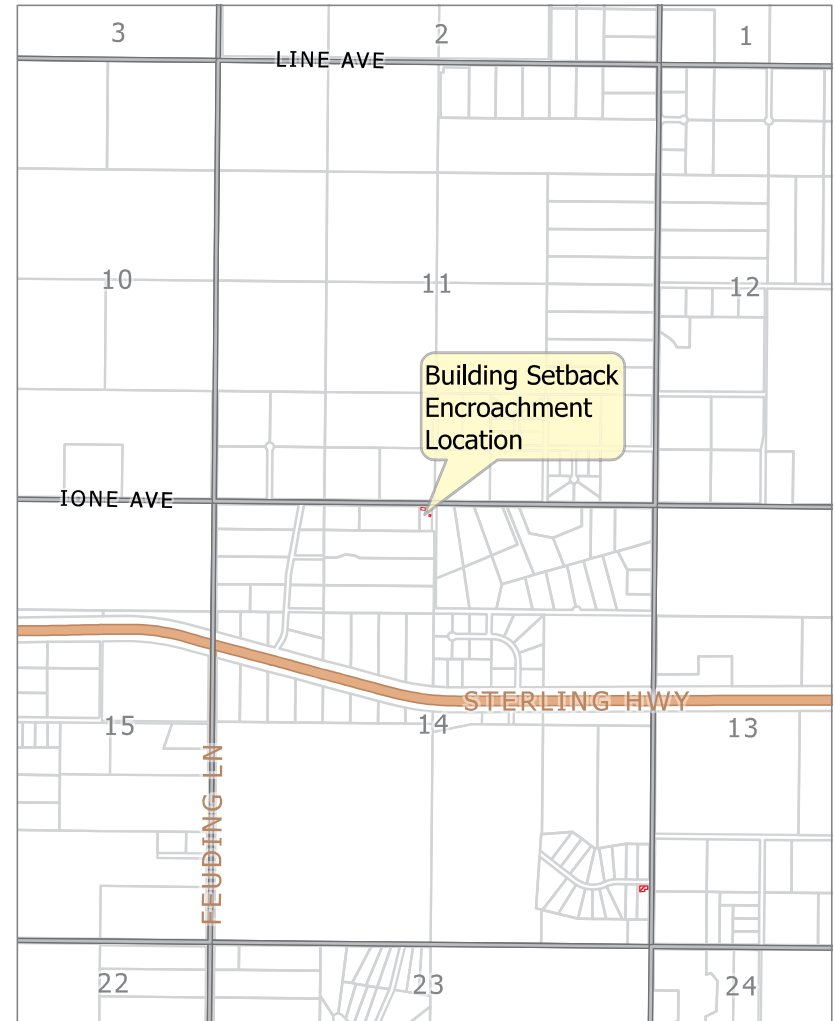


E. NEW BUSINESS

- 1. Building Setback Encroachment Permit; KPB File 2024-103
Johnson Surveying / Wondzell
Request: Permits a cabin to remain within the north 20'
building setback & a shed to remain within the east 20'
building setback of Lot 1-D Petaluma Acres Koonz
Addition, Plat KN 2023-033
Location: Canoe Avenue & Francis Street
Sterling Area**

