



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378


Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

M E M O R A N D U M

TO: Dale Bagley, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Max Best, Planning Director 

DATE: November 12, 2014

SUBJECT: Vacate the east 590 feet of Nenana Avenue a 60-foot right-of-way. 1) The north 30-feet adjacent to a portion of Lot B-4 and the entire length of Lot B-5 dedicated by Resubdivision of Tract B Marriot Subdivision (Plat KN 77-164); 2) and the south 30-feet adjacent to the entire length of Lot C-4 dedicated by Marriott Subdivision No. Two A Resubdivision of Tract C (Plat KN 84-168); and vacate the 10-foot utility easement along the north and east boundary of Tract C-4; and the 5-foot utility easement along the south boundary of Lots B-4 and B-5 adjacent to the proposed right-of- way; all within Section 20, Township 5 North, Range 9 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough; Location: On Nenana Avenue in Sterling; KPB File 2014-148

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of November 10, 2014 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation by unanimous consent based on the following findings of fact. This petition is being sent to you for your consideration and action.

Findings

1. Nenana Avenue has not been constructed for public use.
2. Nenana Avenue is not currently being used by the public to access any adjoining parcels.
3. All parcels will still front on a dedicated ROW
4. To my knowledge, utilities have not been placed within the ROW. If there are utilities within the ROW, an easement will be granted to the utility company.
5. The ROW crosses over steep terrain and low wet areas.
6. Because of this (steep and wet terrain), the cost to construct a roadway will be cost prohibitive.
7. Additional ROW is being dedicated this plat to provide for a cul-de-sac turn around
10. No surrounding properties will be denied access.
11. Block length will still comply with KPB 20.30.170 if the requested vacation is approved.
13. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
14. Slopes greater than 20 percent were shown and labeled on the preliminary plat.

15. Low wet areas were shown and labeled on the preliminary plat.
16. Four-foot contours were provided on the preliminary plat.

The Assembly has 30 days from November 10, 2014 in which to veto the decision of the Planning Commission. If the Commission receives no veto within the 30-day period, the decision of the Commission will stand.

Draft, unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

cc: petitioners' w/minutes only

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate the east 590 feet of Nenana Avenue a 60-foot right-of-way. 1) The north 30-feet adjacent to a portion of Lot B-4 and the entire length of Lot B-5 dedicated by Resubdivision of Tract B Marriot Subdivision (Plat KN 77-164); 2) and the south 30-feet adjacent to the entire length of Lot C-4 dedicated by Marriott Subdivision No. Two A Resubdivision of Tract C (Plat KN 84-168); and vacate the 10-foot utility easement along the north and east boundary of Tract C-4; and the 5-foot utility easement along the south boundary of Lots B-4 and B-5 adjacent to the proposed right-of- way; all within Section 20, Township 5 North, Range 9 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough; Location: On Nenana Avenue in Sterling; KPB File 2014-148

Staff Report given by Max Best

PC Meeting: 11/10/14

Purpose as stated in petition: This road was dedicated in 1977 and has never been (completely) built. Due to steep terrain, the cost to build would be prohibitive, and it is in a wet area. There is no need for this road.

Petitioners: Justin and Rachel M. Hanson & Brian P. and Tiffany M. McCorison all of Sterling, Alaska.

Notification:

Public notice appeared in the October 30, 2014 issue of the Peninsula Clarion. Notice of the proposed vacation was advertised in the Peninsula Clarion, Homer News, and Seward Journal on November 6, 2014 as part of the tentative agenda.

Nine certified mailings were sent to owners of property within 300 feet of the parcels. Four receipts had been returned when the staff report was prepared.

Fifteen regular mailings were sent to agencies and interested parties. Five notices were sent to KPB Departments. Notices were mailed to the Soldotna Post Office, Sterling Post Office, and Soldotna Community Library to be posted in public locations. The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

ENSTAR requested a 10-foot wide easement centered on the existing natural gas service line that crosses the proposed Tract B-4-A to serve Tract A-5-1.

River Center review states the property is not affected by the Anadromous Stream Habitat Protection District or a mapped flood hazard zone.

Surveyor's Discussion:

The two landowners would like to vacate Nenana Avenue so that it can be blocked off to help prevent trespassing. Currently, many people snowmachine in the low wet area and trespass on the lots within this subdivision. The snowmachiners do not stay within the ROW because it is not usable, and it has not been constructed. Because of this, the snowmachiners tend to drive through the private gravel driveways and cut through the middle of the tracts within this subdivision.

The ROW vacation is not being replatted in the normal manner. Usually, the two parcels will be replatted to the centerline of the vacated ROW. In this case the ROW is being replatted so that tract B-4-1 will retain the west area of the vacated ROW where the private drive is located. Tract C-4-1 will retain the east portion of the vacated ROW. The two landowners are in agreement to the replatting of the ROW in this manner.

A new driveway will be installed in the future to access the building on Tract A-5-1. If land ownership of Tract A-5-1 is transferred then Tract B-4-1 will grant a private access easement to Tract A-5-1. This will be completed by separate document.

Surveyor's Findings

1. Nenana Avenue has not been constructed for public use.

2. Nenana Avenue is not currently being used by the public to access any adjoining parcels.
3. All parcels will still front on a dedicated ROW
4. To my knowledge, utilities have not been placed within the ROW. If there are utilities within the ROW, an easement will be granted to the utility company.
5. The ROW crosses over steep terrain and low wet areas.
6. Because of this (steep and wet terrain), the cost to construct a roadway will be cost prohibitive.
7. Additional ROW is being dedicated this plat to provide for a cul-de-sac turn around
8. It will help to stop trespassing on private property
9. Tract A-5-1 will front on Panoramic Drive and Water Street.

Platting Staff Discussion: The owners affected by the vacated right-of-way distribution will sign the final plat, thereby providing written permission for the replatted right-of-way as proposed.

The Plat Committee is now scheduled to review the preliminary plat that would accomplish the proposed vacation and replat the parcels on November 24, 2014 (originally scheduled for October 27, 2014).

Platting Staff Findings:

10. No surrounding properties will be denied access.
11. Block length will still comply with KPB 20.30.170 if the requested vacation is approved.
12. ENSTAR requested a 10-foot utility easement centered on their existing facilities.
13. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
14. Slopes greater than 20 percent were shown and labeled on the preliminary plat.
15. Low wet areas were shown and labeled on the preliminary plat.
16. Four-foot contours were provided on the preliminary plat.

STAFF RECOMMENDATION: Based on Findings 1-7, 10, 11, and 13-16, staff recommends approval of the vacation as petitioned, subject to:

1. Conditions and approval of the preliminary plat by the Plat Committee.
2. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within one year of vacation approval.

If the vacation is approved, the Kenai Peninsula Borough Assembly has thirty days in which they may veto Planning Commission approval of the vacation.

Per KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, 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.

END OF STAFF REPORT

VERBAL STAFF REPORT ADDENDUM

Verbal Staff Report Addendum given by Max Best

PC Meeting: 11/10/14

The cul-de-sac will be redesigned as per the subdivision plat review which is not part of this action. The redesign of the cul-de-sac will give access to Tract C-4-1 over the existing driveway.

