



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Monday, July 20, 2026

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID 907 714 2200

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible

ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>

Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247

Zoom Meeting ID: 907 714 2200

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

All items marked with an asterisk () are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.

1. Time Extension Request - None
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

[KPB-7853](#) July 20, 2026 Administrative Approvals Report

Attachments: [C3. 072026 Admin Approvals Report](#)

4. Plats Granted Final Approval (KPB 20.10.040) - None
5. Plat Amendment Request

[KPB-7854](#) Graham Ranch; KPB File 2023-028A1

Attachments: [C5. PA Graham Ranch Packet](#)
[PHN PA-Graham Ranch](#)

6. Commissioner Excused Absences - None
7. Minutes

[KPB-7855](#) June 22, 2026 PC Meeting Minutes

Attachments: [C7. 062226 PC Meeting Minutes](#)

D. OLD BUSINESS - None**E. NEW BUSINESS**

1. [KPB-7856](#) Conditional Use Permit; PC Resolution 2026-36
Applicant/Owner: Cole
Request: Place road & bridge within the 50' Habitat Protection District of an anadromous creek.
Location 67515 Silver Avenue
Anchor Point Area

 Attachments: [E1. CUP Cole Packet](#)
 [PHN_CUP-Cole Bridge](#)

2. [KPB-7857](#) Building Setback Encroachment Permit; KPB File 2026-054
Peninsula Surveying / Ganas
Request: permits a portion of a structure fronting Maria Road to remain within the building setback on Lot 1, James 2016, Plat HM 2016-16
Fritz Creek Area

 Attachments: [E2. BSEP James 2016 Packet](#)
 [PHN BSEP-James 2016](#)

3. [KPB-7858](#) Building Setback Encroachment Permit; KPB File 2026-063
Segesser Surveys / Knuth
Request: permits a portion of a structure to remain within the building setback on Lot 2, Block 6 Cottonwood Acres Subdivision No. 6, Plat KN 82-128
Kalifornsky Area

 Attachments: [E3. BSEP Cottonwood Acres Sub No. 6 Packet](#)
 [E3. BSEP Cottonwood Acres Sub No. 6 Desk Packet](#)
 [PHN BSEP-Cottonwood Acres Sub No. 6](#)

4. [KPB-7859](#) Plat Waiver Request; KPB File 2025-142
Vector Surveying LLC Magnitude & Direction / Starnes
Request: will create two parcel from one unsubdivided parcel
Parcel ID: 01312205
Nikiski Area / Nikiski APC

 Attachments: [E4. PWR Starnes Packet](#)
 [PHN PW-Starnes](#)

5. [KPB-7860](#) Right-of-Way Vacation; KPB File 2026-035V
Johnson Surveying / Blumentritt
Request: Vacates a portion of ROW and the associated utility easements along Knackstedt Street
Kalifornsky Area

Attachments: [E5. ROWV Knackstedt Street Packet](#)
[PHN ROWV-Knackstedt Street](#)
6. [KPB-7861](#) Right-of-Way Vacation; KPB File 2026-062V
Peninsula Surveying / Inglis
Request: Vacates portions of Tillygirl Avenue & BG Davis Street
Anchor Point Area

Attachments: [E6. ROWV Tillygirl Ave & BG Davis St Packet](#)
[E6. ROWV Tillygirl & BG Davis Desk Packet](#)
[PNH ROWV-Tillygirl Ave & BG Davis St](#)
7. [KPB-7862](#) Right-of-Way Vacation; KPB File 2026-066V
Peninsula Surveying / Rininger
Request: Vacates a portion of Glacier Street & associated utility easements
City of Kenai

Attachments: [E7. ROWV Glacier Street](#)
[PHN ROWV-Glacier St](#)
8. [KPB-7863](#) Right-of-Way Vacation; KPB File 2026-069V1
AK Lands / Huske, Montgomery
Request: Vacates a portion of Huske Street
Sterling Area

Attachments: [E8. ROWV Huske Street Packet](#)
[E8. ROWV Huske Street Desk Packet](#)
[PHN ROWV-Huske St](#)
9. [KPB-7864](#) Section Line Easement Vacation; KPB File 2026-069V
AK Lands / Huske, Montgomery
Request: Vacates a portion of a section line easement within Huske Street
Sterling Area

Attachments: [E9. SLEV Huske Street Packet](#)
[E9. SLEV Huske Street Desk Packet](#)
[PHN SLEV-Huske St](#)

F. PLAT COMMITTEE REPORT**G. OTHER****H. PUBLIC COMMENT/PRESENTATION**

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)

I. DIRECTOR'S COMMENTS**J. COMMISSIONER COMMENTS****K. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS****NO ACTION REQUIRED**

[KPB-7867](#) Nikiski APC Meeting Minutes

Attachments: [APC Meeting Minutes](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, August 10, 2026 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

CONTACT INFORMATION**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, 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.

C. CONSENT AGENDA

- *3. Administrative Approvals
07-20-26 Report**



ADMINISTRATIVE APPROVAL

Subdivision: Bay View Subdivision Chow 2024 Replat
KPB File 2024-072
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on August 12, 2024. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, June 18, 2026.

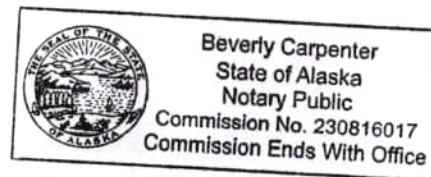
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 18 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Bouwens Subdivision 3
 KPB File 2025-128
 Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on September 22, 2025. Approval for the plat is valid for two years from the date of approval.

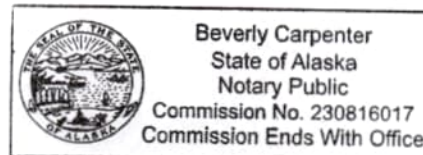
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Thursday, June 11, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 11 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: With office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Butler Church Subdivision No 3 2025 Galley Addition
KPB File 2025-079
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on June 9, 2025. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Monday, June 22, 2026.

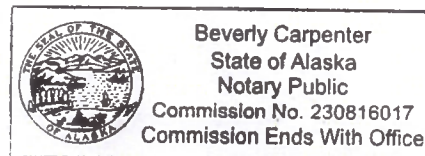
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 22 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: France Airpark Subdivision
KPB File 2025-145
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on May 11, 2026. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Thursday, June 18, 2026.

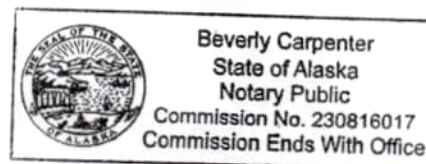
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 18 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Hope Lake Subdivision 2025 Addition
KPB File 2025-157
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on November 17, 2025. Approval for the plat is valid for two years from the date of approval.

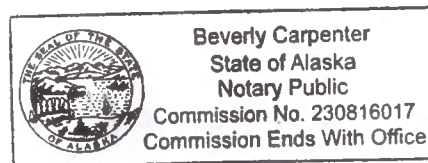
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Monday, June 22, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 22 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: with office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Jack Gist Subdivision No 3
KPB File 2020-107P3
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision design plat (KPB 2020-107) for a period of two years at its regularly scheduled meeting on September 28, 2020. Pursuant to KPB 20.25.110, a time extension was requested and granted, extending the subdivision approval to September 28, 2024. Phase 1 was recorded on May 26, 2023, extending approval of the preliminary design plat to May 26, 2025, in accordance with KPB 20.25.110 (B).

A second time extension was requested and granted, extending the subdivision approval to May 26, 2027. Phase 2 was recorded on December 1, 2025, extending approval of the preliminary design plat to December 1, 2027. On December 5, 2025, Phase 3 was submitted to the Platting Department for final review.

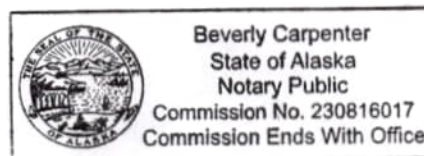
The final plat complied with all conditions of preliminary approval and with KPB Title 20 (Subdivisions). Therefore, in accordance with KPB 20.60.220, administrative approval has been granted by the undersigned on Thursday, June 11, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 11 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: with office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Little Jim Subdivision No Three
KPB File 2026-010
Seward Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on February 23, 2026. Approval for the plat is valid for two years from the date of approval.

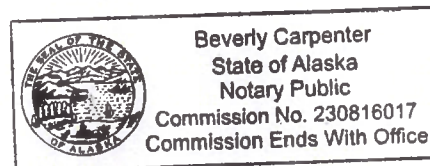
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Friday, June 19, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 19 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: With office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Pavilion Subdivision Part 2 Amended 2026 Replat
KPB File 2026-004
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on February 9, 2026. Approval for the plat is valid for two years from the date of approval.

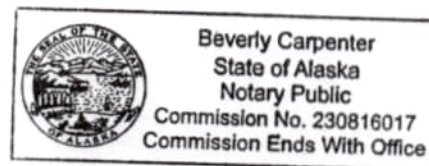
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, June 18, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 18 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: with office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Sholin Subdivision 2025 Replat
KPB File 2025-148
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on October 27, 2025. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Thursday, June 11, 2026.

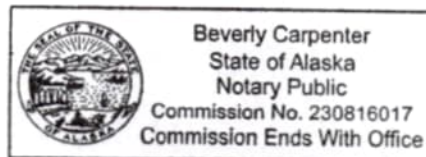
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 11 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Spruce Park Estates Subdivision Davis Addition No 2
KPB File 2025-078
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on June 9, 2025. Approval for the plat is valid for two years from the date of approval.

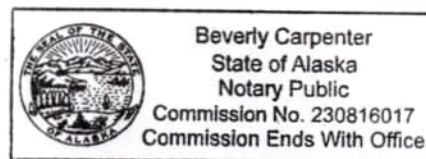
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Thursday, June 18, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 18 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: With office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Wilderness Edge Subdivision
KPB File 2026-002
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on February 9, 2026. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Monday, June 22, 2026.

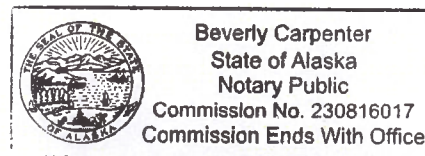
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 22 day of June 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

C. CONSENT AGENDA

- *5. Plat Amendment Request**
 - a. Graham Ranch; KPB File 2023-028A1**



& DEDICATION CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the real property shown and described hereon, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all public rights-of-way and public areas to public use and grant all easements to the use shown.

DAL D GRAHAM BY
Charles Scott Graham PCA

DAL D. GRAHAM
BY CHARLES SCOTT GRAHAM, POA
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

Charles Scott Graham
CHARLES SCOTT GRAHAM
4806 SALMON CREEK DR
BUHL, ID 83316

Linda C. Graham
LINDA CHRISTINE GRAHAM
32360 FALLS CREEK RD.
HOMER, AK 99603
GABRIEL MORGAN GRAHAM BY

Charles Scott Graham POA
GABRIEL MORGAN GRAHAM
BY CHARLES SCOTT GRAHAM, POA
511 E GAINSBOROUGH RD
THOUSAND OAKS, CA 91360

Donna D. Graham
DONNA D. GRAHAM
48103 E END RD
HOMER, AK 99603

John Graham
JOHN GRAHAM
1807 JULIE ANNA DR
KENAI, AK 99611

DAL D GRAHAM PERSONAL
REPRESENTATIVE BY

Charles Scott Graham POA
DAL D. GRAHAM, PERSONAL REPRESENTATIVE
BY CHARLES SCOTT GRAHAM, POA
ESTATE OF ROBERT D. GRAHAM
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

SEE SHEET 3

NOTARY'S ACKNOWLEDGMENT

For DAL D. GRAHAM, by CHARLES SCOTT GRAHAM, POA
Acknowledged before me this 5th day
of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For CHARLES SCOTT GRAHAM
Acknowledged before me this 5th day
of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For LINDA CHRISTINE GRAHAM
Acknowledged before me this 10th day
of September 2025.
Deanna J Mastro 7/1/29
Notary public for Alaska My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For GABRIEL MORGAN GRAHAM, by CHARLES SCOTT GRAHAM, POA
Acknowledged before me this 5th day
of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

NOTARY'S ACKNOWLEDGMENT

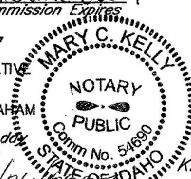
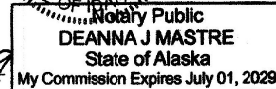
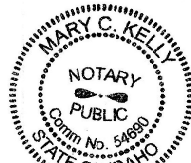
For DONNA D. GRAHAM
Acknowledged before me this 23rd day
of Sept 2025.
Jesus Nieto 6-12-2029
Notary public for Alaska My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For JOHN GRAHAM
Acknowledged before me this 15th day
of September 2025.
Jesus Nieto 27 June 2029
Notary public for Alaska My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For DAL D. GRAHAM, PERSONAL REPRESENTATIVE
By CHARLES SCOTT GRAHAM, POA
On Behalf of THE ESTATE OF ROBERT D. GRAHAM
Acknowledged before me this 5th day
of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

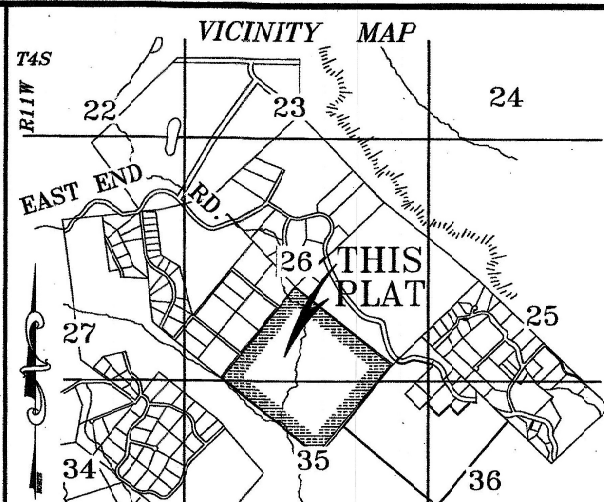


Notary Public
STASIA STAGGERT
State of Alaska
My Commission Expires June 12, 2029

2025-44
PLAT #
Homer
Rec Dist
12-3-2025
Date
Time 10:03 AM

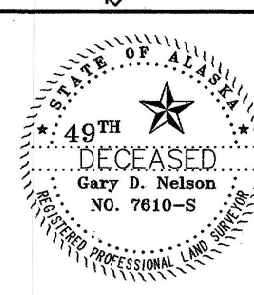
KPB FILE No. 2023-028

SHEET 2 OF 23



SCALE 1"= 1/2 MILE

DATE	08/15/2025
SCALE	1"=150'
DRAWING:	5306_5343
JOB No.	5306
DRAWN:	CHECKED:
BT	KK



GRAHAM RANCH AMENDED

A SUBDIVISION OF U.S. SURVEY 3610 WITHIN THE SW1/4 AND SE1/4 OF SECTION 26 AND THE NE1/4 AND NW1/4 OF PROTRACTED SECTION 35, T4S, R11W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, ALASKA CONTAINING 159.202 ACRES

ABILITY SURVEYS

GARY D. NELSON, P.L.S.
(907)235-8440
152 DEHEL AVE., HOMER, ALASKA

KPB 2023-028A1

**CERTIFICATE OF OWNERSHIP
AND DEDICATION**

We hereby certify that we are the owners of the real property shown and described hereon, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all rights-of-way and public areas to public use and grant all easements to the use shown.

DAL GRAHAM aka DAL D. GRAHAM
PERSONAL REPRESENTATIVE
ESTATE OF ROBERT D. GRAHAM
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

AMENDMENT AFFIDAVIT

GRAHAM RANCH, as filed in the office of the District Recorder, Homer Recording District, under Plat File No. 2025-44, has been amended by:

The addition of sheet 3 for the purpose of including a valid signature by the personal representative for the Estate of Robert D. Graham. Sheet numbers have been revised to reflect the addition of sheet 3.

The above revisions constitutes the sole changes made to the plat aside from its notation in the revision block on the plat. The above revision does not affect any valid existing right. I am therefore submitting this plat for refiling as corrected.

KATHERINE A. KIRSIS, LS 204390

DATE

NOTARY'S ACKNOWLEDGMENT

For DAL GRAHAM aka DAL D. GRAHAM
PERSONAL REPRESENTATIVE
On Behalf of THE ESTATE OF ROBERT D. GRAHAM
Acknowledged before me this _____ day
of _____ 2026.

Notary public for California

My Commission Expires

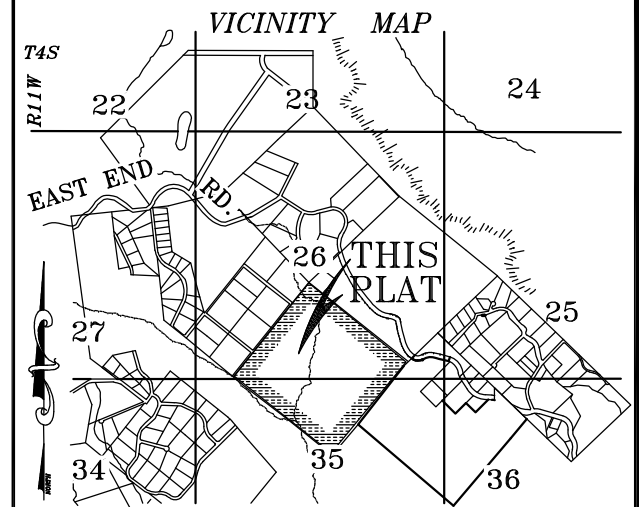


PLAT #

Rec Dist

Date _____ 20 _____

Time _____ M



SCALE 1"= 1/2 MILE

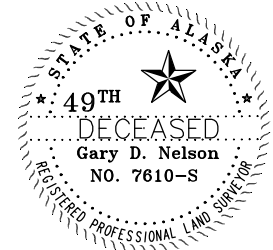
DATE 05/15/2026

SCALE 1"=150'

DRAWING: 5306_5343

JOB No. 5306

DRAWN: BT CHECKED: KK



GRAHAM RANCH AMENDED

A SUBDIVISION OF U.S. SURVEY 3610 WITHIN THE SW1/4 AND SE1/4 OF SECTION 26 AND THE NE1/4 AND NW1/4 OF PROTRACTED SECTION 35, T4S, R11W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, ALASKA CONTAINING 159.202 ACRES

ABILITY SURVEYS

GARY D. NELSON, P.L.S.
(907)235-8440
152 DEHEL AVE., HOMER, ALASKA

KPB 2023-028A1

KPB FILE No. 2023-028

SHEET 3 OF 3

**ITEM a. – PLAT AMENDMENT REQUEST
GRAHAM RANCH AMENDED**

KPB File No.	2023-028A1
Planning Commission Meeting:	July 20, 2026
Surveyor:	Katherine Kirsis; Seabright Survey + Design LLC
General Location:	Swift Creek Lane and Donalds Lane, Fox River Area

STAFF REPORT

Following the recording of the Graham Ranch plat, KN 2025-44, with the State Recorder's Office, errors were identified regarding the ownership name shown on the recorded plat. The Surveyor has requested permission to withdraw the original mylar for amendment pursuant to 11 AAC 53.260.

Specific Request:

The following correction is proposed t:

- Addition of page 3 to include a valid signature from the personal representative for the Estate of Robert D. Graham.

This amendment is limited to correcting ownership signature information and does not alter the subdivision layout, lot configuration, or monumentation.

Notification: A notification letter was sent to all land owners affected by this amendment. They were informed of the proposed correction and advised that the change will not affect lot designation or monumentation

Staff recommends approval of the requested amendment, with the following action:

- Add the appropriate certification and amendment note to the plat in accordance with 11 AAC 53.260 and consistent with 11 AAC 53.650

RECOMMENDATION:

GRANT APPROVAL TO THE SURVEYOR TO WITHDRAW THE ORIGINAL RECORDED/FILED MYLAR TO AMEND AS REQUESTED, SUBJECT TO THE FOLLOWING:

1. **WRITTEN APPROVAL BY THE STATE RECORDER.**
2. **COMPLIANCE WITH STAFF RECOMMENDATIONS**

20.25.120 – Review and appeal.

A decision of the planning commission may be appealed to the hearing officer by a party of record within 15 days of the date of distribution of decision in accordance with KPB 21.20.250.

END OF STAFF REPORT



& DEDICATION CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the real property shown and described hereon, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all public rights-of-way and public areas to public use and grant all easements to the use shown.

DAL D GRAHAM BY

Charles Scott Graham POA
DAL D. GRAHAM
BY CHARLES SCOTT GRAHAM, POA
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

Charles Scott Graham
CHARLES SCOTT GRAHAM
4806 SALMON CREEK DR
BUHL, ID 83316

Linda C. Graham
LINDA CHRISTINE GRAHAM
52360 FALLS CREEK RD
HOMER, AK 99603
GABRIEL MORGAN GRAHAM BY

Charles Scott Graham POA
GABRIEL MORGAN GRAHAM
BY CHARLES SCOTT GRAHAM, POA
511 E GAINSBOROUGH RD
THOUSAND OAKS, CA 91360

Donna D. Graham
DONNA D. GRAHAM
46103 E END RD
HOMER, AK 99603

John Graham
JOHN GRAHAM
1807 JULIE ANNA DR
KENAI, AK 99611
DAL D GRAHAM PERSONAL REPRESENTATIVE BY

Charles Scott Graham POA
DAL D. GRAHAM, PERSONAL REPRESENTATIVE
BY CHARLES SCOTT GRAHAM, POA
ESTATE OF ROBERT D. GRAHAM
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

NOTARY'S ACKNOWLEDGMENT

For DAL D. GRAHAM, by CHARLES SCOTT GRAHAM, POA
Acknowledged before me this 5th day
of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For CHARLES SCOTT GRAHAM
Acknowledged before me this 5th day
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Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

NOTARY'S ACKNOWLEDGMENT

For LINDA CHRISTINE GRAHAM
Acknowledged before me this 10th day
of September 2025.
Deanna J Mastre 7/1/29
Notary public for Alaska My Commission Expires

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of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

NOTARY'S ACKNOWLEDGMENT

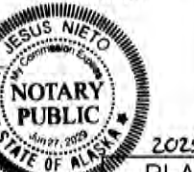
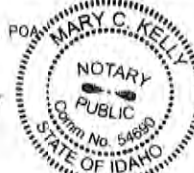
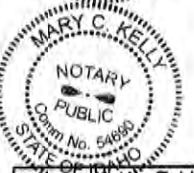
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Donna D. Graham 6-12-2029
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NOTARY'S ACKNOWLEDGMENT

For JOHN GRAHAM
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Notary Public
DEANNA J MASTRE
State of Alaska
My Commission Expires July 01, 2029

Notary Public
STASIA STAGGERT
State of Alaska
My Commission Expires June 12, 2029

2025-44

PLAT #

Homer

Rec Dist

12-3-2025

Date

Time 10:03 AM

KPB FILE No. 2023-028

SHEET 2 OF 2



SCALE 1" = 1/2 MILE

DATE 08/15/2025

SCALE 1"=150'

DRAWING: 5306_5343

JOB No. 5306

DRAWN: BT CHECKED: KK



GRAHAM RANCH

A SUBDIVISION OF U.S. SURVEY 3610 WITHIN THE SW1/4 AND SE1/4 OF SECTION 26 AND THE NE1/4 AND NW1/4 OF PROTRACTED SECTION 35, T4S, R11W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, ALASKA CONTAINING 159.202 ACRES

ABILITY SURVEYS

GARY D. NELSON, P.L.S.
(907)235-8440
152 DEHEL AVE., HOMER, ALASKA



**NOTICE OF PROPOSED ACTION BEFORE THE
KENAI PENINSULA BOROUGH PLANNING COMMISSION**

Notice is hereby given that the Kenai Peninsula Borough Planning Commission will hold a meeting on **Monday, July 20, 2026** at 7:30 p.m. to consider a plat amendment. The meeting will be held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska.

Action to be considered: A plat amendment request has been received for Graham Ranch, Plat HM 2025-044. Changes are as follows:

- Amends the recorded plat by adding Sheet 3, which includes a valid signature from the personal representative of the Estate of Robert D. Graham.

Reasons for amending: Following the recording of this plat with the State recorder, an error was discovered. The survey firm has requested permission to withdraw the original mylar for amending.

Request submitted by: Katherine Kirsis, RLS (Seabright Survey + Design)

Location: Swift Creek Lane and Donalds Lane in the Fox River area (KPB File 2023-028A1)

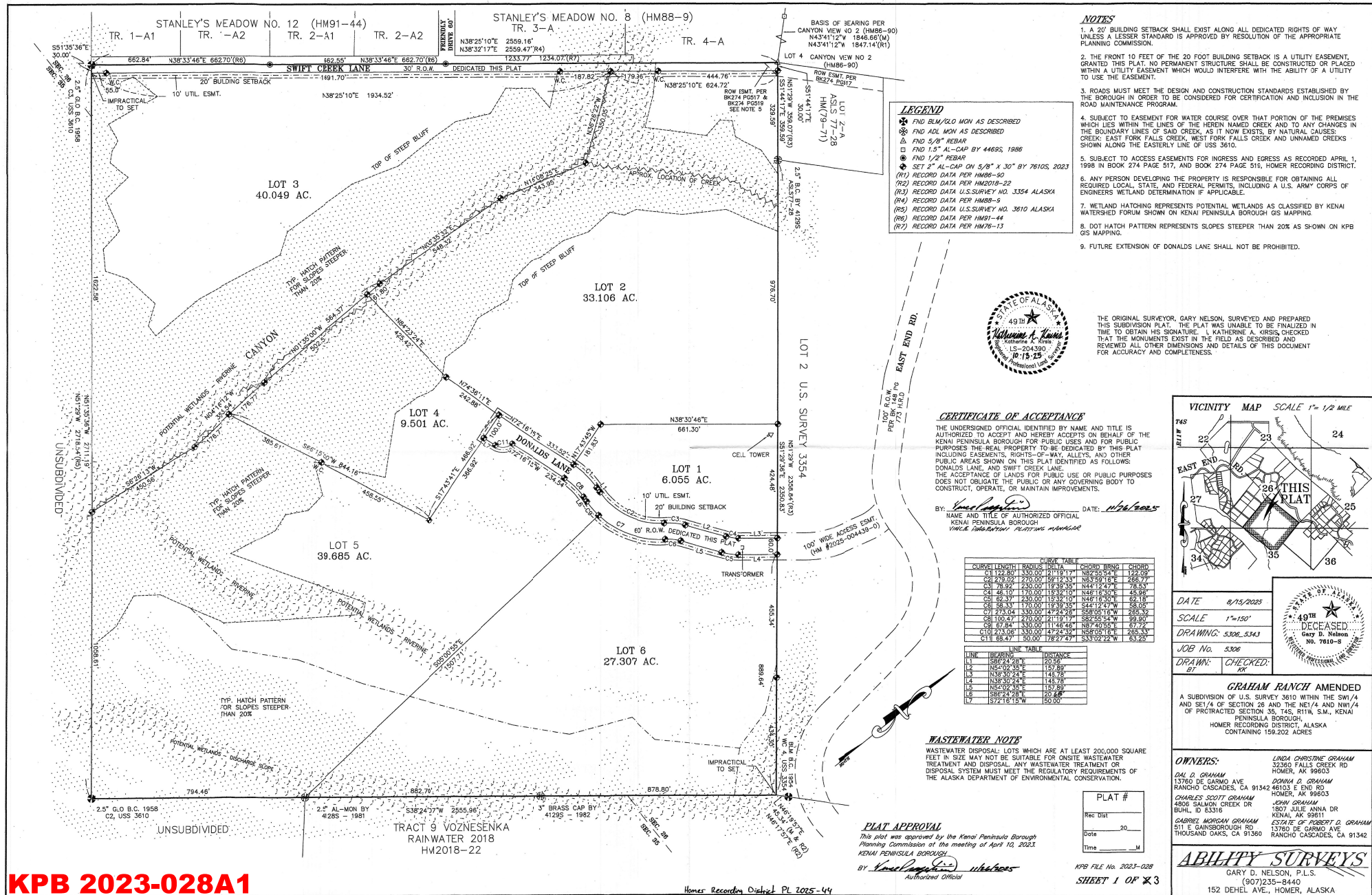
If the amendment request is approved by adoption of Planning Commission, it will be forwarded to the State Recorder's Office for approval.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026** commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information, contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 Toll Free within the Kenai Peninsula Borough).



& DEDICATION CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the real property shown and described hereon, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all public rights-of-way and public areas to public use and grant all easements to the use shown.

DAL D GRAHAM BY
Charles Scott Graham PCA
DAL D. GRAHAM
BY CHARLES SCOTT GRAHAM, POA
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

Charles Scott Graham
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GABRIEL MORGAN GRAHAM BY

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REPRESENTATIVE BY

Charles Scott Graham POA
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BY CHARLES SCOTT GRAHAM, POA
ESTATE OF ROBERT D. GRAHAM
13760 DE GARMO AVE
RANCHO CASCADES, CA 91342

SEE SHEET 3

NOTARY'S ACKNOWLEDGMENT

For DAL D. GRAHAM, by CHARLES SCOTT GRAHAM, POA
Acknowledged before me this 5th day
of September 2025.
Mary C. Kelly 6/26/2029
Notary public for Idaho My Commission Expires

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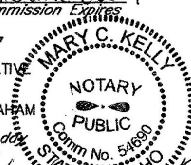
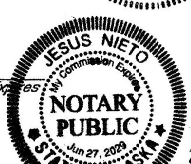
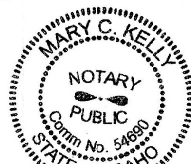
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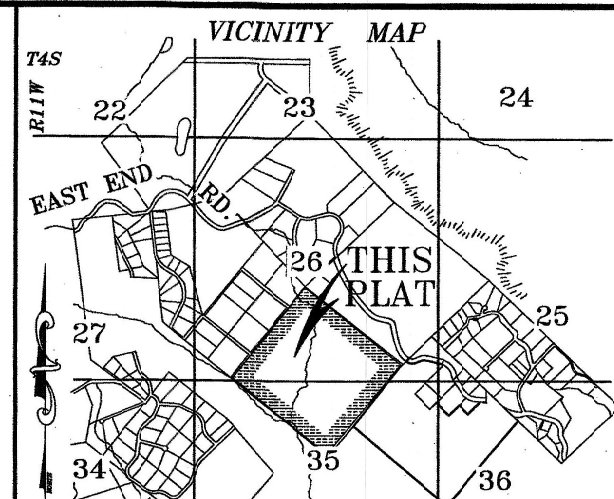


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State of Alaska
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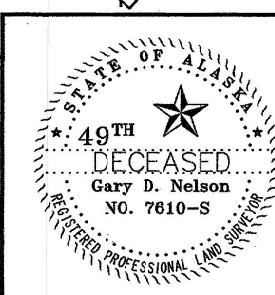
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State of Alaska
My Commission Expires June 12, 2029

2025-44
PLAT #
Homer
Rec Dist
12-3-2025
Date
Time 10:03 AM

KPB FILE No. 2023-028
SHEET 2 OF 23



SCALE 1"= 1/2 MILE
DATE 08/15/2025
SCALE 1"=150'
DRAWING: 5306_5343
JOB No. 5306
DRAWN: BT CHECKED: KK



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AND SE1/4 OF SECTION 26 AND THE NE1/4 AND NW1/4
OF PROTRACTED SECTION 35, T4S, R11W, S.M., KENAI
PENINSULA BOROUGH,
HOMER RECORDING DISTRICT, ALASKA
CONTAINING 159.202 ACRES
ABILITY SURVEYS
GARY D. NELSON, P.L.S.
(907)235-8440
152 DEHEL AVE., HOMER, ALASKA

KPB 2023-028A1

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AND DEDICATION**

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The above revisions constitutes the sole changes made to the plat aside from its notation in the revision block on the plat. The above revision does not affect any valid existing right. I am therefore submitting this plat for refiling as corrected.

