

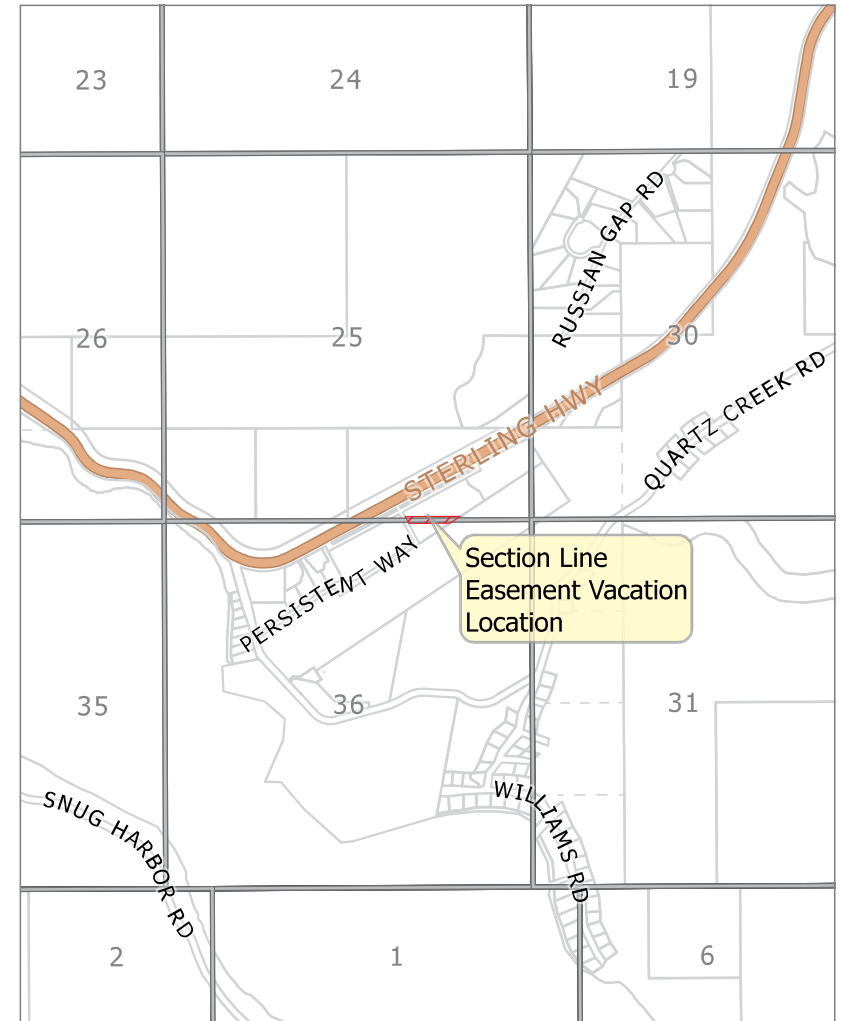
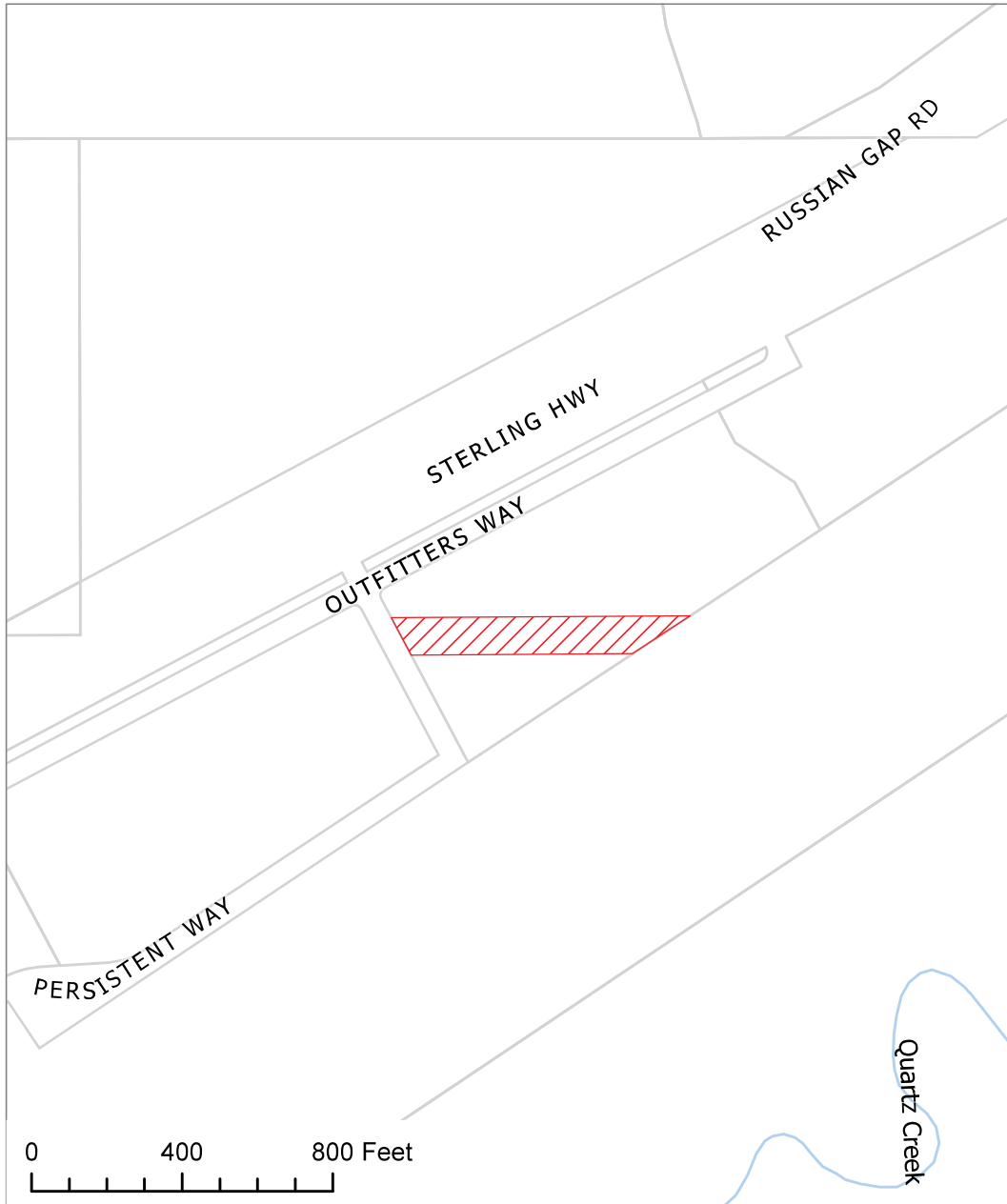
E. NEW BUSINESS

5. Section Line Easement Vacation; KPB File 2025-046V

Alaska Remote Imaging / TBA Properties LLC

**Request: Vacates the 100' Section Line Easement with Tract
B1 of Quartz Creek Subdivision Outfitter Way Replat, Plat SW
2024-19**

Cooper Landing Area / Cooper Landing APC



KPB File 2025-046V
T 05N R 03W SEC 25 & 36
Cooper Landing



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.

SECTION LINE EASEMENT VACATION CERTIFICATE APPROVAL RECOMMENDATIONS

State of Alaska Department of Transportation & Public Facilities

The vacation statement, as shown hereon, has been reviewed by the Central Region office and is hereby recommended for approval by the commissioner.

Recommended by: _____ Date: _____
Title: Chief, Planning & Administration

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: 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 & 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. 29.10.011. (Specify area delineated by diagonal hatching on this plat.)

Approved: _____ Date: _____
Commissioner
Department of Transportation & Public Facilities

Approved: _____ Date: _____
Commissioner
Department of Natural Resources

CERTIFICATE OF CONTRACTEE

I, the undersigned, hereby certify that I am the Contractee for Tract B1, Quartz Creek Subdivision Outfitters Way Replat, Plat 2024-19, Seward Recording District. I hereby approve this survey and plat.

Jean Travostino, VP Business Development _____ Date: _____
7352 W Parks Hwy, #B14
Wasilla, Alaska 99623

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this _____ day of _____, 2025

For: _____

Notary Public for the State of Alaska _____ My Commission Expires _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, the undersigned, hereby certify that I am the Director of the Division of Mining, Land & Water, and that Three Bears Alaska Inc. is the owner of Tract B1, Quartz Creek Subdivision Outfitters Way Replat, Plat 2024-19, Seward Recording District, as shown hereon. I hereby approve this section line easement vacation plat for the State of Alaska and dedicate or reserve for public or private use, as noted, all easements, public utility areas, and rights-of-way as shown and described hereon.