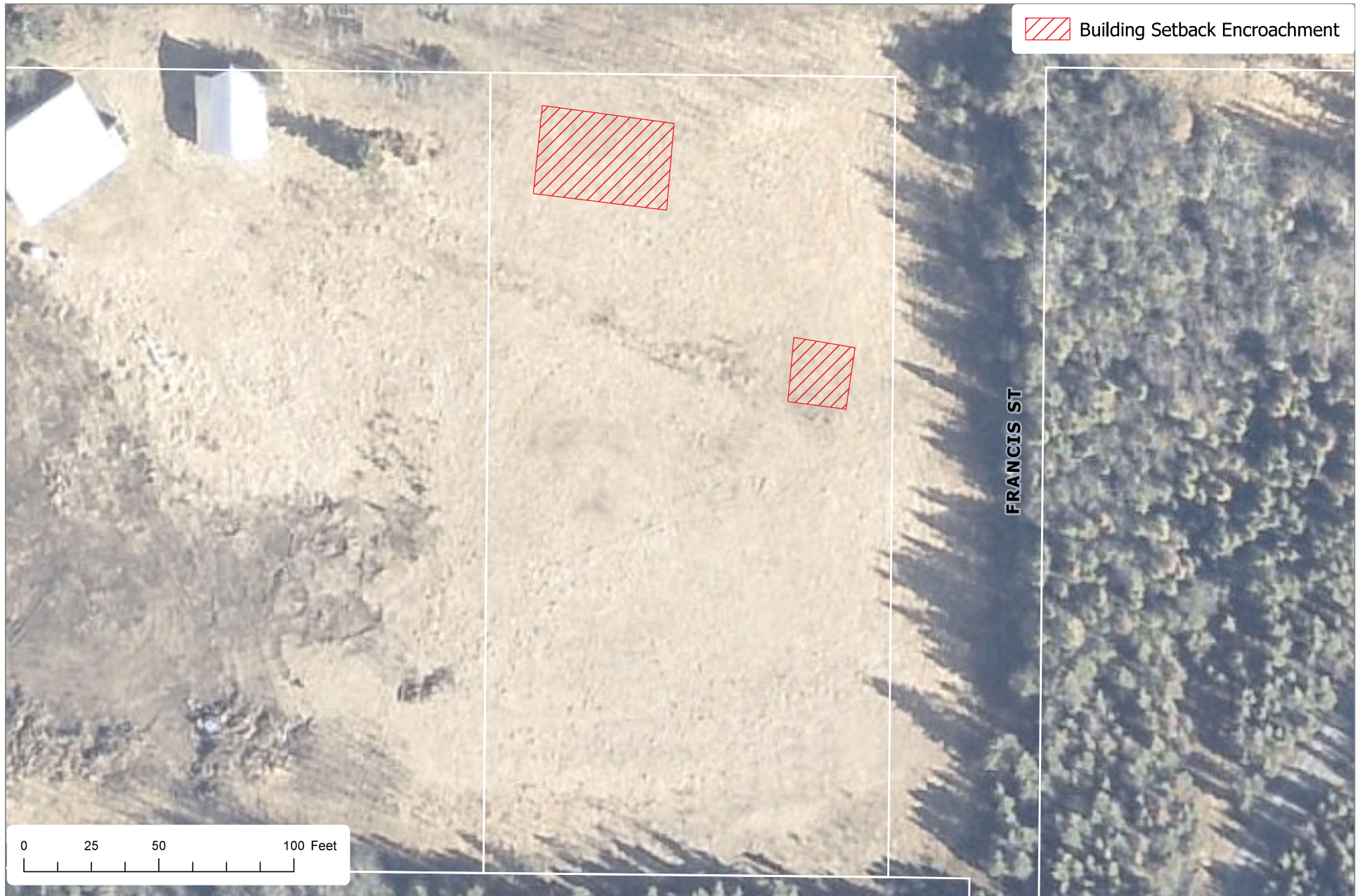


KPB File 2024-103
T 05N R 08W SEC 14
Sterling

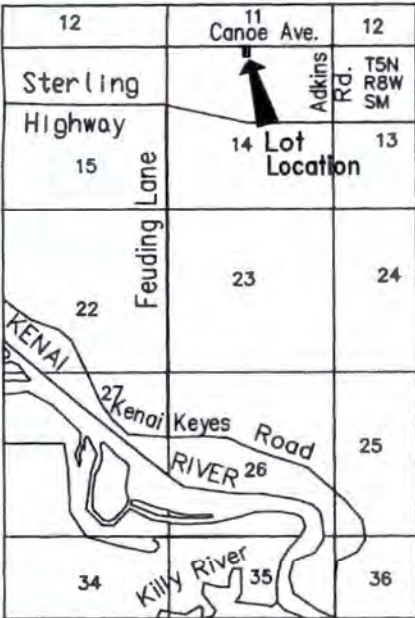
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial Map



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



Petaluma Acres Koonz Addition Lot 1-D As-Built Survey

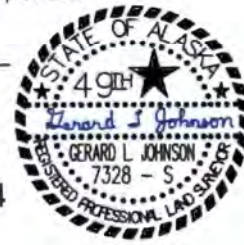
Located the NW1/4 Section 14, T5N R8W, SM, Alaska.
Kenai Peninsula Borough Kenai Recording District plat 2023-33

Prepared for

Property Sisters
Century 21 Freedom Realty
170 N Birch Ste 102
Soldotna, AK 99689

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568



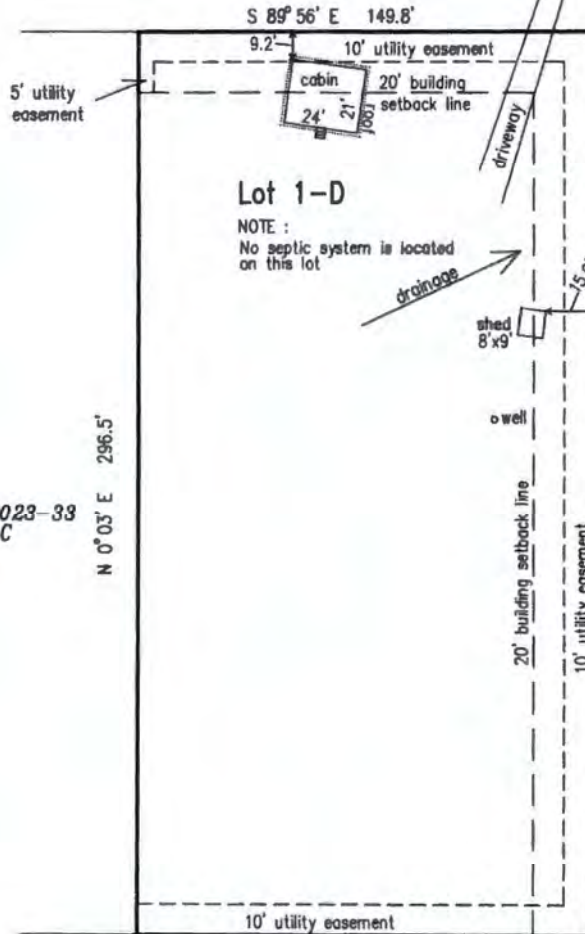
SCALE 1" = 40' 28 August, 2024

KRD 93-39
Tract B

VICINITY 1" = 1 mile MAP

CANOE AVE. 66' ROW

Sect 11
1/4 corner
Sect 14



N 89° 56' W 150.2'

KRD 2002-36
Tract 2-A

AGENDA ITEM E. NEW BUSINESS

**ITEM 1. – BUILDING SETBACK ENCROACHMENT PERMIT
PETALUMA ACRES KOONZ ADDITION LOT 1-D**

KPB File No.	2024-103
Planning Commission Meeting:	October 14, 2024
Applicant / Owner:	Kevin Wondzell and Tyler & Mackenzie Kreitinger
Surveyor:	Johnson Surveying
General Location:	Canoe Avenue and Francis Street, Sterling Area

Parent Parcel No.:	065-240-44
Legal Description:	T 05N R 08W SEC 14 Seward Meridian KN 2023033 Petaluma Acres Koonz Addn Lot 1-D
Assessing Use:	Residential
Zoning:	Unrestricted
Resolution	2024-15

STAFF REPORT

Specific Request / Purpose as stated in the petition:

We are purchasing this property which has an existing permanent structure that crosses the building setback line. We request this permit so that we may proceed with continuing to improve the structure for the purpose of a cabin

Site Investigation:

Per the as-built and submittal, there are two structures within the 20-foot building setback of Lot 1-D, Petaluma Acres Koonz Addition, KN 2023-33. A 21x24 cabin encroaches approximately 10.8 feet into the setback along Canoe Avenue. An 8x9 shed encroaches approximately 4.1 feet into the setback along Francis Street.

Petaluma Acres Koonz Addition, KN 2023-33, indicates encroachments on Lot 1-C, approved by KPB Planning Commission Resolution 2002-16. No other encroachments were depicted prior to recording of the plat. The KPB Assessing Department currently indicates the subject property as vacant.