KATHERINE A. KIRSIS, LS 204390

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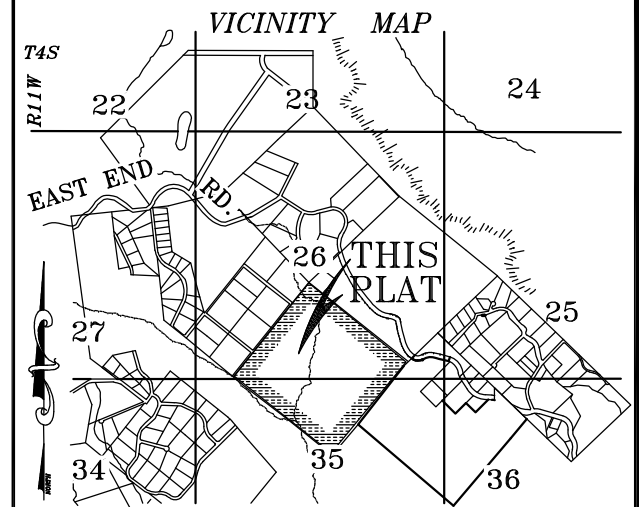


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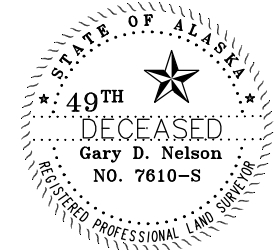
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KPB 2023-028A1

KPB FILE No. 2023-028

SHEET 3 OF 3

C. CONSENT AGENDA

***7. Minutes**

a. June 22, 2026 Planning Commission Meeting Minutes

Kenai Peninsula Borough Planning Commission

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

**JUNE 22, 2026
7:30 P.M.
UNAPPROVED MINUTES**

AGENDA ITEM A. CALL TO ORDER

Chair Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Sterling / Funny River
Pamela Gillham, Kalifornsky/Kasilof District
Jeffrey Epperheimer, Nikiski District
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District
Diane Fikes, City of Kenai
Paul Whitney, City of Soldotna
Franco Venuti, City of Homer (*arrived late, joined meeting after agenda item E1*)

With 7 members present, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Wayne Cary, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Aaron Hughes, Land Management Officer
Samantha Lopez, River Center Manager
Ryan Raidmae, Planner
Elizabeth Wilder, LMD Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDA

***3. Administrative Approvals**

- a. Lind Subdivision Barsargin Addition; KPB File 2025-027

***4. Final Approvals**

- a. Johnson's Landing No. Four; KPB File 2025-176
- b. Shoreline Heights 2025 Replat; KPB File 2025-168
- c. Shoreline Heights Hanson Vacation Within Lot 48; KPB File 2025-169

***6. Excused Absences**

- a. Vacant, City of Seward

***7. Minutes**

- a. June 8, 2026 Planning Commission Meeting Minutes

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Morgan to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 7	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Morgan, Whitney
Absent – 1	Venuti

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Morgan to move Old Business Agenda Item D1 to after new business.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 7	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Morgan, Whitney
Absent – 1	Venuti

AGENDA ITEM E. NEW BUSINESS

**ITEM #1. – BUILDING SETBACK ENCROACHMENT PERMIT
LOT 10, BLOCK 6, MARINERS WATCH SUBDIVISION PART 1, PLAT KN 87-44, LOCATED WITHIN
SECTION 19, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN**

KPB File No.	2026-057
Planning Commission Meeting:	June 22, 2026
Applicant / Owner:	Applicant: Bette Margaret Swan, Personal Representative Owners: Van B. & Clare M. Swan
Surveyor:	Dmitri Kimbrell, Fineline Surveys
General Location:	Karluk Court off Kalifornsky Beach Road / Kalifornsky Area
Parent Parcel No.:	055-380-19
Legal Description:	T 5N R 11W SEC 19 SEWARD MERIDIAN KN 0780044 MARINERS WATCH SUB PART 1 LOT 10 BLK 6
Assessing Use:	Residential Dwelling
Zoning:	Rural Unrestricted
PC Resolution	2026-33

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Garry Swan: On behalf of the applicant Mr. Swan made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Whitney to adopt Planning Commission Resolution 2026-33 granting a building setback encroachment permit t a portion of the 20' building setback for Lot 10, Block 6, Mariners Watch subdivision Part 1, citing findings 1-5 & 16-20 in support of standard one, findings 2, 6-11 & 16-19 in support of standard two and findings 2, 4, 8-10 & 15-18 in support of standard three and subject to the 5 conditions as stated in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 7	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney
Absent – 1	Venuti

Commissioner Venuti joined the meeting at 7:45 PM

**ITEM #2 – CONDITIONAL USE PERMIT
PLANNING COMMISSION RESOLUTION 2026-34**

PC Resolution	2026-34
Planning Commission Meeting:	June 22, 2026
Applicant:	Dustin Wearly
Legal Description:	T 5N R 10W SEC 7 SM KN 2005058 RIVERWOOD SUB 2000 ADDN TRACT A1
Physical Address	45439 Catching Silvers Drive
KPB Parcel Number:	05525312

Staff report given by Planner Morgan Aldridge

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commission Gillham moved, seconded by Commissioner Slaughter to adopt Planning Commission Resolution 2026-34 granting a conditional use permit pursuant to KPB 21.18 for the construction of a gravel pad and cabin withing the 50' habitat Protection District of the Kenai River

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti, Whitney
---------	---

Chair Brantley stated that the commission would take a 15 minute break, the commission came back into session at 8:00 PM.

AGENDA ITEM D. OLD BUSINESS

**ITEM # 1 - CONDITIONAL LAND US PERMIT MODIFICATION
PLANNING COMMISSION RESOLUTION 2026-29
FINDINGS DISCUSSION**

Chair Brantley opened discussion among the commission.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Morgan to attached the following findings of fact in support of the denial of PC Resolution 2026-29 requesting a modification to an existing conditional land use permit:

1. The 2019 KPB Comprehensive Plan identified the need to address recurring land use conflicts from gravel extraction, resulting in a rewrite of KPB 21.29 adopted by the KPB Assembly in October 2023.
2. The 2019 KPB Comprehensive Plan's Goal 2 calls for balancing economic development opportunities with the preservation of natural features valued by residents and visitors. It further outlines objectives for which KPB should establish policies to reduce land-use conflicts, protect property values and natural systems, and uphold individual land-use freedoms.
3. Expanding operations outside the currently approved hours of 6:00 AM to 9:00 PM to allow 24-hour operations would cause significant sleep disturbance for the residents of 76 parcels within a 1,000-foot buffer and is therefore harmful to the public health, safety, and general welfare of borough residents.
4. The site is located in an established residential area.

- Staff reported that notice was provided to 76 landowners within 1000 feet and that approximately 30 principal structures are located within the 1000-foot special impact zone. The proposed nighttime activities would therefore occur near a substantial number of developed properties and residences.
5. The requested waiver is broad.
 - The application requests a waiver from the normal 6:00 AM to 9PM hours for material site activities and operations. The request is not limited to trucks traveling on the Sterling Highway. It would allow nighttime extraction, operation of heavy equipment, loading and hauling at the Robinson Loop site.
 6. The applicant acknowledges that nighttime work presents safety concerns.
 - The applicant stated that it seeks to avoid night work whenever practicable because of the associated safety concerns for employees, nearby residents, and the traveling public, as well as the reduced operational efficiency of nighttime activities. The applicant further stated that daytime work is preferred.
 7. The requested nighttime operating schedule is not adequately defined.
 - The applicant generally identified nighttime operations as occurring between May 1 and September 15 but the request does not identify:
 - The exact number of nighttime shifts
 - The particular nights on which would occur
 - The maximum number of consecutive nights
 - A maximum number of nighttime shifts per week or season
 - A guaranteed overnight quiet period for nearby residents

The absence of specific limits makes it difficult to determine the actual duration and intensity of nighttime impacts.

8. The record demonstrates scheduling and economic benefits, but does not establish necessity.
 - The applicant explained that using this site at night would help meet traffic restrictions, control hauling costs and maintain the preferred construction schedule. However, the applicant also stated that after approximately 1.5 to 2 construction seasons, increased hauling costs would result in shifting to another material source towards the eastern end of the project.
 - The applicant's traffic materials also state that work may occur during otherwise restricted periods when it can be performed without restricting traffic, and that project phasing may sometimes allow material hauling without the need for traffic restriction.

These facts demonstrate that nighttime operations at this site may be beneficial and economical, but they do not establish that nighttime operation of this particular site is indispensable to completion of the highway project.

9. The two required affirmative finding cannot be made.
 - KPB 21.29.050(A)(5)(a) requires the commission to find both that the waiver is:
 - Necessary for a specific project
 - Not harmful to the public health, safety and general welfare of borough residents

Based on the above findings the record does not establish that nighttime operation of this particular material site is necessary for completion of the Sterling Highway project. The record also does not provide sufficient evidence to affirmatively find that the requested broadly defined nighttime operations would not be harmful to nearby residents. Because both findings are required, the waiver should be denied.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Morgan, Venuti, Whitney
---------	---

AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Brantley asked if there was anyone who wished to comment on anything that was not on the agenda. There was no one who wished to comment.

AGENDA ITEM K. ADJOURNMENT

Commissioner Venuti moved to adjourn the meeting at 8:35 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

1. Conditional Use Permit; PC Resolution 2026-36

Applicant/Owner: Cole

Request: Place road & bridge within the 50' Habitat Protection District of an anadromous creek.

Location 67515 Silver Avenue

Anchor Point Area

Multi-Agency Permit Application
Kenai Peninsula Borough
River Center

514 Funny River Road
Soldotna, Alaska 99669
KenaiRivCenter@kpb.us

Phone: (907) 714-2460
Fax: (907) 260-5992

Fees Received: \$

☐ Cash

☐ Check #

CREDIT CARDS NOT ACCEPTED
FOR APPLN FEES

PROPERTY OWNER:

Name: Jack Cole & Kristel Cole
Mailing: P.O. Box 2642
Homer, Alaska 99603
Phone: (218) 684-1453 & (320) 815-2394
Email: kristel.kizer@gmail.com & cole1jack@gmail.com

AGENT: (if applicable)

Name:
Mailing:
Phone:
Email:

PROJECT LOCATION:

KPB Parcel ID: 17101004
Physical Address: 67515 Silver AVE
Subdivision:
Lot: Block: Addition/No.:

WATERBODY INFORMATION:

Waterbody: Two Moose Creek
River Mile: 2.25
Riverbank: ☒ Left ☒ Right (looking downstream)

PERMIT FEES:

☐ \$50 - Staff Permit **OR**

☐ \$300 - Conditional Use or Floodway Analysis

PROJECT:

☒ New Project **OR**

☐ Extension/Amendment to RC#

Please select all activities that apply to your project:

- | | | |
|--|--|--|
| ☐ Bank Stabilization | ☐ Fish & Wildlife Management | ☐ Road Construction |
| ☐ Boat Launch | ☐ Floating Dock | ☐ Structure (Accessory) |
| ☒ Bridge | ☐ Fuel Storage Green Infrastructure | ☐ Structure (Residential) |
| ☐ Coir Logs | ☐ In-Stream Structures (Weir) | ☐ Spruce Tree Revetment |
| ☐ Culvert | ☐ Oil & Gas | ☐ Stream Crossing |
| ☐ ELP Structures | ☐ On-Site Utilities | ☐ Utility Line/Easement |
| ☐ Equipment Stream Crossing | ☐ Prior-Existing Structure | ☐ Veg Mat |
| ☐ Excavation, Dredging, and/or Fill | ☐ Revegetation | ☐ Vegetation Removal |
| ☐ Fence Installation | ☐ Root Wads | ☐ Water Withdrawal |
| | | ☐ Other: |

PROJECT DESCRIPTION: Provide a detailed description of your project, attach additional pages if necessary.

Please see attached

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? ☐ Yes ☒ No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light-Penetrating Structures	\$	Other Activities	\$
Habitat Restoration & Protection	\$	Green Infrastructure	\$

PROJECT QUESTIONS:

1. Start date: 7-1-2026 End date: 9-30-2026 Estimated Days of Construction: 15
2. Is any portion of the work already complete? If yes, please describe: _____ ☐ Yes ☒ No
3. Is your project located on land or waters of an Alaska State Park? ☐ Yes ☒ No
- If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit*

Ordinary High Water (OHW) and Mean High Water (MHW):

4. Is the project located within 50 feet of OHW or MHW a waterbody? ☒ Yes ☐ No
5. Does any portion of the project extend below the OHW or MHW of the waterbody? ☐ Yes ☒ No
6. Does any portion of the project cantilever or extend over the MHW of the waterbody? ☒ Yes ☐ No
7. Will anything be placed below OHW or MHW of the waterbody? ☐ Yes ☒ No

Regulatory Floodplains:

8. Is the property where the project is taking place near or within a regulatory floodplain? ☐ Yes ☒ No
- a. Is this project within or adjacent to a regulatory floodway? ☐ Yes ☒ No
- b. Is this project within or adjacent to a coastal high hazard zone? ☐ Yes ☒ No
- c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ 0

Excavation, Dredging, and Fill:

9. Will material be excavated or dredged from the site? ☐ Yes ☒ No
- a. Type of material(s): _____
- b. Area to be dredged below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- c. Area to be excavated above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- d. Location materials will be deposited: _____
10. Will any material (including soils, debris, and/or overburden) be used as fill? ☐ Yes ☒ No
- a. Type of material(s): _____
- b. Is this fill permanent or temporary? ☐ Permanent ☒ Temporary
- c. Area to be filled above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- d. Area to be filled below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

Motorized Equipment:

11. Will you be using motorized equipment for this project? If yes, please list all equipment: ☒ Yes ☐ No
Cat 304 excavator , Bobcat T-76 skidloader
- a. Will you be crossing a stream or waterbody? ☒ Yes ☐ No
- b. How long will equipment be used below OHW or MHW? None

SIGNATURE & CERTIFICATION:

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.


Owner Signature (required)

6-13-2026
Date

Agent Signature (if applicable)

Date

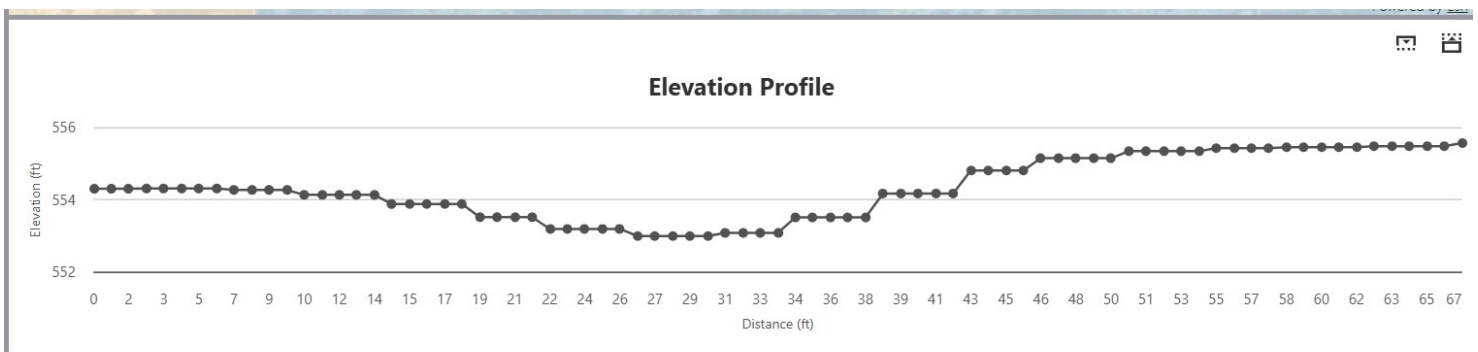
Proposed bridge construction over Two Moose Creek, on East end of parcel 17101004.



This section of the creek is mostly straight, without either a significant cut bank or point bar.



The distance between the ordinary high water (OHW) mark of each bank at this location is 2-3 feet. The elevation profile for this location is:



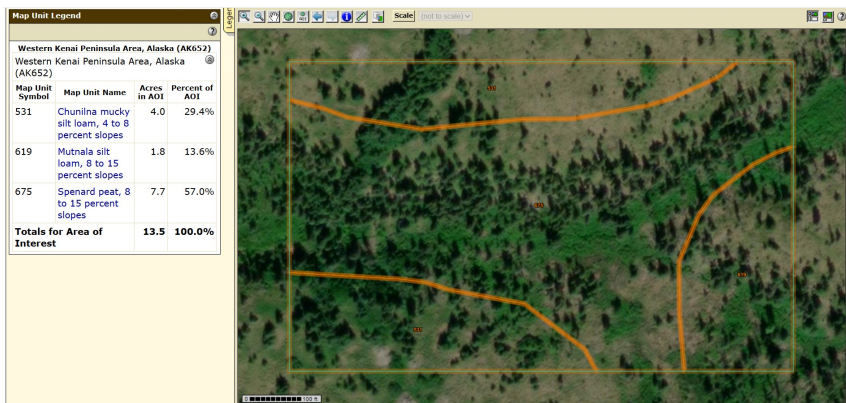
A bridge crossing of 13 feet allows for transport at 554 ft elevation from bank to bank. Any flooding above 554 ft elevation would constitute overland flooding; i.e. the floodplain is under the 554 ft elevation mark.

The proposed bridge that spans a length beyond the flood plain with a bridge crossing of 17—30 ft in length. This would allow the abutment to be placed 7—13 feet away from the OHW of each bank, which is outside of the flood plain..

There are no trees proposed to be removed in the 50-ft setback at this location for the construction of the trail and bridge. Should removal of a tree in the setback be determined to be necessary, the landowner will re-plant native trees in the 50-ft setback to replace any removed. It will be necessary to remove some of the alder brush on the South side of the creek. The landowner will replant equivalent native vegetation in the setback to account for its removal.

The trail leading to the bridge crossing is proposed to be 12 feet wide, and the bridge itself to be 8.5 ft wide.

Soil type present at proposed location of bridge is Spenard Peat (USGS.gov), which has a maximum allowable bearing stress of 500 PSF without stabilization.



The bearing stress of the proposed bridge structure presented is 390 PSF (2.7 PSI).

The proposed bridge platform is light penetrating with a distance of 17—30 feet in length and 8.5 ft wide.

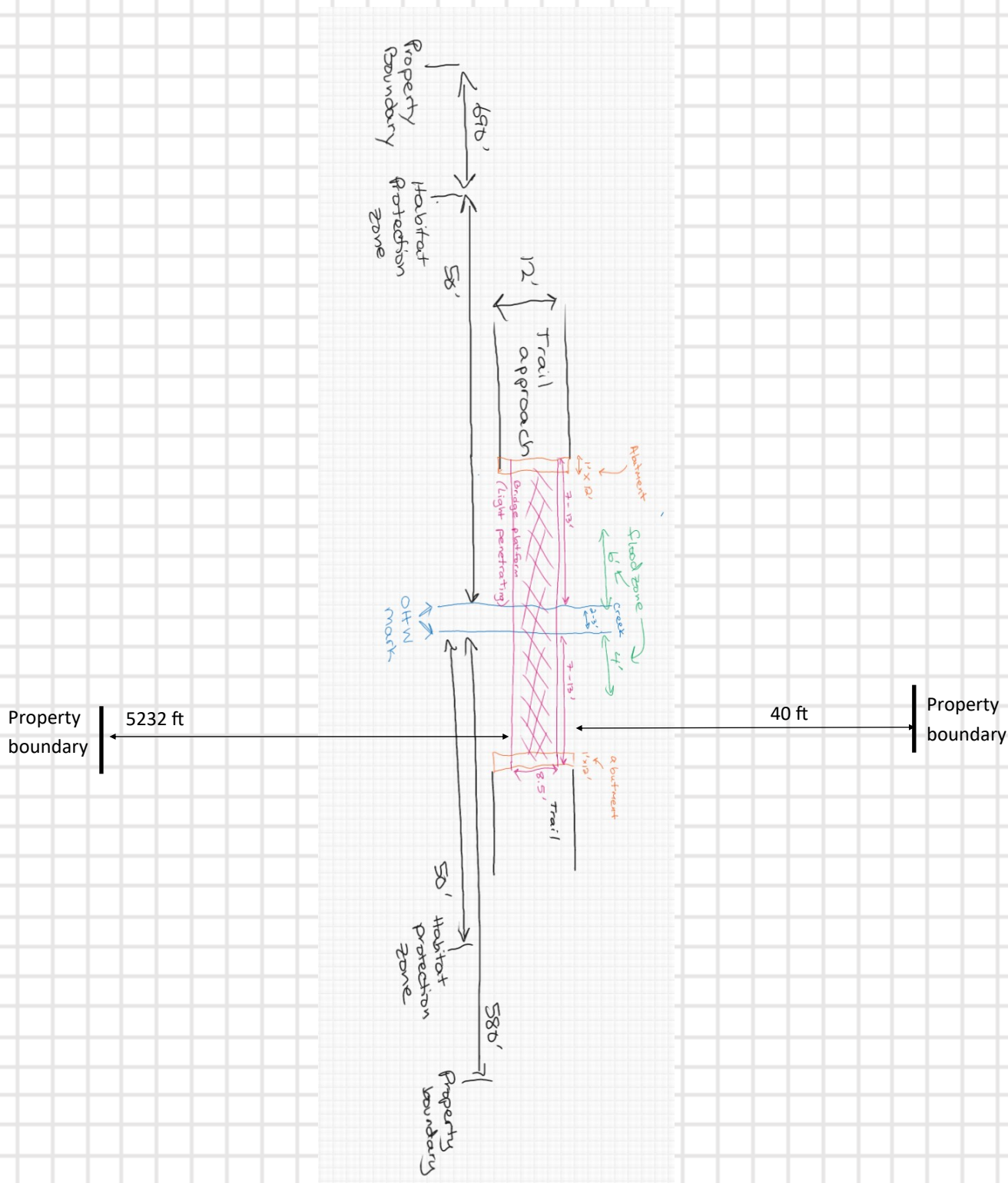
Project Drawings: Top View

Drawings do not have to be to scale, but **must** show the following:

- Property boundaries
- OHW or MHW line
- 50-foot Habitat Protection District
- Floodplain zone(s)
- Dimensions for all structures
- Length, width, height



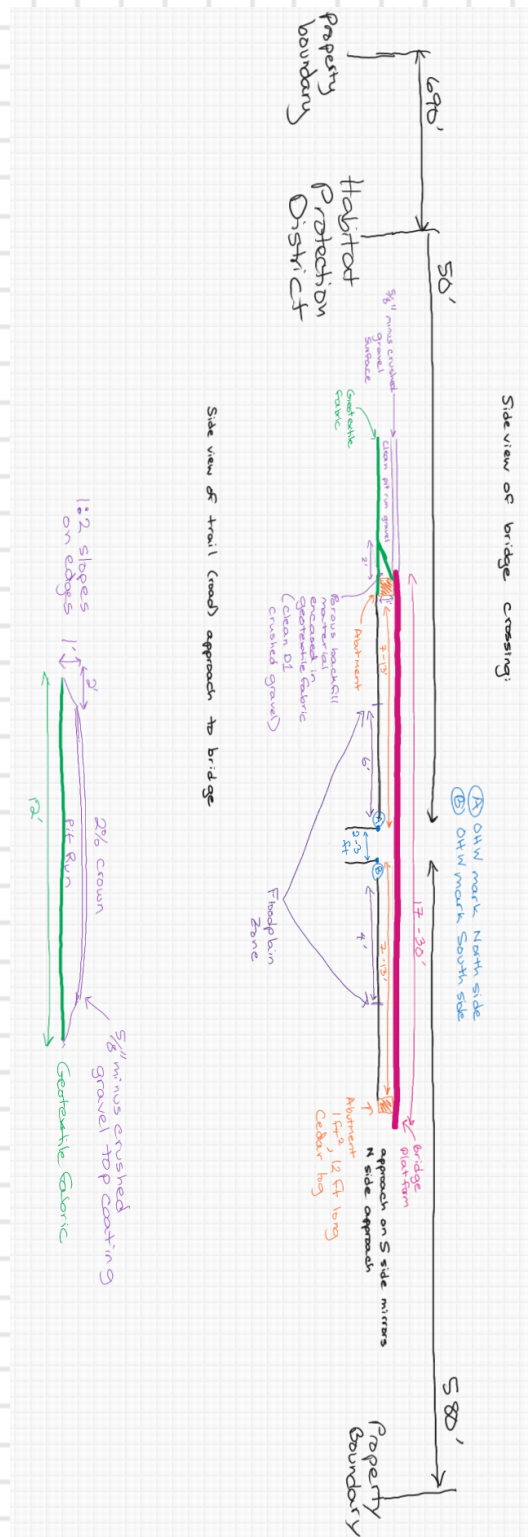
North

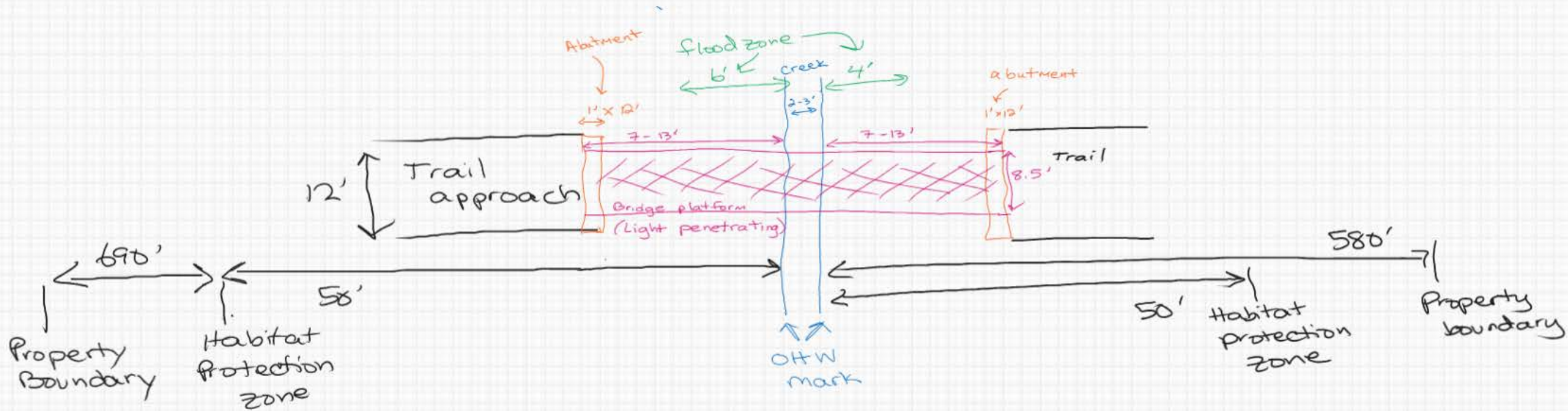


Project Drawings: Side View

Drawings do not have to be to scale, but **must** show the following:

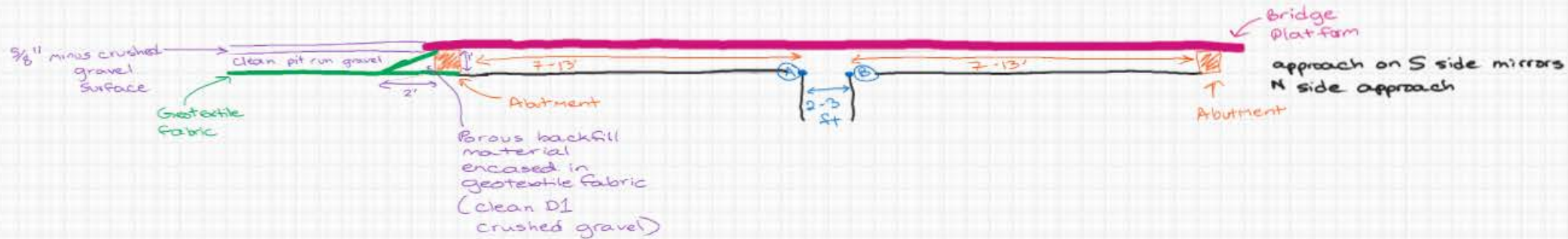
- Property boundaries
- Floodplain zone(s)
- OHW or MHW line
- Dimensions for all structures
- 50-foot Habitat Protection District
- Length, width, height



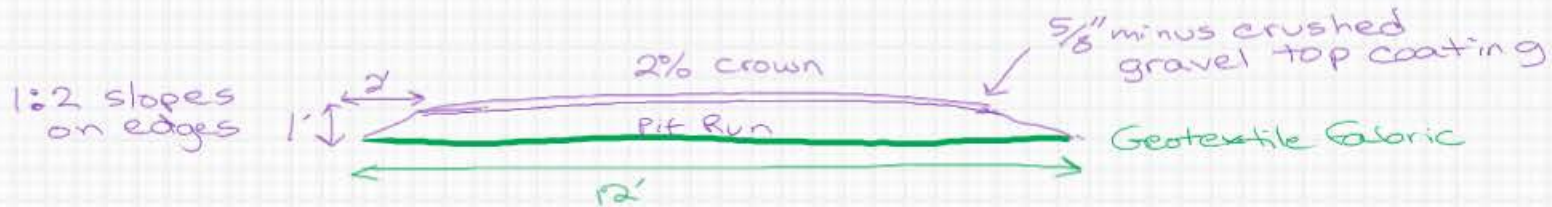


Side view of bridge crossing:

- (A) Oth W mark North side
(B) Oth W mark South side



Side view of trail (road) approach to bridge





0 1 2
mi

Road and Bridge

 **Project Area**

KPB Parcel(s):
17101004

Project Description:

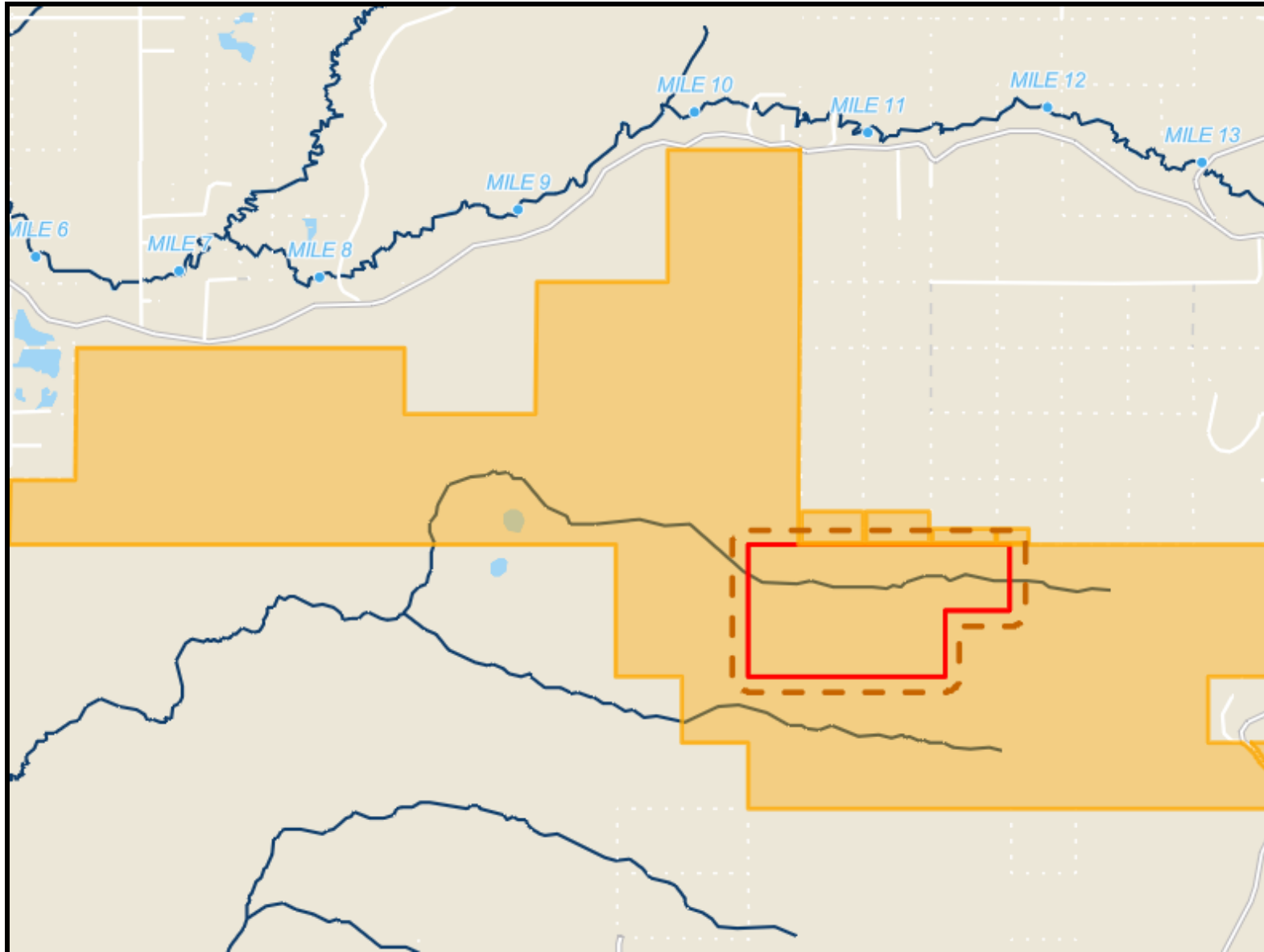
Vicinity: Anchor Point



Map created by Aldridge, Morgan
Wednesday, July 8, 2026



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.