END OF STAFF REPORT ADDENDUM

Chairman Bryson read the rules by which public testimony is taken.

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Isham moved, seconded by Commissioner Holsten to approve the petition to vacate the east 590 feet of Nenana Avenue, a 60 foot right of way and the vacations as petitioned based on the following findings of fact and conditions.

Findings:

1. Nenana Avenue has not been constructed for public use.
2. Nenana Avenue is not currently being used by the public to access any adjoining parcels.
3. All parcels will still front on a dedicated ROW
4. To my knowledge, utilities have not been placed within the ROW. If there are utilities within the ROW, an easement will be granted to the utility company.
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Conditions

1. Conditions and approval of the preliminary plat by the Plat Committee.
2. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within one year of vacation approval.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS YES	ECKLUND YES	FOSTER YES	HOLSTEN YES	ISHAM YES
LOCKWOOD YES	MARTIN YES	RUFFNER YES	VENUTI YES	WHITNEY YES		12 YES

AGENDA ITEM F. PUBLIC HEARINGS

2. Ordinance 2014-19-32; Authorizing the Acquisition of Real Property Located at 262 N. Binkley Street, Soldotna, Alaska on Behalf of Central Peninsula Hospital, Appropriating \$604,000 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Purchase, and Authorizing an Amendment to the CPGH, Inc Lease and Operating Agreement

Memorandum & Staff Report given by Marcus Mueller

PC Meeting: 11/10/14

The Kenai Peninsula Borough owns and provides for the operation of the Central Peninsula Hospital and for other health services and medical facilities through the Central Kenai Peninsula Hospital Service Area. The borough has entered into a Lease and Operating Agreement with Central Peninsula General Hospital, Inc. (CPGH, Inc.) to operate these medical facilities on a nonprofit basis to ensure continued availability of medical services within the service area.

CPGH, Inc. received an offer to sell from the owner of property currently utilized as a urology medical practice at 262 N. Binkley Street and has evaluated the practicability of purchasing the property for its continued use in providing urology services through the service area. The property has been independently appraised and is being offered at the appraised fair market value of \$600,000, plus one half of closing costs. Additional information is presented in the July 7, 2014 memorandum from CPGH, Inc.

The administration is scheduling due diligence inspections which will be reported to the assembly by the November 25, 2014, public hearing. Consideration of this ordinance is appreciated.

END OF MEMORANDUM AND STAFF REPORT

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END OF STAFF REPORT

- 1) TRUCK ADJACENT TO THE RIGHTS-OF-WAY SHALL BE CONSTRUCTED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH L.
- 2) REASONS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS OF THE STATE OF ALASKA AND BE IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
- 3) CROSS-HATCHED AREA INDICATES PORTIONS OF UTILITY EASEMENTS WHICH WOULD INTERFERE WITH THE RIGHT-OF-WAY BEING ACQUIRED THIS PLAT. THE VACATION WAS APPROVED AT THE REE PLANNING COMMISSION MEETING OF 2014.
- 4) DEDICATED AREA INDICATES PORTIONS OF UTILITY EASEMENTS WHICH WOULD INTERFERE WITH THE RIGHT-OF-WAY BEING ACQUIRED AT THE REE PLANNING COMMISSION MEETING OF 2014.
- 5) BAY WATER, INSTREAM, BAY WATER TREATMENT AND DISPOSAL SHALL BE IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PANORAMIC DRIVE
 31 32 33 34 35-A 36-A
 PANORAMIC PARK SUB.
 REPLAT LOTS 25 & 30



CERTIFICATE OF OWNERSHIP AND DEDICATION
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FILED COPY OF THIS PLAN ACCEPTS IT AS A WAY AND PUBLIC AREA TO PUBLIC USE AND GRANT ALL RIGHTS TO THE USE SHOWN.

RACHEL M. HANSON
 JUSTIN HANSON
 FORMER TRACTS A-5, B-1, B-2, B-3, B-4
 2005 N. INYANNA AVE.
 STERLING, AK 99572

BRIAN P. MCCORMICK
 2005 N. INYANNA AVE.
 STERLING, AK 99572

NOTARIAL ACKNOWLEDGEMENT
 FOR: RACHEL M. HANSON AND JUSTIN HANSON
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
 BY COMMISSION EXPIRES _____

NOTARIAL ACKNOWLEDGEMENT
 FOR: BRIAN P. MCCORMICK
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
 BY COMMISSION EXPIRES _____

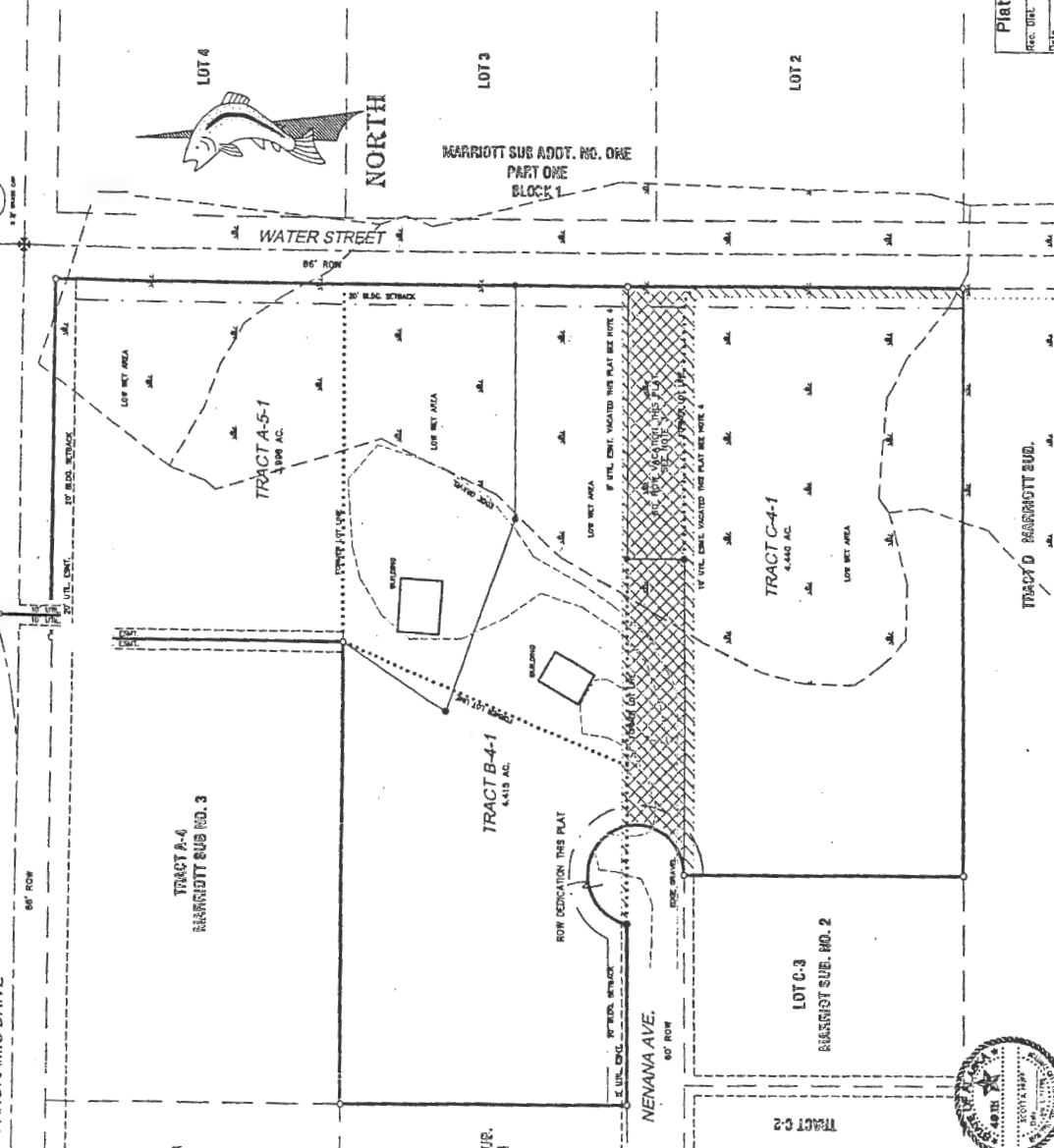
LOYALTY PUBLIC FOR ALASKA
 BY COMMISSION EXPIRES _____