Director, Division of Mining, Land & Water _____ Date: _____

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this _____ day of _____, 2025

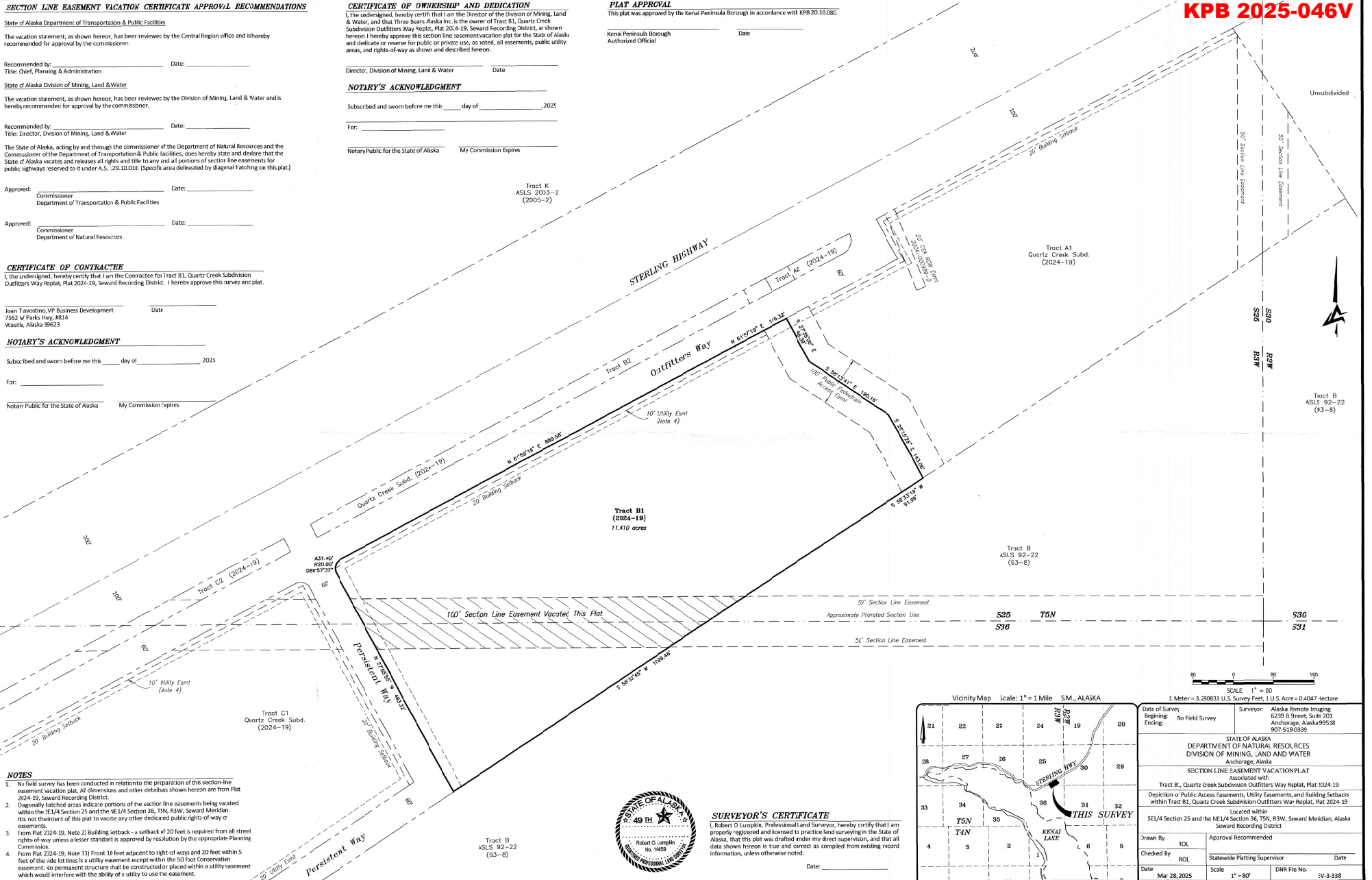
For: _____

Notary Public for the State of Alaska _____ My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough in accordance with KP.B.20.10.08C.

Kenai Peninsula Borough _____ Date: _____
Authorized Official



NOTES

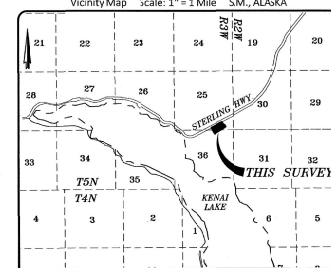
- No field survey has been conducted in relation to the preparation of this section line easement vacation plat. All dimensions and other details shown hereon are from Plat 2024-19, Seward Recording District.
- Diagonally hatched areas indicate portions of the section line easements being vacated within the SE1/4 Section 25 and the NE1/4 Section 36, T5N, R3W, Seward Meridian. It is not the intent of this plat to vacate any other dedicated public rights-of-way or easements.
- From Plat 2024-19, Note 2: Building setback - a setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- From Plat 2024-19, Note 13: Front 10 feet adjacent to right-of-way and 20 feet within 5 feet of the side lot lines is a utility easement except within the 50 foot Conservation easement. 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.



SURVEYOR'S CERTIFICATE

I, Robert O. Lumpkin, Professional Land Surveyor, hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat was drafted under my direct supervision, and that all data shown hereon is true and correct as compiled from existing record information, unless otherwise noted.

Date: _____



Date of Survey Beginning: No Field Survey	Surveyor: Alaska Remote Imaging 6239 S Street, Suite 201 Anchorage, Alaska 99518 907-519-0339
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND AND WATER Anchorage, Alaska	
SECTION LINE EASEMENT VACATION PLAT	
Tract B1, Quartz Creek Subdivision Outfitters Way Replat, Plat 2024-19	
Depiction of Public Access Easements, Utility Easements, and Building Setbacks within Tract B1, Quartz Creek Subdivision Outfitters Way Replat, Plat 2024-19	
SE1/4 Section 25 and the NE1/4 Section 36, T5N, R3W, Seward Meridian, Alaska Seward Recording District	
Drawn By: ROL	Approval Recommended
Checked By: ROL	Statewide Platting Supervisor _____ Date: _____
Date: Mar 28, 2025	Scale: 1" = 80' DNR File No. 2V-3-338

AGENDA ITEM E. NEW BUSINESS

ITEM #5 - SECTION LINE EASEMENT VACATION

Vacates 100 foot Section Line Easement- 50 feet in Section 25 Township 5 North and Range 3 West and 50 feet in Section 36 Township 5 North and Range 3 West running East to West through Tract B1 of Plat Number SW 2024-19

KPB File No.	2025-046V
Planning Commission Meeting:	April 28, 2025
Applicant / Owner:	TBA Properties LLC of Wasilla, Alaska
Surveyor:	Robert Lumpkin / Alaska Remote Imaging LLC
General Location:	Cooper Landing / Copper Landing APC
Legal Description:	Section Line Easement associated with Tract B1, Quartz Creek Subdivision Outfitters Way Replat, Plat 2024-14, Seward Recording District, Sections 25 and 36, Township 5 North, Range 3 West, Seward Meridian

STAFF REPORT

Specific Request / Purpose as stated in the petition:

This request to vacate the Section Line Easement traversing the southwest portion of Tract B-1, Quartz Creek Outfitters Way Replat (2024-19), will enable Three Bears to fully utilize the tract without the limitations imposed by the 100-foot-wide easement's building and usage restrictions.

Notification: The public hearing notice was published in the April 18 issue of the Peninsula Clarion and the April 17 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.

Library of Cooper Landing

Post Office of Cooper Landing

One certified mailing was sent to owners of property within 300 feet of the proposed vacation. One receipt had been returned when the staff report was prepared.

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

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
State of Alaska DNR Forestry
Cooper Landing Advisory Planning Commission
Emergency Services of Cooper Landing
Kenai Peninsula Borough Land Management

Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)
Chugach Electric
TelAlaska

Legal Access (existing and proposed):

The petitioned section line easement to be vacated crosses east to west, Tract B1, Quartz Creek Subdivision Outfitters Way Replat Amended (plat SW 2024-19).

Legal access to Tract B1 is by Persistent Way to the west and Outfitters Way to the north. Persistent Way is a 60-foot-wide dedicated road that is partially constructed on the northern side and connects to the Sterling Highway. The remaining portion is unimproved and extends westerly to Quartz Creek Road, a state-maintained road.

