noted restrictions the Alaska Department of Environmental Conservation approves this subdivision for planting.  
 Signature: *[Signature]* Title: *[Title]* Date: 12/14/93

**SURVEYORS' CERTIFICATE**

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision, and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

Date: Jan 5, 1994  
 Roger W. Imhoff ES-5780



**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

July 12, 1993

KENAI PENINSULA BOROUGH

By: *[Signature]*

Authorized Official

**NOTES**

1. A building setback of 20' is required from all street right-of-ways for new construction unless a lesser standard is approved by the appropriate Planning Commission.
2. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
3. The State of Alaska requires that all wastewater disposal systems be a minimum of 100' from any water source.
4. No access to state maintained right-of-way permitted unless approved by State of Alaska Department of Transportation.
5. Rk 155 Page 851, HRD, conveyed a 10 ft strip along the East edge of Fritz Street to the State of Alaska, Department of Transportation and Public Facilities. This plat shows the correct dimensions.
6. Pushki Court approved for construction not to exceed 8% within 100 feet of intersection.
7. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
8. The front 10 ft of the building setback adjacent to rights-of-way is also a utility easement.
9. Prior to this plat, Buena Vista Street existed as a public use right of way and easement over Lot 2-B Buena Vista Subdivision and is recorded as such in Book 209 Page 529, HRD. This dedication reduced the size of Lot 2-B to 4.920 Acres.
10. See public record at the State Records Office for covenants or restrictions not shown on this plat.

**LEGEND**

- Found Monument of Record
- Set 3-1/4" Aluminum cap on 2-1/2" diameter Aluminum post this survey
- Set 2" Aluminum cap on 3/8" x 36" long rebar
- POWER POLE
- Calculated or computed distance and bearing
- Record distance and bearing
- Radial from center of cut-de-ice
- Monument not located this survey

**CURVE DATA**

CURVEND	DELTA	RADIUS	LENGTH
▲	91°30'00"	5000'	79.85'
▲	91°30'00"	11000'	175.67'
▲	44°41'48"	33700'	262.90'
▲	44°41'48"	27700'	216.09'
▲	2°41'10"	6000'	25.33'
▲	95°49'06"	6000'	100.34'
▲	45°09'57"	6500'	51.24'
▲	48°57'23"	5000'	42.72'

SHEET 1 of 2

94 301  
 RECORDED-FILED  
 REC-811  
 DATE: \_\_\_\_\_ 19\_\_  
 TIME: \_\_\_\_\_ M  
 Requested by: \_\_\_\_\_  
 Address: \_\_\_\_\_

**OWNERSHIP CERTIFICATE**

I hereby certify that I am the owner of the real property shown and described herein as Lot 2-B Buena Vista and that I hereby adopt this plan of subdivision and by my free consent dedicate all right-of-ways to public use and grant all easements to the use shown.

Dolores G. Urch Date: 5-11-93  
 9446 W. Kanaga Loop Eagle River, AK 99577

**NOTARY'S ACKNOWLEDGMENT**

Subscribed and sworn to before me this 11 day of May, 1993, for  
 Dolores G. URCH  
 State of Alaska NOTARY PUBLIC DOROTHY M. GILMORE  
 My Commission expires: 3-29-94

**OWNERSHIP CERTIFICATE**

I hereby certify that I am the owner of the real property shown and described herein as Lot 2-B Buena Vista and that I hereby adopt this plan of subdivision and by my free consent dedicate Buena Vista Street as right-of-way to public use and grant all easements to the use shown.

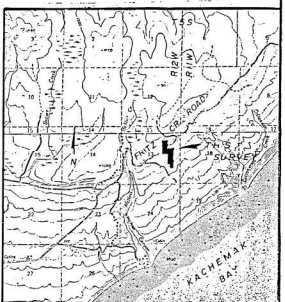
I further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this street dedication; no require signature and approval of the beneficiary.  
 Tom Latimer and Thomas A. Latimer DATE: 5-26-93  
 P.O. Box 15025 Fritz Creek, AK 99603

**NOTARY'S ACKNOWLEDGMENT**

Subscribed and sworn to before me this 25 day of May, 1993, for Thomas A. Latimer.