Canoe Avenue is located to the north and Francis Street is located to the east. Canoe Avenue is a 66-foot partially constructed right-of-way and provides access to the property to the north. The RSA currently maintains a portion of Canoe Avenue with maintenance ending at the neighbor parcel, east of the subject property. Francis Street is a 60-foot dedicated road and provides access to the east side of the property.

There is a 66 foot section line easement affecting the north line of the property, being located within the limited of Canoe Ave.

Street view is unavailable in this area on Google Earth and KPB Imagery is outdated and does not show the new structures.

Staff Analysis:

The subject parcel was created by Petaluma Acres Koonz Addition, KN 2023-33 which is a replat of Lot 1-B, created by Petaluma Acres No. 3, Plat 86-194. That plat was a replat of Lot 1 of Petaluma Acres Plat K-1779. Which was a subdivision of the NW1/4 of Section 14, T5N, R8W of the SM, Alaska.

Petaluma Acres No 3, KN 86-194, dedicated a 20-foot building setback adjoining Canoe Avenue. The 20-foot building setback adjoining Francis Street was dedicated by Petaluma Acres Koonz Addition, KN 2022-33. A 10-foot utility easement was dedicated by Petaluma Acres No. 3, KN 86-194.

According to the as-built, besides being across the 20' building setback line, the cabin is also within the 10-foot utility easement. The petitioners provided a non-objection statement from HEA. **Staff recommends if it is determined that a utility provider needs to use the easement, any damage or relocation of items is at the owner's expense.**

No wetlands or steep areas are present within the parcel or rights-of-way.

The terrain of the lot and the roads in this area is relatively flat across the lot with a slight slope tot down to the east and the roads not being developed along the lot, sight distance is undetermined. According to the applicant the sight distance is not an issue and will not be one in the future, when the road is pushed through.

Currently there are no maintenance issues, as the road is not complete.

Per KPB GIS Imagery, it appears only the petitioners are using the existing travel way and borough maintenance ends at what is being used as the driveway to the adjacent property.

Applicant Discussion:

Buyer is purchasing with the intent to utilize the property/cabin as a recreational property with intentions to finish the existing structure for future use.

Applicant Findings:

1. Canoe Avenue is considered a legal trail and the road has not been brought up to borough standards.
2. The encroaching structure does not affect sight distance.
3. If the road is developed in the future, the encroachment would not hinder line of sights.

Staff Findings:

4. Terrain is relatively flat.
5. Francis street is a 60-foot dedication and is not constructed.
6. 15.9 feet of the setback will remain adjoining Francis Street.
7. Canoe Avenue is a 66-foot dedication and is not constructed along subject parcel.
8. 9.2 feet of the setback will remain adjoining Canoe Avenue.
9. There are no wetlands within the boundary of the lot.
10. The parcel is 1.02 acres in size.
11. Petaluma Acres No 3, KN 86-194, dedicated a 20-foot building setback adjoining Canoe Avenue.
12. The 20-foot building setback adjoining Francis Street was dedicated by Petaluma Acres Koonz Addition, KN 2022-33
13. A 10-foot utility easement was dedicated by Petaluma Acres No. 3, KN 86-194.

20.10.110. – Building setback encroachment permits.

E. The following standards shall be considered for all building setback encroachment permit applications. Staff recommends the Commission select the findings they determine are applicable to the standards and vote on them:

1. The building setback encroachment may not interfere with road maintenance.

Findings 1 and 5-8 appear to support this standard.

2. The building setback encroachment may not interfere with sight lines or distances.

Findings 2-3,4,6, and 8 appear to support this standard.

3. The building setback encroachment may not create a safety hazard.

Findings 2-3 and 4-8 appear to support this standard.

- F. The granting of a building setback encroachment permit will only be for the portion of the improvement or building that is located within the building setback and the permit will be valid for the life of the structure or for a period of time set by the Planning Commission. The granting of a building setback permit will not remove any portion of the 20 foot building setback from the parcel.
- G. The Planning Commission shall approve or deny a building setback encroachment permit. If approved, a resolution will be adopted by the planning commission and recorded by the planning department within the time frame set out in the resolution to complete the permit. The resolution will require an exhibit drawing showing, and dimensioning, the building setback encroachment permit area. The exhibit drawing shall be prepared, signed and sealed, by a licensed land surveyor.

KPB department / agency review:

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	
KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
State of Alaska Fish and Game	
Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 29515 CANOE AVE Existing Street Names are Correct: Yes List of Correct Street Names: CANOE AVE, FRANCIS ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No other comments
Code Compliance	Reviewer: Ogren, Eric Comments: From the As-built provided, it is evident that there are two structures in the 20 foot set back. These were self-reported and approval from Planning Commission would be supported by code compliance. If it is not approved the owner should provide a plan to comply with the ordinance.
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

Utility provider review:

HEA	No objection
ENSTAR	

ACS	
GCI	

RECOMMENDATION:

Based on the standards to grant a building setback encroachment permit, **staff recommends** to adopt Resolution 2024-15, subject to compliance with KPB 20.10.110 sections F and G.

Based on the standards to grant a building setback encroachment permit, **staff recommends** to grant approval for the portion of structures within the 20 foot building setback as shown on the 2024 as-built survey, subject to:

1. Compliance with KPB 20.10.110 sections F and G.
2. Removal of all encroachments within the right-of-way dedication.
3. Providing a current as-built to be used as an exhibit drawing prepared, signed, and sealed by a licensed land surveyor.
4. The recording fees be submitted to the Kenai Peninsula Borough Planning Department for the recording of the resolution.
5. Failure to provide an as-built so that it may be recorded within one year approval will result in a new application, hearing, and approval.
6. Additional encroachments found on the new as-built will require a new hearing.

NOTE:

20.10.110.(H) A decision of the planning commission may be appealed to the hearing officer by a party of record, as defined by KPB 20.90, within 15 days of the date of notice of decision in accordance with KPB 21.20.250.