Outfitters Way is a 60-foot-wide dedicated road that is unconstructed. It intersects with the Sterling Highway to the northeast and northwest. The Sterling Highway is a state-maintained road.

The vacation of the section line easement will not change the existing access for Tract B1. Persistent Way and Outfitters Way will continue to provide access. There is a 100-foot-wide public access easement on the east boundary of Tract B1 centered on the property line which is centered along the creek. The creek is an anadromous unnamed stream. The label on the drawing for the easement is a Public Pedestrian Access Easement, the plat only labels the easement as a Public Access Easement. For consistency purposes, **staff recommends** the note match the plat as only labeling a Public Access easement.

The section line easement has not been developed. Surrounding lots will continue to have public access from the dedicated rights-of-way.

Persistent Way, Quartz Creek Road, and Outfitters Way define the block. The lengths along the block are not compliant and exceed allowable limits. The vacation of the section line easement, the location of an airstrip to the south, and the anadromous stream between Tract B1 and A1, limit the ability to provide a closed block. The parcel abutting to the east is owned by the Kenai Peninsula Borough and is used as a transfer site. The parcel directly to the west is also owned by the KPB. **Staff recommends** the Plat Committee concur that an exception is not required and additional dedications are not needed at this time.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: RSA has no objection at this time
SOA DOT comments	No Response

Site Investigation:

According to KWF Wetlands Assessment, wetlands identified as Kettle affect the section line easement petitioned to be vacated. This is not identified on the preliminary plat; however, staff has included a wetlands map in the packet.

Per the KPB GIS Imagery Contours layer, the proposed area to be vacated is relatively flat with no contours exceeding 20% grade.

The KPB River Center Reviewer has not identified the area to be affected by a FEMA designated flood hazard area.

An anadromous creek is located between Tracts B1 and A1 and is not within the petitioned section line easement to be vacated. **Staff recommends** the proper plat note be added to the final plat per KPB 20.30.290.

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 totally or partially within HPD Comments: There is an anadromous stream along the boundary of the lot but not within the section line easement being vacated. Plat should include the anadromous stream note
State of Alaska Fish and Game	No Response

Staff Analysis:

Originally the land was an aliquot part of section 25 and 36 Township 5 North, Range 3 West SM, Alaska, on the US BLM section plat recorded September 28, 1992. The section line between Section 25 and Section 36 is depicted on the map.

Alaska State Land Survey No. 92-22 (plat SW 93-8) subdivided the land creating Tracts A, B & C. The plat included a plat note stating "d) all parcels of land owned by the State of Alaska, located within 50.00 feet of, or bisected by a surveyed section line, are subject to a 50-foot (50') easement, each side of the section line, which is reserved to the State of Alaska for public highways under A.S. 19.010.010.

Quartz Creek Subdivision (plat SW 94-11) further subdivided Tract A and created Tracts A through E and dedicated Persistent Way.

A 50-foot conservation easement was created by deed at Bk 90 Pg 833 on Tract B Quartz Creek Subdivision KN94-41 between Kenai Peninsula Borough and Pixie A Smith. A partial release was granted in 2024 on Serial 2024-000527-0 on three of the four of Tract B KN 94-41, the north, west, and south. The conservation easement remains in effect on the East side of the perimeter and is shown on the parent plat, Quartz Creek Subdivision Outfitters Way Replat Amended (plat SW 2024-19). **Staff recommends** the surveyor label the easement on the final plat.

Quartz Creek Subdivision Outfitters Way Replat (Plat SW 2024-14), subdivided Tracts A through C and created Tract A1 through C1 and dedicated Outfitters Way. Quartz Creek Subdivision Outfitters Way Replat Amended (Plat SW 2024-19) corrected a few technical errors and showed the removed Conservation Easement,

The section line easement proposed to be vacated is within the Cooper Landing Advisory Planning Commission area. The Cooper Landing APC does not meet again until May 7th and no review was complete at the time of this staff report.

If approved, a Section Line Easement Vacation Plat will finalize the proposed Section Line Easement Vacation. Per KPB Code 20.10.080, if the sole purpose of the plat is to depict an area approved for vacation, the plat does not require review by the Planning Commission. It will be reviewed as a final plat by the Planning Department after being reviewed by the State of Alaska DNR. This plat will need submittal as a final Right-of Way Vacation Plat for review and final approval as noted under KPB 20.10.080.D

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;
Staff comments: The easement does not appear to be in use.
2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: Surrounding parcels continue to have access.
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments: The surrounding parcels continue to have access.

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;
Staff comments: The creek to the east will continue to have access by the public pedestrian access easement.
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: The surrounding parcels continue to have access.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: The location of the easement on the Tract limit development.
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.
Staff comments: Any requested easements from providers will be required.
8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.
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, 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 May 20, 2025 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 easements under the jurisdiction of the state. The Planning Commission may provide a recommendation to the State on the vacation.

KPB department / agency review:

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>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Addressing	<p>Reviewer: Leavitt, Rhealyn</p> <p>Affected Addresses: NONE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: STERLING HWY, OUTFITTERS WAY, PERSISTENT WAY</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p>

	List of Approved Street Names: List of Street Names Denied: Comments: No other comments
Assessing	Reviewer: Windsor, Heather Comments: No comment
Advisory Planning Commission	Next Meeting is May 7th
Cooper Landing EMS	Concerns regarding no fire hydrants

Utility provider review:

HEA	Not within HEA's Service Area
ENSTAR	No comments or recommendations
ACS	No Response
GCI	Approved as shown on sketch
CHUGACH ELECTRIC	No Objection
TELALASKA	No Comments

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

1. In the title block: include the KPB file number 2025-046V; add the owner's name; modify the plat name to Quartz Creek Subdivision Outfitters Way Replat Amended.
2. On the Vicinity Map: Add labels for the sections to the south
3. Add a label for the Sterling Highway width
4. Modify the Subdivision names on the adjacent parcels on the plat to Quartz Creek Subdivision Outfitters Way Replat Amended
5. Modify the plat number on the parcel to the north to 2005-10
6. Add a label indicating the 50' Conservation easement on Tract B1 and Tract B2.
7. Add the 100' section line easement abutting sections 25 and 30
8. Add the 10' utility easement on the western boundary of Tract B1
9. Authority documents for TBA Properties, LLC per KPB 20.60.190
10. Modify the Certificate of Contractee to Certificate of Ownership and Dedication per KPB 29.60.190
11. Modify the Notary's Acknowledgement to comply with KPB 20.60.190
12. Add the date of the vacation approval by the Planning Commission, as well as the date of consent of the vacation by the assembly to the final plat per KPB 20.10.080[(D)(4)]

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL of the Section Line Easement as petitioned but not to remove the 50' Conservation Easement, subject to:

1. Consent by KPB Assembly.
2. Approval by the State of Alaska.
3. Compliance with the requirements for vacation plats per KPB 20.010.080 of the KPB Code.
4. Grant any utility easements requested by utility providers.
5. Submittal of a final plat within a timeframe such that the plat can be recorded within four years of vacation consent (KPB 20.25.110(C)).