Judith Mullikin  
 Notary Public for Alaska  
 My Commission expires: 6-18-95  
 State of Alaska NOTARY PUBLIC JUDITH MULLIKIN  
 My Commission Expires

**VICINITY MAP**  
 1/4 MILE USGS QUAD SELDOVIA C-4 & D-4



**BUENA VISTA NO. 2 SUBDIVISION**  
 A RESUBDIVISION OF LOT 2-B BUENA VISTA, PLAT NO. 81-71, H.R.D. AND A RESUBDIVISION OF A PORTION OF TRACT 2, LIND-URCH-LANGHUS SUBDIVISION, PLAT NO. 72-202, F.R.D. LOCATED WITHIN TRACT 104 NE 1/4, SE 1/4, NE 1/4, AND THE NE 1/4 SE 1/4, SECTION 13, T. 5 S., R. 12 W., S.M. IN THE HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, ALASKA.

CONTAINS 45.037 ACRES, MORE OR LESS

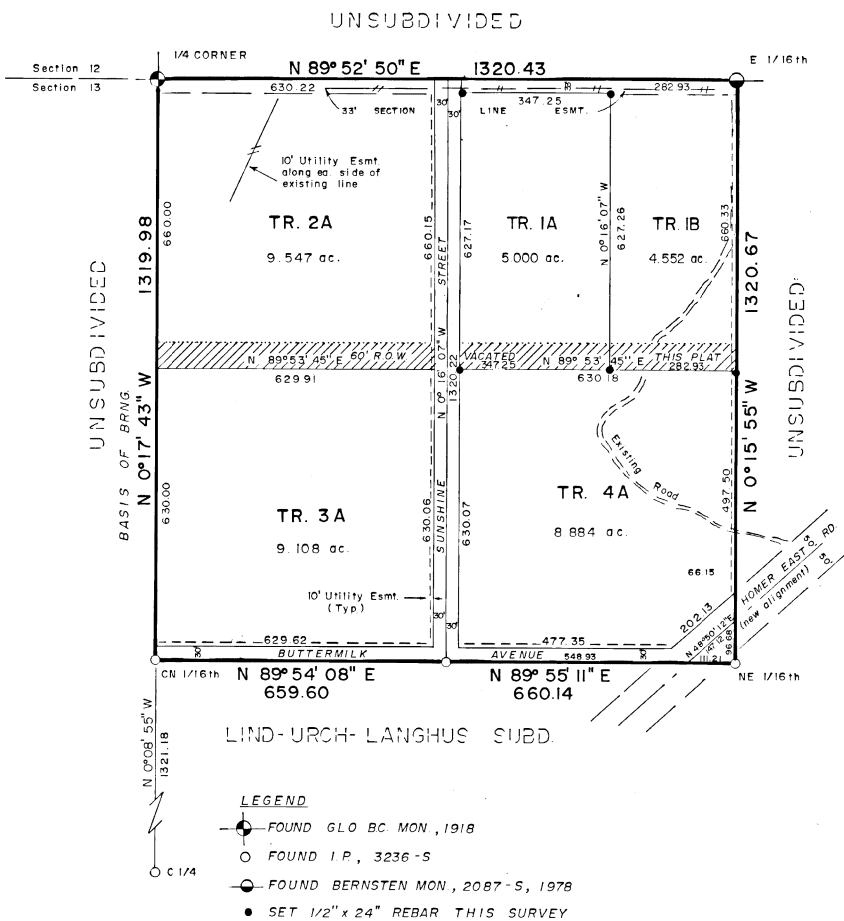
CLIENT: DOLORES G. URCH, 9446 W. KANAGA LP, EAGLE RIVER, AK 99577  
 SURVIVOR: ROGER W. IMHOFF, 10 HUX 238, HOMER, AK 99603

Drawn: RWI DATE: April 22, 1993  
 Scale: 1" = 100'



**NOTES:**

- 1) Monuments were set only as shown.
- 2) There is a 20' ingress/egress esmt along the existing road until the dedicated roads are constructed to an equal or better standard.
- 3) This subdivision is an isolated subdivision as defined in 18 AAC 72.90(27) and is not subject to review under 18 AAC 72.065.
- 4) A setback of 20' is required from all street row unless a lesser standard is approved by resolution of the appropriate planning commission.
- 5) No structures shall be constructed on the panhandle portion of Tr. 1B.