PLAT APPROVAL
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____
 KENAI PENINSULA BOROUGH
 AUTHORIZED OFFICIAL _____

KPB FILE NO. 2014-148

MARRIOTT SUBDIVISION 2014 ADDITIO
 A SUBDIVISION OF TRACT A-5, MARRIOTT SUBDIVISION NO. 3 (65-55 AK 00000) AND TRACT B-1, MARRIOTT SUBDIVISION NO. 3 (65-55 AK 00000) AND TRACT C-1, MARRIOTT SUBDIVISION NO. 2 (65-55 AK 00000) RESUBDIVISION OF TRACT C (64-168 RSD)
 OWNER: RACHEL M. HANSON & JUSTIN HANSON
 2005 N. INYANNA AVE.
 STERLING, AK 99572
 LOCATED WITHIN THE NE 1/4 SECTION 20, 13N, 19W, SEWARD MERIDIAN RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA
 CONTAINING 12.831 ACRES

INTEGRITY SURVEYS INC.
 820 SET HET DRIVE
 KENAI, AK 99511
 SURVEYORS
 REG. NO. 10713-2011
 JOB NO. 214108
 DATE: OCT. 1, 2014 SH
 SURVEYED: 7
 SCALE: 1" = 80'
 FIELD BOOK: 7
 FILE: 214108 PP.DWG



Plat #
 REC. DIST. _____
 DATE _____
 TITLE _____

- LEGEND**
- OLD IRON MONUMENT RECOVERED AS NOTED
 - PRIMARY MONUMENT RECOVERED AS NOTED
 - SECURITY MONUMENT SET THIS SURVEY
 - 5/8" X 3/8" REBAR WITH PLASTIC CAP
 - SECURITY MONUMENT RECOVERED AS NOTED
 - RIGHT OF WAY VACATION SEE NOTE 3
 - UTILITY EASEMENT VACATION SEE NOTE 4
 - RECORD PER _____ SUBDIVISION
 - PLAT NO. 111111 _____
 - RECORD PER _____ SUBDIVISION
 - PLAT NO. 111111 _____
 - RECORD PER _____ SUBDIVISION
 - PLAT NO. 111111 _____



CERTIFICATE OF SURVEYOR
 I HEREBY CERTIFY THAT I AM PROPERLY LICENSED AND QUALIFIED TO CONDUCT AND SUPERVISE THE SURVEYING WORK SHOWN ON THIS PLAT. THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND ALL CONDITIONS AND OTHER DATA ARE CHECKED AND CORRECTED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION IN THE STATE OF ALASKA.



VICINITY MAP
1" = 1 MILE

CERTIFICATE OF OWNERSHIP AND DEDICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY OF THE STATE OF ALASKA, AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS AND INTERESTS IN THE FOREGOING TO PUBLIC USE AND GRANT ALL NECESSARY EASEMENTS TO THE USE THEREOF.

NOTARY'S ACKNOWLEDGEMENT
FOR RACHEL M. HANSON AND JUSTIN HANSON
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT
FOR BRIAN P. MCCORMICK
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES _____

DEED APPROVAL
THIS DEED WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL
KPB FILE NO. _____

MARRIOTT SUBDIVISION 2014 ADDITION
A SUBDIVISION OF TRACT A-5 MARRIOTT SUBDIVISION NO. 3 (85-08 1000) & TRACTS B-4 AND B-5 REVISION OF TRACT B MARRIOTT SUBDIVISION (72-164 1000) & TRACT C-4 MARRIOTT SUBDIVISION NO. 2 A REVISION OF TRACT C (84-189 1000)

BRIAN P. MCCORMICK
30003 KENAI AVE
STEDMAN, AK 99772
Phone: (907) 867-8877
Fax: (907) 867-8877
brian@integrity-surveys.com