 **Project Area**

KPB Parcel(s):

17101004

Regulatory

Anadromous

KPB 21.18 Anadromous Lakes
and Areas

 Exempt

 Managed

 Unregulated

 n/a

KPB 2118 Districts



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No.	2026-36
Planning Commission Meeting:	Monday, July 20, 2026
Applicant	Jack Cole & Kristel Cole
Mailing Address	PO Box 2642 Homer, AK 99603
Legal Description	T 5S R 14W SEC 4 SM HM GOV LOTS 1 2 3 & 4 & S1/2 NW & SW NE
Physical Address	67515 Silver Ave
KPB Parcel Number	17101004

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of a road and bridge within the 50-foot Habitat Protection District of an Unnamed Creek, as established in KPB 21.18.040.

Background Information

Applicant needs to access their land by crossing an anadromous creek on their parcel. They plan to construct a 12 foot wide road of pit run and install an 8 foot wide light penetrating bridge. They will be using an excavator and skid loader to do the road work and place the bridge.

Project Details within the 50-foot Habitat Protection District

1. Placement of a 12 foot wide road, of pit run material on either side of the water. The portion of the road up to the bridge will be sloped 1:2 to help with run off.
2. Placement of an 8 foot wide and about 30 foot long bridge with an ELP deck
3. Placement of abutments on each end, about a foot wide and 12 feet long.

Attachments

Multi-Agency Application
Draft Resolution 2026-36

Recommendation

Based on the findings listed in the Resolution, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2026-36.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2026-36

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF A ROAD AND BRIDGE WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE UNNAMED TRIBUTARY TO TWO MOOSE CREEK.

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was posted as provided in Section 01.08.180 (B) (1) (3); and
- WHEREAS,** public testimony was received at the Monday, July 20, 2026 meeting of the Kenai Peninsula Borough Planning Commission;

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

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

1. Placement of a 12 foot wide gravel road, of pit run material on either side of the water. The portion of the road up to the bridge will be sloped 1:2 to help with run off.
2. Placement of an 8 foot wide and about 30 foot long bridge with an ELP deck.
3. Placement of abutments on each end, about a foot wide and 12 feet long.

Section 2. Findings of fact pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of transportation and utility infrastructure may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The span of the bridge will be light penetrating and will allow for natural vegetation to freely grow under the structure and provide riparian habitat.
7. Currently there is no way to cross the stream and historical trail users have either driven through or thrown wooden debris over- this structure will allow for safe passage and preservation of near shore habitat.
8. The distance of the abutments from the creek banks will preserve the existing vegetation.
9. This project has been reviewed by ADFG and meets their standard for an allowable use.
10. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
11. Pursuant to KPB 21.18.140, the proposed project meets the definition of water dependent.
12. The River Center found the application complete and scheduled a public hearing for Monday, July 20, 2026.
13. Agency review was distributed on 7/2/2026. No comments or objections have been received from resource agencies to date.
14. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on 7/2/2026. A total of 13 mailings were sent.
15. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
16. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Unnamed Creek.
2. The road and bridge must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.

4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1-5 and Findings 4, 6, 7-8 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 1-5 appear to support this standard.**

3. The development of the use or structure shall not physically damage the adjoining property; **Condition 2 and Finding 10 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 7, 11 appears to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Condition 11 and Finding 16 appear to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2026.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



KENAI PENINSULA BOROUGH RIVER CENTER NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Unnamed Tributary to Two Moose Creek. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located at 67515 Silver Ave, Anchor Point, Alaska, Parcel ID 17101004. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

Construction of a road and bridge within the 50-foot HPD of the Unnamed Creek.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

When: Monday, July 20, 2026 at 7:30 pm or as soon thereafter as business permits
Where: This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough Administration Building located at 144 North Binkley Street, Soldotna.
Zoom: Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
1-888-788-0099 or 1-877-853-5247
Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, July 17, 2026.**

Mail comments to:

Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to:

KenaiRivCenter@kpb.us

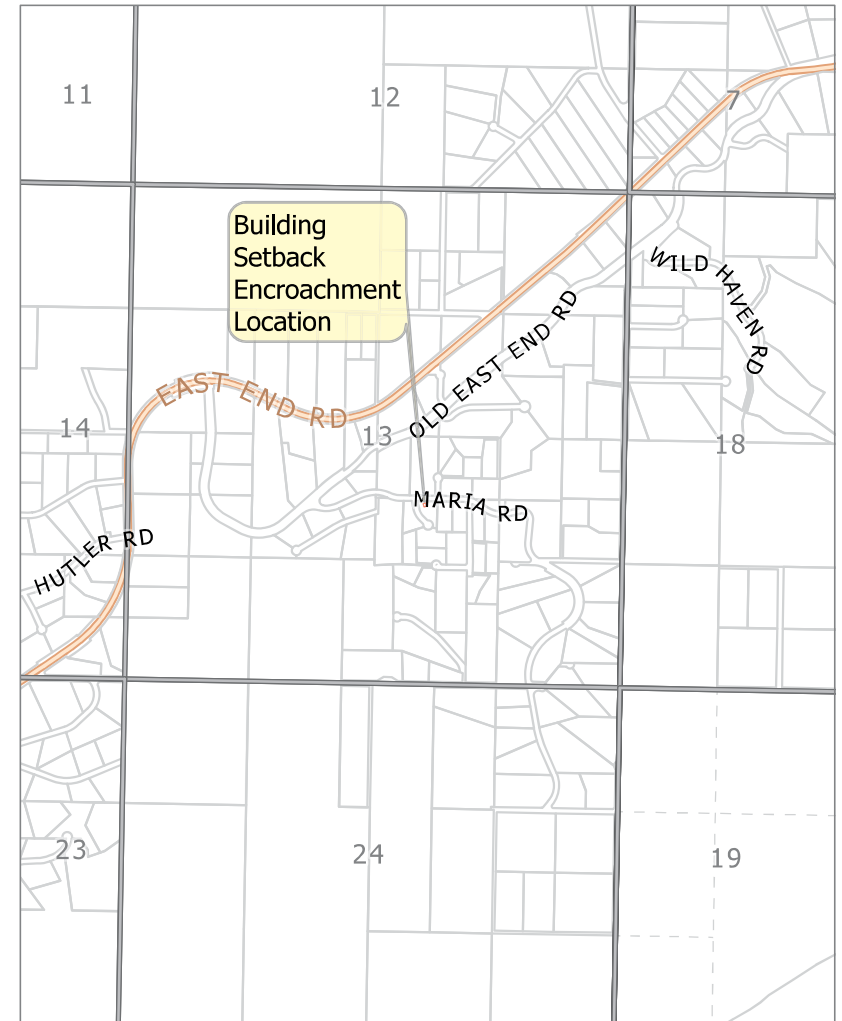
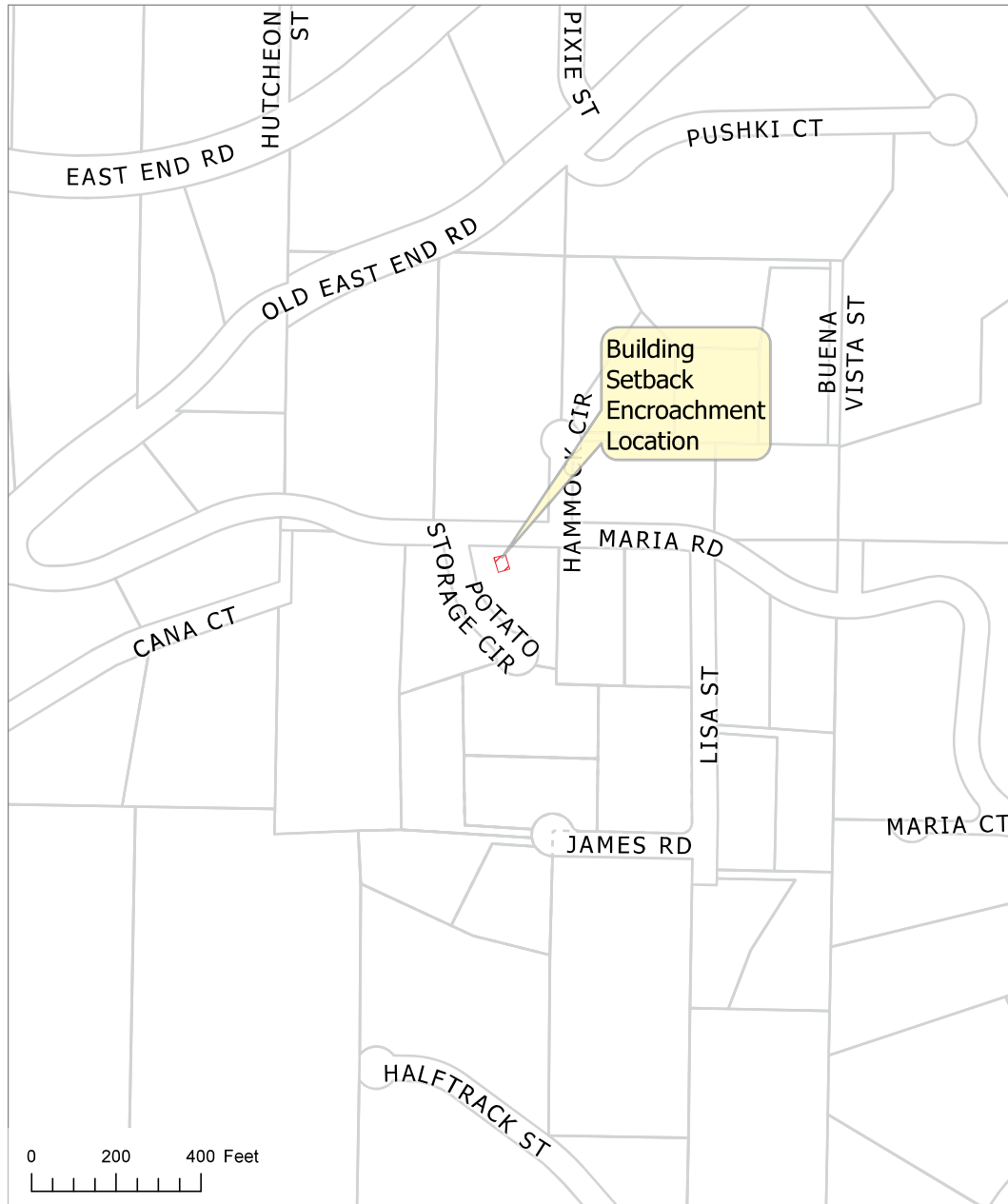
For additional information, please contact Morgan Aldridge at MAldridge@kpb.us or 907-714-2465.

E. NEW BUSINESS

- 2. Building Setback Encroachment Permit; KPB File 2026-054
Peninsula Surveying / Ganas**

Request: permits a portion of a structure fronting Maria Road to remain within the building setback on Lot 1, James 2016, Plat HM 2016-16

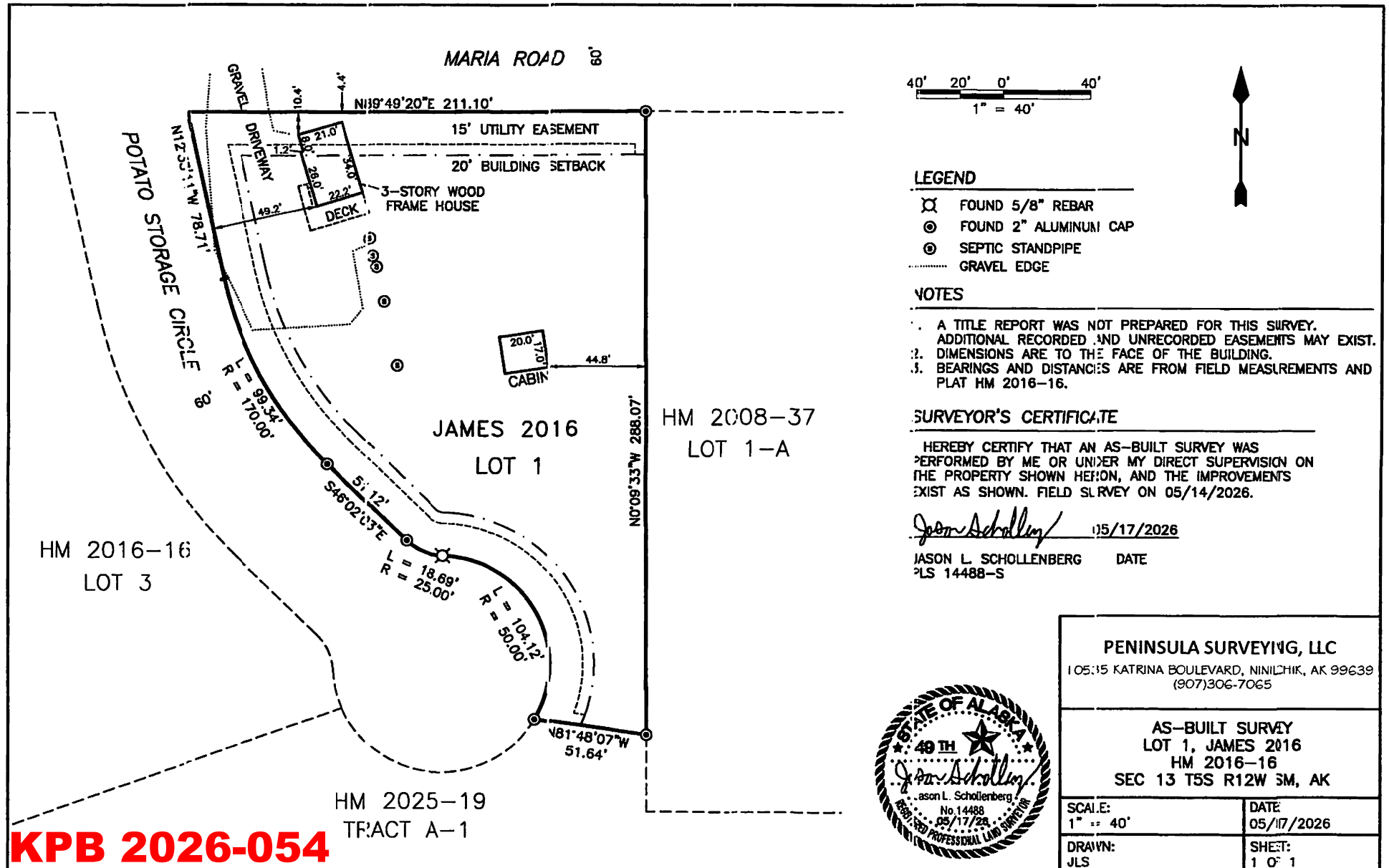
Fritz Creek Area



KPB File 2026-054
T05S R12W SEC13
Fritz Creek



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



AGENDA ITEM E. NEW BUSINESS

**ITEM #2 – BUILDING SETBACK ENCROACHMENT PERMIT
LOT 1 JAMES 2016 HM2016-16**

KPB File No.	2026-054
Planning Commission Meeting:	July 20, 2026
Applicant / Owner:	Dave and Ashly Ganas / Homer, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Corner of Maria Dr and Potato Storage Cir in Kachemak APC area

Parent Parcel No.:	172-310-42
Legal Description:	T 05S R 12W SEC 13 SEWARD MERIDIAN HM 2016016 JAMES 2016 LOT 1
Assessing Use:	Residential
Zoning:	Unrestricted
Resolution	2026-054

STAFF REPORT

Specific Request / Purpose as stated in the petition:

Petitioning for approval of a variance for a structure in the 20' building setback along Maria Rd. A survey shows the structure to be at its maximum to encroach 15.6 feet into the 20' setback.

Site Investigation:

Two structures are shown on the as-built. The north structure identified as a three-story house is shown crossing into the 20' building setback line along Maria Rd at a maximum distance of 15.6 feet at the northeast corner of the structure. The structure is 34' by 21' with the narrow side facing Maria Rd. The northwest corner of the structure encroaches 9.6 feet into the building setback.

A cabin is shown southeast of the house and septic standpipes shown south of the house.

Maria Rd is a 60' dedication constructed and Borough maintained. This property has a driveway accessing to Maria Rd. Potato Storage Cir is a 60' dedicated cul-de-sac not developed but having a driveway down the right-of-way being used by two properties. The as-built shows the driveway for this property going to the right-of-way line of Potato Storage Cir but aerial photos do not indicate it accesses out to the driveway in the right-of-way.

The structure does appear to cause any issues for sight distance. The structure measures on aerial photos to be 35.6' from the edge of the constructed driving portion of Maria Rd. the structure is located along a straight stretch of Maria Rd with a few trees between the road and the building. If Potato Storage Cir were to be constructed, the structure is 49 feet from the property line to the west and not an issue at all.

Staff Analysis:

The land was originally surveyed as part of the NW1/4 SE1/4 Section 13, Township 5 South, Range 12 West SM Alaska. James 2009 HM2009-47 plat the land as part of Tract A and dedicated the south 30' of Maria Rd. James 2009 HM2009-47 granted a 20' building setback along all rights-of-way. James 2016 HM2016-16 replatted Tract A creating Lot 1 in the northeast corner and on the south side of Maria Rd.

The terrain of the road and lot is sloping at an 8% grade south. Along Maria Rd the grade goes up 6% from west to east with a high point just past the house, near Hammock Cir. The building is on a low side of the road, but is three stories high being still visible from the road. The building is still on a straight portion of the road creating good sight distances for drivers on Maria Rd.

Maintenance of Maria Rd is being done by KPB Borough and does not appear to have any issues. The Roads Director did not have any concerns when reviewing the submittal.

Applicant Discussion:

Building is a permanent structure with a foundation. Maria Road is elevated above the driveway, and the structure is not in the sight lines and does not pose any traffic obstructions or any safety hazards. There's no interference with road maintenance.

Applicant Findings:

1. The building setback encroachment does not interfere with road maintenance because the road is straight in this area and there is adequate space between the structure and the roadway. Typical road maintenance such as snow removal in the winter and grading in spring and summer can and is performed safely. There are two preexisting trees located between the house and the road, and the area has continued to be maintained without issue.
2. The building setback encroachment does not interfere with sight lines or visibility because the structure is not located on a blind corner or intersection. There is clear visibility along the roadway in both directions, the road is straight for approximately 500 ft without any sight lines or visibility interferences, this extends past both sides of the property.
3. The building setback encroachment does not create a safety hazard because the area has low traffic volume, the structure does not obstruct drivers' views, and vehicles can safely travel through the area without obstruction. Also, the sight lines are clear when entering the road from the driveway.

Staff Findings for the Commission's review:

4. For purposes of use with building setbacks, 'sight distance' is defined as the distance along a road over which a driver can see an object at a specific height above the carriageway and ensures drivers have sufficient visibility to react safely.
5. The 20' building setback was granted by James 2009 HM2009-47.
6. The structure is sitting approximately 35.6' back from the driving surface of Maria Rd.
7. Along this portion of road is straight, making no issue for maintenance or sight distances.
8. Although the foundation is below the road, the structure is three stories tall and still visible from the road.
9. Adjacent to the foundation the road surface appears to be approximately 8 feet higher.

20.10.110. – Building setback encroachment permits.

- E. The following standards shall be considered for all building setback encroachment permit applications.

Staff recommends the Planning 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, 6 & 7 appear to support this standard.

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

Findings 2, 6 & 7 appear to support this standard.

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

Findings 3, 6 & 7 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: Uhlin, Dil Comments: RSA has no objection at this time
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: Pace, Rhealyn Affected Addresses: 36339 Maria Rd Existing Street Names are Correct: Yes List of Correct Street Names: Maria Rd, Potato Storage Cir Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No comment
Code Compliance	Vacant
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

RECOMMENDATION:

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 2026 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 with recommended corrections as noted below, to be used as an exhibit drawing for Resolution 2026-054 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.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Lot to the west needs the lot label corrected to Lot 2
- Lot to the south needs the lot label corrected to Lot 5-B
- Add a detail to show the northwest side of the building better.

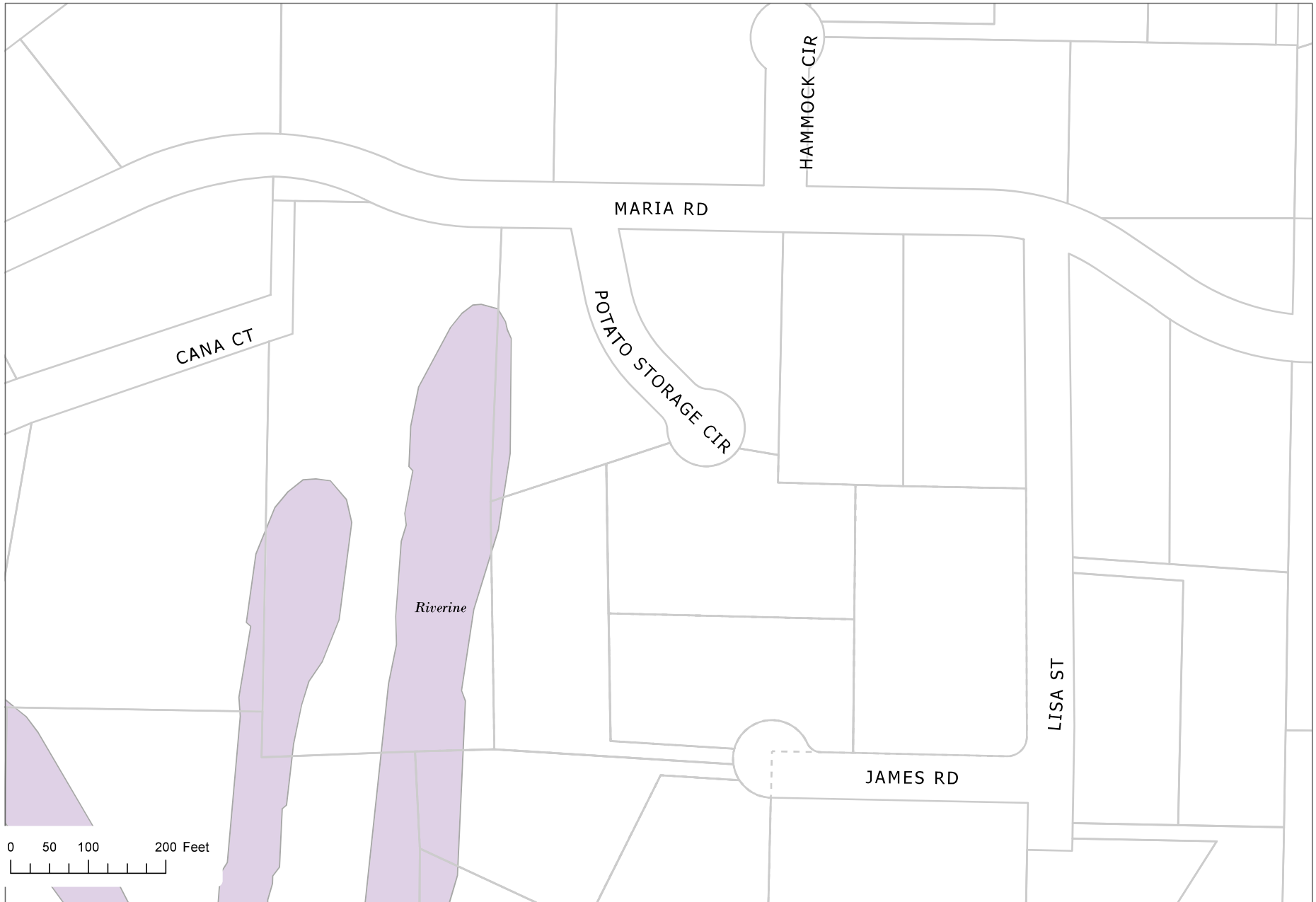
NOTE:

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.

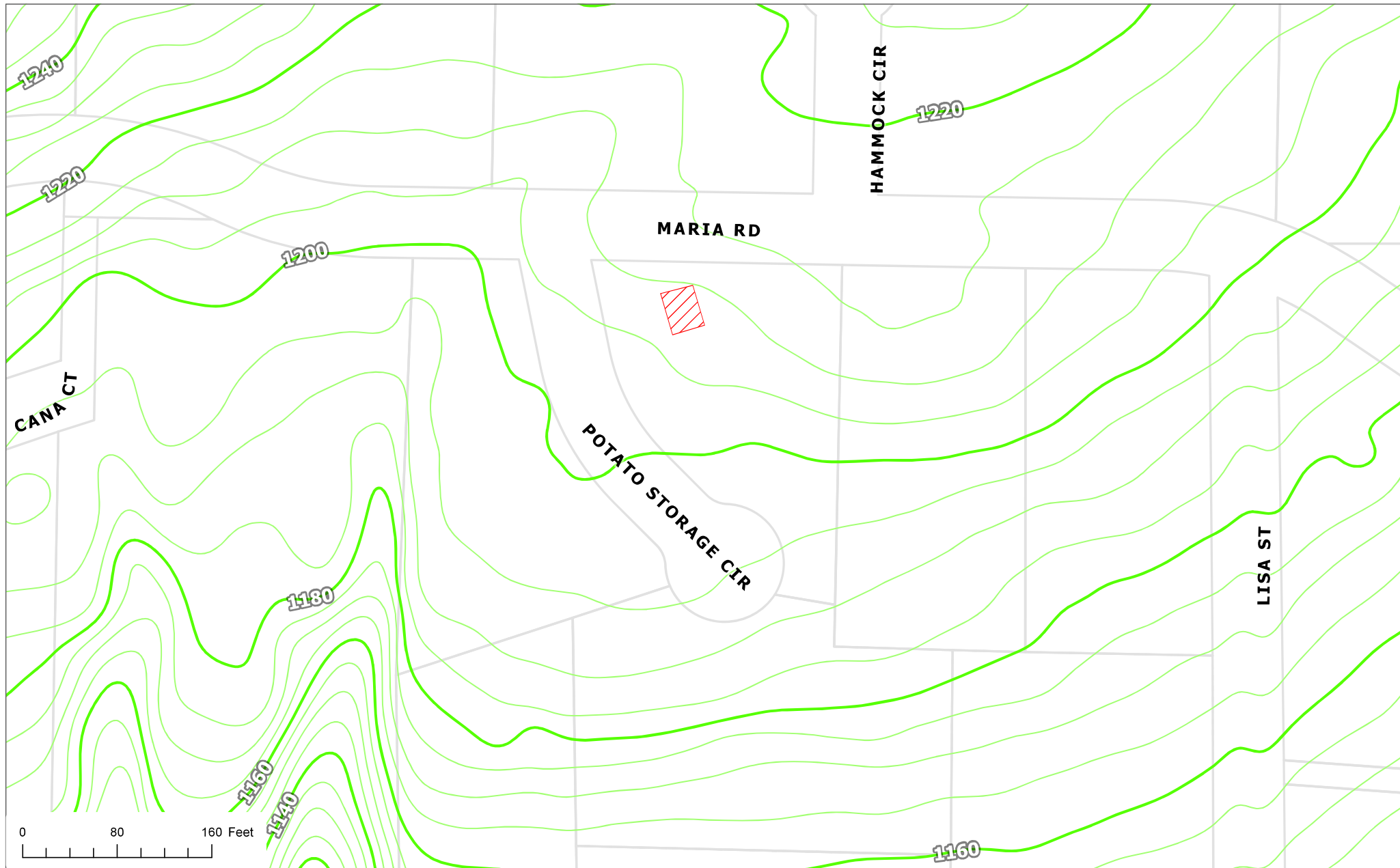
END OF STAFF REPORT



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.

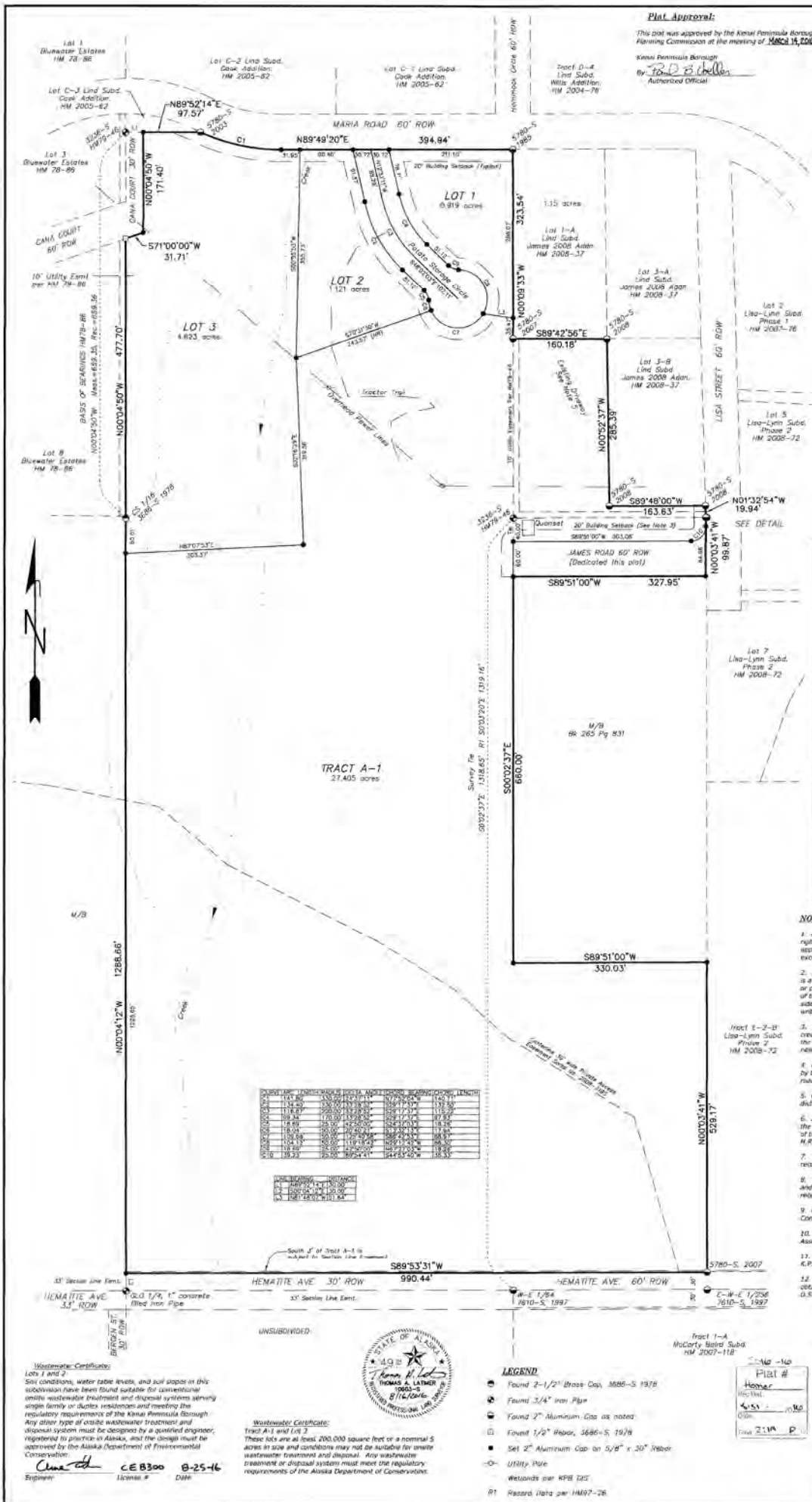


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



0 80 160 Feet

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.