State of Alaska  
NOTARY PUBLIC  
EDNA ANDERSON  
MY COMMISSION EXPIRES

**CERTIFICATE OF OWNERSHIP**  
I hereby certify that I am the owner of the property shown and described hereon. I hereby request approval of this plat and dedicate all rights of way to public use and grant all easements to the use shown.

*Fred M. Harnish*  
FRED M. HARNISH 201 MEADOWCREEK DR EAGLE RIVER, AK.  
NOTARY'S ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 31 DAY OF May 1983  
*Edna Anderson* 1-11-83  
NOTARY PUBLIC FOR AK MY COMMISSION EXPIRES:  
*Mary Carol Christopher*  
LUTHER PIKE CHRISTOPHER SRA BOX 58 HOMER, AK.  
MARY CAROL CHRISTOPHER

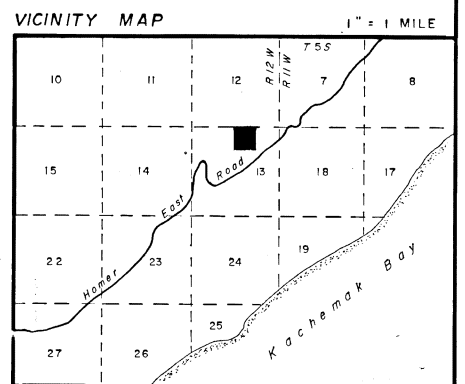
**NOTARY'S ACKNOWLEDGEMENT** (for J. B. M.C. Christopher)  
Subscribed and sworn to before me this 22 day of June 1983  
*Jerry Anderson* 6-15-1987  
Notary Public for Alaska My Commission Expires

**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* 6-20-83  
Anderson, R.L.S. No. 3686 S DATE

**PLAT APPROVAL**  
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of February 21, 1983  
Kenai Peninsula Borough

By *Jerry Anderson*  
Approved Official



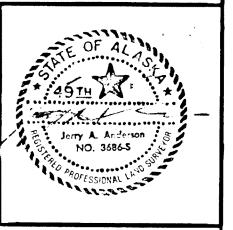
DATE: MAY, 1983

SCALE: 1" = 200'

DRAWN BY: SAS

FLD. BK. NO.: 130

JOB NO.: 1491



**BUTTERMILK MEADOWS TWO**

A RESUBD. OF ALL TRACTS WITHIN BUTTERMILK MEADOWS AND A VACATION OF SUNSHINE AVE. AS SHOWN ON PLAT NO. 80-42, H.R.D. BEING THE NW 1/4 NE 1/4, SEC 13, T 5 S, R 12 W, 5M.