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2002-16**

CLARIFYING THAT AN EXCEPTION TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK LIMIT FOR LOT 1-B PETALUMA ACRES NO. 3 (PLAT 86-194 KENAI RECORDING DISTRICT) IS NOT REQUIRED FOR TWO POLE BARN; WITHIN SECTION 14, TOWNSHIP 5 NORTH, RANGE 8 WEST, SEWARD MERIDIAN, ALASKA

WHEREAS, a setback of twenty feet is required by designation on the plat in accordance with Kenai Peninsula Borough Code of Ordinances; and

WHEREAS, the setback restriction was imposed in 1986 by plat of Petaluma Acres No. 3; and

WHEREAS, KPBA Assessing records indicate the house and shop were constructed in 1973, with no information about the pole barns; and

WHEREAS, 1985 aerial photography shows the barns in place; and

WHEREAS, the Kenai Peninsula Borough Planning Commission addressed all concerns about this situation at their April 8, 2002, meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the two pole barns shown on a 1992 as-built survey predate the 1986 building setback restriction.

Section 2. That the two pole barns do not constitute an encroachment.

Section 3. That any new and/or additional construction will be subject to the 20-foot building setback limit.

Section 4. That an as-built survey showing the location of the structures on the lot as of 1992 be recorded with this resolution and made a part of this resolution, becoming page 2 of 2.

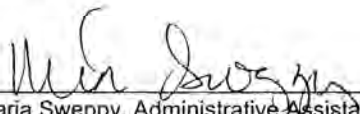
Section 5. That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

Section 6. That this resolution becomes effective upon being properly recorded.

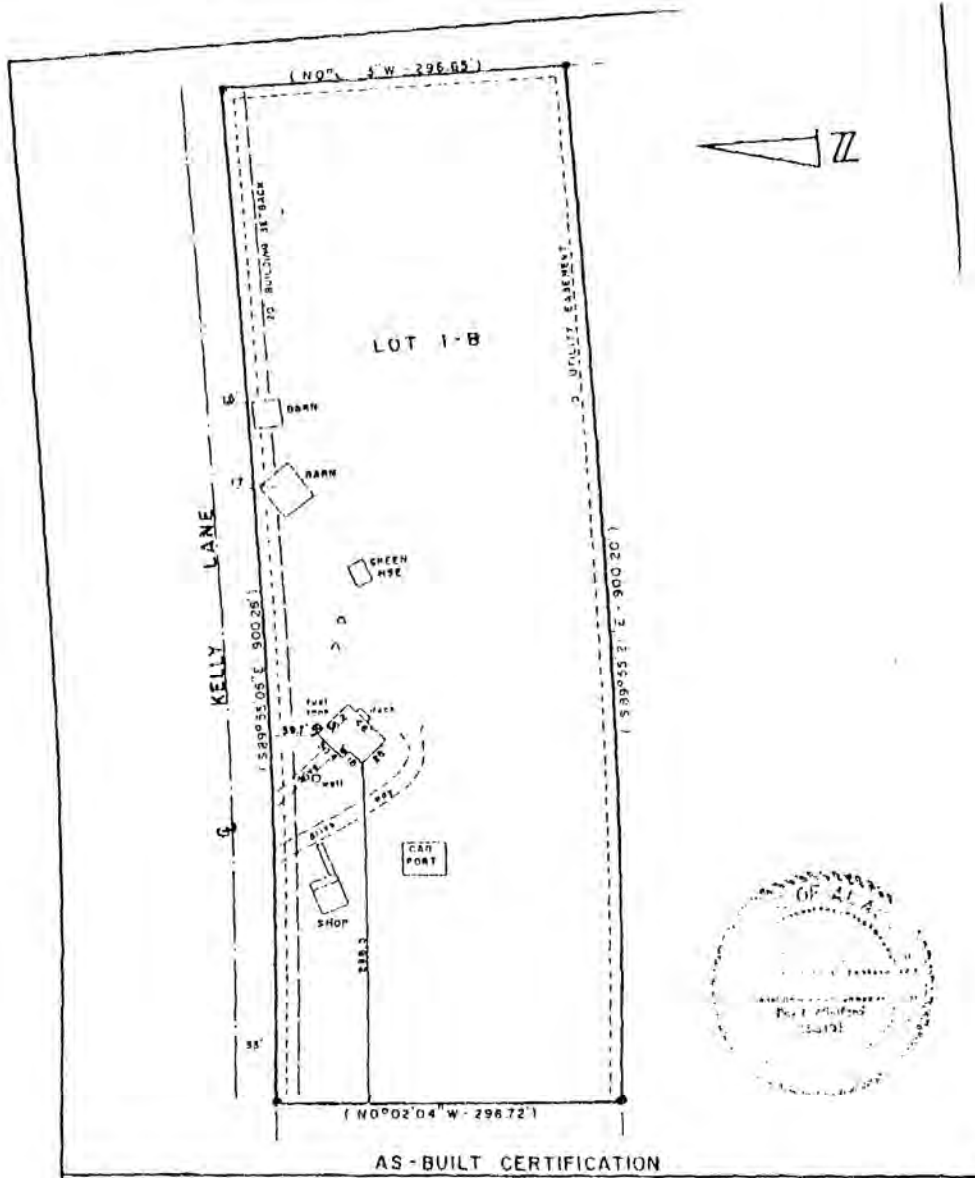
ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 8 DAY OF April, 2002.


Philip Bryson, Vice Chairperson
Planning Commission

ATTEST:


Maria Sweppy, Administrative Assistant

Please return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669-7599



AS-BUILT CERTIFICATION

I hereby certify that I have surveyed the following described property: 86-194, KR2

LOT 1-B PETALUMA ACRES NO. 3

and that no encroachments exist except as indicated.

EXCLUSION NOTE:

It is the responsibility of the owner to determine the existence of any easements, covenants, or restrictions which do not appear on the recorded subdivision plat. Under no circumstances should any data herein be used for construction or for establishing boundary or fence lines.

LEGEND

- End. official monument
- End. 5/8" rebar
- Well
- △ Septic Vent Pipe
- () Record Data

MITFORD SURVEYING PO Box 7392 Soldotna, Alaska 283-4928	
Date 4/8/92	Scale 1" = 100'
Drawn By RW	U.S. G.S. 1983

KPB #2002-060

003440
 KENAI
 RECORDING DISTRICT

KB

2002 APR 16 A 11:48
 REQUESTED BY
 Tipler



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:

- 2 1/2" BRASS CAP MON. GLC 1939 FOUND
- 5/8" REBAR w/PLASTIC CAP LS8101 FOUND
- 5/8" REBAR w/PLASTIC CAP LS859 SET
- () RECORD DATUM PLAT 86-194 KR0

CERTIFICATE of OWNERSHIP and DEDICATION

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.