JUSTIN HANSON
30003 KENAI AVE
STEDMAN, AK 99772

RACHEL M. HANSON
FORMER TRACT A-5 AND B-4
30003 KENAI AVE
STEDMAN, AK 99772

CONTAINING 12.881 ACRES

820 SET NET DRIVE KENAI, AK 99711
SURVEYORS
INTEGRITY SURVEYS INC.
brian@integrity-surveys.com

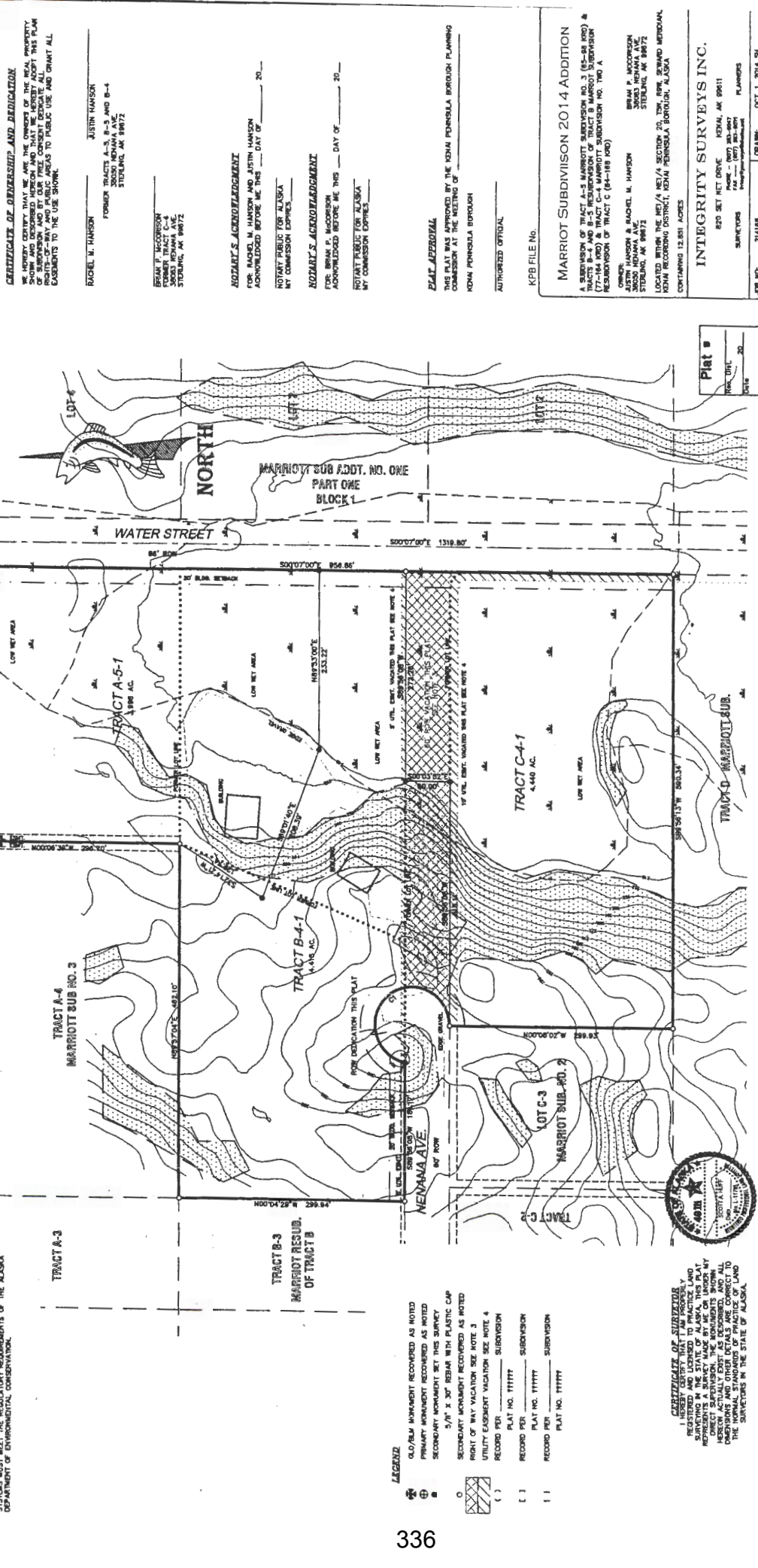
DATE: OCT. 1, 2014 SH
SCALE: 1" = 60'
SURVEYED: 1
FIELD BK: 1
FILE: 21408 PRJ.DWG

JOB NO.: 214168
DATE: OCT. 1, 2014 SH
SCALE: 1" = 60'
SURVEYED: 1
FIELD BK: 1
FILE: 21408 PRJ.DWG

LEGEND
OLD/BLM MONUMENT RECORDED AS NOTED
PRIMARY MONUMENT RECORDED AS NOTED
SECONDARY MONUMENT SET THIS SURVEY
5/8" X 30" REBAR WITH PLASTIC CAP
RECORDED MONUMENT RECORDED AS NOTED
FRONT OF WAY VACATION SEE NOTE 4
UTILITY EASEMENT VACATION SEE NOTE 4
RECORD PER _____ SUBDIVISION
() PLAT NO. TTTTTT
[] RECORD PER _____ SUBDIVISION
[] PLAT NO. TTTTTT
[] RECORD PER _____ SUBDIVISION
[] PLAT NO. TTTTTT

CERTIFICATE OF SURVEYOR
I, BRIAN P. MCCORMICK, A LICENSED SURVEYOR IN THE STATE OF ALASKA, THIS PLAT, HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. THE MONUMENTS SHOWN BY THIS PLAT WERE ACTUALLY SET AS DESCRIBED, AND ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA.

49th DISTRICT
REGISTRATION NO. 11717
BRIAN P. MCCORMICK
SURVEYOR



NOTES:
1) FRONT 15 FEET OF THE BUILDING SETBACK (INDICATED BY THE DOTTED LINE) SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT (WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT).
2) ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS OF THE KENAI PENINSULA BOROUGH PLANNING COMMISSION. THE DESIGN AND CONSTRUCTION STANDARDS FOR CENTRALIZATION AND COLLISION IN THE ROAD MAINTENANCE PROGRAM.
3) CROSS HATCHED AREA INDICATES PORTIONS OF THE KENAI AVENUE RIGHT OF WAY BEING VACATED THIS PLAT. THE VACATION WAS APPROVED AT THE 2014 PLANNING COMMISSION MEETING OF _____.
4) DESIGNATED HATCHED AREA INDICATES PORTIONS OF UTILITY EASEMENTS BEING VACATED THIS PLAT. THE VACATION WAS APPROVED AT THE 2014 PLANNING COMMISSION MEETING OF _____.
5) WASTEWATER TREATMENT AND DISPOSAL REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



CERTIFICATE OF OWNERSHIP and DEDICATION

I, HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON & THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION & DEDICATE ALL RIGHT-OF-WAYS & PUBLIC AREAS TO PUBLIC USE & GRANT ALL EASEMENTS TO THE USE SHOWN.

Graydon C. Brown
 GRAYDON C. BROWN
 SOLDOTNA, ALASKA 99669
 BOX 1807
 NOTARY'S ACKNOWLEDGEMENT
 1983 FOR *Graydon C. Brown*