Containing 40.012 Acres

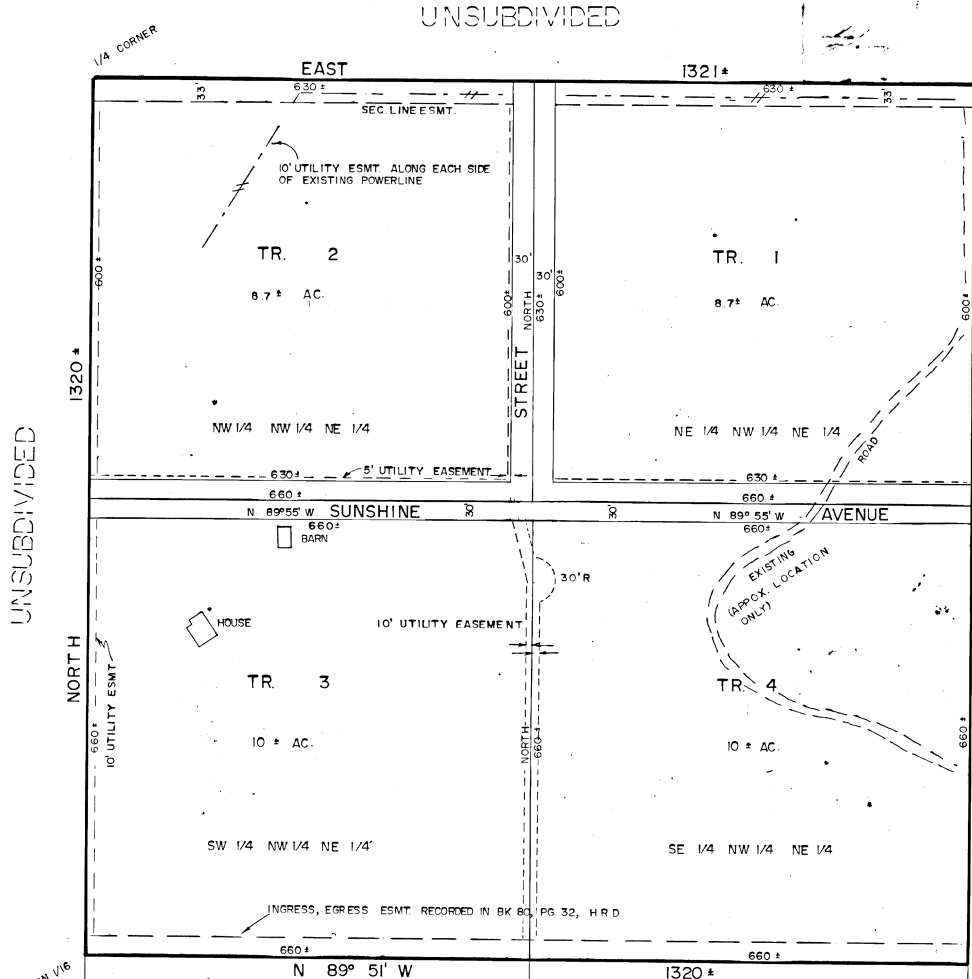
**ABILITY SURVEYS**

JERRY ANDERSON, R.L.S. BOX 378 HOMER, ALASKA

83-105

FILED 10 71  
*Harnish* REC. DIST.

DATE 10-21-83  
TIME 2:07 P.M.  
Requested by *Christopher*  
Address *Kenai*  
*K.P.C. Anderson*



UNSUBDIVIDED

UNSUBDIVIDED

UNSUBDIVIDED

80-42  
 RECORDED - FILED 10-  
 Homer REC. DIST.  
 DATE 5-6-1979  
 TIME 2:39 P.M.  
 J. P. Borup  
 J. Anderson

- NOTES:
1. ALL WASTEWATER DISPOSAL SYSTEMS MUST COMPLY WITH EXISTING LAW AT THE TIME OF CONSTRUCTION.
  2. NO SURVEY WAS MADE NOR WERE ANY STAKES OR MONUMENTS SET.
  3. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.
  4. THERE IS A 20' RIGHT OF WAY EASEMENT ALONG THE EXISTING ROAD.

LANGHUS SUBD.



**CERTIFICATE OF OWNERSHIP**  
 I hereby certify that I am the owner of the property shown and described hereon. I hereby request approval of this plat showing such easements for public utilities and roadways dedicated by me for public use.

*Fred M. Harnisch*  
 FRED M. HARNISCH

**NOTARY'S ACKNOWLEDGEMENT**  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 10 DAY OF JULY 1979

*Janez Seal*  
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES 10/15/80  
 LUTHER PIKE CHRISTOPHER BOX 58A-58 HOMER, ALASKA