Teresa R. Koonz
 TERESA R. KOONZ
 P.O. BOX 547
 STERLING, ALASKA 99672

NOTARY'S ACKNOWLEDGEMENT

FOR Teresa R. Koonz
 ACKNOWLEDGED BEFORE ME THIS 7th DAY OF June, 2023.

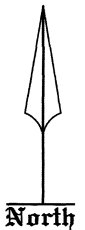
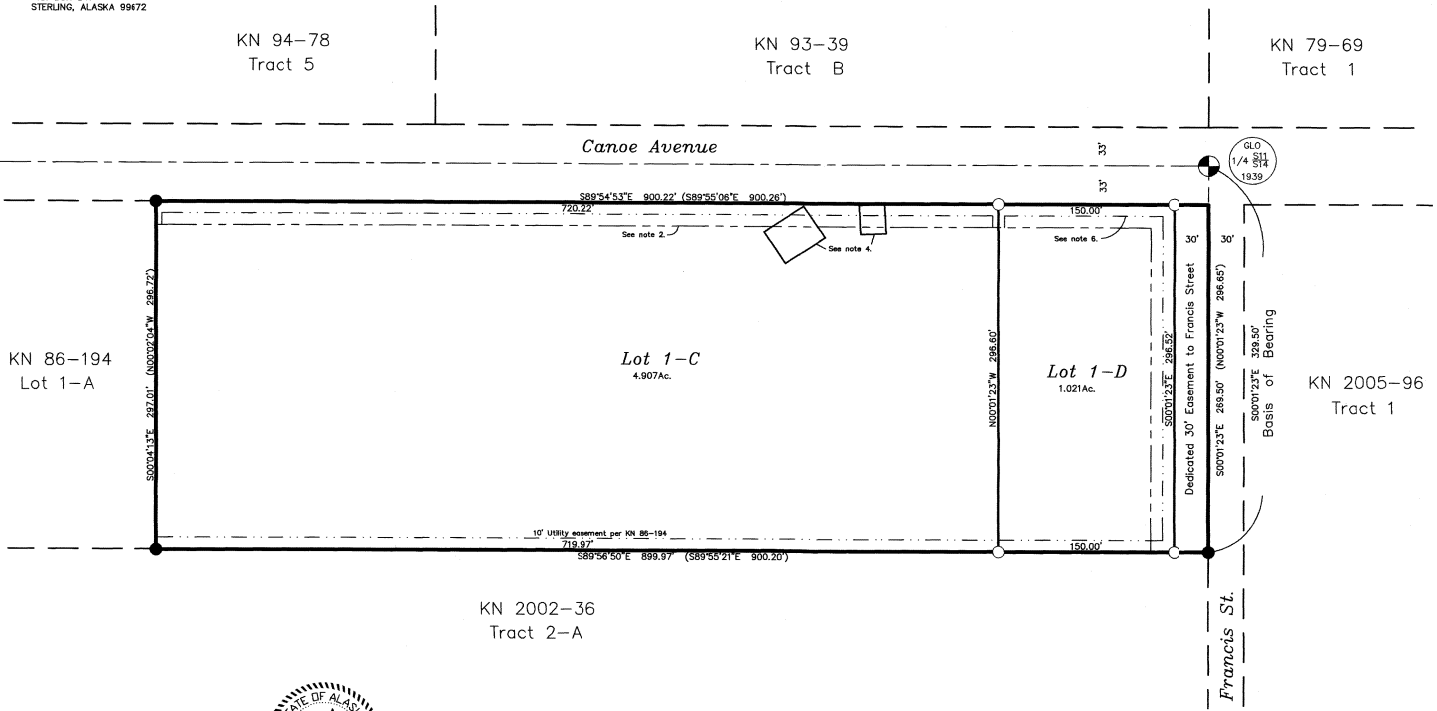
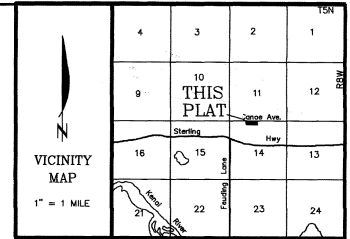
Teresa R. Koonz
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES with office

Shelley Lovell
 Shelley Lovell
 State of Alaska
 Notary Public
 Commission No. 220619211
 My Commission Expires With Office

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 12, 2022.

Teresa R. Koonz
 KENAI PENINSULA BOROUGH
 AUTHORIZED OFFICIAL



NOTES:

- 1) Basis of bearing taken from Petaluma Acres No. 3 Subdivision, Plat 86-194 Kenai Recording District.
- 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.
- 3) Covenants, conditions, and restrictions which affect this subdivision are recorded in Book 463 Page 909 Kenai Recording District. The Borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.08D.
- 4) This property is subject to Kenai Peninsula Borough Planning Commission Resolution 2002-16, recorded in Volume 642 Page 262 Kenai Recording District.
- 5) 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.
- 6) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility 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.
- 7) **WASTEWATER DISPOSAL:** Lot 1-C This lot is 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: Lot 1-D Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

JULES JOHNSON (E) 11773 6/28/23
 Engineer License No. Date



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 6-10-23

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: FRANCIS STREET DEDICATION.