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

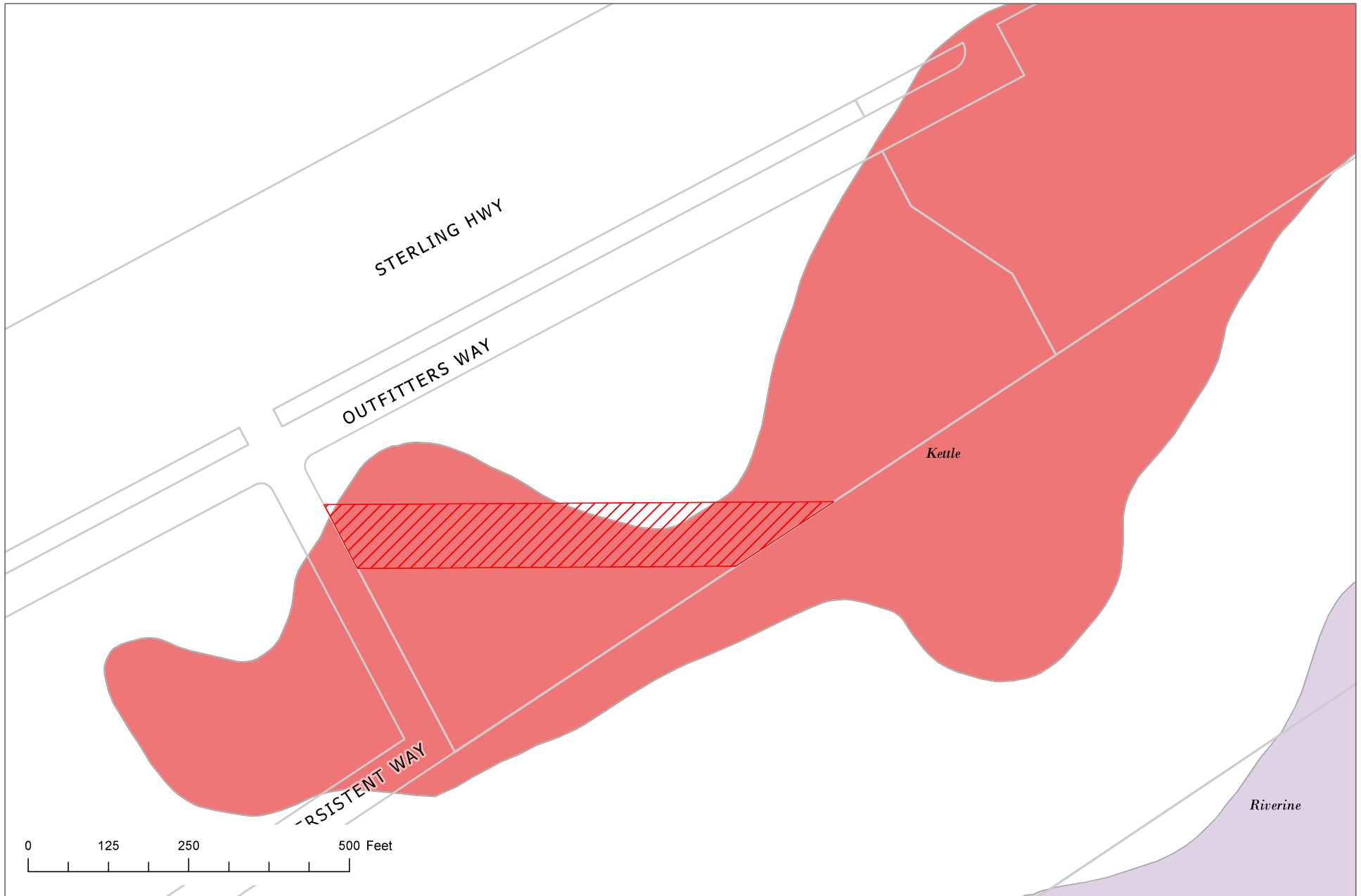
- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*

- *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

END OF STAFF REPORT



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.



Aerial with 5-foot Contours



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" ALUM. CAP MONUMENT BLM 1986 FOUND
- 2 1/2" ALUM. CAP MONUMENT L55152 2000 FOUND
- 3 1/4" ALUM. CAP MONUMENT 1928-S 1992 FOUND
- 2 1/2" ALUM. CAP MONUMENT 4469-S 2003 FOUND
- 5/8" REBAR w/ 2" ALUM. CAP MCLEANE 1994 FOUND
- 5/8" REBAR w/ PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 2004-9 SRD
- [] RECORD DATUM PLAT 2005-10 SRD
- [] RECORD DATUM PLAT 94-11 SRD

AMENDMENT AFFIDAVIT

The changes to this plat are as follows: On page 1, the addition of the Certificate of Acceptance; On page 2, the removal of the 50 foot Conservation Easement depiction and notation from the west and south boundaries of Tract B1 and overstrikes on the south boundary data of Tract B1 and the position of the 10 foot utility easement depiction on the west boundary of Tract B1.

The above revisions constitute the amendments made to the plat aside from its relation to the original plat. The above revision does not affect any change of ownership, easement features, rights-of-way, or any other item which would adversely affect this or adjacent properties. I am therefore submitting this plat for refile as corrected.

John F. Segesser
John F. Segesser
11-27-24
Date

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETINGS OF JUNE 13 AND AUGUST 22, 2022, AND JANUARY 8, 2024.

KENAI PENINSULA BOROUGH
John F. Segesser
AUTHORIZED OFFICIAL



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 3-5-24

TABLES APPLY TO THIS PAGE ONLY

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	29°59'58"	169.40	88.72	45.40	87.71	S71°30'45" W
(C1)	30°00'00"	170.00	89.01	45.55	88.00	S71°23'36" W

LINE	BEARING	DISTANCE
LT	S88°50'42" W	131.80
(LT)	S88°23'36" W	131.98

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: OUTFITTERS WAY DEDICATION.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

John F. Segesser
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH
DATE 11/27/24

CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE KENAI PENINSULA BOROUGH, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Peter A. Mische
PETER A. MISCHKE, MAYOR
KENAI PENINSULA BOROUGH
144 N BINKLEY STREET
SOLDOTNA, ALASKA 99669
TRACTS A AND C

CERTIFICATE of OWNERSHIP and DEDICATION

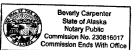
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THREE BEAR ALASKA INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THREE BEAR ALASKA INC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Joan Travostino
JOAN TRAVOSTINO, VP BUSINESS DEVELOPMENT
THREE BEARS ALASKA INC
7362 W PARKS HWY, #814
WASILLA, ALASKA 99623
TRACT B

NOTARY'S ACKNOWLEDGEMENT

FOR *Peter A. Mische, Mayor*
ACKNOWLEDGED BEFORE ME THIS 5 DAY OF June 2024

Bruny Compton
BRUNY COMPTON
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 11/11/27



NOTARY'S ACKNOWLEDGEMENT

FOR *Joan Travostino*
ACKNOWLEDGED BEFORE ME THIS 19 DAY OF July 2024

Joan L. Travostino
JOAN L. TRAVOSTINO
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 10/11/27



Amended Plat
KPB FILE NO. 2022-060R1

Quartz Creek Subdivision Outfitters Way Replat

A resubdivision of Tracts A, B, and C, Quartz Creek Subdivision Plat 94-11, Seward Recording District.

Located within the SW1/4 Section 30, T5N, R2W, the SE1/4 Section 25 and the N1/2 Section 36, T5N, R3W, S.M., Kenai Peninsula Borough, Alaska.

Containing 40.085 Ac.	
Surveyor Segesser Surveys 30485 Rosland St Soldotna, AK 99669 (907) 262-9909	Owners Kenai Peninsula Borough 144 N Binkley St. Soldotna, AK 99669 Three Bears Alaska Inc 7362 W Parks Hwy #814 Wasilla, AK 99623
JOB NO. 22031	DRAWN: 3-5-24
SURVEYED: March, 2022	SCALE: 1"=200'
FIELD BOOK: 22-1	SHEET: 1 of 2

Seward Recording District PL 2024-19

Seward Recording District PL 2024-14

LEGEND:

- 3 1/4" ALUM. CAP MONUMENT 1886 FOUND
- 2 1/2" ALUM. CAP MONUMENT 1886/2000 FOUND
- 3 1/4" ALUM. CAP MONUMENT 1926/5 1992 FOUND
- 2 1/2" ALUM. CAP MONUMENT 4469-5 2003 FOUND
- 5/8" REBAR 4/ 2" ALUM. CAP 1886/1984 FOUND
- 5/8" REBAR 4/ PLASTIC CAP 1886/5 SET
- RECORD DATUM PLAT 2004-9 SRD
- RECORD DATUM PLAT 2005-10 SRD
- RECORD DATUM PLAT 04-11 SRD



TABLES APPLY TO THIS PAGE ONLY

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
(C1)	90.00°	100.00'	89.76'	14.33'	86.00'	S71°33'33"W

LINE	BEARING	DISTANCE
(C1)	S89°29'33"W	131.90'

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JUNE 13 AND AUGUST 22, 2022 AND JANUARY 6, 2024.

KENAI PENINSULA BOROUGH
 AUTHORIZED OFFICIAL



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 instruments shown herein were used as described, and all dimensions and other details are correct.

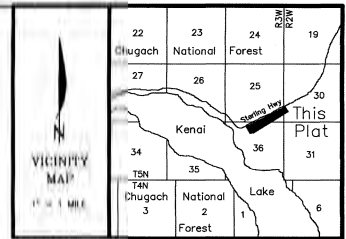
Date: 8-16-24

NOTES:

- Books of history taken from Russian Gap Subdivision 2004 Addition, Plat 2004-9, Seaward Recording District.
- Building Setback: A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- Covenants, conditions, and restrictions which affect this subdivision are recorded in Book 80 Page 631, Seaward Recording District. The through all not enforce private covenants, easements, or deed restrictions per KRS 30.80.170.
- An easement between the Kenai Peninsula Borough and Tract A, south is recorded in Book 80 Page 633, Seaward Recording District.
- 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.
- Tracts A2, B1, and C2 are wholly within the 30' Building setback of rights-of-way.
- Utility easements granted to Chugach Electric and Tidalco Inc. by this plat are as follows: 30 feet along the southeasterly and southeasterly boundaries, 30 feet in the northern boundary and a 30 feet by 30 feet square easement at the northeastern corner.