*Mary Carol Christopher*  
 MARY CAROL CHRISTOPHER

**NOTARY'S ACKNOWLEDGEMENT**  
 Subscribed and sworn to before me this 7th day of April 1980

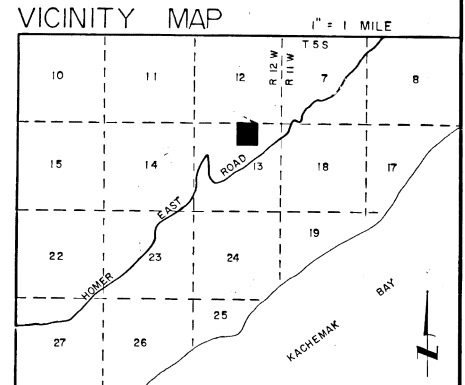
*Shirley Ann Wilson*  
 Notary Public for Alaska My commission expires 12-17-98

**SURVEYOR'S CERTIFICATE**  
 I, the undersigned registered surveyor, hereby certify that the information shown on this plat is based upon the most recent plats of the properties shown and that no field survey was performed.

*Jerry Anderson*  
 JERRY ANDERSON, 3686-S DATE 11/8/80

**PLAT APPROVAL**  
 This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of August 6, 1979 is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.  
 KENAI PENINSULA BOROUGH