STATE OF ALASKA
 JANE E. BISHOP
 NOTARY PUBLIC
 MY COMMISSION EXPIRES *2/24/86*

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF *August 9, 1983*

Frank B. Baker
 KENAI PENINSULA BOROUGH
 AUTHORIZED OFFICIAL



Clifford E. Baker
 CLIFFORD E. BAKER, R.L.S.
 REGISTRATION NO. LS-5152

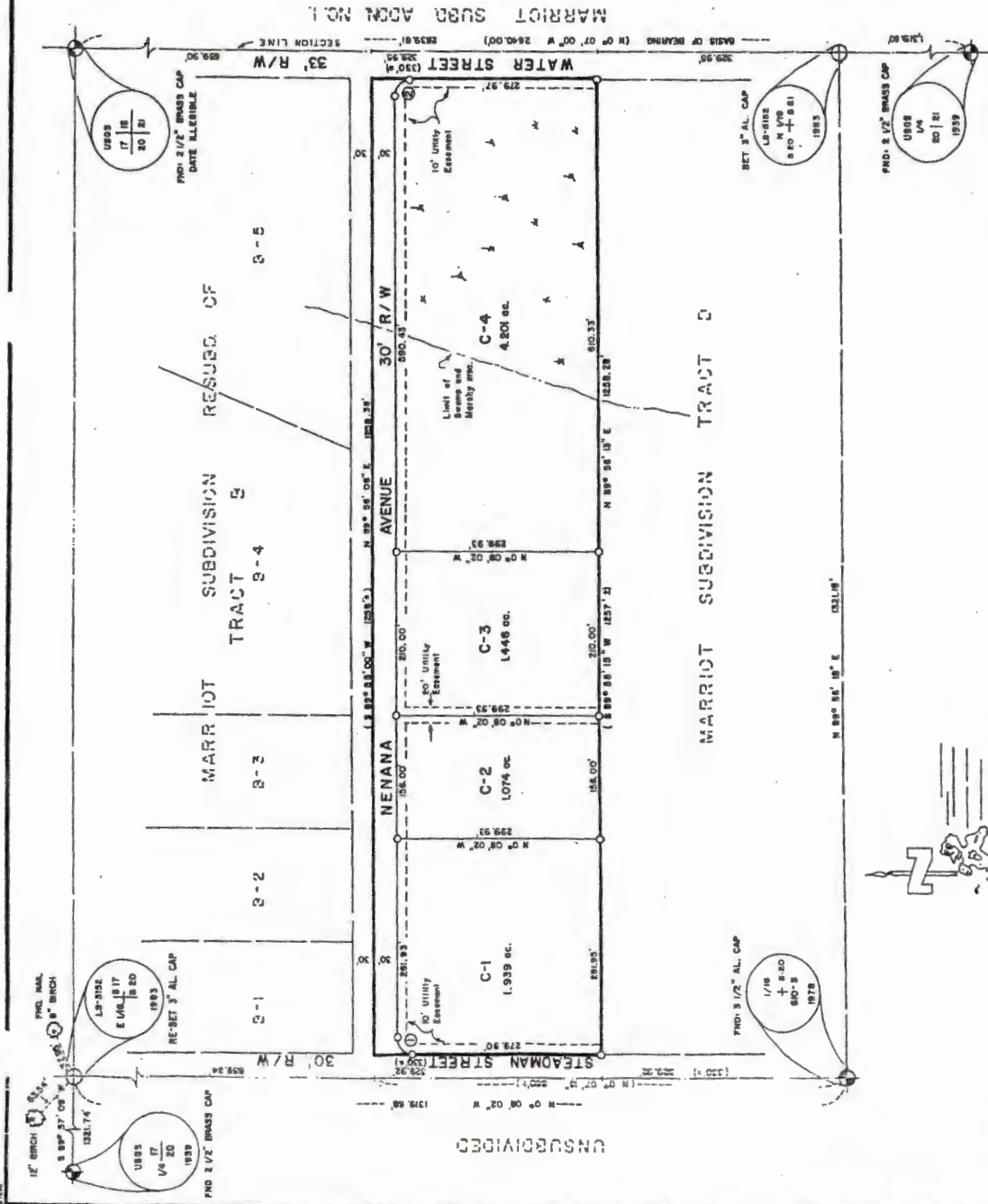
**MARRIOTT SUBDIVISION NO. TWO
 A RESUBDIVISION OF TRACT C**

A SUBDIVISION LOCATED WITHIN THE 1/2 1/2 S/2 NE 1/4 NE 1/4 SEC 20 T3N R3W S1M., A.K. AS RECORDED KRD 75-108

9.53 ACRES INTO 4 LOTS
 DOWLING-RICE and ASSOCIATES
 P.O. BOX 1974 SOLDOTNA, ALASKA 99669

ENGINEERS
 SURVEYED: 9-83
 DRAFTED: D.D.P./L.K.A.
 CHECKED: C.E.B.

PLATED: 7-83
 SCALE: 1" = 100'



- NOTES:**
- 1) PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
 - 2) A SETBACK OF 20 FEET IS REQ'D FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 - 3) ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.

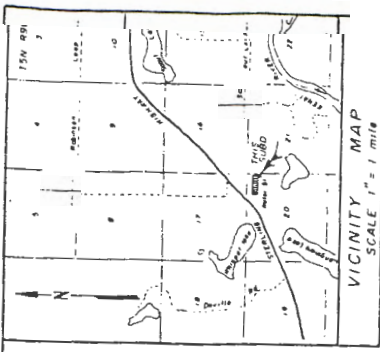
84-162-10
 Kenai
 6-29
 3:07
 Dowling-Rice
 8/15/83

CURVE DATA

R	D	T	C
10.00'	88° 58' 58"	31.40'	28.27'
20.00'	90° 04' 10"	3.44'	28.30'
			N 40° 08' 28" W
			N 44° 54' 02" E

- LEGEND**
- ⊕ MONUMENT (found this survey)
 - ⊕ MONUMENT (set this survey)
 - 1/2" REBAR (found this survey)
 - 5/8" x 30" REBAR (set this survey)
 - () RECORD DATUM #75-108





LEGEND and NOTES

Found USGLO Brass Cap monument
Found official survey Brass Cap monument (610-S)
Set 1/2" x 24" steel rebar at all lot corners

All bearings refer to the East boundary of section 2C
as being N 00° 04' 15" W datum of record MARRIOTT Sub
division Addition No. 1 Part 1

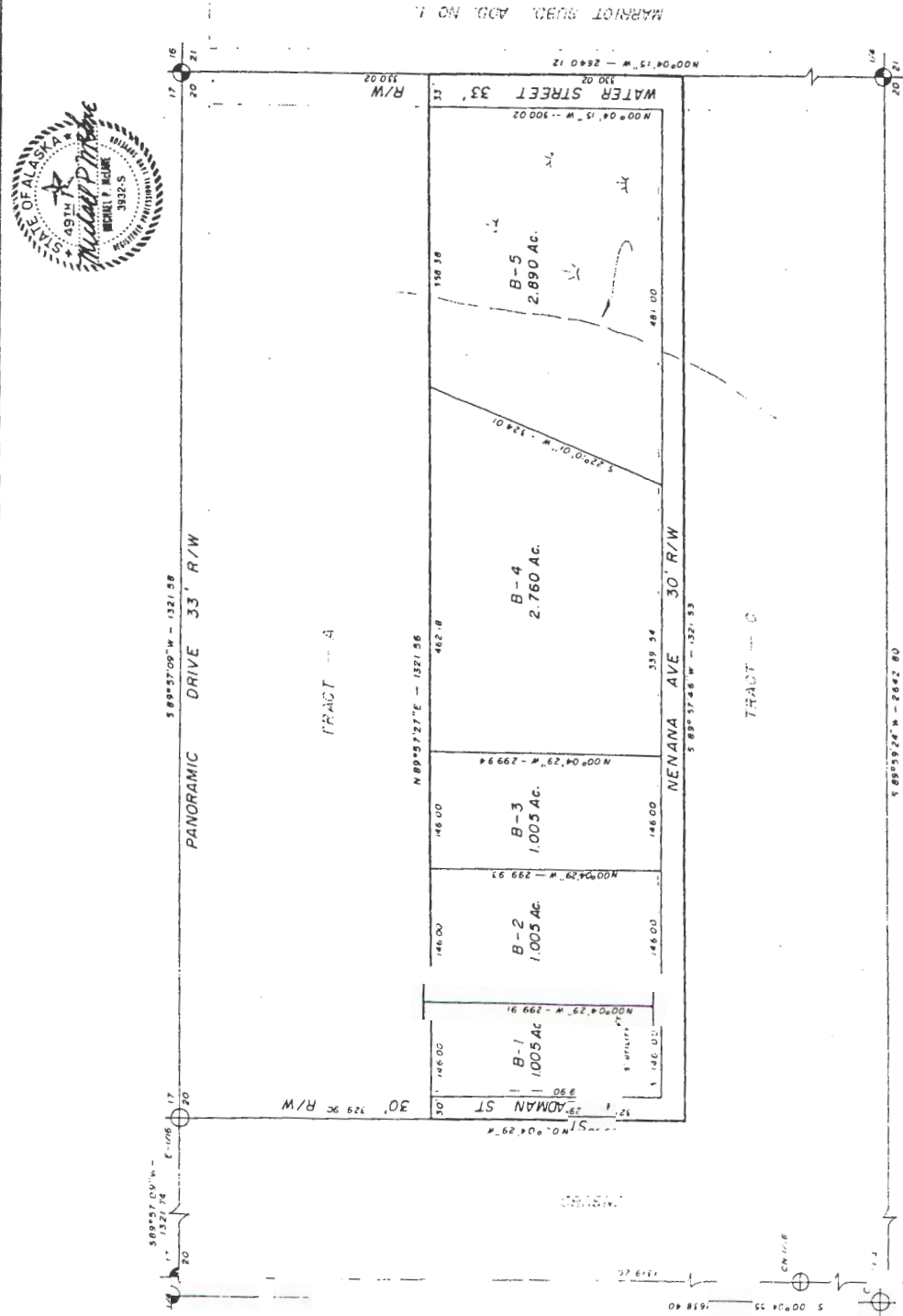
All lots are subject to a 20' building setback along
dedicated R/W's.