- 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.
- ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:** Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, or may be amended, for restrictions that affect development in this subdivision. With of the habitat protection district shall be in accordance with KPB 21.18.040.
- This property is subject to a reservation of easement for highway purposes, and any easements or uses created for recreation, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949, and amended by Public Land Order Number No. 787, dated October 10, 1959, Public Land Order No. 1813, dated April 7, 1968 (superseding of the order), Order Number 2865, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1953 and Amendment Number 2 thereto, dated September 18, 1958, filed in the Federal Register.
- No access to State protected ROWs permitted unless approved by the State of Alaska Department of Transportation.
- An easement for electrical lines or system and/or telephone lines which affects a portion of Tract A, granted to Chugach Electric Association, Inc. is recorded as serial number 2004-000889-0, Seaward Recording District.
- Front 10 feet adjacent to right-of-way and 30 feet within 5 feet of the side lot lines is a utility easement except within the 30 foot Conservation easement. 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.
- WASTEWATER DISPOSAL:** Tracts A1, B1, and C1-Three lots are at 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:** Tracts A2, B2, and C2-Conditions might not be suitable for onsite wastewater treatment and disposal systems. No wastewater will be generated or disposed of on these lots or the site of this plat. If circumstances change to allow onsite wastewater treatment and disposal systems, those systems must meet the wastewater disposal requirements of KRS Chapter 30.40 and regulatory requirements of the Alaska Department of Environmental Conservation.
- Exemptions to KRS 20.30.180, Lot Dimensions, KRS 20.30.200, Minimum Lot Size and KRS 20.60.180, Utility easements along dedicated rights-of-way for Tracts A2, B2, and C2, are granted by the Plat Committee at the meeting of August 22, 2022.

Seaward Recording District Plat 2024-11



CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE KENAI PENINSULA BOROUGH, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

[Signature]
 DEBRA A. MCGEE, CLERK
 KENAI PENINSULA BOROUGH
 144 N BINKLEY STREET
 SOLDOTNA, ALASKA 99669
 TRACTS A AND C

CERTIFICATE of OWNERSHIP and DEDICATION

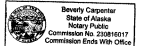
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THREE BEAR ALASKA INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THREE BEAR ALASKA INC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

[Signature]
 KIM TRAVETTER, V.P. BOROUGH DEVELOPMENT
 THREE BEAR ALASKA INC
 1400 N PARKS HWY, SUITE 200
 WASILLA, ALASKA 99607
 TRACT B

NOTARY'S ACKNOWLEDGEMENT

FOR Peter A. Mieschke, Mayor
 ACKNOWLEDGED BEFORE ME THIS 5 DAY OF June, 2024

[Signature]
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES with office



NOTARY'S ACKNOWLEDGEMENT

FOR Joan Travetter
 ACKNOWLEDGED BEFORE ME THIS 12 DAY OF July, 2024

[Signature]
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 10/14/2027



KPB FILE No. 0022-060R1

Quartz Creek Subdivision Outfitters Way Replat

A replatification of Tracts A, B, and C, Quartz Creek Subdivision Plat 04-11, Seaward Recording District.

Located within the SW 1/4 Section 30, T5N, R2W, the SE 1/4 Section 26 and the NE 1/2 Section 33, T5N, R3W, S3M, Kenai Peninsula Borough, Alaska.

Containing 40,086 AS.

Surveyed by **Seagreen Surveys**
 30485 Rosland St.
 Soldotna, AK 99669
 (907) 408-0908

OWNER: Kenai Peninsula Borough, Three Bears Alaska Inc.
 7362 N Parks Hwy, Soldotna, AK 99669
 144 N Binkley St., Soldotna, AK 99669
 Wasilla, AK 99603

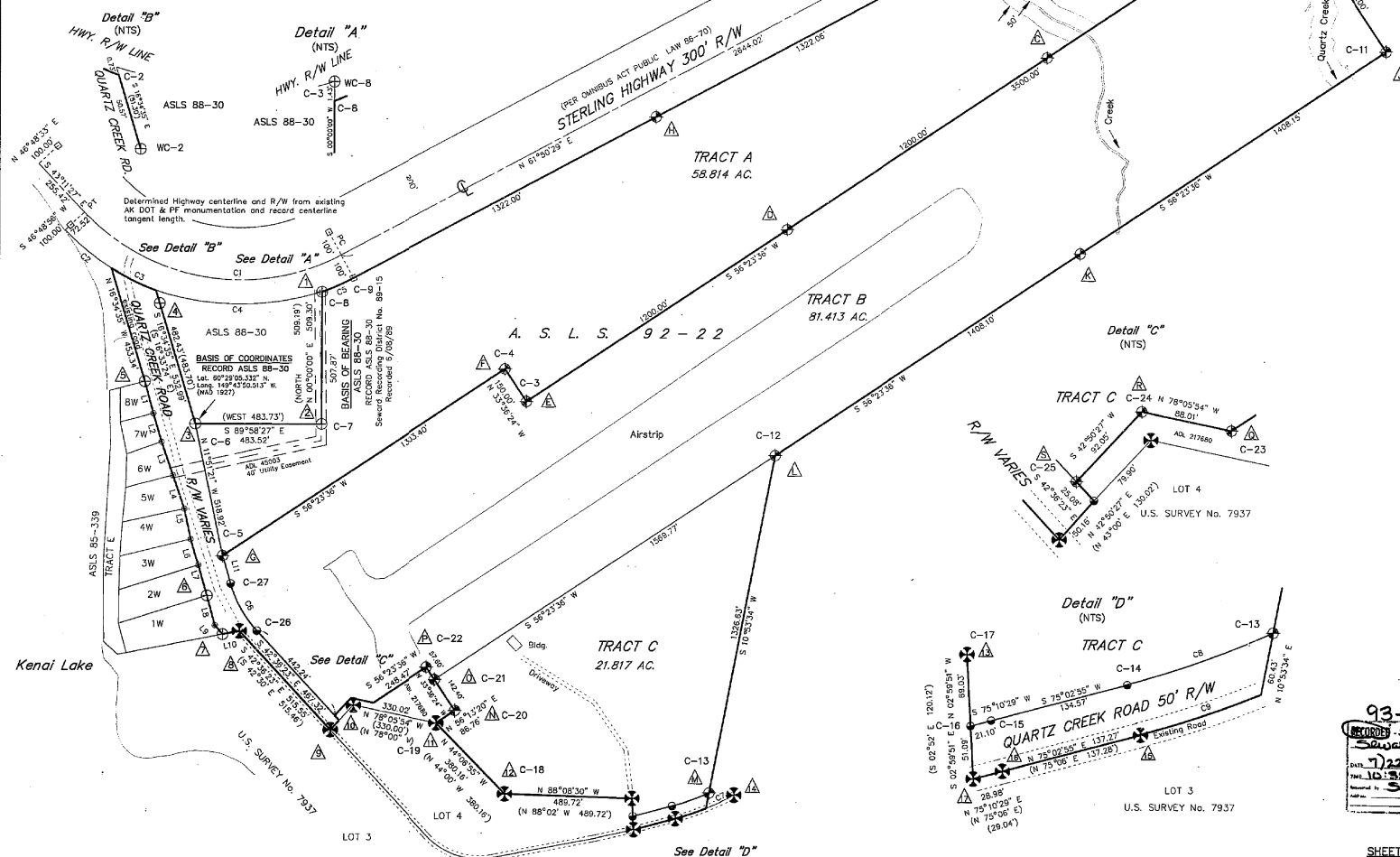
KPB No. 22031 DRAWN: 3-5-24
 SURVEYED: March, 2023 SCALE: 1"=200'
 FIELD BOOK: 22-1 SHEET: 1 of 2

CURVE TABLE

LOT	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C/L Highway	C1	818.38'	1070.80'	827.80'	998.03'	S 80°40'29" E	74°58'04"
R/W Highway	C2	918.38'	229.84'	115.92'	229.04'	S 50°20'51" E	14°19'35"
Highway R/W	C3	918.38'	191.65'	96.18'	191.31'	S 63°29'21" E	11°57'25"
R/W ASLS 88-30	C4	1035.46'	646.23'	354.33'	635.39'	S 89°48'41" E	35°49'28"
R/W Highway	C5	918.38'	131.45'	65.84'	131.34'	N 65°56'31" E	08°12'03"
Quartz Cr. Rd. R/W	C6	444.46'	210.27'	107.14'	208.31'	S 29°03'13" E	27°06'30"
C/L Quartz Cr. Rd.	C7	974.16'	118.81'	59.48'	118.74'	N 64°13'16" E	09°59'17"
Tract C R/W	C8	924.16'	150.75'	75.36'	150.63'	S 70°22'27" W	09°20'58"
C/L Quartz Cr. Rd.	C9	974.16'	124.12'	62.14'	124.03'	S 71°23'55" W	07°18'00"