BY *Phyllis Waring*

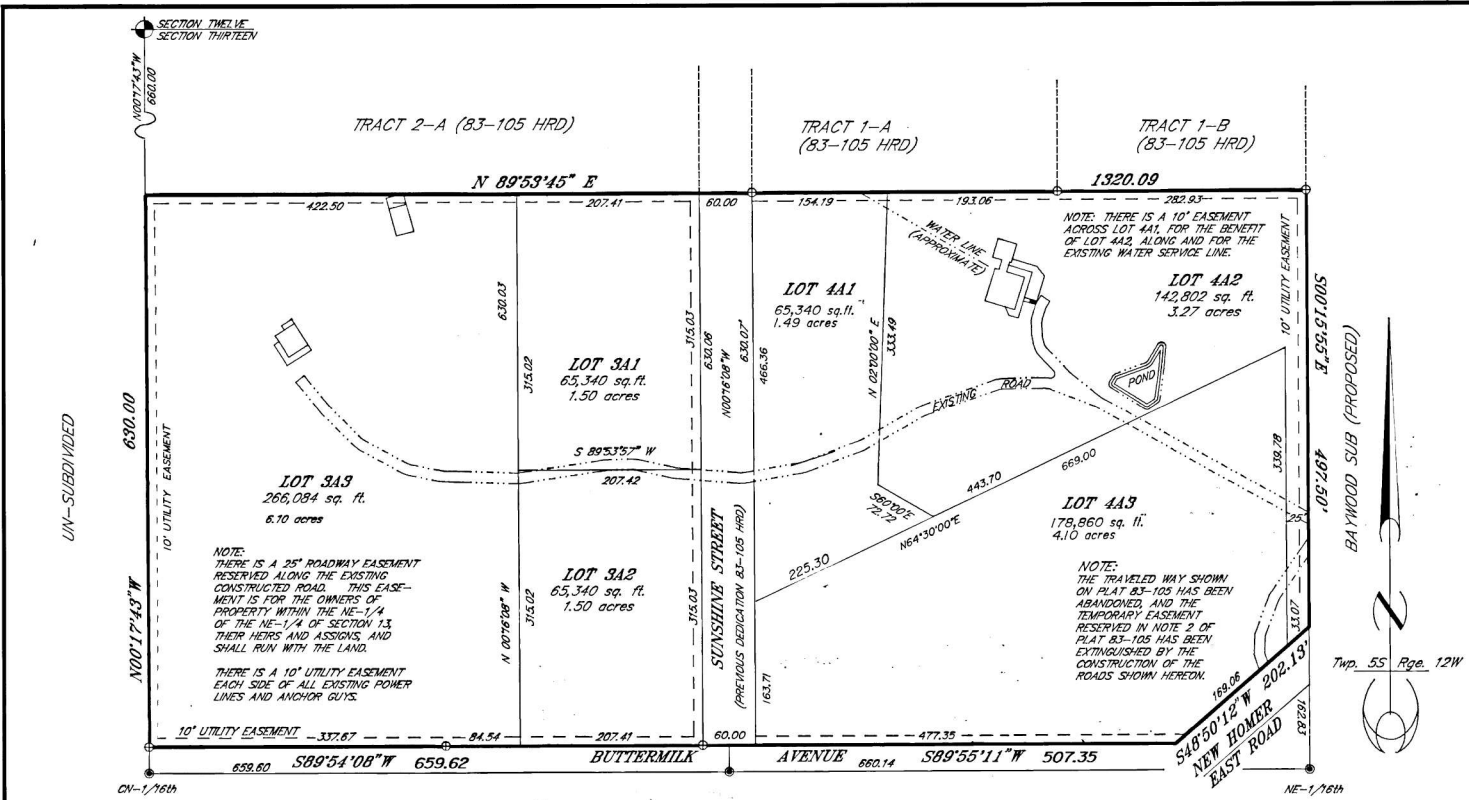


DATE: JULY, 1979  
 SCALE: 1" = 132'  
 DRAWN BY: S.W.  
 DESIGNED BY: J.A.  
 JOB NO.: 1105  
 FLD. BK NO.: 74



**BUTTERMILK MEADOWS**  
 BEING THE NW 1/4 NE 1/4, S. 13, T. 5 S, R. 12 W, S. M.

CONTAINING 40+ ACRES  
**Ability-Surveys**  
 REGISTERED SURVEYORS  
 ENGINEERS - PLANNERS  
 Jerry Anderson · Marvin Hanson  
 Box 1263 · Homer, Alaska 99603 · (907) 235-8440



**CERTIFICATE OF OWNERSHIP**  
 I hereby certify that I am the owner of the real property shown and described hereon, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all rights of way and public areas to public use, and grant all easements to the use shown.

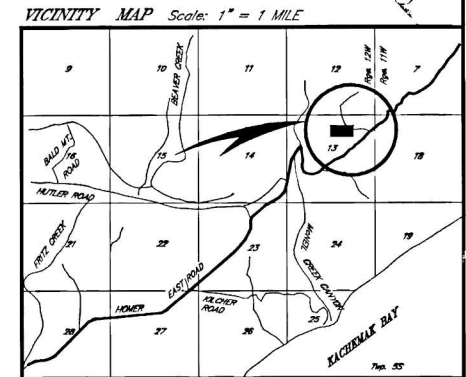
*Mary Carol Nelson-Spell*  
 MARY CAROL NELSON-SPELL  
 P.O. BOX 82  
 HOPE, ALASKA 99605

**NOTARY'S ACKNOWLEDGEMENT FOR MARY CAROL NELSON**  
 Subscribed and sworn to before me this 5<sup>th</sup> day of October, 1991.  
*Victor L. Siv* 6-18-95  
 Notary public for Alaska My Commission Expires

*Svea Rae Christopher*  
 SVEA RAE CHRISTOPHER  
 11265 SW DAVIES RD No. 1110  
 BEAVERTON OREGON 97007

**NOTARY'S ACKNOWLEDGEMENT FOR SVEA CHRISTOPHER**  
 Subscribed and sworn to before me this 15<sup>th</sup> day of September, 1991.

*Sharon Chaitman* 2-29-96  
 Notary Public for Subdivision My Commission Expires  
 County of Washington



DATE AUGUST 1991  
 SCALE 1" = 100'  
 GRID No. AR-38  
 FLD. BK. No. 199/3  
 DISK No. C.B.4  
 JOB No. 0490



**BUTTERMILK MEADOWS THREE**  
 A REPLAT OF TRACTS 3A & 4A, PLAT 83-105 HRD  
 IN THE NE 1/4 Sec 13, Twp 55, Rge 12W S.M. ALASKA  
 NEAR McNEIL CANYON, NORTH OF HOMER ALASKA  
 HOMER RECORDING DISTRICT  
 CONTAINING 18,860 ACRES

**ABILITY SURVEYS**  
 JERRY A. ANDERSON PLS  
 (907) 235-8440  
 BOX 373, HOMER ALASKA 99603

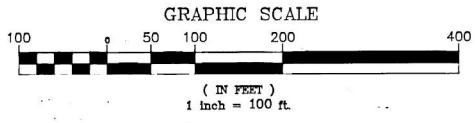
**NOTE:**  
 A 20' BUILDING SET BACK SHALL EXIST ALONG ALL DEDICATED RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.