All wastewater disposal systems shall comply with
existing law at the time of construction

COVENANTS
No trash burning barrels to be allowed
No dogs to be allowed

77-168
RECORDED
10/31/21
10/31/21
10/31/21

RESUBDIVISION OF TRACT B MARRIOTT SUBDIVISION	
Glen Triner, owner Box 160 Rt. 2, Saldonia, Ak	
DESCRIPTION 10.011 ACRES SITUATED IN THE S1/2 N1/2 NE1/4 NE1/4 SEC. 20 T3N, R3W, S.M. AK. AND THE KENAI PENINSULA BOROUGH.	
Surveyed by: McLane and Associates Saldonia, Ak	
DATE OF SURVEY 8/16/77	SCALE 1" = 100'
	BK NO. 17-25



PLAT APPROVAL

This plat having been approved by the Kenai Peninsula
Borough Planning Commission as recorded in the official
minutes of the meeting of _____
is hereby acknowledged and accepted as the official plat,
subject to any and all conditions and requirements of
ordinances and law appurtenant thereto.

KENAI PENINSULA BOROUGH
By: *Phyllis Wray*

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property
and request the approval of this plat and easements
for public utilities, roadways, and or other dedications
public use.

Glen Triner - owner - Box 160 S.R. 2, Saldonia, Ak 99672
Phyllis Wray - owner - _____
Phyllis Wray - owner - _____

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this
____ day of _____, 1977

My commission expires: 4/15/21

William B. McLane
Notary Public for Alaska



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.

created by: msweppy

Kenai Peninsula Borough Planning Department

Depiction of the proposed vacation is approximate.



Date 10/22/2014



Date: 10/7/2014



Vicinity Map

The information depicted herein is for informational purposes only. The owner warrants that the information is accurate as of the date of the map. No warranty is made for any errors on this map.