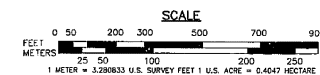
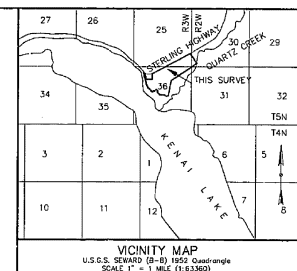
LINE TABLE

LINE	DIRECTION	DISTANCE	DIRECTION	DISTANCE
L1	S 15°12'37" E	127.21'	(S 15°00'00" E)	(112.38)
L2	S 16°14'52" E	133.42'	(S 16°13'04" E)	(113.24)
L3	S 18°49'41" E	136.16'	(S 18°41'25" E)	(113.66)
L4	S 18°47'56" E	136.31'	(S 18°41'24" E)	(113.67)
L5	S 12°05'23" E	119.48'	(S 11°58'12" E)	(119.51)
L6	S 15°56'52" E	104.36'	(S 15°53'48" E)	(104.31)
L7	S 15°59'00" E	122.22'	(S 15°58'58" E)	(122.15)
L8	S 15°05'11" E	118.79'	(S 15°00'00" E)	(118.30)
L9	S 49°21'49" E	45.63'	(S 41°00'00" E)	(44.38)
L10	N 78°56'02" E	65.87'		
L11	N 15°30'03" W	112.29'		



LEGEND

- ⊕ PRIMARY MONUMENT RECOVERED THIS SURVEY
- ⊗ BLM PRIMARY MONUMENT RECOVERED THIS SURVEY
- ⊙ SECONDARY MONUMENT RECOVERED THIS SURVEY
- ⊛ AK DOT & PF 6" x 6" CONC. R/W MONUMENT RECOVERED THIS SURVEY
- ⊙ PRIMARY MONUMENT SET THIS SURVEY (SEE NOTE 1)
- ⊙ SECONDARY MONUMENT SET THIS SURVEY
- ⊙ Monument Designation
- () Record Information



DATE OF SURVEY BEGINNING June 2, 1992 ENDING February 11, 1993	NAME OF SURVEYOR Midland and Associates P.O. Box 488 Seldovia, AK 99689
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LAND ANCHORAGE, ALASKA	
ALASKA STATE LAND SURVEY NO. 92-22	
WITHIN UNSURVEYED SECTION 30 & 31, T. 5 N., R. 2 W. AND UNSURVEYED SECTIONS 25 & 36, T. 5 N., R. 3 W., S.W., ALASKA THE KENAI PENINSULA BOROUGH AND THE SEWARD RECORDING DISTRICT.	
DRAWN BY: msn DATE: May 07, 1993 SCALE: 1" = 200'	APPROVAL RECOMMENDED By: [Signature] Statewide Planning Supervisor DATE: 7-16-93 K.P.B. FILE NO. 92-141

SHEET 1 OF 2

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, the undersigned, hereby certify that I am the Director, Division of Land, and that the State of Alaska is the owner of ASLS 92-22 as shown hereon. I hereby approve this survey and plat for the State of Alaska, and dedicate for public and private use as noted, all easements, public utility areas, and right-of-way as shown and described hereon.

Dated July 14, 1993
[Signature]
 Director
 Division of Land

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 14th day of July, 1993.

For Richard A. Letourneau
[Signature]
 Notary Public for Alaska
 My Commission Expires 12-10-96



APPLICANT CERTIFICATE

We the undersigned, hereby certify that we are the applicant as shown hereon. We hereby approve this survey and plat.

ADL NO. 201307 TRACT A
[Signature]
 Date 5-11-93
 Donald E. Gilman, Mayor
 Authorized Official Kenai Peninsula Borough

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 11th day of May, 1993.

For Donald E. Gilman
[Signature]
 Notary Public for Alaska
 My Commission Expires Jan. 26, 1994
 My Commission Expires 1/26/94

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION in accordance with Section 20.04.070 Kenai Peninsula Borough Subdivision Regulations.

Date 5-11-93
[Signature]
 Borough Official

WASTEWATER DISPOSAL:

Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

The Alaska Department of the Environment Conservation approves this subdivision for platting.

[Signature] EEA II 5/10/93
 Name and Title of
 Alaska Department of Environmental
 Conservation Approval Official

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 26th day of June, 1993.

For Lowell B. Humphrey
[Signature]
 Notary Public for Alaska
 My Commission Expires July 19, 1994



APPLICANT CERTIFICATE

We the undersigned, hereby certify that we are the applicant as shown hereon. We hereby approve this survey and plat.

ADL NO. 217682 Tract C
 ADL NO. 217683 Tract B
[Signature] 6-16-93
 Date
 Alaska Department of Transportation and Public Facilities

MONUMENT ACCESSORY TABLE

CORNER	OBJECT NO.	BEARING	DISTANCE	DESCRIPTION	CORNER	OBJECT NO.	BEARING	DISTANCE	DESCRIPTION
ASLS 92-22 C1 4928-S 1993	△	N 77°52' E S 15°10' W S 85°09' W	40.6' 61.0' 39.1'	12" Spruce 4" Spruce 12" Spruce	ASLS 92-22 C2 4928-S 1993	△	N 00°22' E S 70°31' E S 71°43' W	9.6' 8.1' 18.0'	8" Birch 8" Spruce 8" Birch
ASLS 92-22 C3 4928-S 1993	△	N 00°22' E S 04°45' E N 88°34' W	7.3' 28.0' 19.1'	5" Spruce 6" Spruce 8" Birch	ASLS 92-22 C4 4928-S 1993	△	N 11°27' E S 45°22' E N 88°02' W	19.6' 10.3' 9.1'	8" Spruce 7" Spruce 5" Spruce
ASLS 92-22 C5 4928-S 1993	△	N 50°15' E S 04°34' W N 84°52' W	30.3' 13.3' 6.9'	6" Spruce 5" Spruce 5" Spruce	ASLS 92-22 C6 4928-S 1993	△	S 23°35' E S 68°40' W N 49°11' W	16.5' 59.4' 52.6'	8" Spruce 4" Spruce 12" Birch
ASLS 92-22 C7 4928-S 1993	△	N 25°01' E S 16°52' E N 80°11' W	10.7' 23.6' 23.9'	3" Spruce 12" Birch 6" Spruce	ASLS 92-22 C8 4928-S 1993	△	N 26°47' E S 46°18' W N 45°20' W	15.1' 67.1' 34.4'	3" Spruce 12" Birch 4" Spruce
ASLS 92-22 C9 4928-S 1993	△	N 86°24' E S 10°45' W N 42°27' W	25.6' 27.4' 32.9'	5" Spruce 6" Spruce 7" Spruce	ASLS 92-22 C10 4928-S 1993	△	N 79°50' E S 59°41' W N 04°57' W	39.7' 56.8' 67.0'	6" Spruce 7" Spruce 6" Spruce
ASLS 92-22 C11 4928-S 1993	△	N 15°18' E S 20°20' E N 66°22' W	28.4' 21.6' 19.8'	5" Birch 4" Birch 6" Spruce	ASLS 92-22 C12 4928-S 1993	△	N 79°52' E S 49°40' W N 18°41' W	36.5' 54.1' 24.0'	4" Spruce 4" Spruce 4" Birch
ASLS 92-22 C13 4928-S 1993	△	N 22°47' E S 72°35' E S 02°57' W	41.8' 32.1' 16.6'	10" Spruce 8" Spruce 12" Spruce	ASLS 92-22 C14 4928-S 1993	△	N 11°19' E S 59°39' E N 75°12' W	14.4' 50.8' 19.4'	12" Birch 8" Spruce 8" Spruce
ASLS 92-22 C15 4928-S 1993	△	S 88°42' E S 29°39' E S 62°22' W	51.6' 19.2' 20.7'	5" Spruce 4" Spruce 12" Birch	ASLS 92-22 C16 4928-S 1993	△	N 39°01' E S 15°05' E N 43°42' W	18.9' 36.0' 13.1'	10" Spruce 12" Spruce 8" Spruce
ASLS 92-22 C17 4928-S 1993	△	N 87°54' E S 09°11' E S 43°54' W	96.2' 56.8' 100.3'	5" Spruce 4" Spruce 8" Spruce	ASLS 92-22 C18 4928-S 1993	△	N 04°50' E S 89°30' E S 15°20' E	26.3' 43.2' 29.5'	3" Spruce 8" Spruce 4" Birch
ASLS 92-22 C19 4928-S 1993	△	N 56°53' E S 39°41' E S 53°39' W	56.5' 5.5' 23.3'	5" Spruce 10" Spruce 4" Poplar					