VICINITY MAP 1" = 1 Mile

Ownership Certificate:
We hereby certify that we are the owners of the real property shown and described herein and that we hereby adopt this plan of subdivision and by our free consent indicate all rights-of-way to public use and grant all easements to the use shown.
Don B. Jones for the Sign Tree LLC
PO Box 293
Homer, AK 99603

Notary's Acknowledgement:
For Don B. Jones
Acknowledged before me this 14th day of 2016.
Notary Public for Alaska
My commission expires: 1/1/2016
Brian Vecellio
Notary Public for Alaska
My commission expires: 1/1/2016

Notary's Acknowledgement:
For Don B. Jones
Acknowledged before me this 14th day of 2016.
Notary Public for Alaska
My commission expires: 1/1/2016
Brian Vecellio
Notary Public for Alaska
My commission expires: 1/1/2016

DETAIL Not To Scale

NOTES:

- A building setback of 20' is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission. See Note 3 for building setback exception for quarters hut on North side of James Road.
- The front 15' and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of the utility to use the easement. The quarter hut on the North side of James Road is not a utility easement encroachment per written agreements with the affected utilities.
- The quarter hut on the North side of James Road encroaches the creation of the building setback. This structure is not subject to the building setback. The remainder of this subdivision and any new or replacement structures are subject to the building setback.
- Buildings must meet design and construction standards establishing by the Borough in order to be certified for inclusion in the borough rural maintenance program.
- Overhead power line is currently 20 ft. wide electrical distribution easement (Homer Electric Association).
- 20 ft. wide ingress/egress easement centered on a portion of the existing driveway benefits the South 660 ft. of the North 760 ft. of the W 1/2 E 1/2 SW 1/4 SE 1/4 Section 13 per Bk. 265 Pg. 626 H.R.D.
- This subdivision may be subject to ingress/egress easements of record recorded in Bk 67 Pg 322 and Bk 68 Pg 345.
- This subdivision may be subject to a reservation of water rights and ingress/egress easement for access to those water rights as recorded in Bk 57 Pg 316.
- Portions of this subdivision may be subject to Easements, Conditions and Restrictions as recorded in Bk 248 Pg 180.
- This subdivision may be subject to a Homer Electric Association right of way easement as recorded in Bk 50 Pg 155.
- Exception to KPB 30.30 1701 (Block Length) was granted by the K.P.B. Plat Committee at their meeting of March 14, 2016.
- Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

JAMES 2016
A subdivision of Tract A,
James 2009, HM2009-47
Within SE1/4, Sec. 13, T5S, R12W, SH
Kenai Peninsula Borough,
Homer Recreating District,
Third Judicial District, Alaska
Containing 35,059 Acres more or less

Prepared by:
Don B. Jones
P.O. Box 293
Homer, AK 99603
and
The Sign Tree LLC
PO Box 293
Homer, AK 99603

Orin Surveys
PO Box 15025
36570 Maria Road,
Fritz Creek, AK 99603
(907) 299-0029
for@orinsurveys.com

Scale: 1"=80'
Date: 2/1/2016
Sheet 1 of 1

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2026-35
HOMER RECORDING DISTRICT**

**A RESOLUTION GRANTING A BUILDING SETBACK ENCROACHMENT PERMIT
TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK FOR LOT 1, JAMES
2016 (HM 2016-16); IN S13, T05S, R12W; SEWARD MERIDIAN, ALASKA, WITHIN
THE KENAI PENINSULA BOROUGH; KPB FILE NO. 2026-054**

WHEREAS, pursuant to KPB 20.30.240, a minimum twenty-foot building setback from all dedicated rights-of-way in subdivisions located outside incorporated cities is required; and

WHEREAS, issuance of a building setback encroachment permit is an exception to the rule prohibiting such encroachments; and

WHEREAS, KPB 20.10.110 governs building setback encroachment permits and authorizes the Planning Commission to grant building setback encroachment permits by resolution; and

WHEREAS, KPB 20.10.110(E) provides the three Standards the Planning Commission must consider when evaluating building setback permit applications; and

WHEREAS, the Planning Commission may only approve an encroachment permit if there is substantial evidence showing that each of the three Standards in KPB 20.10.110(E) are met; and

WHEREAS, these are affirmative findings, and the petitioner has the burden to prove with substantial evidence they are true; and

WHEREAS, David J and Ashley A Ganas of Fritz Creek, AK requested a building setback encroachment permit to the twenty-foot building setback granted by James 2016 and

WHEREAS, on Monday, July 20, 2026, the Planning Commission considered the background information, all comments received, and recommendations from KPB Planning Department staff regarding the proposed exception,

WHEREAS, the Planning Commission found that the petitioner met the burden of proof with substantial evidence as to each of the three Standards found in KPB 20.10.110(E); and

WHEREAS, the Planning Commission found that granting the building setback encroachment permit will not be detrimental to the public interest;

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

SECTION 1. That the petitioner has met the burden of proof with substantial evidence as to each of the three standards found in KPB 20.10.110(E).

SECTION 2. That an exception to the 20-foot building setback limit on HM 2016-16 Lot 1 JAMES 2016 is hereby granted to accommodate only the encroaching portion of the House based upon the following findings of fact:

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

1. The building setback encroachment does not interfere with road maintenance because the road is straight in this area and there is adequate space between the structure and the roadway. Typical road maintenance such as snow removal in the winter and grading in spring and summer can and is performed safely. There are two preexisting trees located between the house and the road, and the area has continued to be maintained without issue.
6. The structure is sitting approximately 35.6' back from the driving surface of Maria Rd.
7. Along this portion of road is straight, making no issue for maintenance or sight distances

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

2. The building setback encroachment does not interfere with sight lines or visibility because the structure is not located on a blind corner or intersection. There is clear visibility along the roadway in both directions, the road is straight for approximately 500 ft without any sight lines or visibility interferences, this extends past both sides of the property.
6. The structure is sitting approximately 35.6' back from the driving surface of Maria Rd.
7. Along this portion of road is straight, making no issue for maintenance or sight distances

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

3. The building setback encroachment does not create a safety hazard because the area has low traffic volume, the structure does not obstruct drivers' views, and vehicles can safely travel through the area without obstruction. Also, the sight lines are clear when entering the road from the driveway.
6. The structure is sitting approximately 35.6' back from the driving surface of Maria Rd.
7. Along this portion of road is straight, making no issue for maintenance or sight distances

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

SECTION 4. That 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.

SECTION 5. That a current as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the location of the encroachment within the building setback be attached to, and made a part of this resolution, becoming page 4 of 4.

SECTION 6. That this resolution is void if not recorded in the appropriate Recording District within one year of adoption.

SECTION 7. That this resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fees.

**ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA
BOROUGH ON THIS _____ DAY OF _____, 2026.**

_____ Jeremy Brantley, Chairperson Planning Commission	ATTEST:	_____ Ann Shirnberg, Administrative Assistant
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Return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF BUILDING SETBACK ENCROACHMENT PERMIT

Public notice is hereby given that a building setback encroachment permit application was received on 6/2/2026. You are being sent this notice because you are within 300 feet of the subject parcel and are invited to comment.

The building setback encroachment permit application is for the following property:

Request / Affected Property: Permits an approximately 22.2' x 34' house to remain encroaching into the 20' building setback along Maria Road, extending approximately 15.6' at the northeast corner and approximately 9.6' at the northwest corner.

KPB File No. 2026-054

Petitioner(s) / Land Owner(s): David J and Ashley A Ganas of Fritz Creek, AK.

Purpose as stated in petition: Building is a permanent structure with a foundation. Maria road is elevated above the driveway, and the structure is not in the sight lines and does not pose any traffic obstructions or any safety hazards. There's no interference with road maintenance.

Building setback encroachment permit reviews are conducted in accordance with KPB Subdivision Ordinance.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

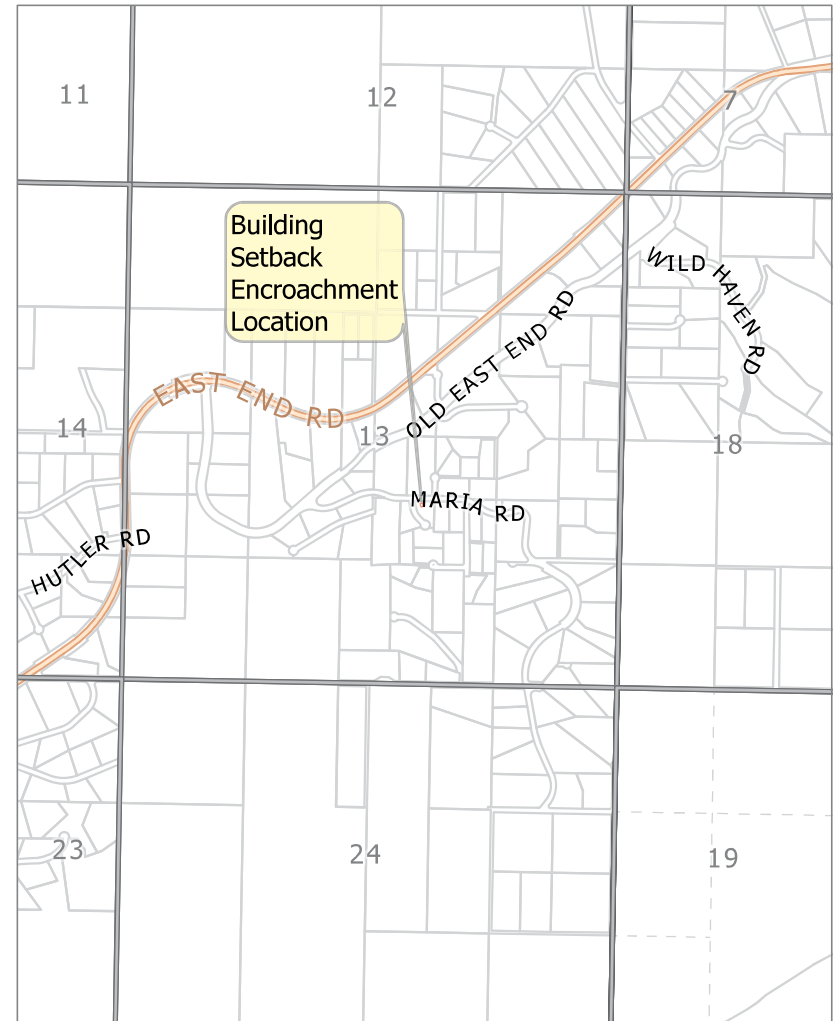
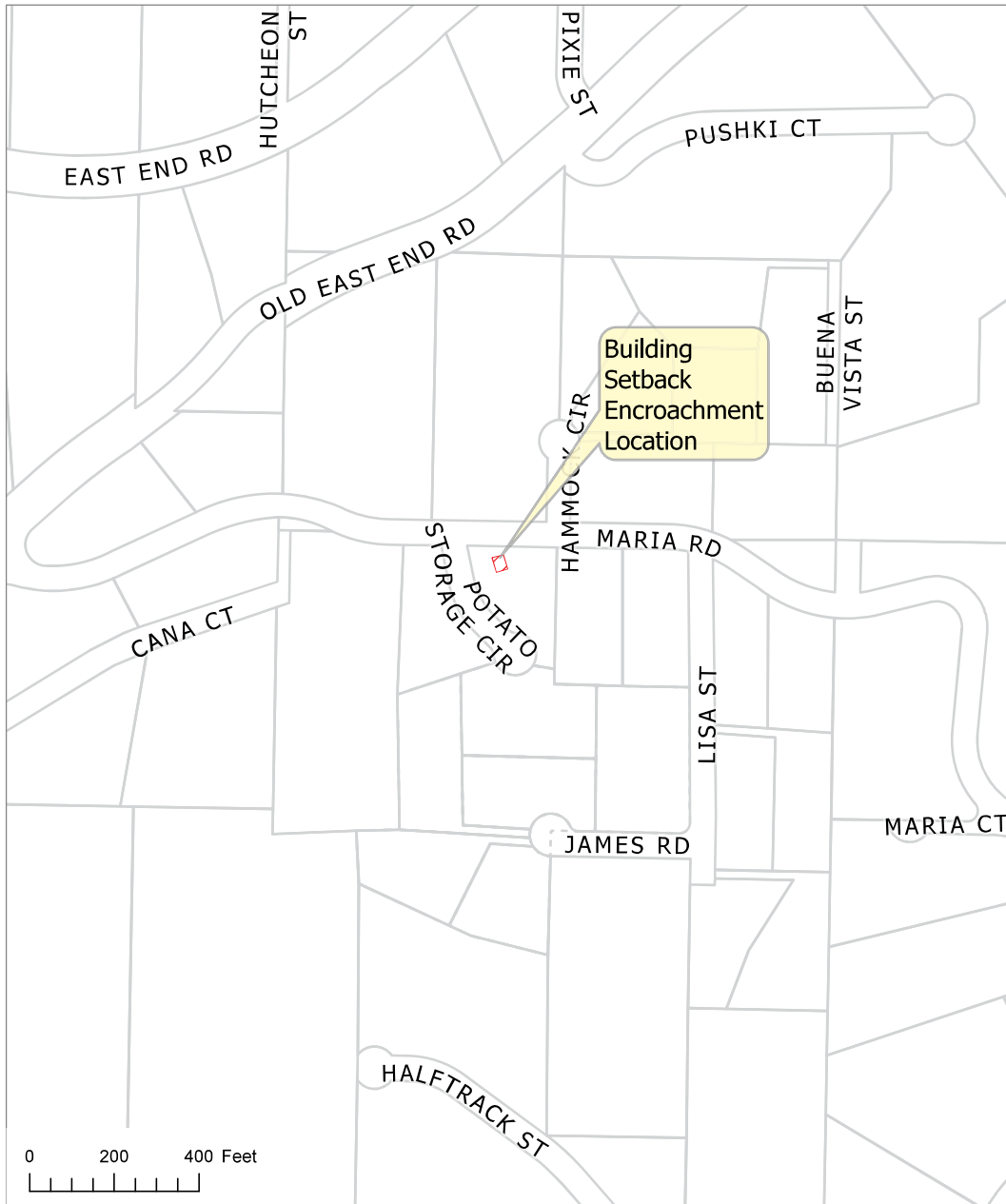
To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

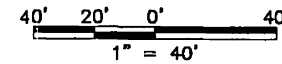
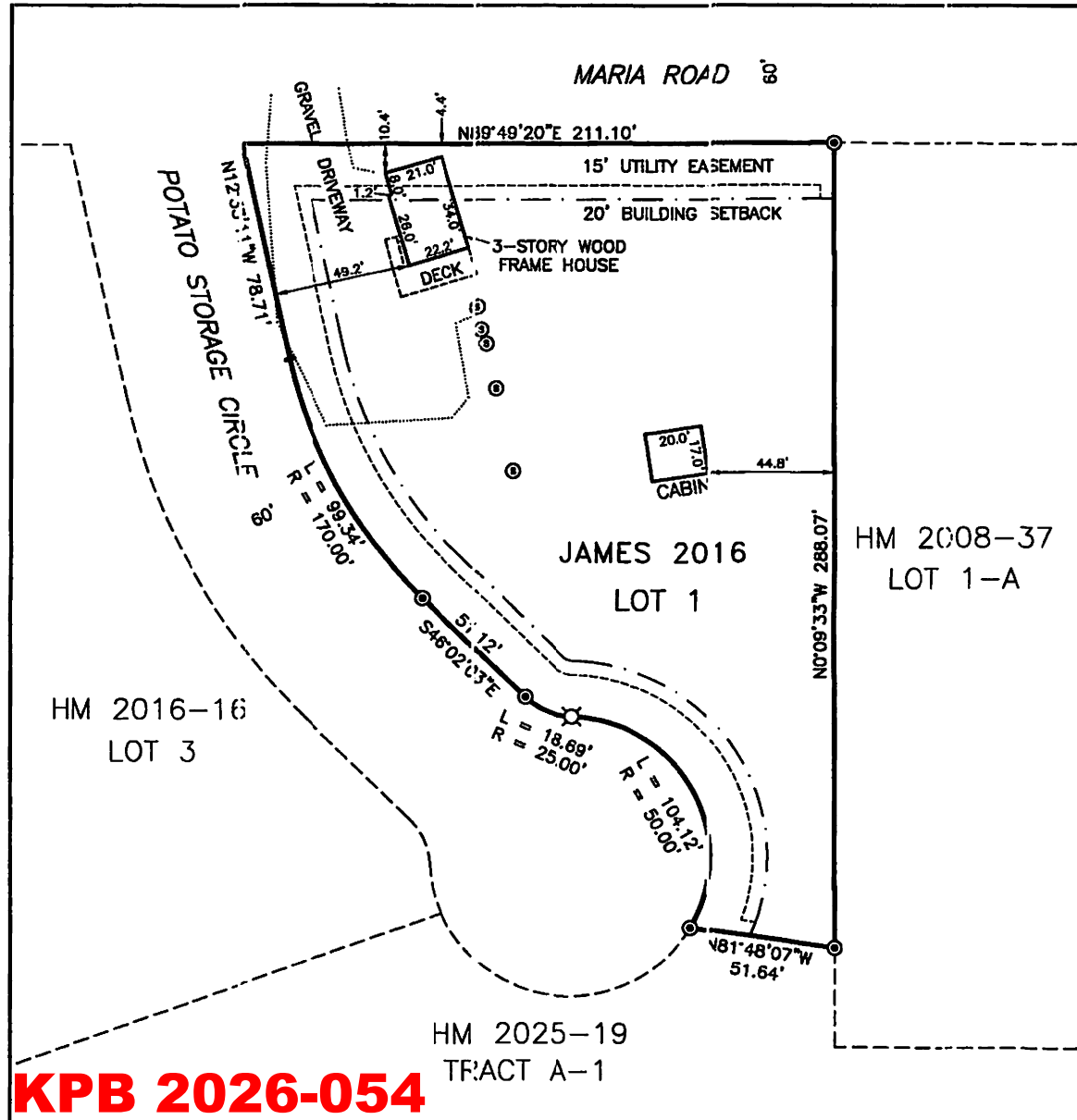
For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough).

Mailed 7/2/2026



KPB File 2026-054
T05S R12W SEC13
Fritz Creek

MARIA ROAD



LEGEND

- FOUND 5/8" REBAR
- FOUND 2" ALUMINUM CAP
- SEPTIC STANDPIPE
- GRAVEL EDGE

NOTES

- A TITLE REPORT WAS NOT PREPARED FOR THIS SURVEY. ADDITIONAL RECORDED AND UNRECORDED EASEMENTS MAY EXIST.
- DIMENSIONS ARE TO THE FACE OF THE BUILDING.
- BEARINGS AND DISTANCES ARE FROM FIELD MEASUREMENTS AND PLAT HM 2016-16.

SURVEYOR'S CERTIFICATE

HEREBY CERTIFY THAT AN AS-BUILT SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION ON THE PROPERTY SHOWN HEREON, AND THE IMPROVEMENTS EXIST AS SHOWN. FIELD SURVEY ON 05/14/2026.

Jason L. Schollenberg 05/17/2026

JASON L. SCHOLLENBERG DATE
PLS 14488-S

PENINSULA SURVEYING, LLC

10515 KATRINA BOULEVARD, NINILCHIK, AK 99639
(907)306-7065

AS-BUILT SURVEY
LOT 1, JAMES 2016
HM 2016-16
SEC 13 T5S R12W 3M, AK

SCALE:
1" = 40'

DATE:
05/17/2026

DRAWN:
JLS

SHEET:
1 OF 1



KPB 2026-054

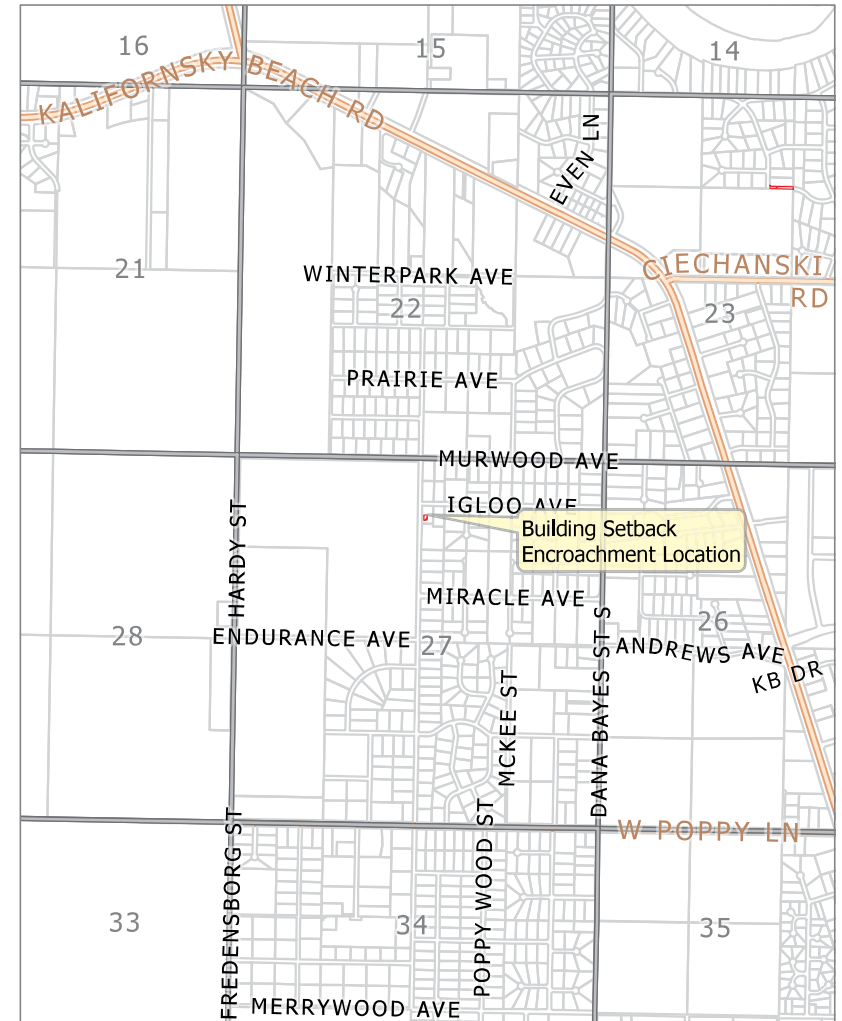
E. NEW BUSINESS

3. Building Setback Encroachment Permit; KPB File 2026-063

Segesser Surveys / Knuth

Request: permits a portion of a structure to remain within the building setback on Lot 2, Block 6 Cottonwood Acres Subdivision No. 6, Plat KN 82-128

Kalifornsky Area



KPB File 2026-063
T 05N R11W SEC 27
Kalifornsky

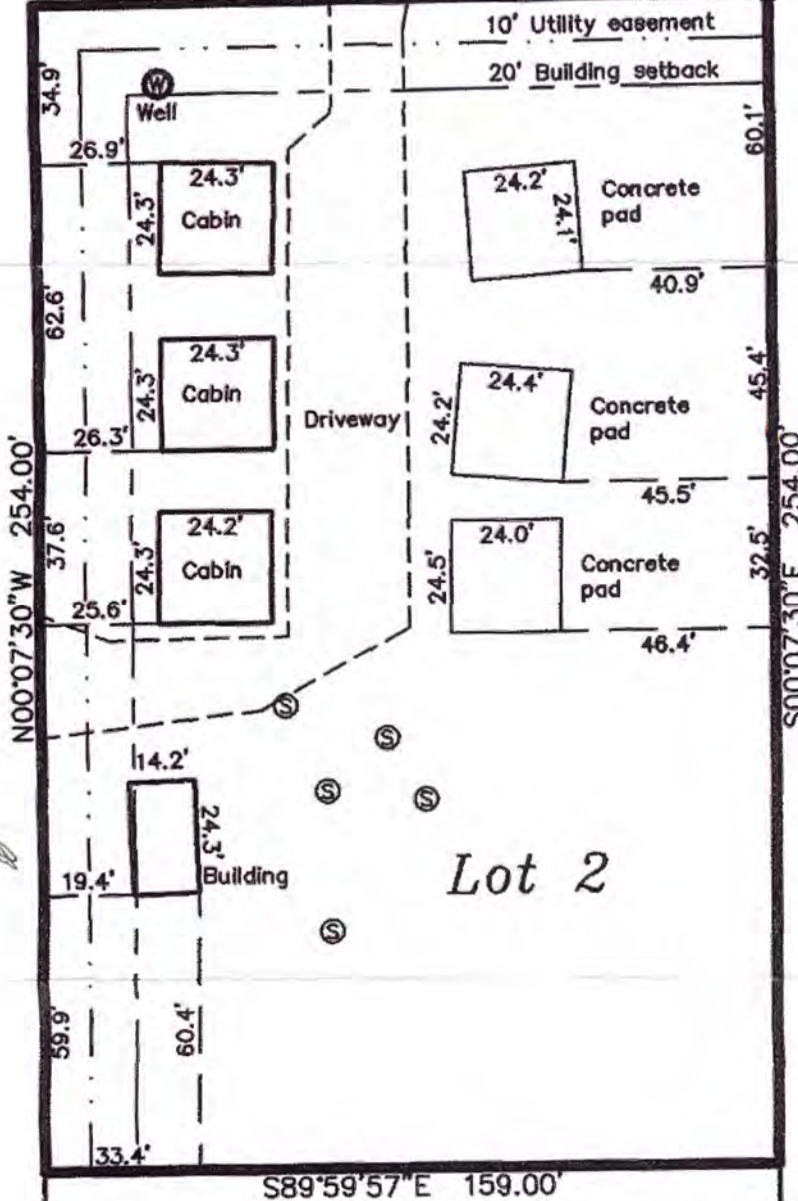


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Igloo Ave

S89°59'57"E 159.00'

Iditarod St N



Lot 3

Lot 2

Lot 1

ASBUILT CERTIFICATION



LEGEND

- Found Rebar
- Ⓢ Sewer vent

KPB 2026-063

I hereby certify that I have surveyed the following described property:

Lot 2

AGENDA ITEM E. NEW BUSINESS

**ITEM #3. – BUILDING SETBACK ENCROACHMENT PERMIT
LOT 2 BLOCK 2 COTTONWOOD ACRES SUBDIVISION NO 6 KN82-128**

KPB File No.	2026-063
Planning Commission Meeting:	July 20, 2026
Applicant / Owner:	Geoffrey & Melissa Knuth, MK Rentals, Kenai, AK
Surveyor:	John Segesser, Segesser Surveys
General Location:	Corner of Igloo Ave and Iditarod St N in Kalifornsky Beach area

Parent Parcel No.:	055-590-11
Legal Description:	T 5N R 11W SEC 27 SEWARD MERIDIAN KN 0820128 COTTONWOOD ACRES SUB NO 6 LOT 2 BLK 2
Assessing Use:	Residential
Zoning:	Unrestricted
Resolution	2026-38

STAFF REPORT

Specific Request / Purpose as stated in the petition:

Requesting approval of a variance for a building located on my property at 48477 Igloo Ave Soldotna, AK. During a recent survey of the property, it was determined that a portion of the building encroaches approximately six (6) inches into the required building setback area.

Site Investigation:

Several structures and concrete pads are shown on the submitted as-built survey. The southwest structure located along Iditarod St N is shown to be encroaching into the 20' building setback line by 0.6 feet (7.2 inches) at the southwest corner of the structure. The drawing appears to show the structure slightly tipped northwesterly. **Staff recommends** the surveyor add the distance to the property line at the northwest corner of the structure.

Igloo Ave is a 60' road dedicated by Cottonwood Acres Subdivision KN 73-59. Igloo St N is a 60' road with 30' dedicated by Cottonwood Acres Subdivision KN 73-59 and 30' for the west side by dedicated by Murwood South Subdivision KN 2015-47. Igloo Ave is developed and KPB maintained. Iditarod St N is privately maintained and only installed from Igloo Ave south approximately 370 feet from the center of the intersection.

Sight distance does not appear to be an issue with the location of the structure. The owner measured near 25 feet from the foundation of the structure to the edge of the constructed roadway. The owners and visitors of the property to the south are currently the only drivers that will encounter the structure when driving.

Staff Analysis:

Originally the land was surveyed as the N1/2 NE1/4 Section 27, Township 5 North, Range 11 West, SM, Alaska. Cottonwood Acres Subdivision KN73-59 first subdivided the area in two blocks with four lots each. Replat of Cottonwood Acres Subdivision KN74-43, replatted all lots except Lot 4 Block 1, dividing each lot into two new lots, creating fourteen lots. Cottonwood Acres Subdivision No 6 KN81-128 replatted Lot 1A Block 2 into three new lots.

KN73-59 granted a 10' utility easement along the rights-of-way dedicated. KN82-128 granted a required 20' building setback along all street right-of-way.

The terrain on the lot and along Iditarod St N is relatively flat with a 5% slope towards the southwest corner of the lot.

As Iditarod St N is privately maintained, there should not be any issues. Currently the only traffic using the road will be the property to the south along Iditarod St N.

Applicant Discussion:

I am writing to respectfully request approval of a variance for a building located on my property at 48477 Igloo Ave Soldotna, AK. During a recent survey of the property, it was determined that a portion of the building encroaches approximately six (6) inches into the required building setback area. Thank you for your consideration. I appreciate your attention to this matter and look forward to working with your office toward a resolution.

Applicant Findings:

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
3. Requiring relocation or modification of the structure to address this minor encroachment would impose a significant hardship and expense that would be disproportionate to the extent of the variance requested.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.

Staff Findings for the Commission's review:

5. The 20' building setback was granted by Cottonwood Acres Subdivision No 6 KN 82-128.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
8. Iditarod St N is privately maintained.
9. The structure encroaches 0.6 feet into the setback line.

20.10.110. – Building setback encroachment permits.

- E. The following standards shall be considered for all building setback encroachment permit applications.

Staff recommends the Planning 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, 2, 4 & 6 - 9 appear to support this standard.

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

Findings 1, 2, 4 & 6 – 9 appear to support this standard.