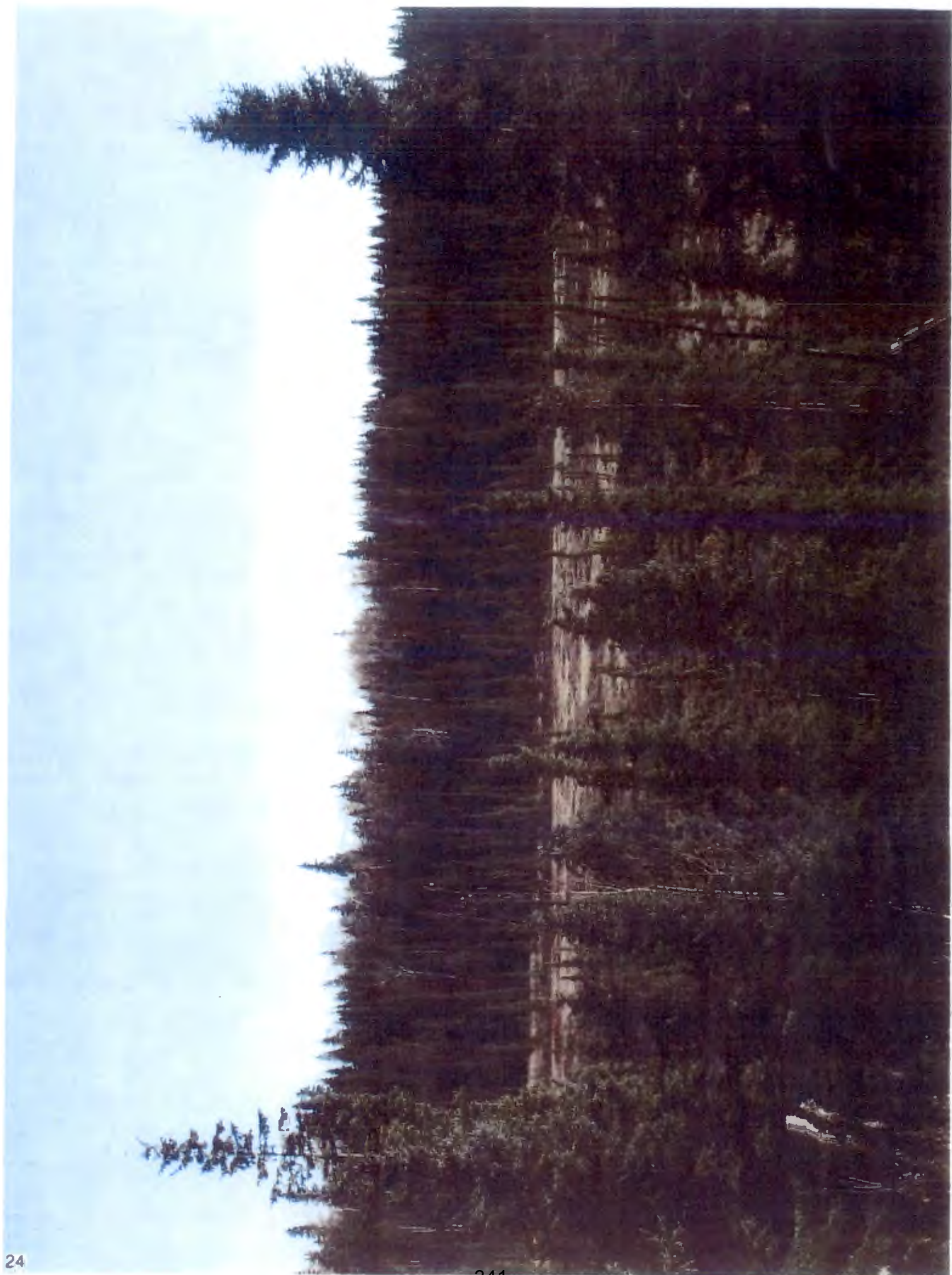
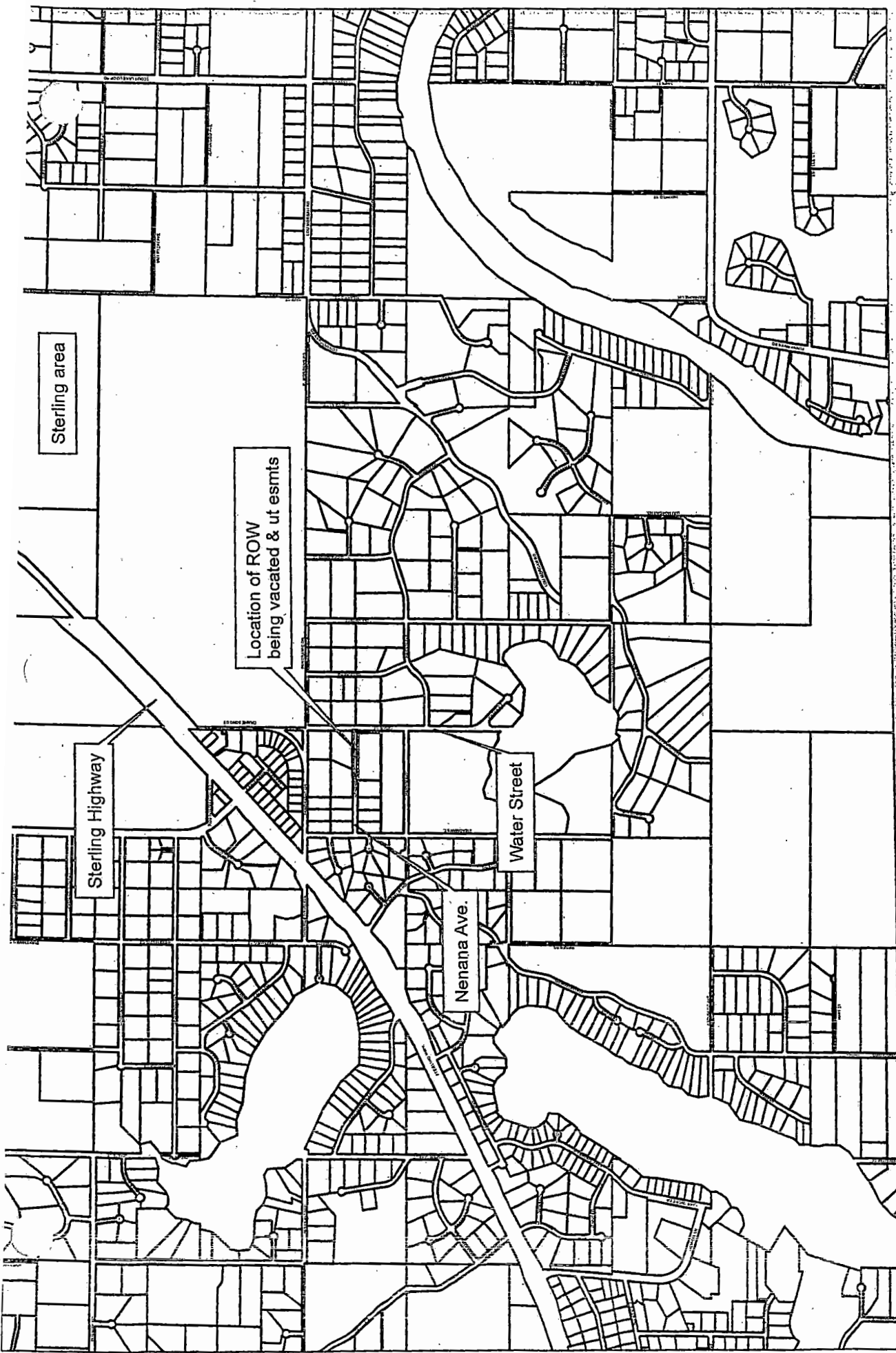


Photo by [illegible]

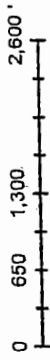


256 11/11





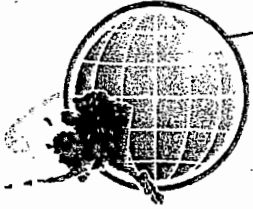
 Date: 10/7/2014



Vicinity 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.





Integrity Surveys, Inc.

SURVEYORS-PLANNERS

Phone (907) 283-9047 • (907) 262-5577 Fax (907) 283-9071 • 820 Set Net Drive, Kenai, Alaska 99611

RECEIVED

OCT 2 2014 2 October 2014

KENAI PENINSULA BOROUGH
PLANNING DEPARTMENT

Paul Voeller, Platting Officer
Kenai Peninsula Borough
144 North Binkley St.
Soldotna, AK 99669

Re: Marriott Subdivision 2014 Addition with ROW Vacation of a portion of Nenana Ave.

Mr. Paul Voeller,

Please find attached to this letter the submittal packages for the vacation of a portion of Nenana Ave. and the corresponding subdivision plat that will finalize the vacation and adjust property lines. The owner of Tracts A-5, B-5 and B-4 would like to adjust the lot lines around the existing structures so that he can sell the parcels separately. Currently the shop and house are on the same parcel.

The two land owners would like to vacate Nenana Ave. so that it can be blocked off to help prevent trespassing. Currently many people snow machine in the low wet area and trespass on the lots within this subdivision. The snowmachiners do not stay within the ROW because it is not usable and it has not been constructed. Because of this the snowmachiners tend to drive through the private gravel driveways and cut through the middle of the tracts within this subdivision. The following findings support the vacation of Nenana Ave.

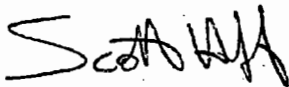
- Nenana Ave has not been constructed for public use and it not currently being used by the public to access any adjoining parcels.
- All parcels will still front on a dedicated ROW
- To my knowledge utilities have not been placed within the ROW. If there are utilities within the ROW an easement will be granted to the utility company.
- The ROW crosses over steep terrain and low wet areas. Because of this the cost to construct a roadway will be cost prohibitive.
- Additional ROW is being dedicated this plat to provide for a cul-de-sac turn around
- It will help to stop trespassing on private property
- Tract A-5-1 will front on Panoramic Drive and Water Street.

The ROW vacation is not being replatted in the normal manner. Usually the two parcels will be replatted to the centerline of the vacated ROW. In this case the ROW is being replatted so that tract B-4-1 will retain the west area of the vacated ROW where the private drive is located. Tract C-4-1 will retain the east portion of the vacated ROW. The two land owners are in agreement to the replatting of the ROW in this manner.