MONUMENTS RECOVERED

CORNER	OBJECT NO.	NOTE	BLM	Found monument as described in official record.
ASLS 88-30 C3 4928-S 1988	△	Found monument as described in official record.	BLM C3 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C4 4928-S 1988	△	Found monument as described in official record.	BLM C4 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C5 4928-S 1988	△	Found monument as described in official record.	BLM C5 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C6 4928-S 1988	△	Found monument as described in official record.	BLM C6 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C7 4928-S 1988	△	Found monument as described in official record.	BLM C7 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C8 4928-S 1988	△	Found monument as described in official record.	BLM C8 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C9 4928-S 1988	△	Found monument as described in official record.	BLM C9 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C10 4928-S 1988	△	Found monument as described in official record.	BLM C10 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C11 4928-S 1988	△	Found monument as described in official record.	BLM C11 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C12 4928-S 1988	△	Found monument as described in official record.	BLM C12 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C13 4928-S 1988	△	Found monument as described in official record.	BLM C13 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C14 4928-S 1988	△	Found monument as described in official record.	BLM C14 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C15 4928-S 1988	△	Found monument as described in official record.	BLM C15 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C16 4928-S 1988	△	Found monument as described in official record.	BLM C16 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C17 4928-S 1988	△	Found monument as described in official record.	BLM C17 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C18 4928-S 1988	△	Found monument as described in official record.	BLM C18 L4 4928-S 1988	Found monument as described in official record.
ASLS 88-30 C19 4928-S 1988	△	Found monument as described in official record.	BLM C19 L4 4928-S 1988	Found monument as described in official record.

NOTES

- This survey was accomplished in accordance with AS 29.65 and MSI 92-22.
- All bearings shown are true as oriented to the basis of bearing and distances shown are reduced to horizontal line distances.
- The accuracy of this survey is greater than 1:5000.
- All parcels of land owned by the State of Alaska, located within 50.00 feet of, or bisected by a surveyed section line, are subject to a 50 foot (50') easement, each side of the section line, which is reserved to the State of Alaska for public highways under A.S. 18.10.010.

SURVEYOR'S CERTIFICATE

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

Date May 8, 1993 Registration Number 4920-S
[Signature]
 Registered Land Surveyor



SCALE

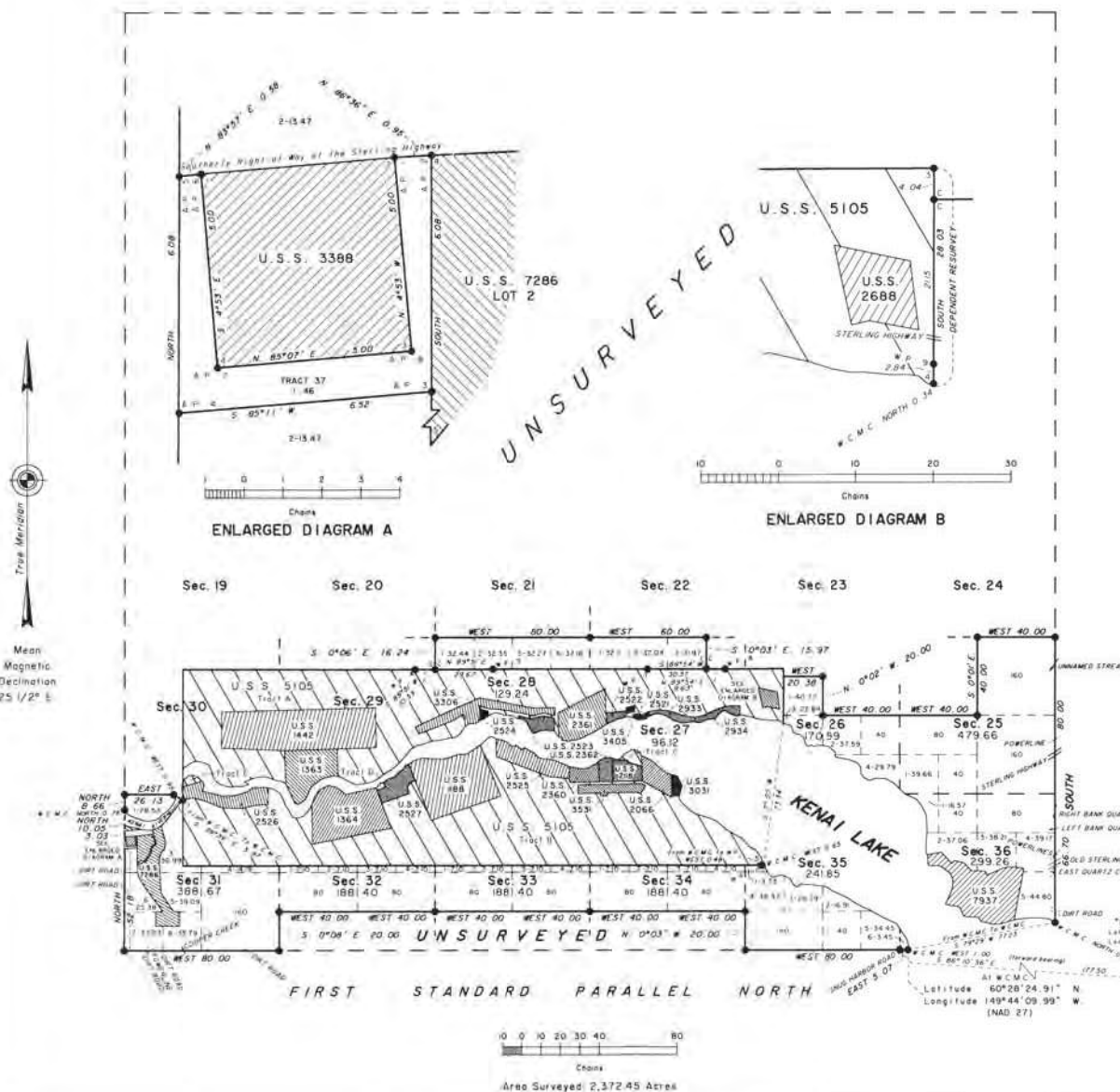
0 50 100 200 300 400 500 600 700 800 900
 FEET
 METERS
 1 METER = 3.28083 U.S. SURVEY FEET 1 U.S. ACRE = 0.4047 HECTARE

DATE OF SURVEY BROWNING JUL 2, 1992	NAME OF SURVEYOR McNamee and Associates P.O. Box 485 Selkirk, AK 99829
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LAND	
ALASKA STATE LAND SURVEY NO. 92-22	
WITHIN UNSURVEYED SECTION 30 & 31, T. 5 N., R. 2 W. AND UNSURVEYED SECTIONS 25 & 36, T. 5 N., R. 3 W., S.M., ALASKA THE KENAI PENINSULA BOROUGH AND THE SEWARD RECORDING DISTRICT.	
DRAWN BY: mm DATE: May 07, 1993	APPROVAL RECOMMENDED [Signature] Brownsfield Planning Supervisor DATE: 7-16-93
SCALE 1" = 200'	CHECKED FILE NO. ASLS 920022 K.P.S. FILE NO. 92-141

SHEET 2 OF 2

DATE, OCTOBER 8, 1992

TOWNSHIP 5 NORTH, RANGE 3 WEST, OF THE SEWARD MERIDIAN, ALASKA



The history of surveys is contained in the field notes.

This plat and the field notes represent the dependent resurvey of portions of U.S. Survey No. 5105, the retracement of a portion of U.S. Survey No. 3388, and the survey of the First Standard Parallel North along portions of the south boundary of Township 5 North through Range 3 West, Seward Meridian, portions of the east and west boundaries, portions of the subdivisional lines, tract 37, and a portion of the meander of Township 5 North, Range 3 West, Seward Meridian, Alaska. A portion of the subdivisional lines of the township were surveyed by protraction as shown on this plat.

This survey was executed by Frank A. Herdt, Cadastral Surveyor, May 23 through September 11, 1986, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions for Group No. 409, Alaska, dated November 1, 1983, approved September 5, 1985, and Assignment Instructions dated May 15, 1986.