SOILS ON THESE LOTS MAY OR MAY NOT BE SUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN OR OPERATE A PRESSURIZED WATER SYSTEM OR WATER BORNE WASTE DISPOSAL SYSTEM UNLESS APPROVAL OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION IS OBTAINED.

NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS OF WAY IS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.

NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF FLAG LOTS. THAT PORTION OF THE PANHANDLE SOUTH OF THE EXISTING CONSTRUCTED ROADWAY IS SUBJECT TO THE SAME EASEMENT AS THE CONSTRUCTED ROADWAY. (AFFECTS LOT 4A2)



**SURVEYORS CERTIFICATE**  
 I hereby certify that this survey was performed by me or under my direct supervision. I declare that the information shown hereon is true and correct to the best of my knowledge and belief.  
*Jerry A. Anderson* 10/1/91  
 Date: Jerry A. Anderson PLS No. 3686

**PLAT APPROVAL**  
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of Sept 9, 1991  
 KENAI PENINSULA BOROUGH  
 BY *Richard R. Proger*  
 Authorized Official

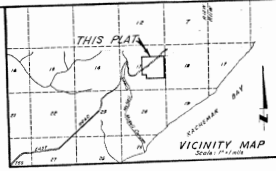
91-64  
 RECORDED 20-  
 HOMER REC. DIST  
 DATE 12-4 1991  
 TIME 3:10 P.M.  
 REQUESTED BY ABILITY SURVEYS  
 ADDRESS P.O. BOX 378  
 HOMER, ALASKA 99603

KPB FILE No. 91-114

79-116 WM

HM 72-202

Sec. 12 Sec. 7  
Sec. 13 Sec. 18



CERTIFICATE OF OWNERSHIP AND DEDICATION  
We hereby certify that we own the corners of the property shown and described herein. We hereby request recording of this plat, showing such easements for public utilities, roadways and areas dedicated by us for public use.

*Raymond J. ...* Alice Love Lind  
112 W. Street  
Anchorage, Alaska

*Nolan S. ...*  
112 W. Street  
Anchorage, Alaska

*James B. ...* Eugene S. ...  
112 W. Street  
Anchorage, Alaska

NOTARY'S ACKNOWLEDGEMENT  
Subscribed and sworn before me this 7th day of February, 1971.

*Paul ...* *Arthur B. ...*  
Notary Public

PLAT APPROVAL  
Plat approved by the Borough Planning Commission this 1st day of December, 1971.

*Alvin ...*  
Authorized Official

ENGINEER'S CERTIFICATE  
I, the undersigned registered engineer, hereby certify that the information shown on this plat is based upon the most recent 1971 recorded data of the properties shown, and that all data agree with the sources cited. No field survey was made for this plat.

3 Feb 1971  
*Charles O. ...*  
Engineer



NOTE:  
A 100' wide easement is hereby dedicated along the existing Fritz Creek Drive with 50' on each side of centerline.

NO. 72-202
DATE FILED
FILED
NOV 11 1971
CLAUDE VINING & ASSOCIATES
ANCHORAGE, ALASKA

PLAT OF	
LIND - URCH - LANGHUS	
SUBDIVISION	
(150 ACRES TOTAL)	
LOCATED IN	
T.S.S. R12 W. SEC. 13, S.M. ALASKA	
CLAUDE VINING & ASSOCIATES	
ENGINEERS - SURVEYORS	
1543 E 27TH AVE. ANCHORAGE, ALASKA	
DATE: OCTOBER, 1971	SCALE: 1" = 100'
DRAWN BY: ...	SHEET: 1 OF 1
CHECKED BY: ...	GRID:



DU-4

JAMES SUBDIVISION

WILSON SUBDIVISION

E3-21

Sec. 13 Sec. 18  
Sec. 26