A new driveway will be installed in the future to access the building on Tract A-5-1. If land ownership of Tract A-5-1 is transferred then Tract B-4-1 will grant a private access easement to Tract A-5-1. This will be completed by separate document.

Should you have any questions, please feel free to call me. Thank you for your efforts on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Huff". The signature is stylized and somewhat cursive.

Scott Huff, RLS
Integrity Surveys

Attachments

Preliminary plat submittal package
ROW vacation submittal package



Kenai Peninsula Borough Planning Department
 144 North Binkley
 Soldotna, Alaska 99669-7599
 Toll free within the Borough 1-800-478-4441, extension 2200
 (907) 714-2200

RECEIVED

OCT 2 2014

**Petition to Vacate Public Right-of-Way/Easement/Platted Public Area
 Public Hearing Required**

KENAI PENINSULA BOROUGH
 PLANNING DEPARTMENT

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- \$500 non-refundable fee to help defray costs of advertising public hearing.
- City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- Name of public right-of-way proposed to be vacated is dedicated by the plat of Nenana Ave Subdivision, filed as Plat No. 84-168 & 77-164 in Kenai Recording District.
- Are there associated utility easements to be vacated? Yes No
- Are easements in use by any utility company? If so, which company No
- Easement for public road or right-of-way as set out in (specify type of document) _____ as recorded in Book _____ Page _____ of the _____ Recording District. (Copy of recorded document must be submitted with petition.)
- Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
 - Has right-of-way been fully or partially constructed? Yes No *Private Drive*
 - Is right-of-way used by vehicles / pedestrians / other? Yes No
 - Is alternative right-of-way being provided? Yes No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:

This road was dedicated in 1977 and has never been built. The cost to build would be prohibitive and it is in a wet area. There is no need for this road.

The petition must be signed (written signature) by owners of the majority of land fronting the right-of-way, easement, or platted public area proposed to be vacated. Each petitioner must include address and legal description of his/her property.

Submitted By: Name: Scott Huff Signature as: Petitioner Representative
 Address: Integrity Surveys
820 Set Net Dr.
Kenai AK
 Phone: 283-9047

Petitioners:

Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u> X
Name: <u>Justin Hanson</u>	Name: <u>Brain McCosigan</u>
Address: <u>39050 Nenana Ave</u>	Address: <u>38083 Nenana Ave</u>
<u>Sterling, AK, 99672</u>	<u>Sterling, AK 99672</u>
Owner of: <u>Lot B-4B-5 Resub of</u>	Owner of: <u>Marriet Sub No 2 Lot 4</u>
<u>Tract B Marriott Sub</u>	
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u> X
Name: <u>Rachel Hanson</u>	Name: <u>Brain McCosigan</u>
Address: <u>39050 Nenana Ave</u>	Address: <u>Sterling, AK 99672</u>
<u>Sterling, AK 99672</u>	<u>Brain McCosigan</u>
Owner of: <u>LOT B-4B-5 Resub of</u>	Owner of: <u>Marriet Sub No 2 Lot 4</u>
<u>Tract B Marriott Sub</u>	



ENSTAR Natural Gas Company
P.O. Box 190288
Anchorage, AK 99519-0288
(907) 277-5551

November 4, 2014

Paul Voeller, Platting Officer
Kenai Peninsula Borough
Planning Department
144 North Binkley Street
Soldotna, Alaska 99669-7520

Re: Vacation of ROW

Dear Mr. Voeller:

ENSTAR Natural Gas Company has reviewed the Vacation of ROW for **Marriot Sub 2014 Addn, KPB File No. 2014-148**. ENSTAR requests a Ten foot (10 FT) wide gas easement, centered on the existing natural gas service line that crosses the proposed Tract B-4-1 to serve Tract A-5-1 and Tract C.

I have enclosed a drawing showing the approximate location of the aforementioned gas lines.

If you have any questions regarding our comments, please do not hesitate to contact me at 334-7753 or email to jennifer.diederich@enstarnaturalgas.com.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Diederich".

Jennifer Diederich
Right-of-Way Supervisor
ENSTAR Natural Gas Company

cc: File

**Marrlot Subdivision 2014 Addition
KPB File 2014-148**

MARRLOT

38180

38132

38050

SK8235

348

NENANA AVE

Nenana Ave

**Please add 10' Natural Gas
Easement centered on the service
lines within proposed Tract B-4-1
serving proposed Tracts A-5-1 and
C-4-1**

38083





KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • FAX: (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

November 12, 2014

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION

MEETING OF NOVEMBER 10, 2014

RE: Vacate the east 590 feet of Nenana Avenue a 60-foot right-of-way. 1) The north 30-foot adjacent to a portion of Lot B-4 and the entire length of Lot B-5 dedicated by Resubdivision of Tract B Marriot Subdivision (Plat KN 77-164); 2) and the south 30-foot adjacent to the entire length of Lot C-4 dedicated by Marriott Subdivision No. Two A Resubdivision of Tract C (Plat KN 84-168); and vacate the 10-foot utility easement along the north and east boundary of Tract C-4; and the 5-foot utility easement along the south boundary of Lots B-4 and B-5 adjacent to the proposed right-of-way; all within Section 20, Township 5 North, Range 9 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough; Location: On Nenana Avenue in Sterling; KPB File 2014-148

During their regularly scheduled meeting of November 10, 2014 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation based on the following findings of fact.

Findings

1. Nenana Avenue has not been constructed for public use.
2. Nenana Avenue is not currently being used by the public to access any adjoining parcels.
3. All parcels will still front on a dedicated ROW
4. To my knowledge, utilities have not been placed within the ROW. If there are utilities within the ROW, an easement will be granted to the utility company.
5. The ROW crosses over steep terrain and low wet areas.
6. Because of this (steep and wet terrain), the cost to construct a roadway will be cost prohibitive.
7. Additional ROW is being dedicated this plat to provide for a cul-de-sac turn around
10. No surrounding properties will be denied access.
11. Block length will still comply with KPB 20.30.170 if the requested vacation is approved.
13. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements.
14. Slopes greater than 20 percent were shown and labeled on the preliminary plat.
15. Low wet areas were shown and labeled on the preliminary plat.
16. Four-foot contours were provided on the preliminary plat.

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly. The proposed vacation will be forwarded to the Borough Assembly. The Assembly shall have 30 calendar days from the date of approval (November 10, 2014) in which to veto the Planning Commission decision. If the Planning Director receives no veto within the specified period, the Assembly shall be considered to have given consent to the vacation.

Please contact the Borough Clerk's office (907-714-2160 or 1-800-478-4441 toll-free within the borough) for additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent November 12, 2014 to:

Integrity Surveys
820 Set Net Dr.
Kenai, AK 99611

Brian & Tiffany McCorison
38083 Nenana Ave.
Sterling, AK 99672

Justin & Rachel Hanson
38050 Nenana Ave.
Sterling, AK 99672