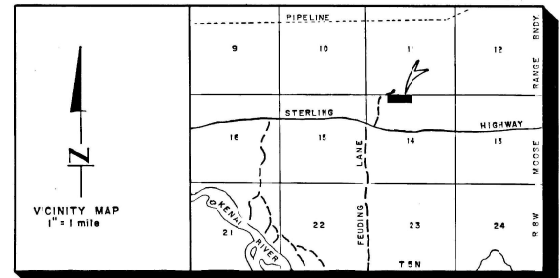
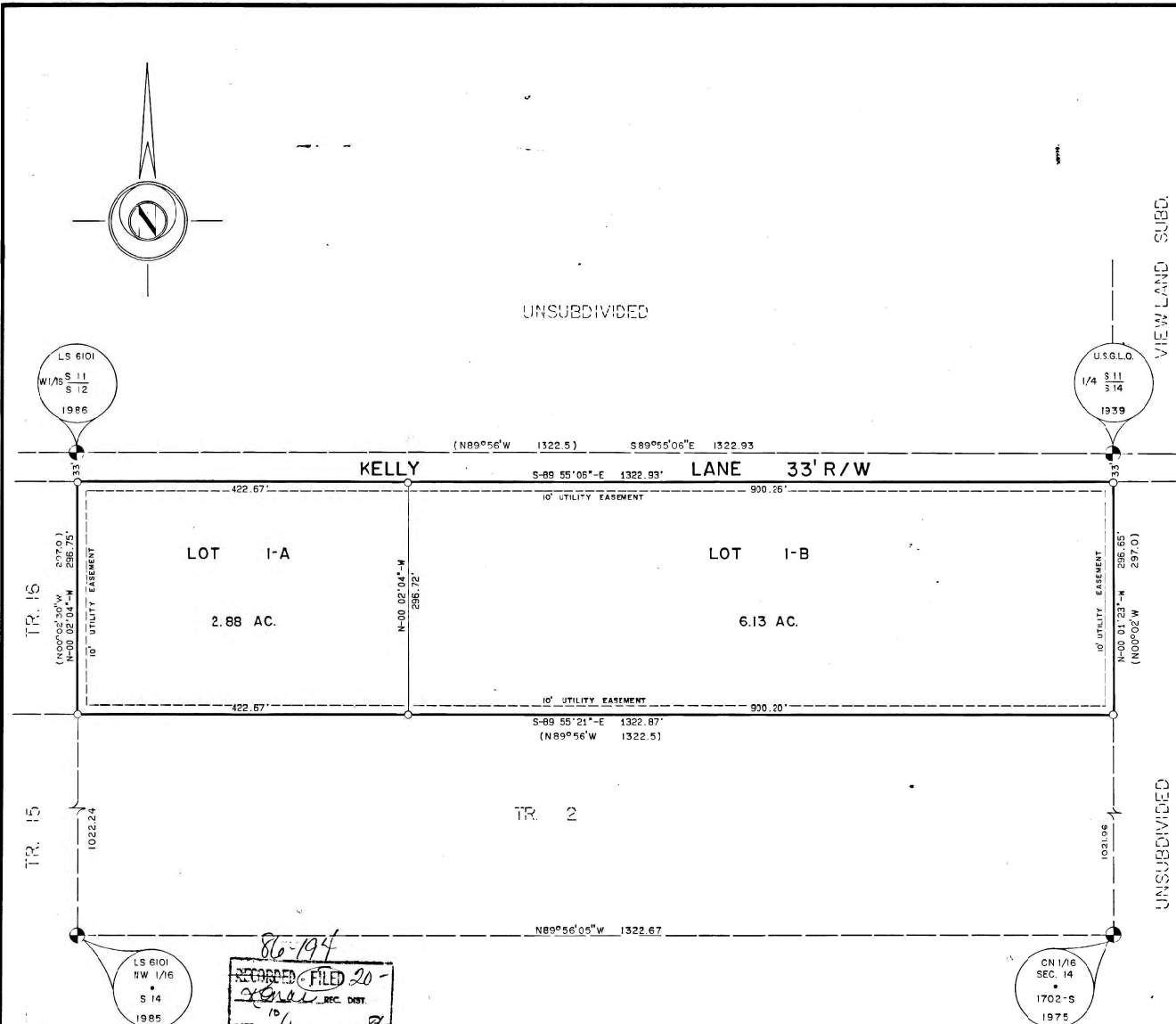
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

Teresa R. Koonz
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH

DATE 6/30/23

KPB FILE No. 2022-173

Petaluma Acres Koonz Addition	
A resubdivision of Lot 1-B, Petaluma Acres No. 3, Plat 96-194 Kenai Recording District.	
Located within the NE1/4 NW1/4 Section 14, T5N, R6W, S.M., Kenai Peninsula Borough, Alaska.	
Containing 6.132 Ac.	
Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99689 (907) 262-3909	Owner Teresa R. Koonz P.O. Box 547 Sterling, AK 99672
JOB NO. 22349	DRAWN: 5-10-23
SURVEYED: October 2022	SCALE: 1"=50'
FIELD BOOK: 22-6	SHEET: 1 of 1



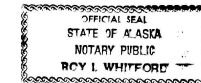
CERTIFICATE OF OWNERSHIP AND DEDICATION

I (We) hereby certify that I am (we are) the owner (s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision, and dedicate all Right-of-Ways and public areas to public use, and grant all easements to the use shown.

Jeanne Diane Belnap
 JEANNE DIANE BELNAP
 P.O. BOX 32 STERLING ALASKA 99672

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 24th day of July
 1986 for Jeanne Diane Belnap



Roy Whitford
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 2-21-90

CERTIFICATE OF REGISTERED SURVEYOR

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

DATE 7-21-86 REGISTRATION NUMBER LS-6101



Roy Whitford
 ROY I. WHITFORD
 REGISTERED LAND SURVEYOR

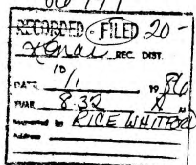
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of July 12, 1986

KENAI PENINSULA BOROUGH
 BY Richard P. Tingle
 Authorized Official.

LEGEND

- Found Monument
- Set Alum. Cap Monument
- Found " Rebar
- Set 5/8" Rebar/plastic cap
- () Record



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 a water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.

A soils investigation has been performed for this subdivision by a Registered Professional Engineer. Copies of this report are on file at the Kenai Peninsula District Office of the A.D.E.C. and at the office of Rice-Whitford & Associates.

NOTES:

- 1) Source of record survey information is plat no. K-1729 K.R.D.
- 2) A setback of 20' feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
- 3) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 ACC 70, 18 ACC 72, and 18 ACC 80.
- 4) Basis of Bearing refers to the west line of the N.W. 1/4 Section 14, T5N, R8W, as N0°03'W datum of record K.R.D. 85-193.