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

Findings 1, 2, 4, 6, 7 & 9 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: Uhlin, Dil Comments: RA has no objection at this time
SOA DOT comments	
KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: Portions of the subdivision is found on a FEMA FIRM panel. X-unshaded and is non-regulatory. No depictions or plat notes required. 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: Pace, Rhealyn Affected Addresses: 48477 Igloo Ave Existing Street Names are Correct: Yes List of Correct Street Names: Igloo Ave, Iditarod St N Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No comment
Code Compliance	Vacant
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

RECOMMENDATION:

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 2026 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 full size as-built with recommended corrections as noted below, to be used as an exhibit drawing for Resolution 2026-38 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.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Add distance to west property line from northwest corner of structure.
- Add Block 2 to the lot label of subject parcel on drawing and title block
- Add plat name and filing information to legal de in the title block
- Add Block 2 to the adjacent lot labels
- Add the owner's name and address to the as-built
- Add KPB File No 2026-063 to the drawing.
- Add the ROW width to the roads
- Print a full-size copy of the as-built with corrections made for recording with Resolution 2026-38

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



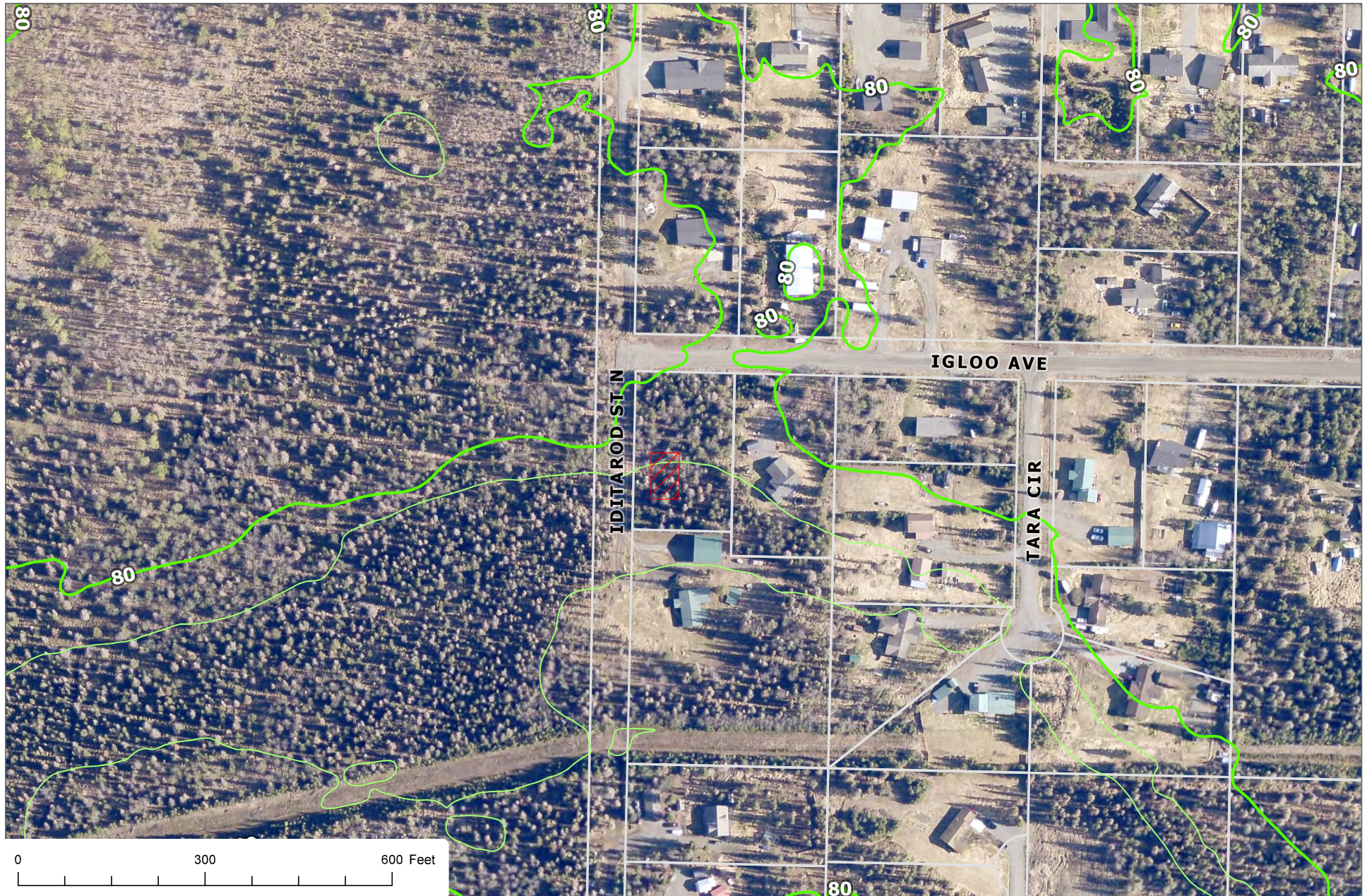
Aerial Map



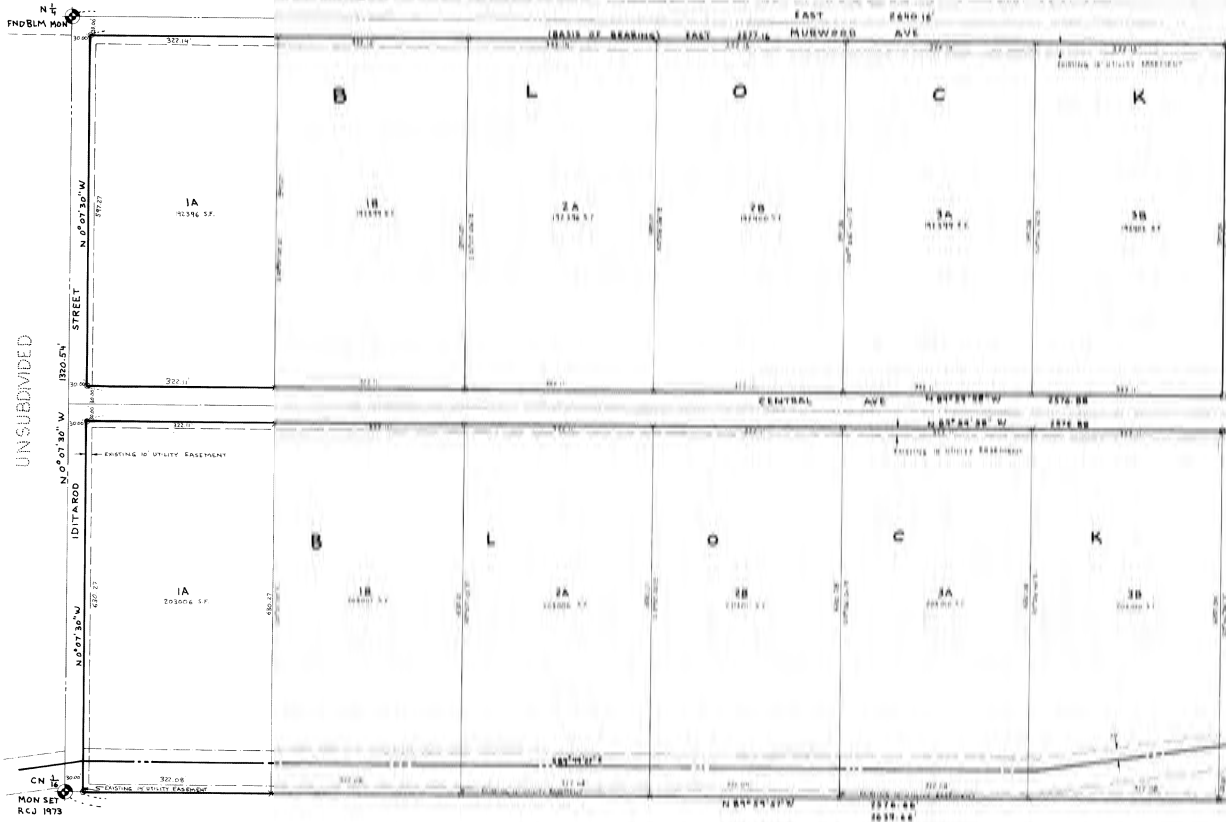
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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.



UNSUBDIVIDED

UNSUBDIVIDED



CITY MAP

CERTIFICATE OF OWNERSHIP AND REGISTRATION.
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE
PROPERTY SHOWN AND DESCRIBED HEREON AND THAT
WE HEREBY ADMIT THIS PLAN OF SUBDIVISION, AND
DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, UTILITY
EASEMENTS, AND OTHER OPEN SPACES TO PUBLIC USE
DATE 2 MAY 1978

Robert C. Johnson *Robert C. Johnson*
DAVE E. JOHNSON WITH A BESSY
STAR RIVER, ALASKA 99583

STATE OF ALASKA
THIRD JUDICIAL DISTRICT } ss
ON THIS 22 DAY OF MAY, 1978, BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA,
PERSONALLY APPEARED *Robert C. Johnson*, to be
KNOWN TO BE THE PERSON DESCRIBED IN AND WHO
EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP
AND REGISTRATION, AND ACKNOWLEDGED TO ME
THAT HE EXECUTED THE SAME AS HIS FREE AND
VOLUNTARY ACT.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY
MONTH AND YEAR HEREIN ABOVE WRITTEN.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 2 Nov 1979

STATE OF ALASKA
THIRD JUDICIAL DISTRICT } ss
ON THIS 22 DAY OF MAY, 1978, BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA,
PERSONALLY APPEARED *Robert C. Johnson*, to be
KNOWN TO BE THE PERSON DESCRIBED IN AND WHO
EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP
AND REGISTRATION, AND ACKNOWLEDGED TO ME
THAT HE EXECUTED THE SAME AS HIS FREE AND
VOLUNTARY ACT.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY,
MONTH AND YEAR HEREIN ABOVE WRITTEN.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 2 Nov 1979

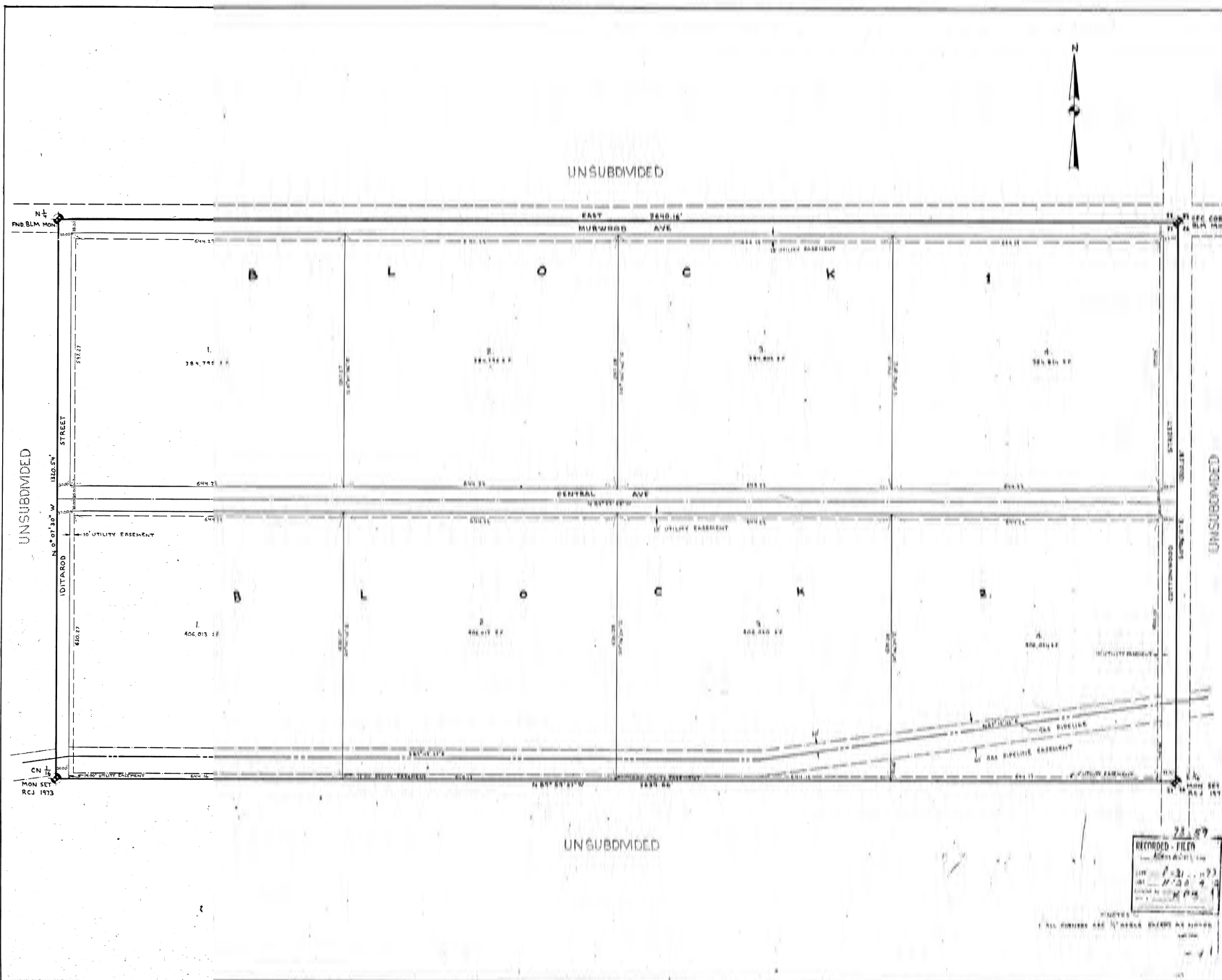
SURVEYOR'S CERTIFICATE
I, ROBERT C. JOHNSON, PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT THE PLAN OF SUBDIVISION
ACROSS SUBDIVISION, IS A TRUE AND CORRECT
REPRESENTATION OF LANDS ACTUALLY SURVEYED AND
THAT ALL DISTANCES AND BEARINGS ARE CORRECT
AND THAT ALL PERMANENT EXTERIOR
CONTROL MONUMENTS, ALL OTHER MONUMENTS, AND
LOT CORNERS HAVE BEEN SET AND STAKED.

RECORDED FILED
Robert C. Johnson
DATE APPROVED

FILE APPROVED BY THE COMMISSION THIS 10th
DAY OF APRIL, 1978

Robert C. Johnson
SECRETARY

COTTONWOOD ACRES SUBDIVISION	
N 1/2 NE 1/4 SEC 12, T2N, R1W, S1, ALASKA	
DATE: 20 FEB 1978	
DRAWN BY: [Signature]	
CHECKED BY: [Signature]	



IDENTITY MAP
1/21 MILE

CERTIFICATE OF OWNERSHIP AND DEDICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE
PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT
WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND
DEDICATE ALL STREETS, ALLEYS, WALKS, PUBLIC UTILITY
EASEMENTS, AND OTHER SPECIAL SPACES TO PUBLIC USE
DATE 2 July 1973

[Signature]
DATE 2 July 1973
STATE OF ALASKA
THIRD JUDICIAL DISTRICT

ON THIS 2nd DAY OF July, 1973, BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA,
PERSONALLY APPEARED *[Signature]* to me
known to be the person mentioned in and who
EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP
AND DEDICATION, AND ACKNOWLEDGED TO ME
THAT HE EXECUTED THE SAME AS HIS FREE AND
VOLUNTARY ACT.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY,
MONTH AND YEAR HEREINAFTER WRITTEN:
12 July 1973

STATE OF ALASKA
THIRD JUDICIAL DISTRICT
ON THIS 2nd DAY OF July, 1973, BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA,
PERSONALLY APPEARED *[Signature]* to me
known to be the person mentioned in and who
EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP
AND DEDICATION, AND ACKNOWLEDGED TO ME
THAT HE EXECUTED THE SAME AS HIS FREE AND
VOLUNTARY ACT.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY,
MONTH AND YEAR HEREINAFTER WRITTEN:

NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE
I, ROBERT E. JOHNSON, PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT THE MAP OF COTTONWOOD
ACRES SUBDIVISION IS A TRUE AND CORRECT
REPRESENTATION OF LANDS ACTUALLY SURVEYED AND
THAT ALL DISTANCES AND BEARINGS ARE SHOWN
CORRECTLY AND THAT ALL NECESSARY EASEMENTS,
CONTROL MEASUREMENTS, ALL OTHER DISTANCES, AND
LOT CORNERS HAVE BEEN SET AND STAKED.
12 July 1973



PLAY APPROVED BY THE COMMISSION THIS 12th
DAY OF July, 1973

[Signature]
SECRETARY

CONTAINING 10-001 ACRES MORE OR LESS
PLAN NO.

COTTONWOOD ACRES SUBDIVISION

LOCATED IN
N/4 SEC 10, T4N, R4W, 1M, ALASKA

PROPERTY OWNERS
FOR THE STATE

DATE: 2 JULY 1973 SCALE: 1" = 100'

DRAWN BY: SHEET: 1 OF 1
CHECKED BY: UNID

RECORDED - FILED
1973 JUL 12
1973
1973

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2026-38
KENAI RECORDING DISTRICT**

**A RESOLUTION GRANTING A BUILDING SETBACK ENCROACHMENT PERMIT
TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK FOR LOT 2 BLOCK
2, COTTONWOOD ACRES SUBD. NO. 6 (KN 0730059); IN S27, T05N, R11W; SEWARD
MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE
NO. 2026-063**

WHEREAS, pursuant to KPB 20.30.240, a minimum twenty-foot building setback from all dedicated rights-of-way in subdivisions located outside incorporated cities is required; and

WHEREAS, issuance of a building setback encroachment permit is an exception to the rule prohibiting such encroachments; and

WHEREAS, KPB 20.10.110 governs building setback encroachment permits and authorizes the Planning Commission to grant building setback encroachment permits by resolution; and

WHEREAS, KPB 20.10.110(E) provides the three Standards the Planning Commission must consider when evaluating building setback permit applications; and

WHEREAS, the Planning Commission may only approve an encroachment permit if there is substantial evidence showing that each of the three Standards in KPB 20.10.110(E) are met; and

WHEREAS, these are affirmative findings, and the petitioner has the burden to prove with substantial evidence they are true; and

WHEREAS, Geoff and Melissa Knuth of Soldotna, AK requested a building setback encroachment permit to the twenty-foot building setback granted by Cottonwood Acres Subd. No. 6 and

WHEREAS, on Monday, July 20, 2026, the Planning Commission considered the background information, all comments received, and recommendations from KPB Planning Department staff regarding the proposed exception,

WHEREAS, the Planning Commission found that the petitioner met the burden of proof with substantial evidence as to each of the three Standards found in KPB 20.10.110(E); and

WHEREAS, the Planning Commission found that granting the building setback encroachment permit will not be detrimental to the public interest;

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

SECTION 1. That the petitioner has met the burden of proof with substantial evidence as to each of the three standards found in KPB 20.10.110(E).

SECTION 2. That an exception to the 20-foot building setback limit on KN 0730059 Lot 2 Block 2 COTTONWOOD ACRES SUBD. NO. 6 is hereby granted to accommodate only the encroaching portion of the 14.2-foot by 24.3-foot building based upon the following findings of fact:

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

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
8. Iditarod St N is privately maintained.
9. The structure encroaches 0.6 feet into the setback line.

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

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
8. Iditarod St N is privately maintained.
9. The structure encroaches 0.6 feet into the setback line.

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

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
9. The structure encroaches 0.6 feet into the setback line.

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

SECTION 4. That 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.

SECTION 5. That a current as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the location of the encroachment within the building setback be attached to, and made a part of this resolution, becoming page 4 of 4 .

SECTION 6. That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

SECTION 7. That this resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fees.

**ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA
BOROUGH ON THIS _____ DAY OF _____, 2026.**

_____ Jeremy Brantley, Chairperson Planning Commission	ATTEST:	_____ Ann Shirnberg, Administrative Assistant
--	---------	---

Return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669

DESK PACKET

(MATERIALS SUBMITTED AFTER 6/10/26)

**3. Building Setback Encroachment Permit; KPB File 2026-063
Segesser Surveys / Knuth**

**Request: permits a portion of a structure to remain within the
building setback on Lot 2, Block 6 Cottonwood Acres Subdivision
No. 6, Plat KN 82-128
Kalifornsky Area**

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2026-38
KENAI RECORDING DISTRICT**

**A RESOLUTION GRANTING A BUILDING SETBACK ENCROACHMENT PERMIT
TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK FOR LOT 2 BLOCK
2, COTTONWOOD ACRES SUBD. NO. 6 (KN 0820128); IN S27, T05N, R11W; SEWARD
MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE
NO. 2026-063**

WHEREAS, pursuant to KPB 20.30.240, a minimum twenty-foot building setback from all dedicated rights-of-way in subdivisions located outside incorporated cities is required; and

WHEREAS, issuance of a building setback encroachment permit is an exception to the rule prohibiting such encroachments; and

WHEREAS, KPB 20.10.110 governs building setback encroachment permits and authorizes the Planning Commission to grant building setback encroachment permits by resolution; and

WHEREAS, KPB 20.10.110(E) provides the three Standards the Planning Commission must consider when evaluating building setback permit applications; and

WHEREAS, the Planning Commission may only approve an encroachment permit if there is substantial evidence showing that each of the three Standards in KPB 20.10.110(E) are met; and

WHEREAS, these are affirmative findings, and the petitioner has the burden to prove with substantial evidence they are true; and

WHEREAS, Geoff and Melissa Knuth of Soldotna, AK requested a building setback encroachment permit to the twenty-foot building setback granted by Cottonwood Acres Subd. No. 6 and

WHEREAS, on Monday, July 20, 2026, the Planning Commission considered the background information, all comments received, and recommendations from KPB Planning Department staff regarding the proposed exception,

WHEREAS, the Planning Commission found that the petitioner met the burden of proof with substantial evidence as to each of the three Standards found in KPB 20.10.110(E); and

WHEREAS, the Planning Commission found that granting the building setback encroachment permit will not be detrimental to the public interest;

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

SECTION 1. That the petitioner has met the burden of proof with substantial evidence as to each of the three standards found in KPB 20.10.110(E).

SECTION 2. That an exception to the 20-foot building setback limit on KN 0820128 Lot 2 Block 2 COTTONWOOD ACRES SUBD. NO. 6 is hereby granted to accommodate only the encroaching portion of the 14.2-foot by 24.3-foot building based upon the following findings of fact:

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

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
8. Iditarod St N is privately maintained.
9. The structure encroaches 0.6 feet into the setback line.

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

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
8. Iditarod St N is privately maintained.
9. The structure encroaches 0.6 feet into the setback line.

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

1. The encroachment is minimal in nature and does not adversely impact neighboring properties, public access, utilities, drainage, safety, or the overall intent of the setback requirements.
2. The structure has been constructed and maintained in good condition, and the six-inch encroachment creates no practical burden or interference with surrounding land uses.
4. Granting this variance would allow the property to remain in compliance while preserving the intended character and use of the area.
6. The structure is sitting approximately 25' back from the edge of the driving surface.
7. The road in this area is straight, making no issue for maintenance and sight distance.
9. The structure encroaches 0.6 feet into the setback line.

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

SECTION 4. That 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.

SECTION 5. That a current as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the location of the encroachment within the building setback be attached to, and made a part of this resolution, becoming page 4 of 4 .

SECTION 6. That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

SECTION 7. That this resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fees.

**ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA
BOROUGH ON THIS _____ DAY OF _____, 2026.**

_____ Jeremy Brantley, Chairperson Planning Commission	ATTEST:	_____ Ann Shirnberg, Administrative Assistant
--	---------	---

Return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF BUILDING SETBACK ENCROACHMENT PERMIT

Public notice is hereby given that a building setback encroachment permit application was received on 6/19/2026. You are being sent this notice because you are within 300 feet of the subject parcel and are invited to comment.

The building setback encroachment permit application is for the following property:

Request / Affected Property: Permits a portion of an approximately 14.2-foot by 24.3-foot structure to remain approximately 0.6 feet into the 20-foot building setback located along Iditarod Street N.

KPB File No. 2026-063

Petitioner(s) / Land Owner(s): Geoff and Melissa Knuth of Soldotna, AK.

Purpose as stated in petition: I respectfully request approval of a variance for a building located on my property at 48477 Igloo Ave., Soldotna, AK. During a recent survey of the property, it was determined that a portion of the building encroaches approximately six inches into the required building setback area.

Building setback encroachment permit reviews are conducted in accordance with KPB Subdivision Ordinance.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

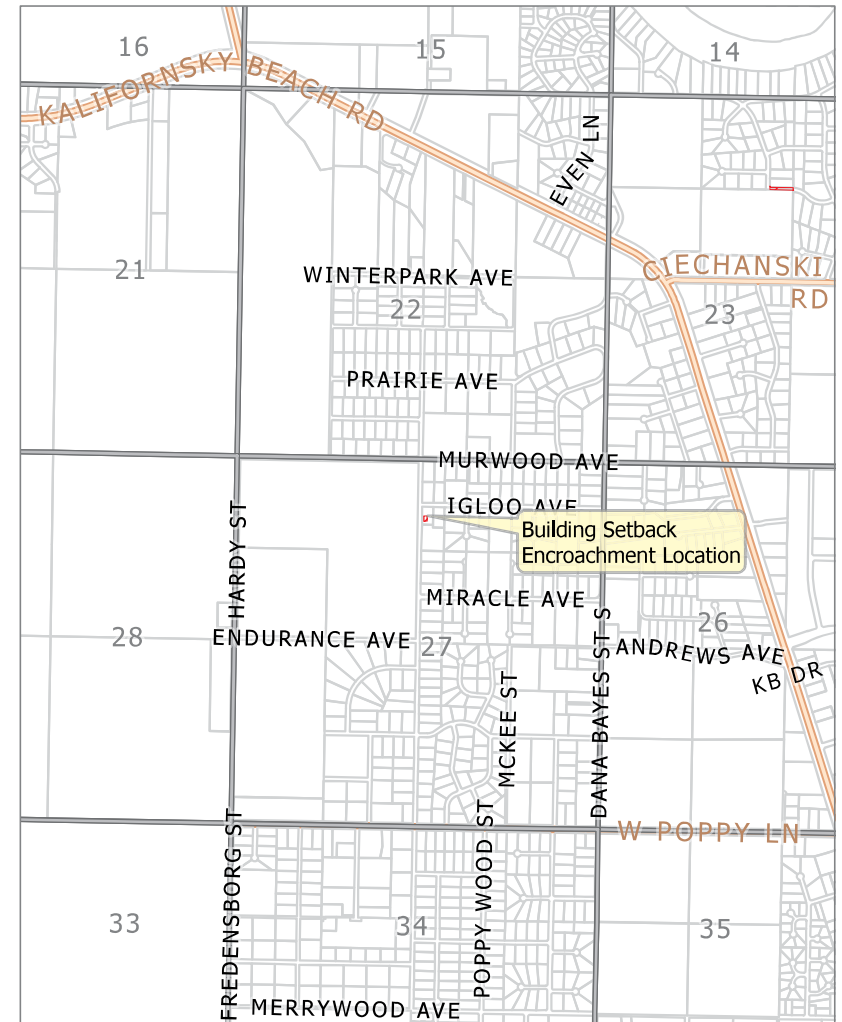
To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough).

Mailed 7/2/2026

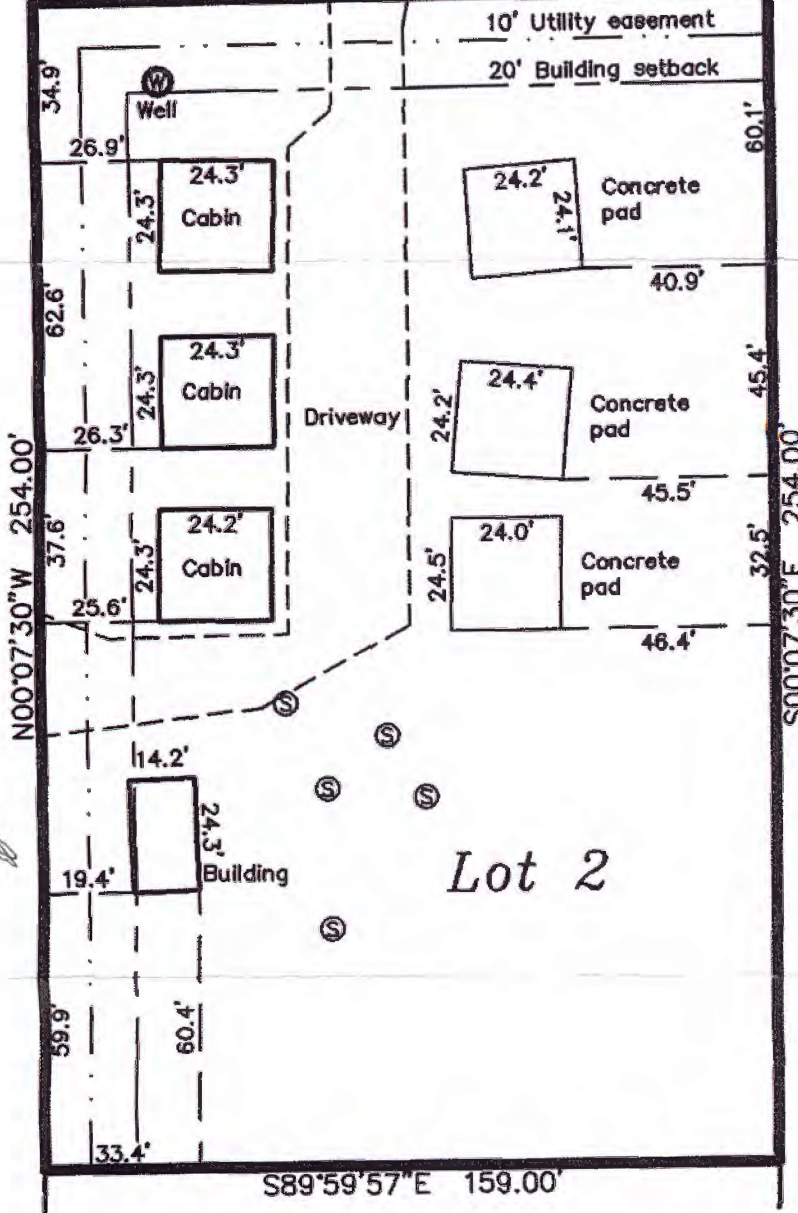


KPB File 2026-063
T 05N R11W SEC 27
Kalifornsky

Igloo Ave

S89°59'57"E 159.00'

Iditarod St N



Lot 3

Lot 2

Lot 1

ASBUILT CERTIFICATION



LEGEND

- Found Rebar
- ⊗ Sewer vent

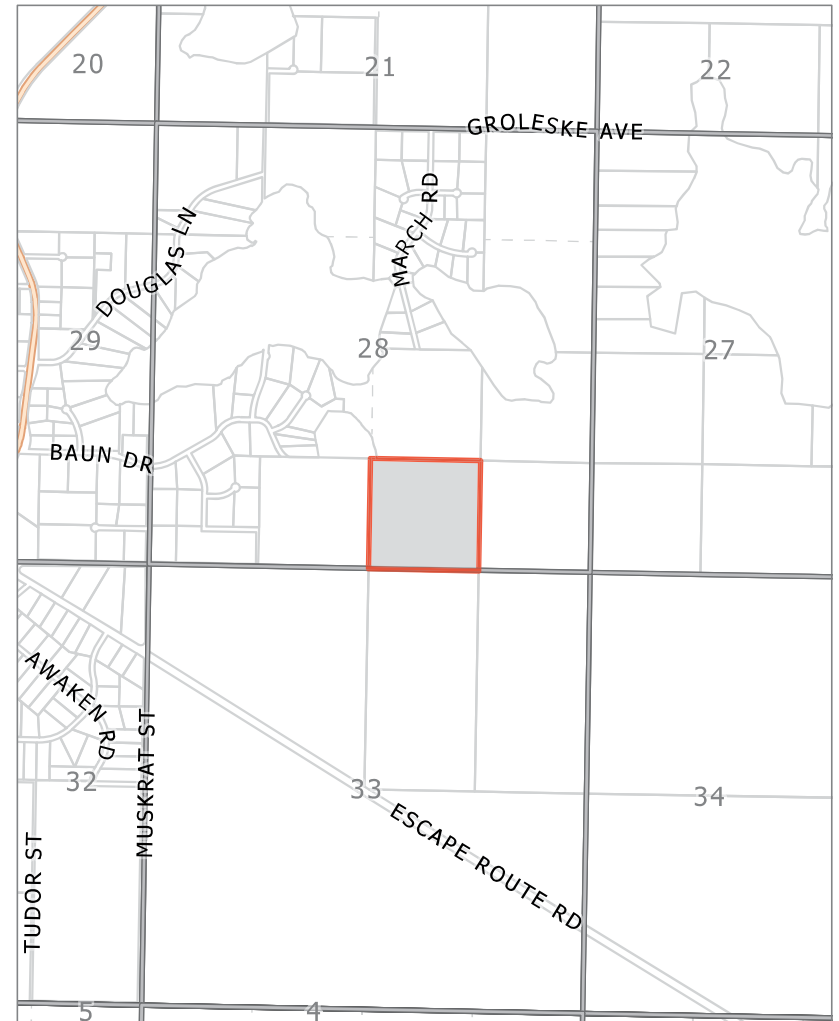
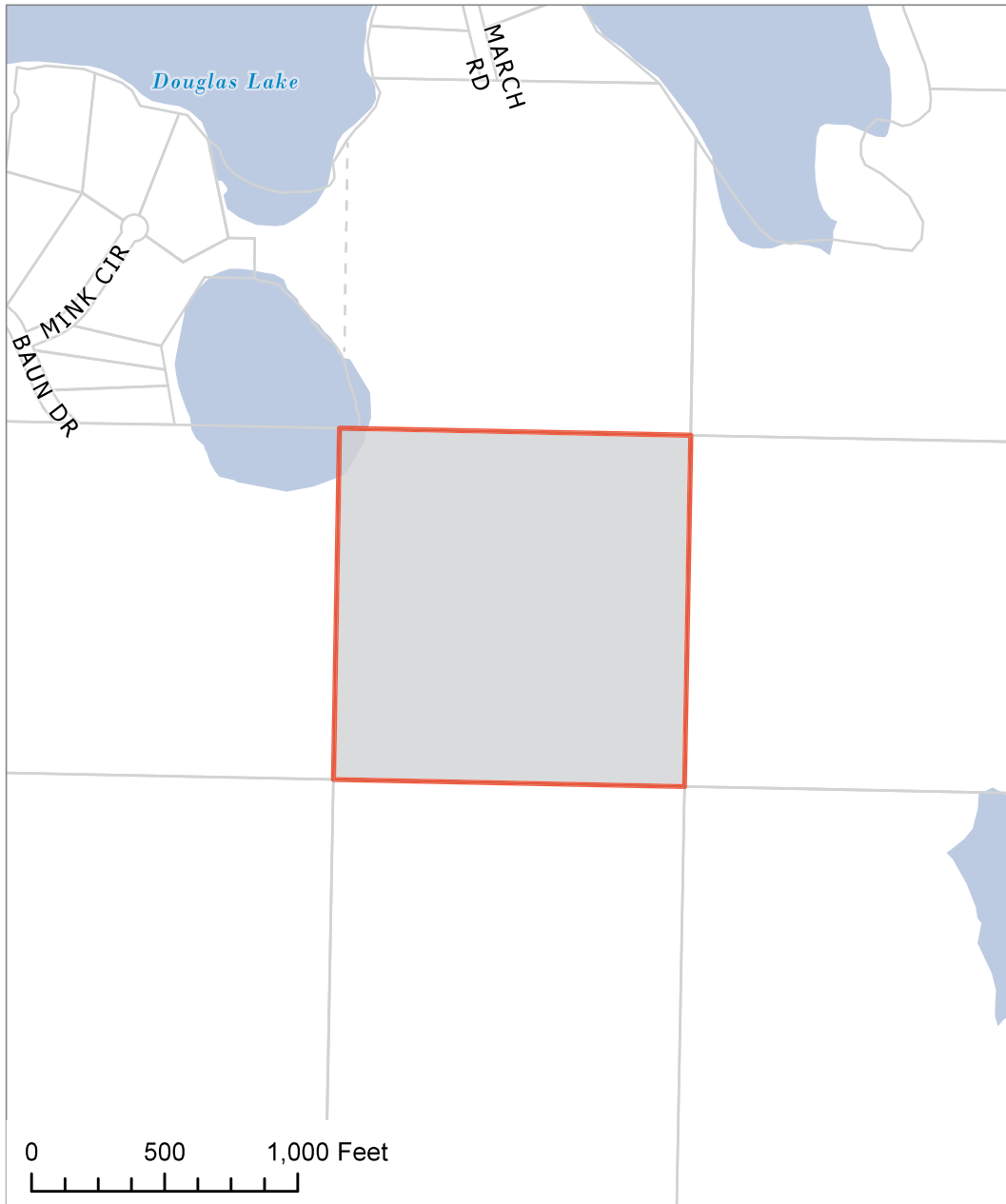
KPB 2026-063