The hydrography shown on this plat was obtained by field survey methods.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

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

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

For the Director:

George D. [Signature] 28 Sept. 1992
Date

Deputy State Director for Cadastral Survey, Alaska

Proj: S16-6 T5N, R3W SM
Seward B-8

S.D.E.

Introduced by: Mayor
Date: April 30, 1991
Hearing: June 18, 1991
Action: FAILED AS AMENDED
Vote: 6 YES, 9 NO
MOTION TO RECONSIDER: BROWN
Reconsidered: 7/9/91
Action: ENACTED AS AMENDED
Vote: 9 YES, 5 NO

KENAI PENINSULA BOROUGH
ORDINANCE 91-20

AUTHORIZING A LEASE WITH OPTION TO PURCHASE FOR SHERMAN C. SMITH ON LANDS LOCATED IN THE COOPER LANDING VICINITY AND LOCATED WITHIN A PORTION OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 36 AND A PORTION OF THE S $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 3 WEST, SEWARD MERIDIAN AND CLASSIFYING THESE LANDS AS "SALE LANDS"

WHEREAS, an application has been received from Sherman C. "Red" Smith for purchase of ten acres, more or less, located in the Cooper Landing area, for industrial development; and,

WHEREAS, the borough selected the subject land pursuant to the Municipal Entitlement Act and has received a final decision from the State of Alaska approving the selection; and

WHEREAS, a final decision does transfer certain management rights of the land allowing the borough to enter into leases, grant permits, easements, rights-of-way and dispose of lands; and,

WHEREAS, it is not borough policy to sell or otherwise convey title in lands until patent has been issued by the State of Alaska and received by the borough; and,

WHEREAS, on March 11, 1991, a memorandum, maps and supporting backup was sent out for review and comments to the School District, Cooper Landing Community Club, Cooper Landing Advisory Planning Commission, East Peninsula Road Service Area and departments of the borough; and,

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That a long-term lease with option to purchase is hereby authorized for ten acres, more or less, located within a portion of NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 and S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25, Township 5 North, Range 3 West, Seward Meridian, Alaska.

Section 2. That the subject lands are hereby classified as "Sale Lands" pursuant to Chapter 17.04 of the KPB Code of Ordinances.

Section 3. That the plat which creates the subject ten acre parcel shall designate a fifty foot conservation easement around the perimeter of the site, exclusive of a fifty foot wide entry and exit wherein no live, naturally existing vegetation over 3" in diameter shall be removed.

Section 4. That the annual lease shall be at the rate of six percent (6%) of the borough assessed valuation and shall be reappraised every five (5) years and the fee adjusted accordingly.

Section 5. That upon the borough receiving patent, the lessee may exercise his option to purchase the subject land at the current fair market value. Said purchase may be made by payment in full or a minimum down payment of ten percent (10%) of the fair market value with the remaining principal balance payable in installments at the rate of ten (10%) percent interest.

Section 6. That the Mayor is authorized to sign any documents necessary to effectuate this ordinance and deemed to be in the best interest of the borough.

ENACTED THIS 9th DAY OF July BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH.


James W. Skogstad, Assembly President

ATTEST:


Borough Clerk

Return To: Grantee

STATUTORY WARRANTY DEED
(AS 34.15.030)

90-831
TRCT

8903 The GRANTOR, KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, for ten dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 91-20 enacted July 9, 1991, conveys and warrants unto the GRANTEE(S), Pixie A. Smith, a single person, whose address of record is 309 Katmai Avenue, Soldotna, Alaska 99669, her heirs, successors and assigns, the following described real property:

Tract B, Quartz Creek Subdivision, according to Plat No. 94-11, on file in the Seward Recording District, Third Judicial District, State of Alaska,

TOGETHER WITH all the improvements thereon, if any, and all rights of the Grantor to any and all hereditaments and appurtenances hereto, and

SUBJECT TO any taxes and assessments, exceptions, reservations, restrictions, conditions, covenants, easements, rights-of-way, encroachments either of record or ascertainable by physical inspection, including without limitation, pursuant to Ordinance 91-20, a 50-foot conservation easement around the perimeter of the parcel wherein no live, naturally existing vegetation over 3" in diameter shall be removed except for a 50-foot wide entry and a 50-foot wide exit, and

FURTHER SUBJECT TO a restrictive covenant pursuant to KPB 17.10.130(D), that the real property described in this conveyance instrument shall be used for commercial and light industrial purposes as defined hereinbelow, and that the use of the land for any other purpose is prohibited, provided that this restriction may be modified by the Borough Assembly pursuant to KPB 17.10.130(F) as presently enacted. Pursuant to KPB 17.10.250(D), "commercial" means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks, and able to support on-sight water and sewer systems or capable of receiving water and/or sewer service, near public utilities and in proximity to residential areas. Pursuant to KPB 17.10.250(R) and legislative intent supporting adoption of KPB Ordinance 91-20, "light industrial" means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed area, light manufacturing not inside buildings, and the development of sawmills or other wood processing.

KENAI PENINSULA BOROUGH:

GRANTEE(S):

Mike Navarre
Mike Navarre, Mayor
Dated: 4-30-98

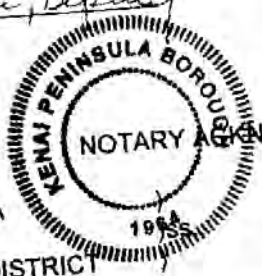
Pixie A. Smith
Pixie A. Smith
Dated: 5-1-98

ATTEST:

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:

Linda S. Murphy
Linda S. Murphy,
Borough Clerk

Colette G. Thompson
Colette G. Thompson,
Borough Attorney

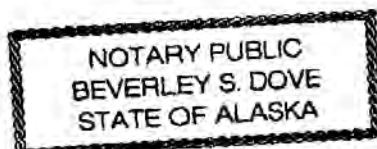


STATE OF ALASKA
THIRD JUDICIAL DISTRICT

The foregoing instrument was acknowledged before me this 30th day of April, 1998, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, on behalf of the corporation.

Beverley S. Dove
Notary Public in and for Alaska
My commission expires: Aug 22, 1999

NOTARY ACKNOWLEDGMENT

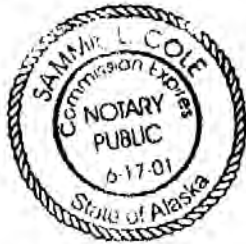


STATE OF ALASKA }
THIRD JUDICIAL DISTRICT } ss.

The foregoing instrument was acknowledged before me this first day of May, 1998, by Pixie A. Smith.

Samuel L. Cole
Notary Public in and for Alaska
My commission expires: 6-17-2001

696
5/13/98
8:35 AM
by Smith



Kenai Peninsula Borough, Alaska
wd

**PARTIAL RELEASE OF CONSERVATION EASEMENT DEED RESTRICTION**

WHEREAS, the Kenai Peninsula Borough conveyed real property to Pixie Smith by quitclaim deed recorded on May 13, 1998 as Book 90, Page 831 in the Seward Recording District, pursuant to KPB Ordinance 91-20 which contained a conservation easement deed restriction ("Deed Restriction").

WHEREAS, The real property is described as Tract B, Quartz Creek Subdivision, according to Plat No. 94-11, on file in the Seward Recording District, Third Judicial District, State of Alaska ("Tract B").

WHEREAS, Three Bears Alaska, Inc., is the successor in interest of Tract B.

WHEREAS, on September 6, 2022, the Kenai Peninsula Borough Assembly enacted Ordinance 2022-38 authorizing the partial release of the Deed Restriction on three of the four perimeter sides of Tract B.

NOW, THEREFORE:

The Grantor, the Kenai Peninsula Borough, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, for the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 2022-38, enacted September 6, 2022, releases forever unto the successor in interest, Grantee, Three Bears Alaska, Inc., an Alaska corporation, whose address is 445 N. Pittman Road, Suite B, Wasilla, AK 99623, its successors and assigns, the following Deed Restriction created in that Statutory Warranty deed recorded at Book 90, Page 831 in the Seward Recording District:

"[P]ursuant to Ordinance 91-20, a 50-foot conservation easement around the perimeter of the parcel wherein no live, naturally existing vegetation over 3" in diameter shall be removed except for a 50-foot wide entry and a 50-foot wide exit"

As to the parts along the North, West and South perimeter sides, such that the Deed Restriction along the East side perimeter remains in effect, in conformance with Quartz Creek Subdivision Outfitters Way Replat to be subsequently recorded.

314-2024-000527-0