PETALUMA ACRES NO. 3

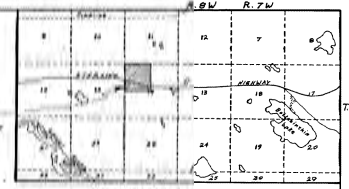
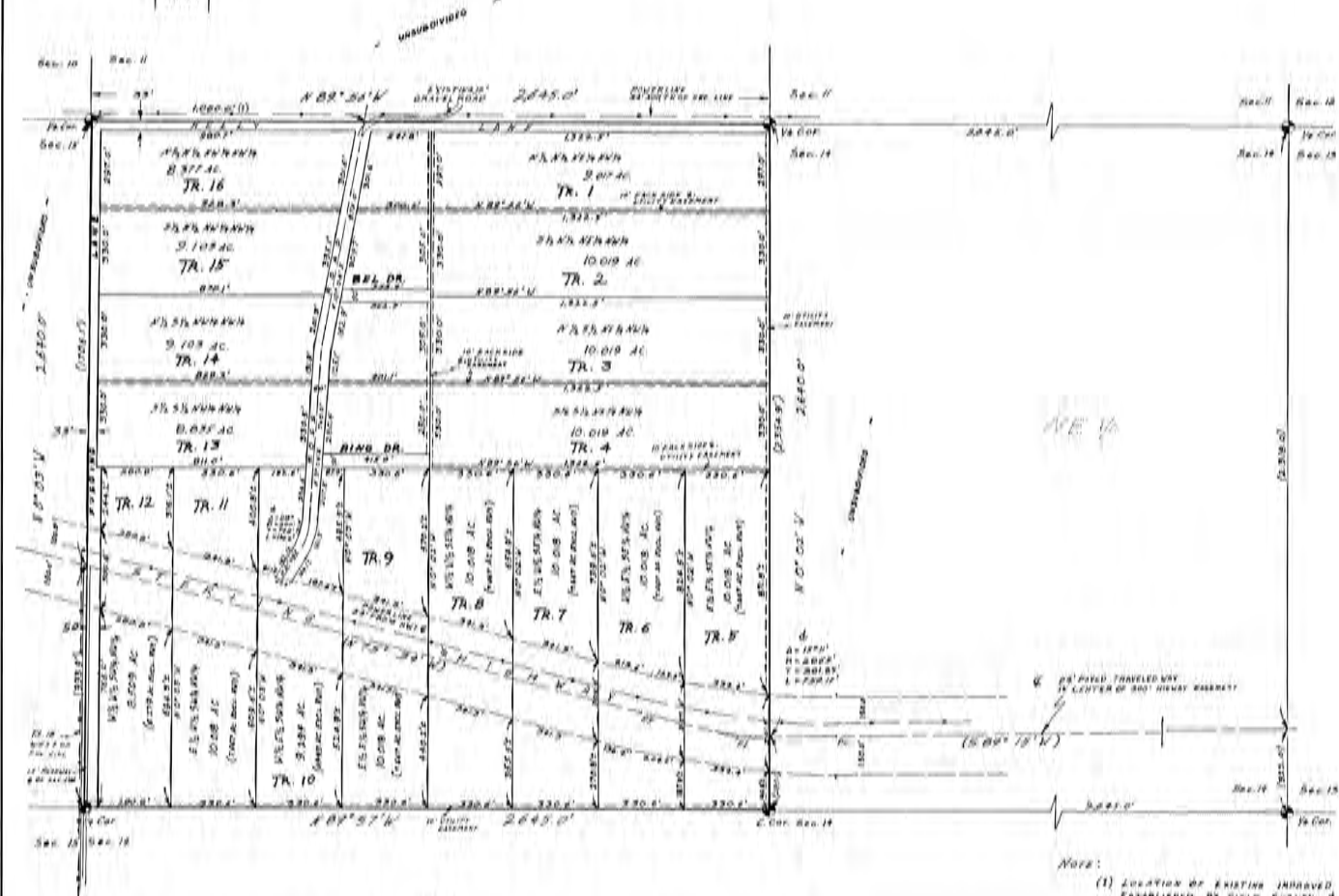
A RESUBDIVISION OF TRACT 1 PETALUMA ACRES. LOCATED WITHIN THE NW 1/4 SECTION 14, T5N, R8W, S.M. AK.

2 LOTS - 9.01 ACRES

RICE-WHITFORD and ASSOCIATES
 155 SMITH WAY SOLDOTNA, ALASKA 99669
 ENGINEERS 262 - 9011 SURVEYORS

SURVEYED: 6-86	FB NO. 86-4	PLATTED: 6-86
DRAFTED: RW		SCALE: 1" = 100'
CHECKED: RW		KPB FILE NO. 86-226

DATA FROM G.L.O. PLAT
T.5N, R.6W OF S.M.
DATED JUNE 24, 1971
1" = 80' H.



VICINITY MAP
1" = 1 MILE (U.S.G.S. Aerial G-2)

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described hereon and that I hereby adopt this plan of subdivision and dedicate all streets and utility easements as shown to public use.
DATE: 9-10-71 OWNER: James Voss

NOTARY'S ACKNOWLEDGMENT

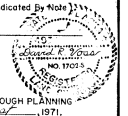
Subscribed and sworn before me this 10th day of Sept. 1971.
By James Voss
NOTARY FOR ALASKA MY COMMISSION EXPIRES

ENGINEER'S CERTIFICATE

I, the undersigned Registered Surveyor, hereby certify that this plat is a compilation of data from presently available maps. No field survey has been made (except as indicated by note 1).
DATE: JUNE 24, 1971 SURVEY FOR

PLAT APPROVAL

Plat Approved by the BOROUGH PLANNING COMMISSION This 22nd day of June 1971.
David R. Voss, L.S.
Authorized Official



- Notes:
- (1) LOCATION OF EXISTING IMPROVED ROAD ESTABLISHED BY FIELD SURVEY, 8' OF 15' GRAVEL ROADWAY CRUISE'S APPROX. 100' & OF 60' R.O.W. HEREBY DEDICATED.
 - (2) INDICATED DATA FROM H.M. ROW MAPS ADJUSTED TO MATCH G.L.O. PLAT INTERCEPTS OF HIGHWAY EASEMENT SIDE LINES AND M.S. PROPERTY LINES ARE CALCULATED H.M. R.O.W. LOCATION NOT VERIFIED BY FIELD SURVEY.