I hereby certify that I have surveyed the following described property:

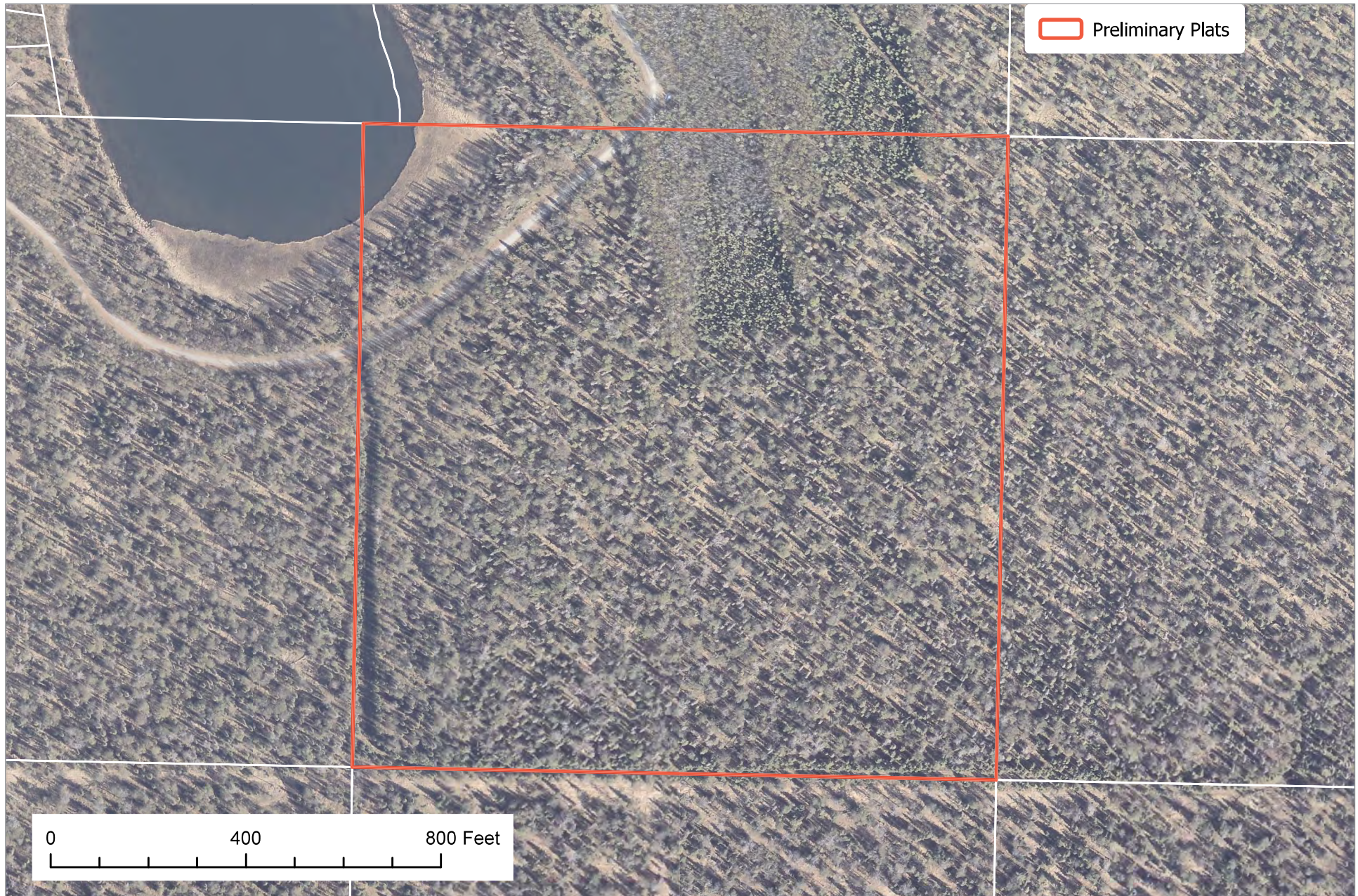
Lot 2

E. NEW BUSINESS

- 4. Plat Waiver Request; KPB File 2025-142
Vector Surveying LLC Magnitude & Direction / Starnes
Request: will create 2 parcels from one unsubdivided parcel
Parcel ID: 01312205
Nikiski Area / Nikiski APC**



KPB File 2025-142
T 07N R12W SEC 28
Nikiski



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

⊕	FOUND 3.25" BLM GLO BRASS CAP SURVEY MONUMENT
⊕	FOUND 2.5" ALCAP PER R2, LS 8869
⊕	SET 5/8 REBAR, NO CAP
+	SEARCHED FOR NOT FOUND
M	MEASURED BEARING AND DISTANCE
C	CALCULATED BEARING AND DISTANCE
SF	SQUARE FEET
AC	ACRES
(R1)	REFERENCED RECORD MAP
SM	SEWARD MERIDIAN
OHW	ORDINARY HIGH WATER

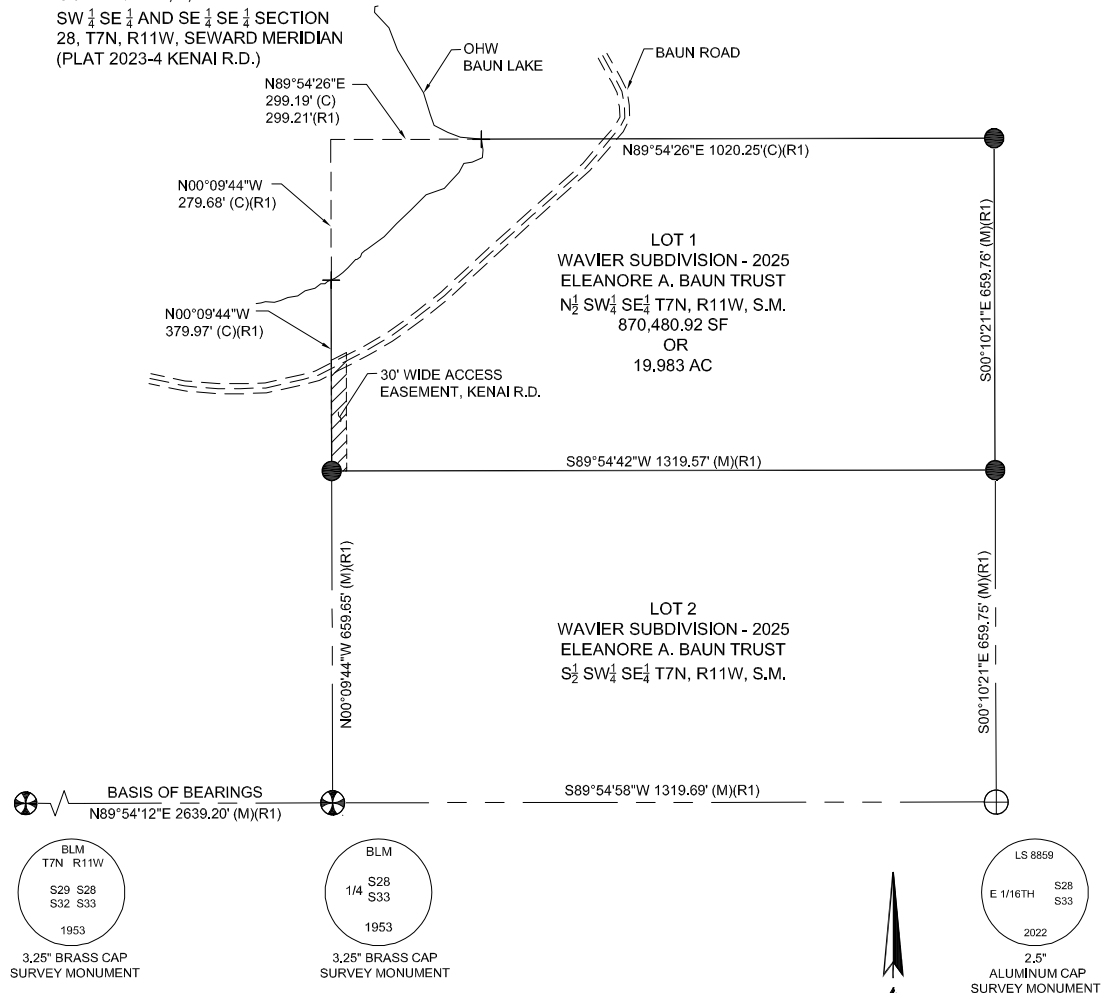
BASIS OF BEARINGS

THE BEARING NORTH 89°54'12" EAST AS SHOWN UPON CERTAIN RECORD OF SURVEY RECORDED AND FILED AS PLAT 2023-4 OFFICIAL RECORDS OF THE KENAI RECORDING DISTRICT IS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

———	BOUNDARY/PROPERTY LINE
- - - - -	ADJACENT BOUNDARY LINE
———	CENTERLINE BAUN ROAD
———	APPROXIMATE EDGE GRAVEL BAUN ROAD
———	PROTRACTED LINE (COMPUTATIONAL CLOSURES/AREA)
———	LAKE ORDINARY HIGH WATER
———	30' WIDE ACCESS EASEMENT, KENAI R.D.

REFERENCE

- (R1) RECORD OF SURVEY
GOVT LOTS 7, 8, AND 11 AND
SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION
28, T7N, R11W, SEWARD MERIDIAN
(PLAT 2023-4 KENAI R.D.)



NOTES

1. DISTANCES ARE IN US SURVEY FEET AND DECIMALS THEREOF.
2. BAUN ROAD AND LAKE MEANDERS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY.
3. PROTRACTED LINES ARE DETAILED FOR AREA CALCULATIONS.

VECTOR
SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS
PO BOX 156
SOLDOTNA, ALASKA 99669
907-519-4553

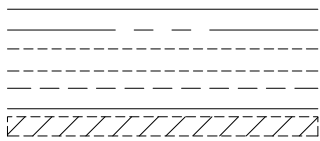
09/01/2025

"LOT 1 EXHIBIT"
THE N1/2 SW1/4 SE1/4
SECTION 28, TOWNSHIP 7
NORTH, RANGE 11 WEST
SEWARD MERIDIAN

1"= 300'
PAGE 4 of 4

LEGEND

⊕	FOUND 3.25" BLM GLO BRASS CAP SURVEY MONUMENT
⊕	FOUND 2.5" ALCAP PER R2, LS 8869
⊕	SET 5/8 REBAR, NO CAP
+	SEARCHED FOR NOT FOUND
M	MEASURED BEARING AND DISTANCE
C	CALCULATED BEARING AND DISTANCE
SF	SQUARE FEET
AC	ACRES
(R1)	REFERENCED RECORD MAP
SM	SEWARD MERIDIAN
OHW	ORDINARY HIGH WATER



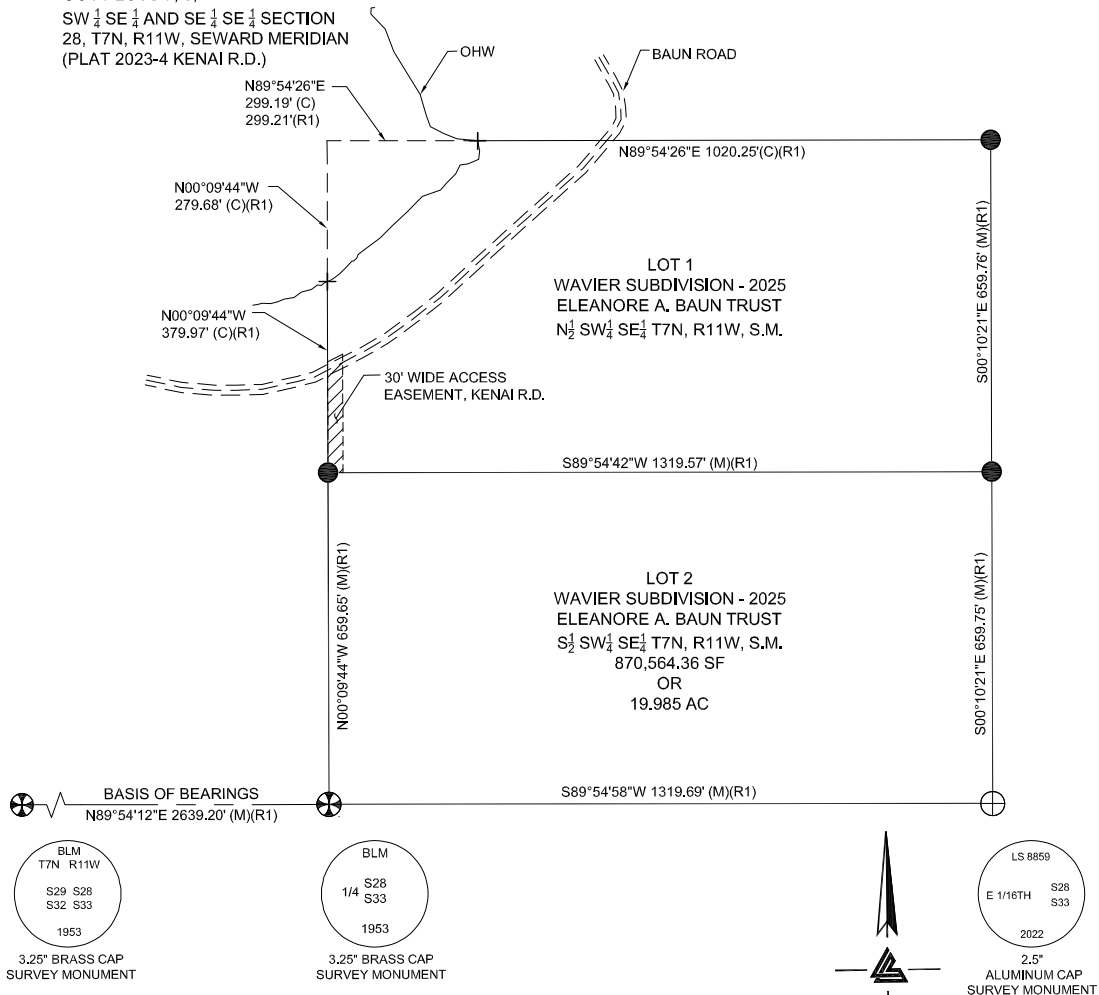
BOUNDARY/PROPERTY LINE
ADJACENT BOUNDARY LINE
CENTERLINE BAUN ROAD
APPROXIMATE EDGE GRAVEL BAUN ROAD
PROTRACTED LINE (COMPUTATIONAL CLOSURES/AREA)
LAKE ORDINARY HIGH WATER
30' WIDE ACCESS EASEMENT, KENAI R.D.

BASIS OF BEARINGS

THE BEARING NORTH 89°54'12" EAST AS SHOWN UPON CERTAIN RECORD OF SURVEY RECORDED AND FILED AS PLAT 2023-4 OFFICIAL RECORDS OF THE KENAI RECORDING DISTRICT IS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

REFERENCE

(R1) RECORD OF SURVEY
GOVT LOTS 7, 8, AND 11 AND
SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION
28, T7N, R11W, SEWARD MERIDIAN
(PLAT 2023-4 KENAI R.D.)



NOTES

1. DISTANCES ARE IN US SURVEY FEET AND DECIMALS THEREOF.
2. BAUN ROAD AND LAKE MEANDERS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY.
3. PROTRACTED LINES ARE DETAILED FOR AREA CALCULATIONS.

VECTOR
SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS
PO BOX 156
SOLDOTNA, ALASKA 99669
907-519-4553

09/01/2025

"LOT 2 EXHIBIT"
THE S1/2 SW1/4 SE1/4
SECTION 28, TOWNSHIP 7
NORTH, RANGE 11 WEST
SEWARD MERIDIAN

1"= 300'
PAGE 4 of 4

LEGEND

⊕	FOUND 3.25" BLM GLO BRASS CAP SURVEY MONUMENT
●	SET 5/8 REBAR, NO CAP
+	SEARCHED FOR NOT FOUND
M	MEASURED BEARING AND DISTANCE
C	CALCULATED BEARING AND DISTANCE
SF	SQUARE FEET
AC	ACRES
(R1)	REFERENCED RECORD MAP
SM	SEWARD MERIDIAN
OHW	ORDINARY HIGH WATER

———	BOUNDARY/PROPERTY LINE
- - - - -	ADJACENT BOUNDARY LINE
— · — · —	CENTERLINE BAUN ROAD
- - - - -	APPROXIMATE EDGE GRAVEL BAUN ROAD
~~~~~	LAKE ORDINARY HIGH WATER
	30' WIDE ACCESS EASEMENT, KENAI R.D.
	DOC. 2025-000XYZ-0

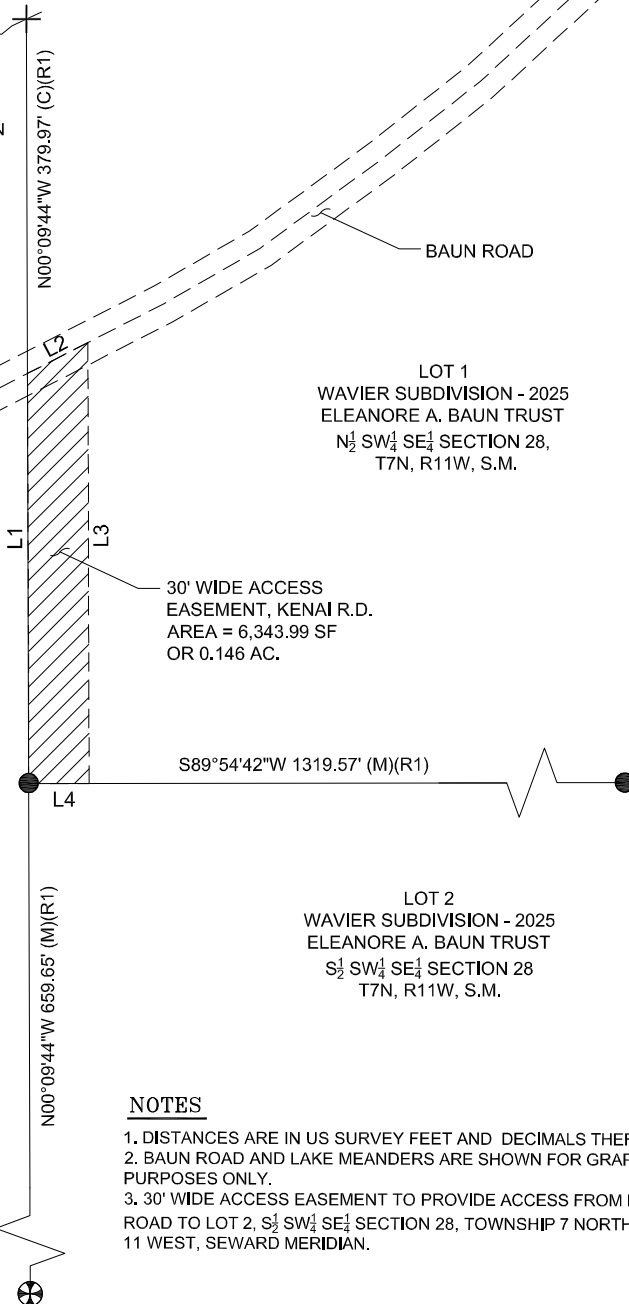
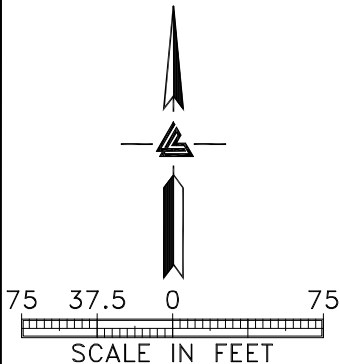
## BASIS OF BEARINGS

THE BEARING NORTH 89°54'12" EAST AS SHOWN UPON CERTAIN RECORD OF SURVEY RECORDED AND FILED AS PLAT 2023-4 OFFICIAL RECORDS OF THE KENAI RECORDING DISTRICT IS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

## REFERENCE

(R1) RECORD OF SURVEY  
GOVT LOTS 7, 8, AND 11 AND  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  AND SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  SECTION  
28, T7N, R28W, SEWARD MERIDIAN  
(PLAT 2023-4, KENAI R.D.)

PARCEL LINE DATA		
SEGMENT	LENGTH	DIRECTION
L1	203.82'	N0° 09' 44"W
L2	33.66'	N62° 53' 06"E
L3	219.11'	S0° 09' 44"E
L4	30.00'	S89° 54' 42"W



## NOTES

1. DISTANCES ARE IN US SURVEY FEET AND DECIMALS THEREOF.
2. BAUN ROAD AND LAKE MEANDERS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY.
3. 30' WIDE ACCESS EASEMENT TO PROVIDE ACCESS FROM BAUN ROAD TO LOT 2, S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SECTION 28, TOWNSHIP 7 NORTH, RANGE 11 WEST, SEWARD MERIDIAN.

**VECTOR**  
SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS  
PO BOX 156  
SOLDOTNA, ALASKA 99669  
907-519-4553

09/01/2025

"ACCESS & UTILITY  
EASEMENT EXHIBIT"  
A PORTION OF LOT 1, N1/2  
SW1/4 SE1/4 SECTION 28,  
TOWNSHIP 7 NORTH, RANGE  
11 WEST, SEWARD MERIDIAN

1"= 75'  
PAGE 4 of 4

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 – T07N R11W Sec 28 Plat Waiver**

<b>KPB File No.</b>	2026-063
<b>Plat Committee Meeting:</b>	July 20, 2026
<b>Applicant / Owner:</b>	Sondra Starnes of Kenai, Alaska
<b>Surveyor:</b>	Aaron T. Brown; Vector Surveying, LLC Magnitude and Direction
<b>General Location:</b>	Near Baun Drive off Holt Lamplight Road, Nikiski Area

<b>Parent Parcel No.:</b>	013-122-05
<b>Legal Description:</b>	T 7N R 11W SEC 28 Seward Meridian KN SW1/4 SE1/4
<b>Assessing Use:</b>	Residential Improved Land
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	On-Site

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The applicant requests a plat waiver to subdivide a 40.00-acre aliquot parcel into two parcels of approximately 20.00 acres more or less.

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

The property has 60' access easement to the west line by Baun Drive as noted in an easement document from the Bureau of Land Management to the State of Alaska at deed 344 page 892 and Patent 50890584 which runs west to Holt Lamplight Rd. Borough maintenance of Baun Dr stops at the north line of the 40 acres parcel to the west of the subject parcel. Baun Dr continues across the subject parcel east with no public easement noted or documented.

There is also a 50' section line easement up to the west line of the parcel on the adjacent 40 acres piece of land noted in deed 344 page 892 and patent 50890584. The SLE runs west to Lynx Ave, a 30' dedication that is undeveloped. The SLE across the adjacent parcel is not developed to the subject parcel either. There is no section line easement on the subject parcel per State records and per patent 50720119.

KPB 20.90.010 defines "Legal Access" as a contiguous section line easement, platted public right-of-way, or public access granted by recorded document and acceptable to the borough planning commission, all of which must be constructible to the standards in KPB 14.06 from a road right-of-way maintained by a municipality or State of Alaska DOTPF to a parcel.

KPB 20.90.010 further defines "Physical access" as access by the highest level of feasible, accepted transportation for the area is possible. Unless in a remote location not accessed by the road system, this is generally a minimum of 2-wheel drive motor vehicle access.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: Roads has no objections at this time
--------------------------	----------------------------------------------------------------------------------------------------------------

**Site Investigation:**

Baun Lake is located at the northwestern corner of the subject area. According to the KWF Wetlands Assessment, areas subject to inundation are classified as depression are also located near the lake.

Steep contours are located near Baun Lake and slight slopes are along the eastern portion of the parcel.

Publicly available imagery shows a privately maintained driveway in the northwest corner where the private access easement is depicted on the submitted drawing. A trail is visible along the western and southern boundary of the subject parcel.

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
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### **Staff Analysis**

This is the first division request for the subject parcel, legally described as the SW ¼ SE ¼ of Section 28, Township 7 North, Range 11 West.

Nikiski Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

### **Utility Easements**

#### **Utility provider review:**

HEA	No comments
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown

#### **KPB department / agency review:**

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: None   Existing Street Names are Correct: No   List of Correct Street Names: None   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
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Code Compliance	Vacant
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
Advisory Planning Commission	

The applicant proposes to subdivide a 40.00-acre lot parcel into two 20.00-acre parcels. The following are the requirements to qualify for a plat waiver as outlined in KPB Code. The subdivision does not meet the criteria for a plat waiver. Staff conducted no additional review beyond evaluation of the plat waiver standards. Additional exception requests may be required.

#### KPB 20.10.050 – Plats-Required when – Waivers

- A. Waiver standards. A plat, prepared and submitted in accordance with the applicable provisions of this title, is required for all subdivisions of land, except for subdivisions which qualify under the provision of AS 29.40.090(b), provided an application is submitted with satisfactory evidence to support a finding that:
1. A single existing division of property is not subdivided into more than four lots.  
**Two parcels will be created by this plat waiver. This standard has been met.**
  2. Legal and physical access is provided to a public highway or street for each lot created by the subdivision.  
**Legal access is not provided within the subject parcel, there is no contiguous section line easement, platted public right-of-way, or public access granted by recorded document and acceptable to the borough planning commission to each lot. Baun Drive has no dedication to the Borough or easement to the State. This standard is not met.**  
**The south tract's proposed access is an easement and is not direct to a street, with no road as defined by 20.90 in "physical access". This standard is not met.**
  3. The subdivision does not contain or require a dedication of a street, public right-of-way, or other area.  
**Baun Dr needs to be dedicated to meet requirements of Legal access. This violates this standard.**  
**The easement from Baun Dr down to the south tract either needs to be a dedication or an exception requested. This violates this standard.**
  4. The subdivision does not require a vacation of a public dedication of land.  
**No vacation is required. This standard has been met.**
  5. The subdivision does not require a variance from KPB Title 20 Subdivision regulations.  
**Exception for dedication would be needed for the easement access and Baun Dr. This violates this standard.**
  6. Each lot created by the subdivision is five acres or larger.  
**Each new parcel will be 20 +/- acre lots. This standard has been met.**
- B. Notice. In addition to the requirements for notice by publication in this title, all beneficial interest holders in the land subject to the plat waiver application who have not provided written non-objection to the plat waiver



shall be given notice of the waiver application and the planning commission hearing at least 30 days prior to the planning commission meeting where the waiver will be considered. Applications for plat waivers within a city shall be submitted to the city by the subdivider for comment at least 30 days prior to submittal to the borough for planning commission consideration.

**Platting staff comments:** A Certificate to Plat was provided with the submittal. **This condition has been met.**

C. All plat waivers must meet the following requirements:

1. A certificate of ownership for plat waiver, which meets the requirements of KPB 20.60.190(A)(2) for a certificate to plat, shall be submitted with the application. The certificate of ownership shall be updated and be current to no earlier than three business days prior to the planning commission meeting where the waiver is scheduled for consideration.

**Platting staff comments:** A Certificate to Plat was provided with the submittal. **This condition has been met.**

2. A certificate from the borough finance department must be obtained indicating that all taxes due and payable on the land subject to the waiver application have been paid.

**Platting staff comments:** The 2026 borough property taxes have not been paid. **This condition has not been met.**

D. Upon satisfactory showing by the subdivider that all provisions of KPB 20.10.050 (A), (B), and (C) have been met a waiver of the preparation, submission for approval, and recording of a plat shall be granted by resolution of the commission which shall be recorded in the appropriate district within 30 days after adoption or the waiver shall lapse. The applicant shall pay a plat waiver fee in the amount listed in the current Kenai Peninsula Borough Schedule of Rates, Charges and Fees, and recording fees. **All of the requirements of KPB 20.10.050 have not been met.**

Based on the standards to grant a plat waiver request per KPB 20.10.050, staff recommends denial of the submitted application for the property located at the SW1/4 SE1/4 Section 28 Township 7 North, Range 11 West, SM Alaska.

**Staff recommendation:** the Planning Commission deny the Plat Waiver Request

**Staff Note:** A plat waiver does not constitute a survey. A field survey and monumentation of lot lines is not performed. A Record of Survey will be required to find true property boundaries.

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#### **RECOMMENDATION:**

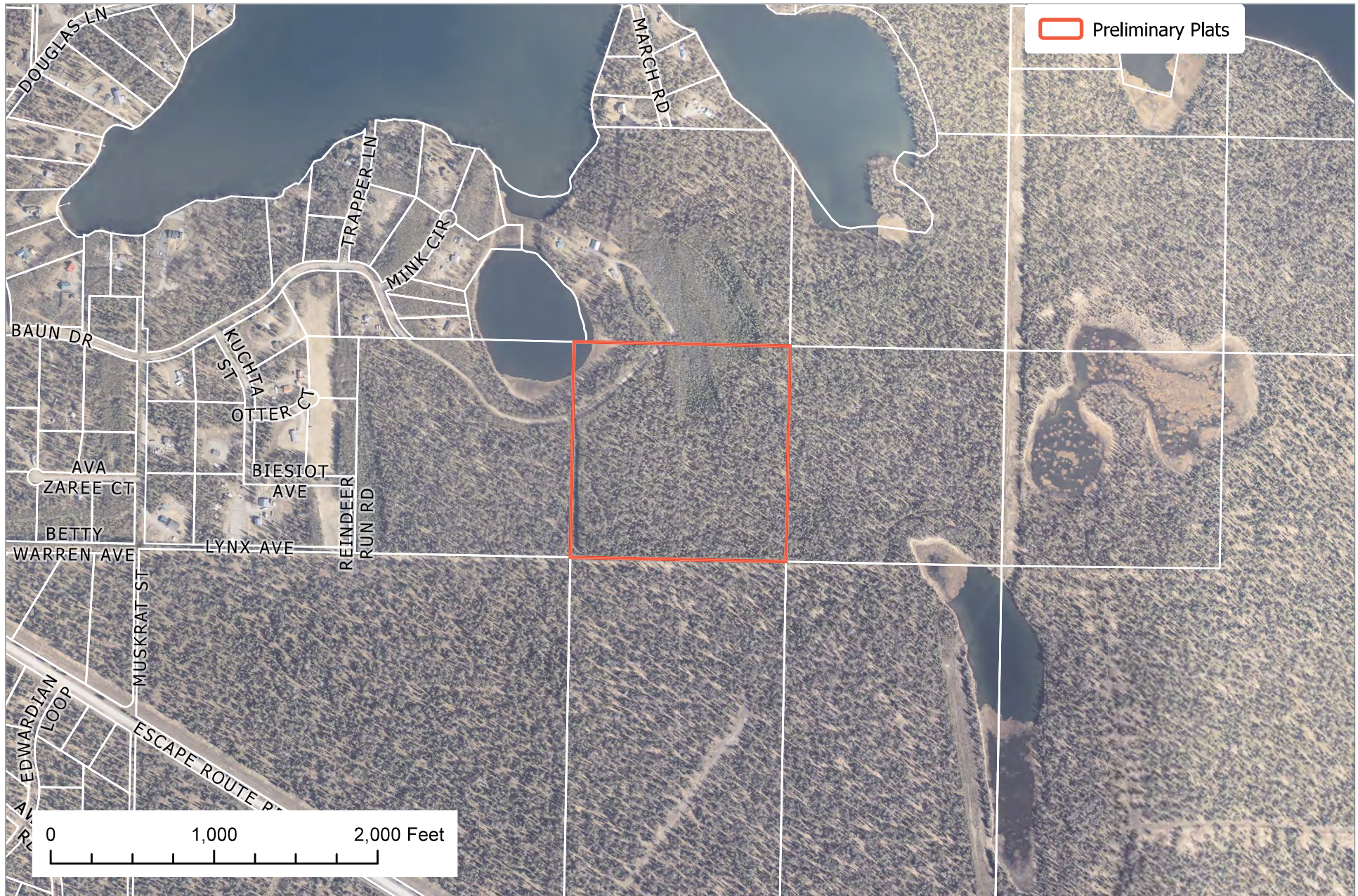
#### **STAFF RECOMMENDS:**

**GRANT DENIAL OF THE PLAT WAIVER SUBJECT TO STAFF RECOMMENDATIONS AND SUBJECT TO THE CONDITIONS LISTED.**

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

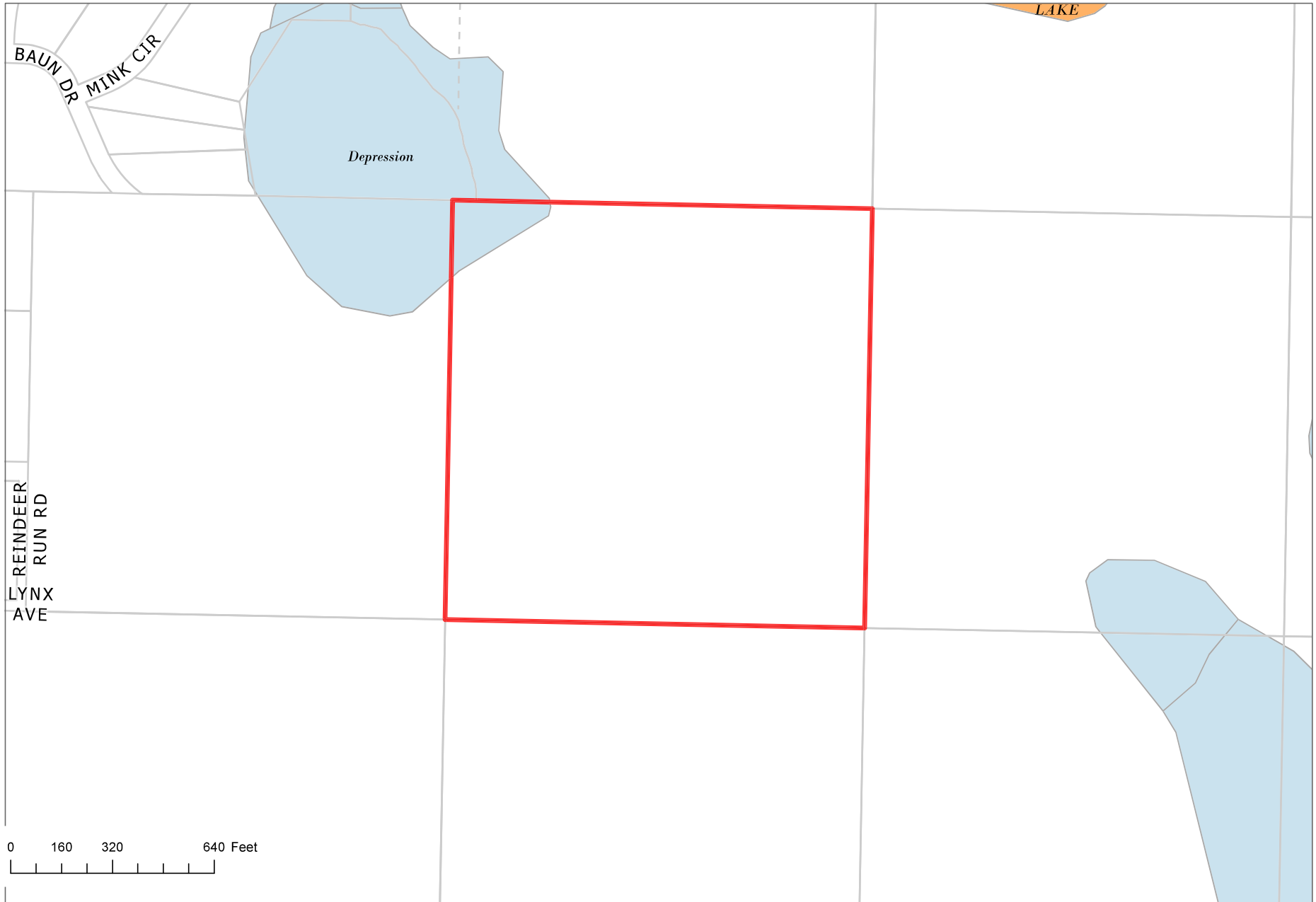
**END OF STAFF REPORT**





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.



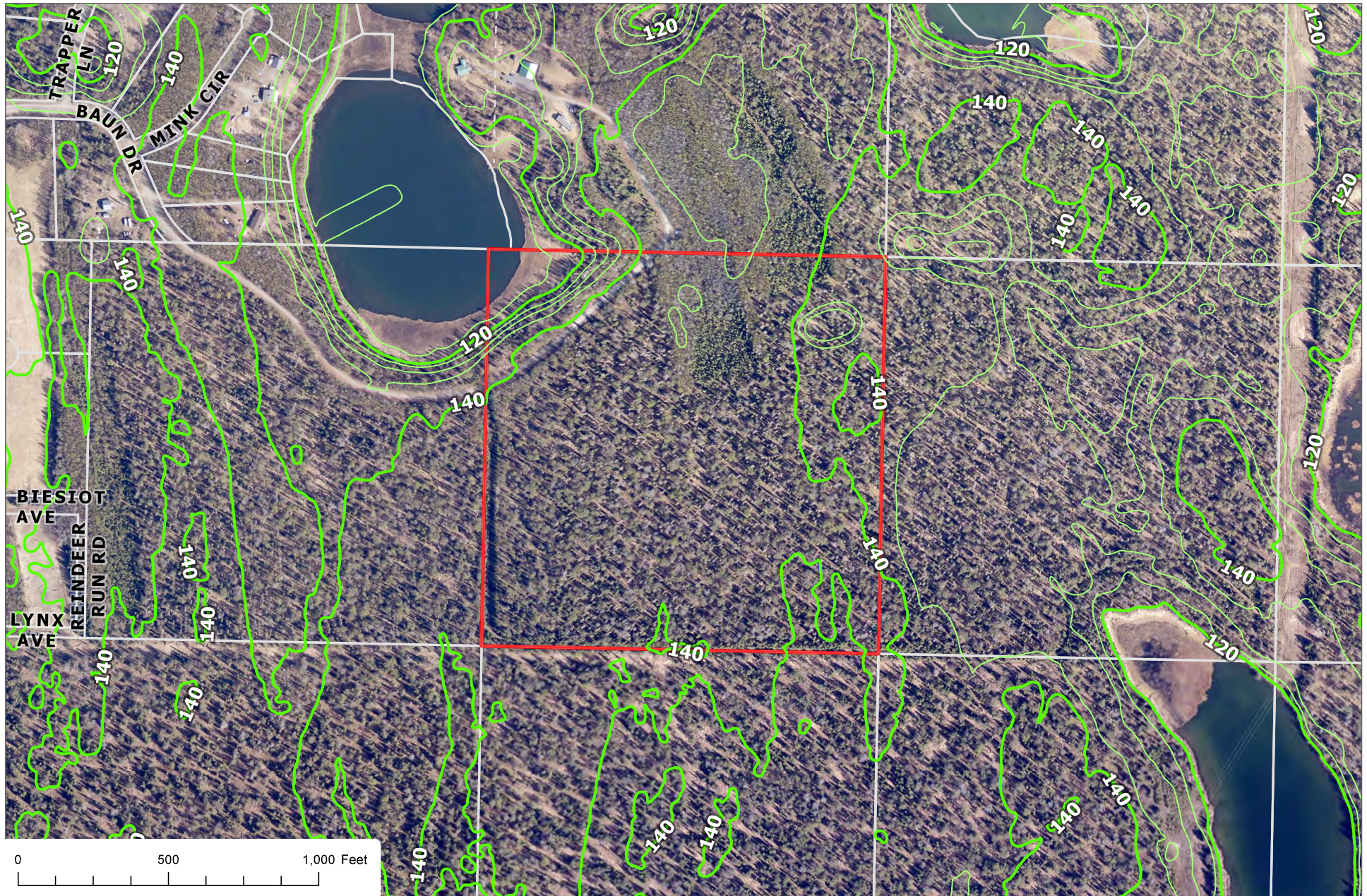


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





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.



# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS

Karl F. Baum

is entitled to a Land Patent pursuant to the Homestead Laws, Revised Statute 2291, as amended and supplemented, 43 U.S.C. 164 (1970), for the following described land

Seward Meridian, Alaska.

T. 7 N., R. 11 W.,

Sec. 28, Lots 7, 8, 11, S $\frac{1}{2}$ SE $\frac{1}{4}$ .

Containing 158.44 acres:

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES, unto the above named claimant the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, his successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.
2. A right-of-way thereon for the construction of railroads, telegraph, and telephone lines, as prescribed and directed by the Act of March 12, 1914, 38 Stat. 305.
3. All the oil and gas in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of March 8, 1922, 42 Stat. 415, as amended and supplemented.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska  
the EIGHTEENTH day of FEBRUARY in the  
year of our Lord one thousand nine hundred and SEVENTY-  
TWO and of the Independence of the United States the  
one hundred and NINETY-SIXTH.

By

*J. A. Hagans*  
Chief Adjudicator

888459  
300

RECORDED-FILED  
KENDAL REB.  
DISTRICT

FEB 28 10 45 AM '72

REQUESTED BY

ADDRESS

Karl F. Baum

Star #1

Kendal Ak

4/3/813

Patent Number

50-72-0119



**NOTICE OF PROPOSED ACTION BEFORE THE  
KENAI PENINSULA BOROUGH PLANNING COMMISSION**

Public notice is hereby given that the Kenai Peninsula Borough Planning Commission will hold a meeting on **Monday, July 20, 2026** at 7:30 p.m. to consider a plat waiver. The meeting will be held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska.

**Action to be considered:** An application has been received proposing to subdivide property by plat waiver:

- This plat waiver will create two parcels from one unsubdivided parcel

**Request submitted by:** Sondra Starnes of Kenai, Alaska

**Location:** Nikiski area (KPB File 2025-142)

Plat waiver reviews are conducted in accordance with KPB Subdivision Ordinance.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on Monday, July 20, 2026, commencing at 7:30 p.m., or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notice>.

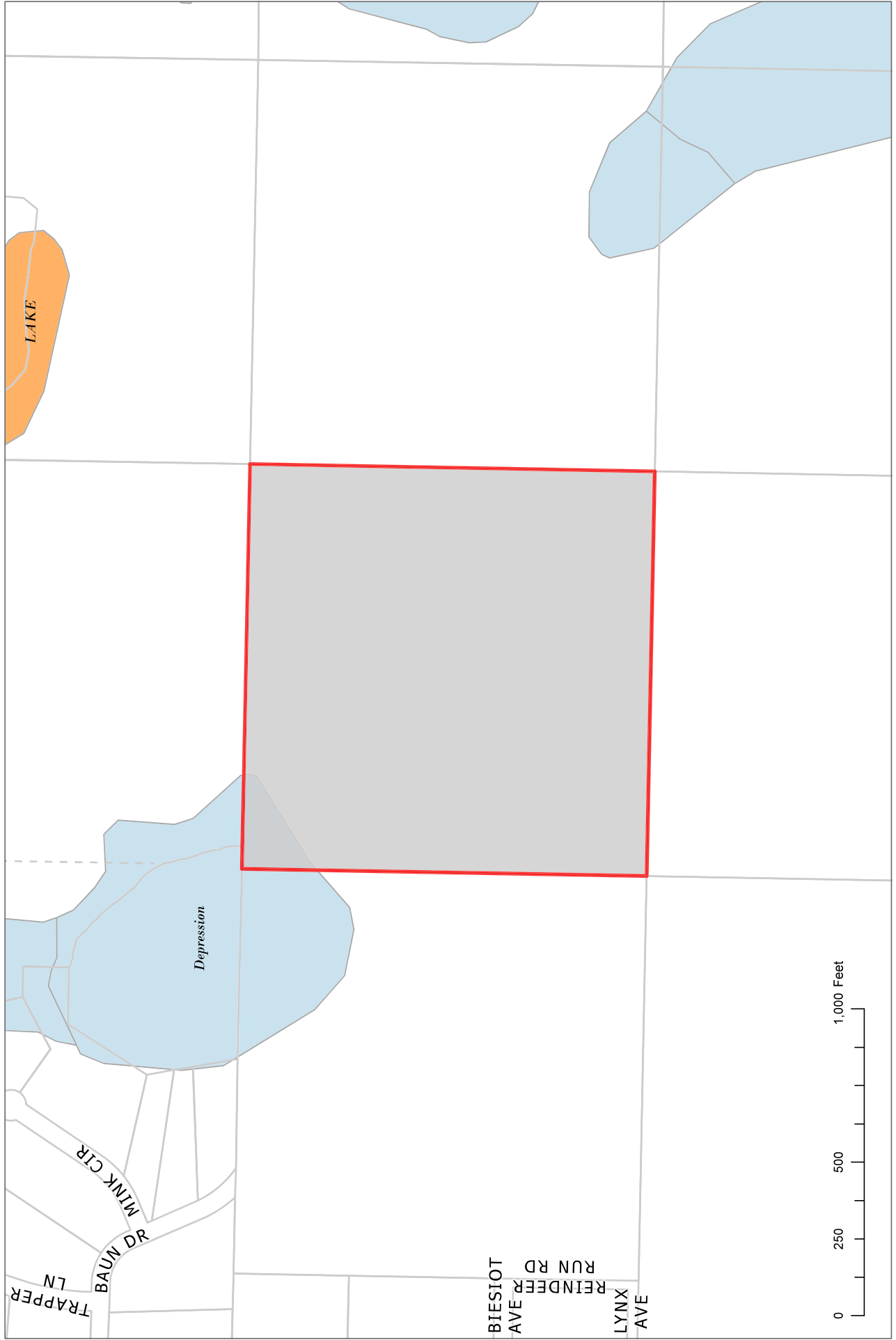
Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [planning@kpb.us](mailto:planning@kpb.us), or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons ([ssimons@kpb.us](mailto:ssimons@kpb.us)) or Beverly Carpenter ([BCarpenter@kpb.us](mailto:BCarpenter@kpb.us)), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough).



Wetlands



# North

NORTH

Basis of Bearing  
N00°07'00"W 5276.74'

S89°53'54"W 2637.09'

*Douglas Lake*

KN 77-160  
Lot 3  
Block 4

KN 77-160  
Lot 3  
Block 3

N89°53'54"E 2638.44'

CE1/16 Po  
folia in lok

LS8859  
WOMC  
CE1/18  
S28  
2022

Gov't Lots 8 & 11

KN 78-28  
Lot 5A  
Block 2

KN 78-28  
Lot 6A  
Block 2

Baun Lake

BAUN DRIVEWAY

CS 1/18 Position  
falls in lake

N89°54'26"E 1319.46'

NORTH  $\frac{1}{2}$   
20 ACRES

## PRIVATE ACCESS EASEMENT

Unsubdivided

SW1/4 SE1/4

Section 28

Township 7 N. Range 11 W.

SOUTH  $\frac{1}{2}$   
20 ACRES

PROPOSED  
SPLIT

N89°54'12"E    2639.20'

BLM  
1/4 S28  
S33  
1953

Unsubdivided

N89°54'58"E 2639.38

LSB859  
E1/16 S28  
S33  
2022

BLM  
T7N R11W  
S29 S28  
S32 S33  
1953



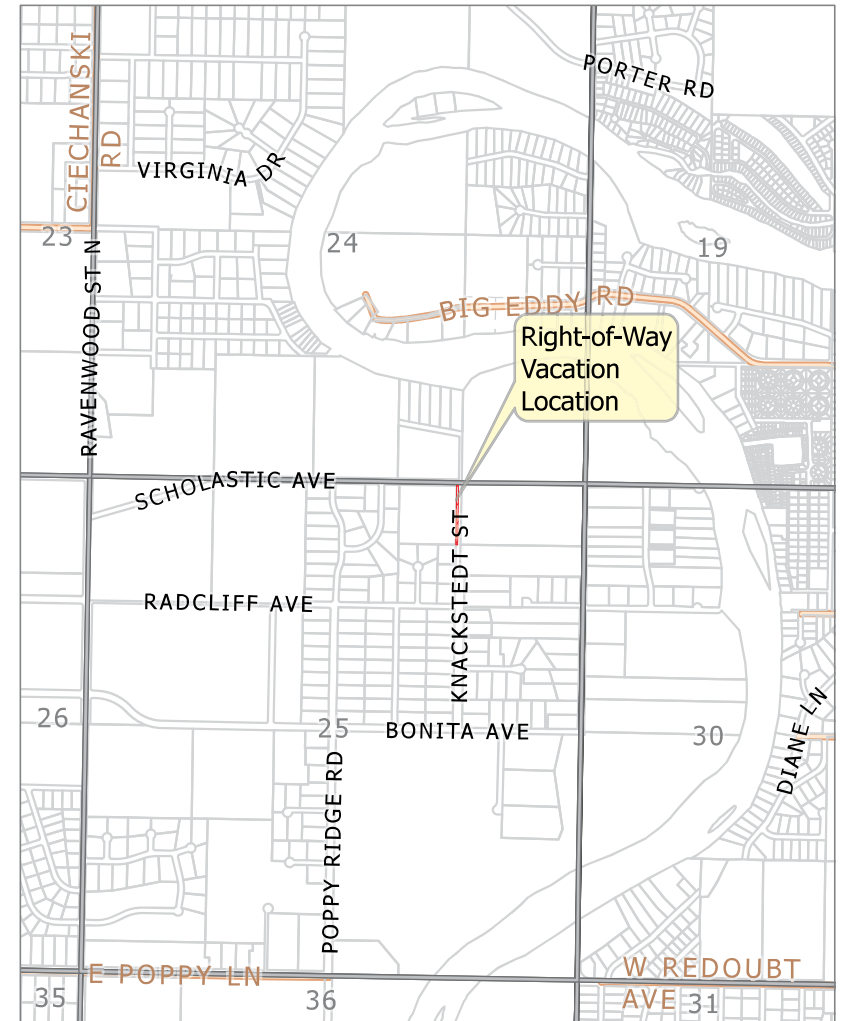
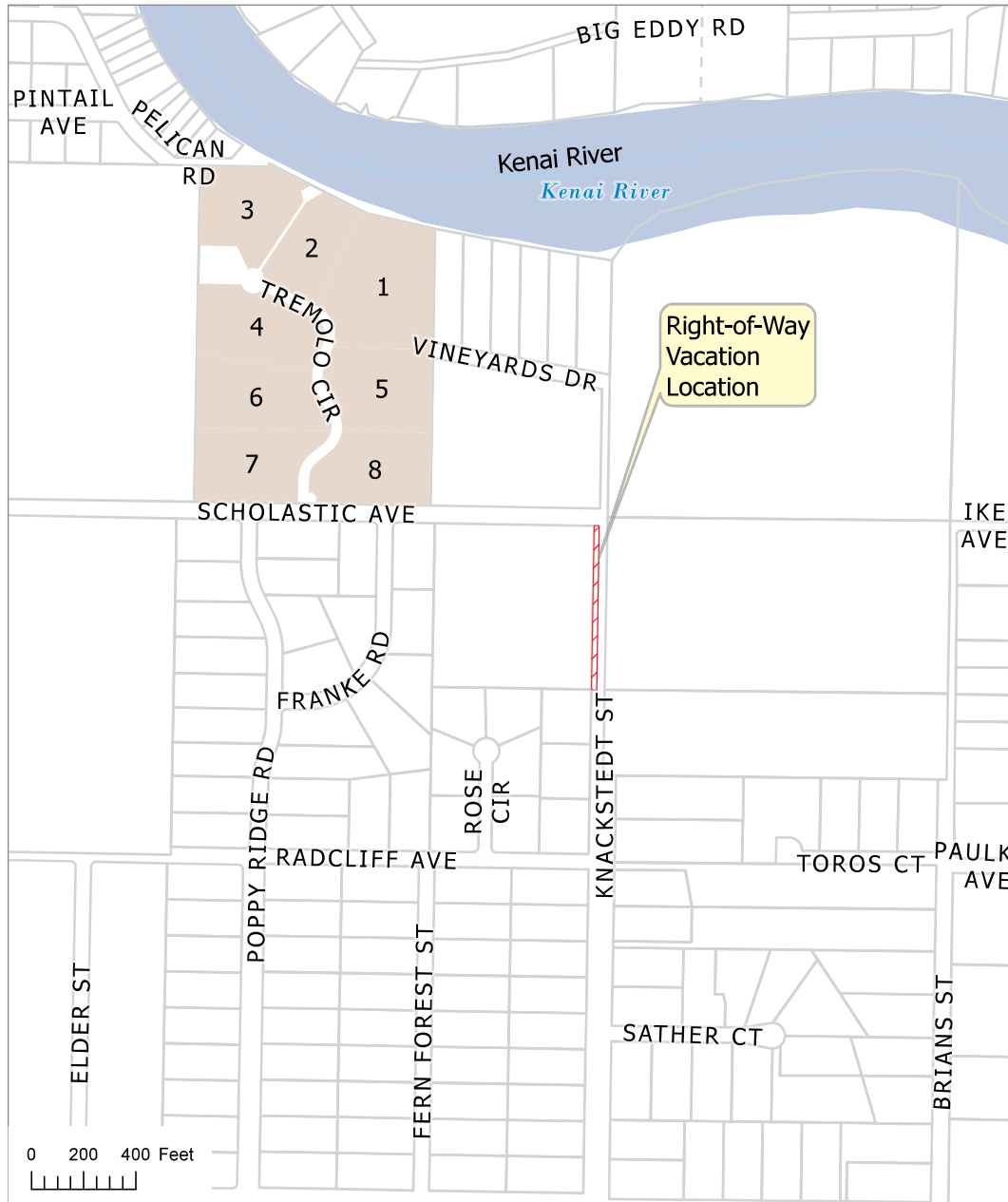
## **E. NEW BUSINESS**

### **5. Right-of-Way Vacation; KPB File 2026-035V**

**Johnson Surveying / Blumentritt**

**Request: Vacates a portion of ROW and the associated utility easements along Knackstedt Street**

**Kalifornsky Area**

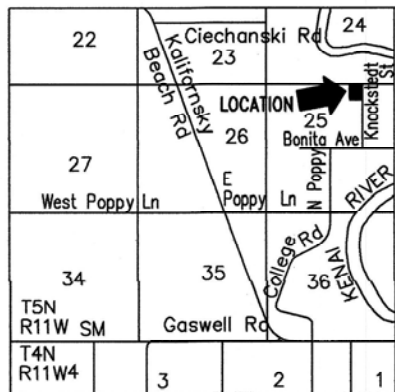


KPB File 2026-035V  
T05N R11W SEC25  
Kalifornsky









VICINITY 1" = 1 mile MAP

# College Estates Subdivision 2026 Addition Preliminary Plat

A Subdivision of Lot 1 College Estates Subd., KRD 75-109  
Including a partial vacation of Knackstedt St. ROW & associated utility easement.  
Located in the NE1/4 Section 25, T5N R11W, SM, Alaska.  
Kenai Recording District Kenai Peninsula Borough

Prepared for

**Brent & Tammy Blumentritt**  
35903 Knackstedt St.  
Soldotna, AK 99669

Prepared by

**Johnson Surveying**  
P.O. Box 27  
Clam Gulch, Ak 99568  
(907) 262-5772

SCALE 1" = 100' AREA = 9.065 acres

3 April, 2026

NOTE : Topography is flat. There are no wet areas on the property.

 - indicates ROW proposed for vacation

KRD 82-44  
Lot 2  
Block 2

KRD 2006-55  
Tract A

NW 1/4  
Gov Lot 11  
Sect 24

KRD 2005-75  
Lot 19

KRD 2005-75  
Lot 18

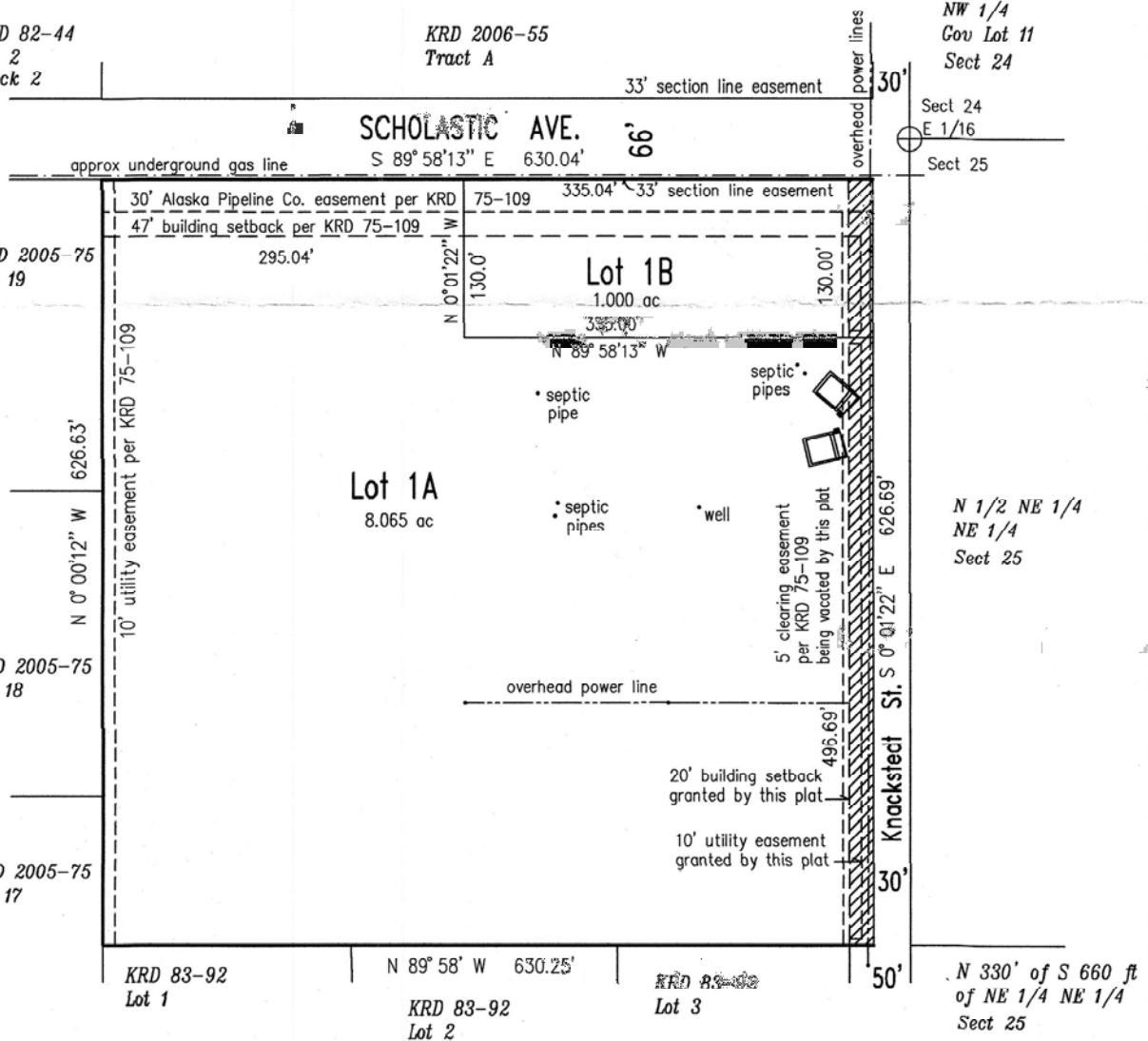
KRD 2005-75  
Lot 17

KRD 83-92  
Lot 1

N 89° 58' W 630.25'  
KRD 83-92  
Lot 2

KRD 83-92  
Lot 3

N 330' of S 660 ft  
of NE 1/4 NE 1/4  
Sect 25



**KPB 2026-035V**



Borough Planning Dept,

I bought and moved to my 10 acres on Knackstedt Rd in 1977. At that time Knackstedt was in the original location which from my house driveway to the end of the road went around a hill and a grove of trees on my property. I believe when the road was built in the 60's it was the easiest and fastest thing to do. We built our first cabin in 2000 and I went to the Planning Dept. and talked to Max Best who said measure 50ft from road for R/W so we did. There was no indication the road would later move and no one in that dept probably knew it either and we had no idea it would later be relocated. You can clearly see on the maps the grove of trees (hill not visible on maps) that the original road went around. In 2010 the Borough awarded the contract to D&L Construction for the road improvements to Knackstedt and several other roads in my area. I have enclosed the Borough paperwork and map for the Knackstedt road work. You can clearly see all the trees on the map dated June 24 2009 that will be removed in 2010 when the road is relocated.

On the map 2013 new road location and the trees and hill have been removed by loaders and dump trucks from D&L Construction. We had no idea the original Knackstedt Rd was going to move and since we own this 10 acres we could have put this cabin back farther. But now the sewer system is directly behind this cabin so moving it back is not an option. I have enclosed two pictures that show cabin deck and road. The first picture taken from the deck of cabin shows current road and original road can still be seen as summer people park on it now to walk to the Pipeline fishing hole. The second pic shows the power pole between the road and the cabin showing that the roads dept. does not use all the 50ft R/W for maintaining the road. Also some other roads in my area have a 30ft R/W such as some of Poppy Ridge, Radcliff Ave. and Bonita.

I hope this clarifies our situation for asking the Borough to vacate 20ft of the 50ft R/W.

Thank-you,  
Brent & Tammi Blumentritt



original road



you can see a grove of trees on my property and a hill is where the trees are. These trees are on all those maps until the 2013 map. I believe when the road was made in the 60's they went around the hill, then in 2010 removed hill + trees + moved the road.





# Kenai Peninsula Borough

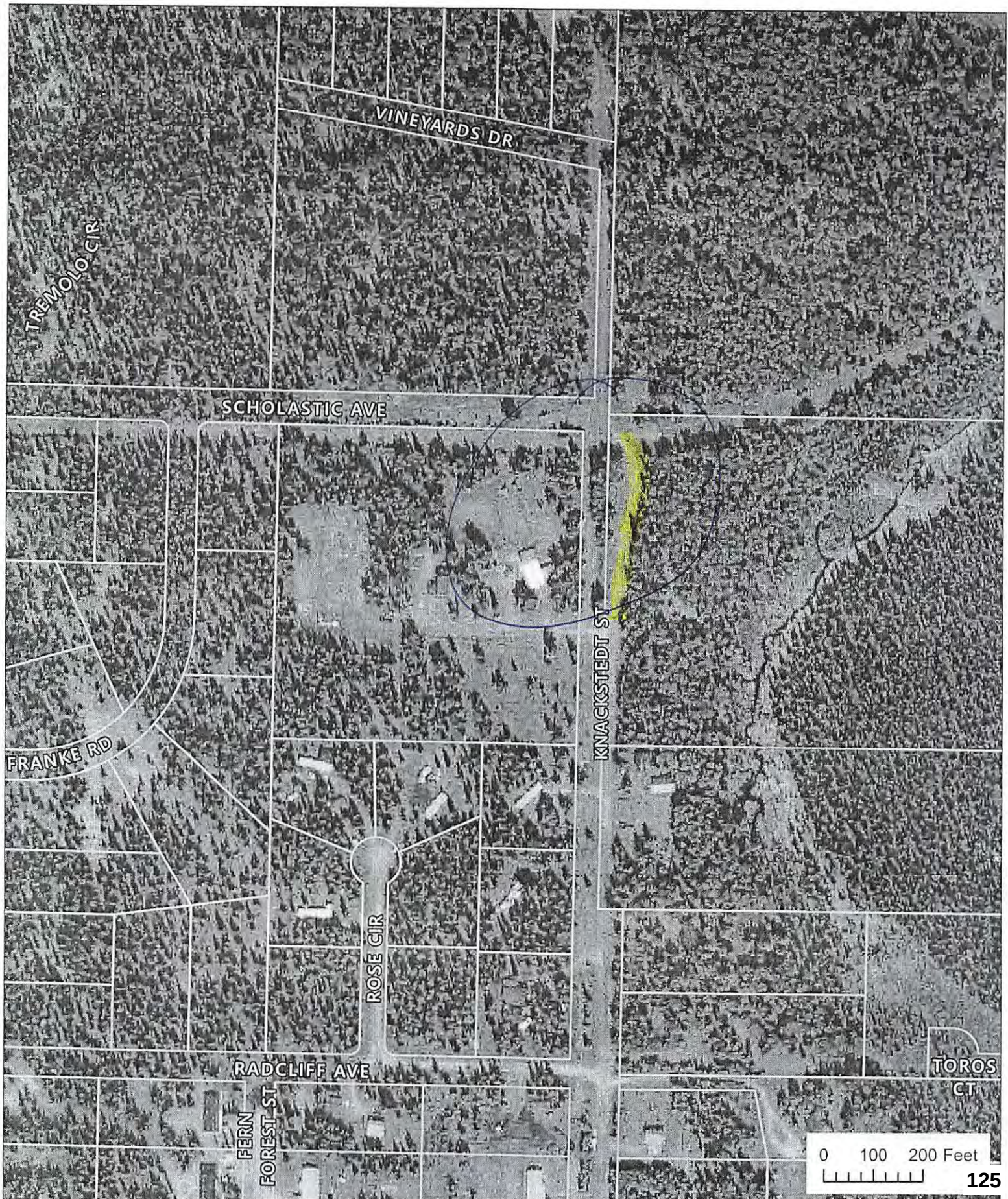
Planning Department

Imagery Year: 1996

5/18/2026











# Kenai Peninsula Borough

Planning Department

Imagery Year: 1996

*original road*

5/18/2026



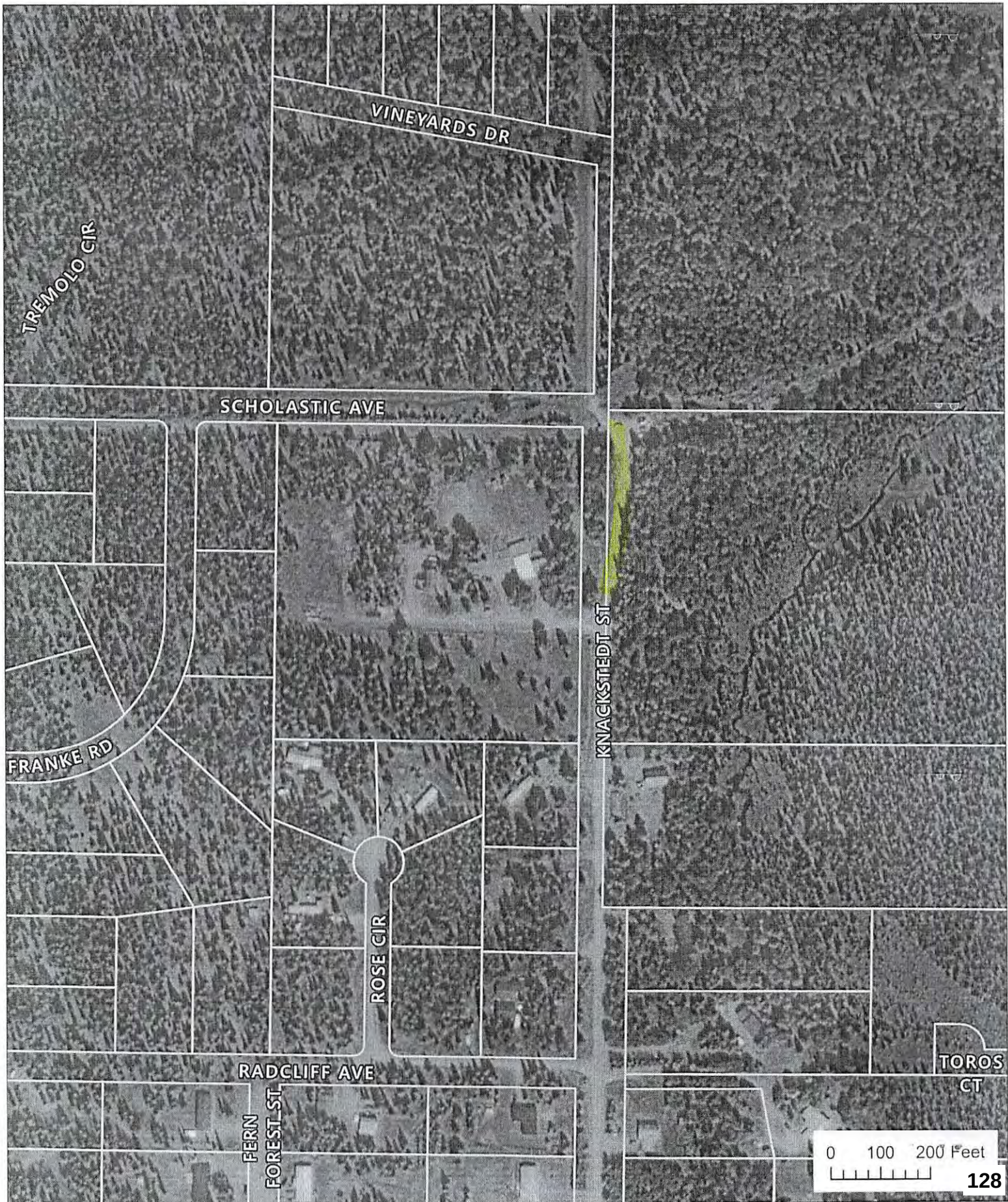


*original road location*

5/18/2026











# Kenai Peninsula Borough

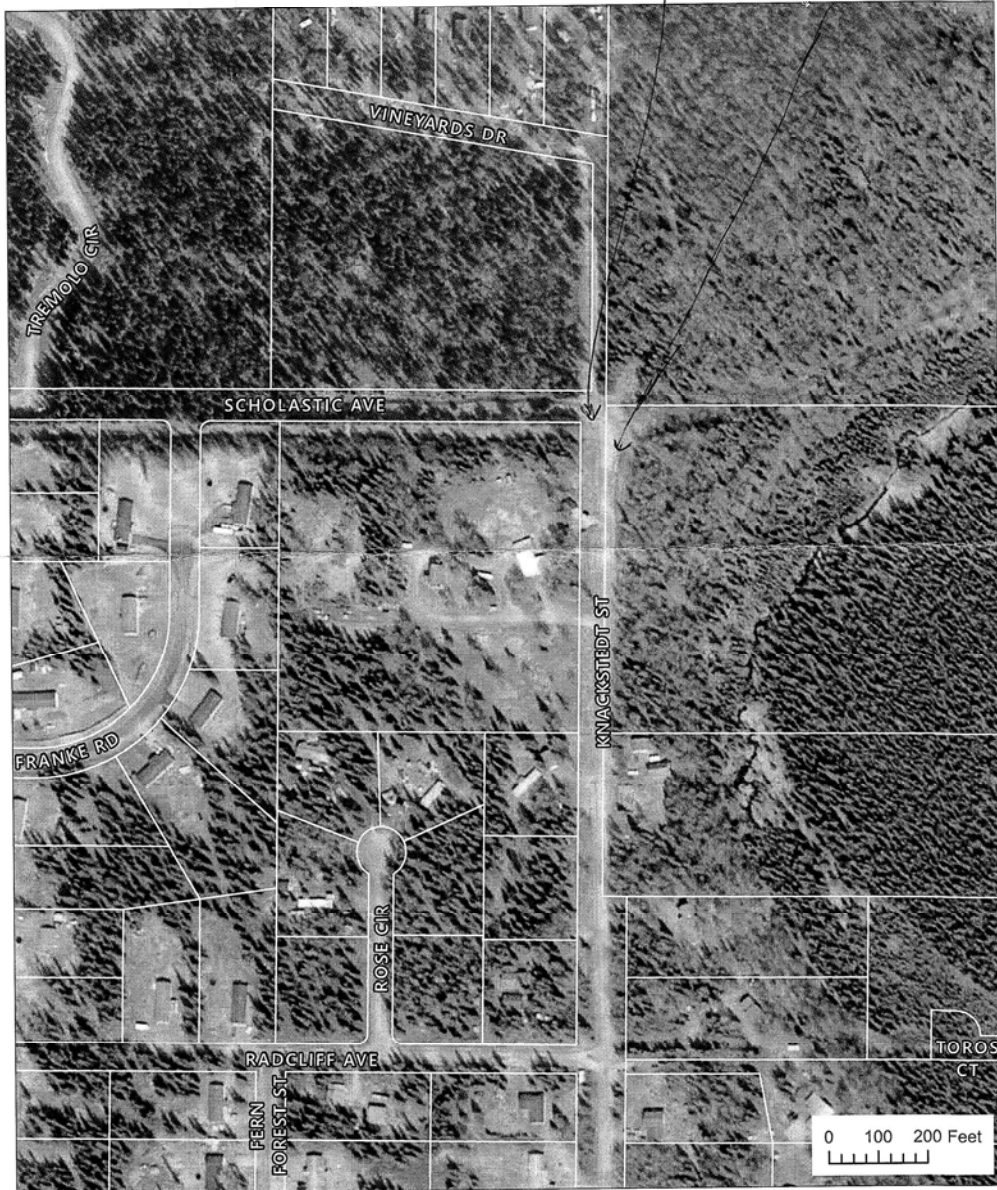
Planning Department

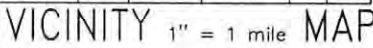
Imagery Year: 2013

*new road location  
grove of trees gone  
and road moved 2010*

*original  
Road*

5/18/2026





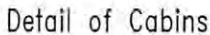