LAND USE: RESIDENTIAL, CONTAINING 160.303 ACRES, MORE OR LESS.

PETALUMA ACRES	
A SUBDIVISION OF THE N.W. 1/4 OF SECTION NO. 14 T.5N, R.6W OF THE BEWARD MERIDIAN, ALASKA	
DATE: <u>June 24, 1971</u>	SCALE: 1" = 200'
DRAWN BY: <u>[Signature]</u>	DAVID R. VOSS, L.S.
CHECKED BY: <u>[Signature]</u>	ANCHORAGE, ALASKA

R-1799



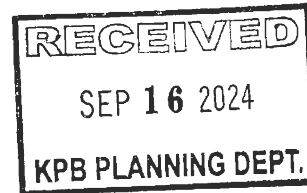
Homer Electric Association, Inc.

Corporate Office
457 Lake Street
Helena, MT 59601-3689
Phone: (907) 233-8571
FAX: (907) 233-3118

Central Peninsula Service Center
280 Airport Way
Kenai, Alaska 99601-7280
Phone: (907) 333-7834
FAX: (907) 233-2151

September 3, 2024

Mackenzie and Tyler Kreitinger
1019 Waukesha Ave.
Helena, MT 59601



RE: Utility Easement – Letter of Non-Objection

TO WHOM IT MAY CONCERN:

Homer Electric Association, Inc. (HEA) has no objection to the building (cabin) encroachment within the ten (10) foot utility easement adjoining the north property line of Lot 1-D Petaluma Acres Koonz Addition, common with Canoe Avenue right of way, according to Plat No. 2023-33, Records of the Kenai Recording District, Third Judicial District, State of Alaska and more specifically shown on the As-Built Survey surveyed on August 28, 2024 of the above mentioned lot completed by Gerald L. Johnson of Johnson Surveying.

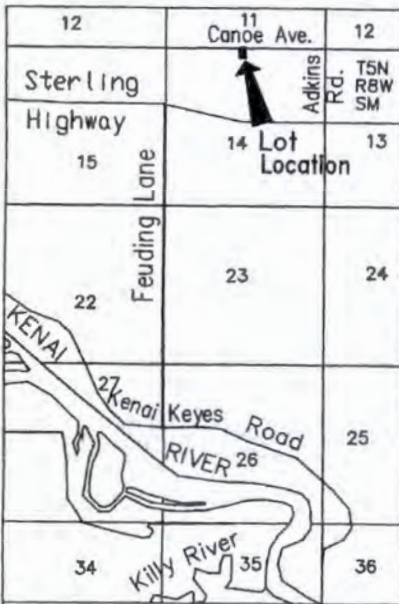
Please be advised that by providing this letter of non-objection, HEA accepts no financial liability or responsibility whatsoever for damages to encroachments caused by routine maintenance and operation of the Association's facilities located within or adjacent to the easement. In no way does this letter of non-objection preclude HEA from full use and enjoyment of its right within any portion of the utility easement. In addition, HEA will be held harmless, now and forever, for any damages or injury to property or persons as a result of this encroachment.

Sincerely,

A handwritten signature in black ink that reads 'Scott Huff'.

Scott Huff - P.L.S.
Land Management Officer

Attachment
Asbuilt drawing



Petaluma Acres Koonz Addition Lot 1-D As-Built Survey

Located the NW1/4 Section 14, T5N RBW, SM, Alaska.
Kenai Peninsula Borough Kenai Recording District plot 2023-33

Prepared for

Property Sisters
Century 21 Freedom Realty
170 N Birch Ste 102
Soldotna, AK 99669

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568



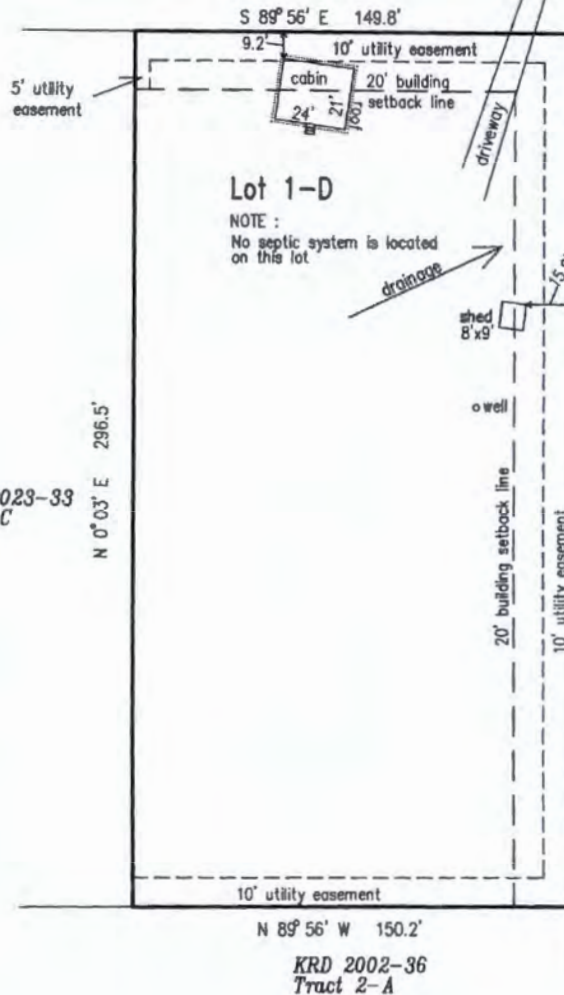
SCALE 1" = 40' 28 August, 2024

KRD 93-39
Tract B

VICINITY 1" = 1 mile MAP

CANOE AVE. 66' ROW

Sect 11
1/4 corner
Sect 14



KRD 2023-33
Lot 1-C

KRD 2005-96
Tract 1

KRD 2002-36
Tract 2-A