### As-Built of power line and building encroachments into ROW

Located in the NE1/4 Section 25, T5N R11W, SM, Alaska.  
Kenai Recording District Kenai Peninsula Borough

Prepared by _____

Johnson Surveying  
P.O. Box 27  
Clam Gulch, Ak 99568  
(907) 262-5772

25 May, 2026



Scale 1" = 40'

porch rail is 8.5'  
into ROW  
corner cabin is 0.9'  
into ROW

*NOTE

Distances shown are to indicate location of power pole in ROW.  
Actual overhead power lines are on crosspieces each side of poles.



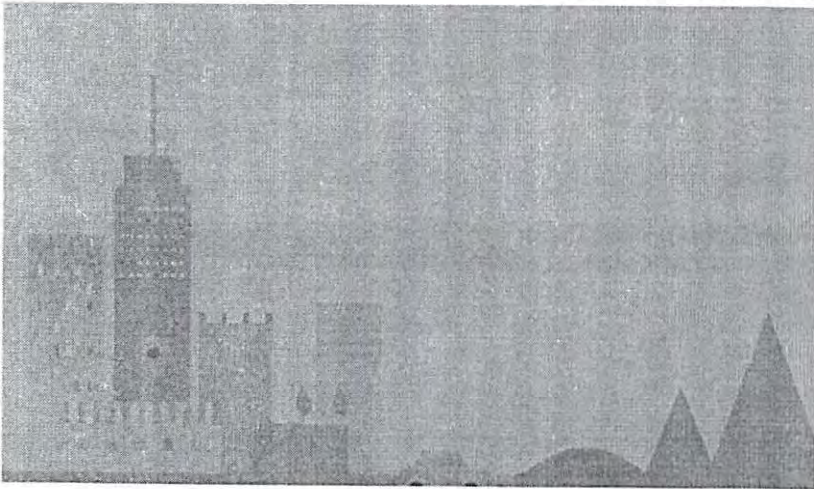
original  
old Road  
location still  
can be seen.

Google Maps

E Poppy Ln



Imagery ©2026 Airbus, Maxar Technologies, Map data ©2026 Google 200 ft



E Poppy Ln



Directions



Save



Nearby



Send to  
phone



Share



Alaska 99669



*Bond info for moving the road  
in 2010.*

Introduced by: Mayor  
Date: 06/08/10  
Action: Adopted  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2010-046**

**A RESOLUTION AUTHORIZING CAPITAL IMPROVEMENT PROJECT COST  
ALLOCATION AND AWARD OF A CONTRACT FOR THE 2010 BONITA AVENUE,  
KNACKSTEDT STREET, ROSE CIRCLE, SATHER COURT, RADCLIFF AVENUE  
AND FERN FOREST STREET CAPITAL IMPROVEMENT PROJECT C6BON**

WHEREAS, the road service area annually prioritizes a list of capital improvement projects that includes the estimated total cost for each project; and

WHEREAS, the total project cost including design services, contract services, inter-departmental charges, and contingencies is to be allocated to the project; and

WHEREAS, at its regular meeting of August 11, 2009, the Road Service Area Board recommended by unanimous vote approval of Road Service Area Resolution 2009-10, approving the fiscal year FY2011 capital improvement projects; and

WHEREAS, total project cost funds are available from the following:

- DOTPF BOND 434.33950.DOTPF.49999

WHEREAS, the Kenai Peninsula Borough has solicited and received bids for the Bonita Avenue, Knackstedt Street, Rose Circle, Sather Court, Radcliff Avenue, and Fern Forest Street Capital Improvement Project No. C6BON; and

WHEREAS, the low responsive bid on the project is fair and reasonable, and the bidder is qualified to perform the work;

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

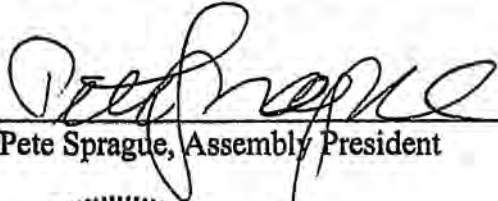
**SECTION 1.** That the mayor is authorized to award a contract to D&L Construction, Inc. to perform the work for Bonita Avenue, Knackstedt Street, Rose Circle, Sather Court, Radcliff Avenue, and Fern Forest Street Project No. C6BON, and for the bid amount of \$377,701.60.

**SECTION 2.** That the mayor is authorized to allocate the project cost, \$473,504.45, to account number 434.33950.C6BON.49999.

**SECTION 3.** That the mayor is authorized to execute all documents and make all agreements deemed necessary to complete this project in accordance with this resolution and contract documents.

**SECTION 4.** That this resolution shall take effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 8TH DAY OF JUNE, 2010.**

  
Pete Sprague, Assembly President

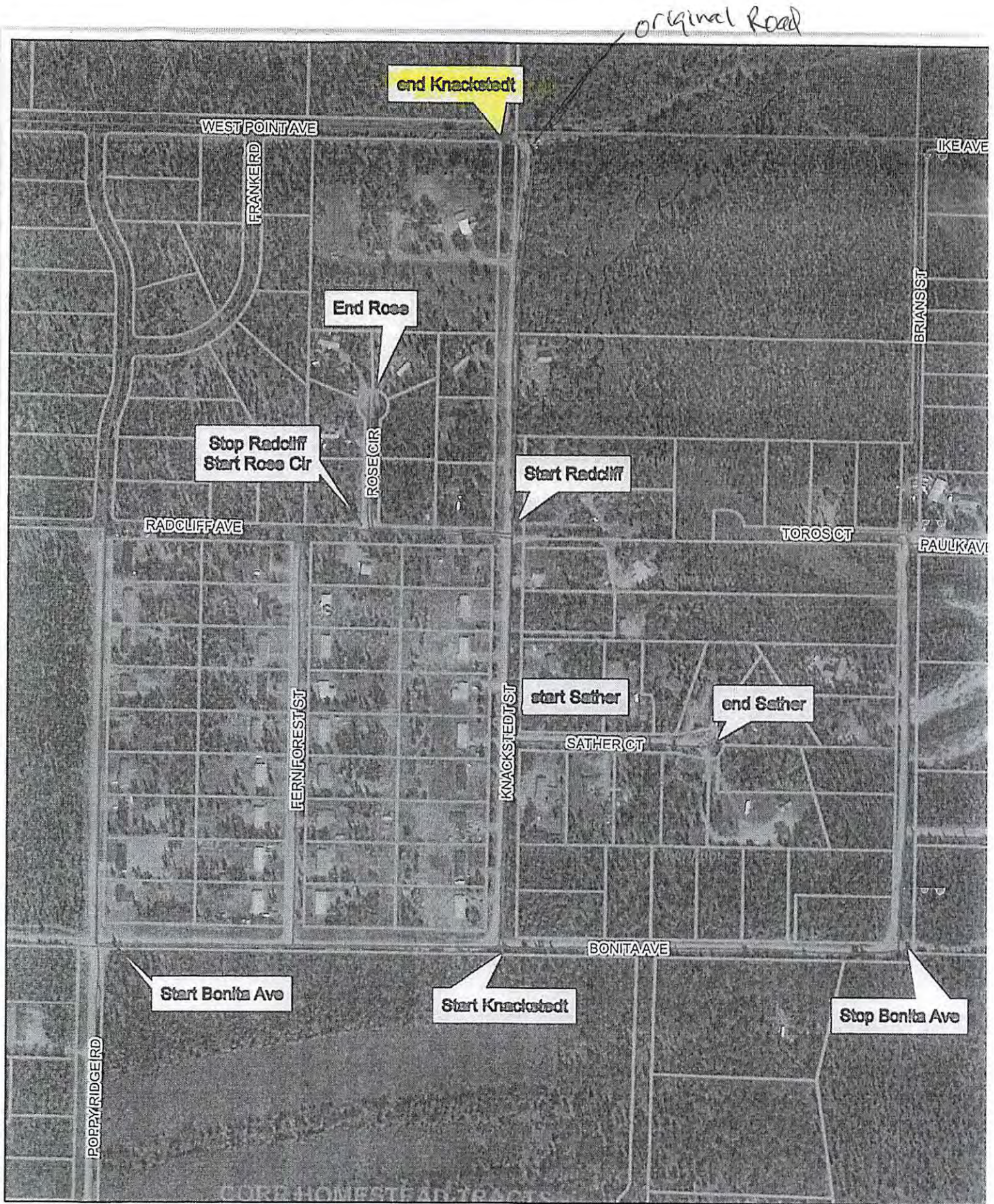
ATTEST:

  
John Blankenship, Borough Clerk



Yes: Fischer, Haggerty, Knopp, McClure, Pierce, Smalley, Smith, Superman, Sprague  
No: None  
Absent: None





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.

0 212.5 425 850 Feet

Bonita Ave; Knackstedt St



Printed on Jun 24, 2005 134





## KENAI PENINSULA BOROUGH

### Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669

Toll-free within the Borough: 1-800-478-4427

PHONE: (907) 262-4427 • FAX: (907) 262-6090

www.borough.kenai.ak.us

DAVID R. CAREY  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Pete Sprague, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** David R. Carey, Kenai Peninsula Borough Mayor *W. Carey*  
Craig Chapman, Finance Director *C. Chapman*  
Mark Fowler, Purchasing & Contracting Officer *M. Fowler*

**FROM:** Doug Schoessler, Road Service Area Director

**DATE:** May 27, 2010

**SUBJECT:** Resolution 2010- 046, Road Service Area Capital Improvement Project:  
Bonita Avenue, Knackstedt Street, Rose Circle, Sather Court, Radcliff Avenue &  
Fern Forest Street #C6BON Contract Award and Allocation

The Kenai Peninsula Borough Road Service Area formally solicited and received bids for Bonita Avenue, Knackstedt Street, Rose Circle, Sather Court, Radcliff Avenue & Fern Forest Street Capital Improvement Project #C6BON for completion in summer 2010. Bid packets were released on May 4, 2010, and the Invitation to Bid was advertised in the Peninsula Clarion on May 4, 2010.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2009-10, Approving the FY2011 Capital Improvement Projects.

The low responsive bid was received from D&L Construction, Inc. in the amount of \$377,701.60. The total costs for this project are \$473,504.45 which includes design services, contract services, inter-departmental charges, and contingencies.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the projects to the lowest, qualified, responsive, and responsible contractor.

#### FINANCE DEPARTMENT FUNDS VERIFIED

Amount: \$473,504.45

Acct. #434.33950.DOTPF.49999

By: CBEW Date: 5/27/10



Photos showing previous location of road and power pole and current location



AGENDA ITEM E.      NEW BUSINESS

**ITEM #5 - RIGHT OF WAY VACATION**

**VACATE THE WESTERN APPROXIMATELY 20 FEET OF THE 50-FOOT KNACKSTEDT STREET RIGHT-OF-WAY PARALLEL WITH AND ADJACENT TO LOT 1, BLOCK 1, COLLEGE ESTATES SUBDIVISION, PLAT KN 75-109, AND THE ASSOCIATED 5-FOOT CLEARING EASEMENT LOCATED ON THE EASTERN BOUNDARY OF LOT 1, BLOCK 1, COLLEGE ESTATES SUBDIVISION, PLAT KN 75-109**

<b>KPB File No.</b>	2026-035V
<b>Planning Commission Meeting:</b>	July 20, 2026
<b>Applicant / Owner:</b>	Tammi L. and Brent D. Blumentritt of Soldotna, AK
<b>Surveyor:</b>	Jerry Johnson; Johnson Surveying
<b>General Location:</b>	Off E. Poppy Lane, Kalifornsky Area
<b>Legal Description:</b>	Knackstedt Street  T 5N R 11W SEC 25 Seward Meridian KN 0750109 COLLEGE ESTATES SUB LOT 1 BLK 1

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**STAFF REPORT**

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

Petition to vacate the western twenty feet of Knackstedt Street, including the associated 5-foot clearing easement.

**Notification:** The public hearing notice was published in the July 17, 2026 issue of the Peninsula Clarion and the July 16, 2026 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.

Thirty-three certified mailings were sent to owners of property within 300 feet of the proposed vacation. Twenty one receipts had been returned when the staff report was prepared.

Twelve public hearing notices 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  
Central Emergency Services.

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

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

The plat currently has legal access from Scholastic Avenue to the north and Knackstedt Street to the east.

Scholastic Avenue is a 66-foot platted right-of-way that remains undeveloped. It connects to Knackstedt Street to the east with Ravenwood Street N to the west.

Knackstedt Street varies in width from 100 feet to 30 feet, starting at Bonita Avenue to the south and terminating at the Vineyards Drive to the north. It is borough-maintained from Bonita Avenue to Scholastic Avenue.

The parent plat, College Estates Subdivision KN 75-109, dedicated 50 feet to Knackstedt Street (formerly Poppy Lane) adjacent to the subject parcel. The proposed vacation would vacate the western approximately 20 feet by 626.69 feet of Knackstedt Avenue adjacent to Lot 1, Block 1, KN 75-109, resulting in a remaining right-of-way width of 30 feet.



Surrounding parcels will continue to have access via Scholastic Avenue and the remaining 30 feet of Knackstedt Street.

Available imagery indicates that the proposed vacation area is cleared and does not appear to be used by the public for road purposes. In the northeast corner, a portion of the right-of-way appears to be used by the petitioners as a driveway and parking area providing access to a cabin. The vacation drawing shows a cabin lying in the area proposed for vacation also.

KPB 20.30.120 requires minimum right-of-way width of 60 feet. Parent plats to the south dedicated a combined 100 feet to Knackstedt Street, while the parent plat to the north dedicated 30 feet for the west side of the road. Much of the land east of Knackstedt Street remains unsubdivided, and it is reasonable to expect dedications of 30' from those unsubdivided parcels. The parcel directly east is privately owned, and the parcel to the northeast is owned by Cook Inlet Region, Inc.

A 66-foot section line easement, with 33 feet on either side of the section line, lies to the north within Scholastic Avenue. The section line easement is depicted and labeled on the sketch. No portion of the section line easement is affected by the proposed vacation.

The block is compliant in length and is defined by Scholastic Avenue and the section line easement to the north, Knackstedt Street to the east, Radcliff Avenue and Rose Circle to the south, and Poppy Ridge Road and Franke Road to the west. The proposed vacation will not alter block length.

Knackstedt Street currently provides access to multiple streets and parcels. Most parcels to the south are developed, while parcels to the northeast remain undeveloped.

The Kenai River is located to the north; however, Knackstedt Street does not provide access to the river as it turns west at Vineyards Dr.

The Roads Director has identified issues with the proposed vacation as noted below. Vacating this portion of Knackstedt Street would reduce the right-of-way width to 30 feet. Under KPB 20.30.120, the minimum required street width is 60 feet. As a result, the road would become substandard if the vacation were approved.

Knackstedt Street was incorporated into the Borough's road maintenance program in the 1980's with a width of 50 feet. This occurred under the Local Services Roads and Trails (LSR&T) Program administered by the State of Alaska, which expanded the number of Borough-maintained roads. Reducing the width now would conflict with those established standards and the road's existing maintenance status.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: There appears to be encroachments into the 20' setback being dedicated on this plat. This would negatively impact the ability to perform maintenance. Depending on the severity of the impact we could be forced to go through the decertification process for that section of Knackstedt Street.
SOA DOT&PF comments	No Comments

**Site Investigation:**

Multiple structures are located on the subject parcel according to available imagery and KPB Assessing Data. Two structures, including associated septic pipes and wells, are depicted on the sketch. The northernmost cabin shown on the sketch is located within the portion of the right-of-way proposed for vacation.

Both structures are located within the existing 20-foot building setback as noted on the parent plat. If the right-of-

way vacation is approved, the 20-foot building setback will shift to align with the new right-of-way boundary. Based on available information, the northernmost structure will likely continue to encroach into the setback after the vacation.

An as-built survey was submitted showing the overhead powerline and an approximately 18.5-foot by 20.4-foot cabin encroaching into the current right-of-way. The porch rail encroaches approximately 8.5 feet, and the eastern corner encroaches approximately 0.9 feet into the 50-foot platted Knackstedt Street right-of-way. The overhead powerline is depicted approximately 17.2 feet into the right-of-way.

**Staff recommends** That building setback permits are required for any structures encroaching into the building setback. These applications should be submitted and reviewed prior to approval of a final plat.

No wet areas affect the proposed vacation area based on wetland layers available in KPB imagery.

No steep slopes affect the subject parcel according to available terrain data.

The subject parcel lies entirely within a non-regulatory flood zone, Zone X-Unshaded, an area of minimal flood risk. The parcel spans two FIRM panels: 02122C-0145F and 022122C-0240F. **Staff recommends** that the standard Flood Hazard Note be added to the preliminary plat with reference to the flood zone and map panels.

KPB River Center review	A. Floodplain   Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: This property is split between two FIRMs. 02122C-0145F and 022122C-0240F. Property is all within non-regulatory X-Unshaded Zone which is an area of minimal flood risk. No depictions but plat note should be included.   Flood Zone: X (unshaded) Map Panel: 02122C-0145F In Floodway: False Floodway Panel:   B. Habitat Protection   Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
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**Staff Analysis:**

College Estates Subdivision (KN 75-109) first subdivided the E1/2 NW1/4 NE1/4 of Section 25, Township 5 North, Range 11 West, Seward Meridian, creating block one consisting of two lots and dedicating associated rights-of-way.

If approved, the petitioned vacation will be finalized by College Heights Subdivision 2026 Addition. The plat will also subdivide Lot 1, Block 1, into two new lots. No additional right-of-way dedication is proposed. The preliminary plat will be scheduled for review by the Plat Committee after the right-of-way petition has been considered.

The parent plat (KN 75-109) granted a 5-foot clearing easement adjacent to Knackstedt Street and a 10-foot utility easement along the western boundary of Lot 1. The 5-foot clearing easement is proposed to be vacated through this vacation petition. If the vacation is approved by the planning commission, **staff recommends** that the easement be labeled or hatched on the plat for better clarification.

The parent plat also depicts a 30-foot Alaska Pipeline Company easement to the north along Scholastic Avenue and the location of overhead powerlines along Knackstedt Street. Both have been carried forward onto the provided sketch. The overhead powerlines are located within the right-of-way proposed for vacation. HEA has provided a non-objection to the right-of-way vacation and has requested additional easements in lieu of the 5-foot clearing easement. If the Planning Commission approves the vacation, **staff recommends** the applicant verify whether the 30-foot Alaska Pipeline Company easement was granted by the parent plat or by a separate document, and provide verification with the preliminary plat submittal. **Staff further recommends** compliance with HEA's request.

ENSTAR and Alaska Pipeline Company, LLC (APC) have reviewed the vacation request. HEA confirmed that existing natural gas distribution pipeline facilities are located within the proposed 20-foot vacation area, and APC operates two natural gas transmission pipelines within the 30-foot-wide easement along the north boundary. Both ENSTAR and APC have requested specific conditions that must be met in order to approve the right-of-way vacation. These conditions are included in the staff packet. **Staff recommends** compliance with ENSTAR's and APC's requests.

The associated plat will grant a 10-foot utility easement adjacent to Knackstedt Street. **Staff recommends** a detail be added to the preliminary and final plats, to better display the proposed easements and setbacks without the vacation hatch and labels.

The parent plat required a 20-foot building setback along Knackstedt Street and a 47-foot building setback along Scholastic Avenue. The 47-foot building setback is depicted and labeled appropriately on the sketch. The 20-foot building setback will shift with the right-of-way if the vacation is approved. **Staff recommends** that the 20-foot building setback label be updated to reflect the parent plat.

#### **20.65.050 – Action on vacation application**

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

**Applicant comments:** It appears that the north boundary of this property is the end of borough maintenance with the road beyond that point being a driveway. There does not appear to be a lot of traffic at this time. There is a cabin and porches constructed in the right-of-way that will be resolved by this vacation.

**Staff comments:** Knackstedt Street is borough-maintained from Bonita Avenue north to Scholastic Avenue and currently provides access to multiple streets and parcels. Available imagery indicates that the proposed vacation area is cleared and does not appear to be used by the public. In the northeast corner, a portion of the right-of-way appears to be used by the property owners as a driveway and parking area providing access to a cabin.

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

**Applicant comments:** Existing road is well within the east 30 feet of the dedication. Scholastic Avenue is a section line, 66-foot right-of-way for alternative access. Also, the property to the east will need to dedicate 30 feet of right-of-way once any platting action occurs with it. Any less dedication from it would result in a jog in a full 60-foot right-of-way in the end.

**Staff comments:** The road is constructed and is being Borough maintained. The Roads Director has indicated concern with vacating the west 20 feet as petitioned and reducing to 30 feet. without having the 30 feet to the east dedicated, this vacation could affect the designation of the road maintenance of this portion of Knackstedt St.



3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;  
**Applicant comments:** Original plat dedicated 50 feet. Required dedication should have been only 30 feet. Adjacent property will be required to dedicate matching 30 feet for any platting action. Right-of-way narrows to 30 feet just to the north of this property.  
  
**Staff comments:** Knackstedt Street currently provides access to multiple streets and parcels. Most parcels to the south are developed, while parcels to the northeast remain undeveloped. Parent plats to the south dedicated a combined 100 feet to Knackstedt Street, while the parent plat to the north dedicated 30 feet. Much of the land east of Knackstedt Street remains unsubdivided, and it is reasonable to expect matching dedication in the future. The parent plat granted a 10-foot utility easement on the western boundary of Lot 1, Block 1, and a 5-foot clearing easement along Knackstedt Street. The 5-foot clearing easement is proposed to be vacated by this platting action. HEA has requested additional easements to be granted. The associated plat will grant a 10-foot utility easement along Knackstedt Street.
4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;  
**Applicant comments:**  
  
**Staff comments:** The Kenai River is located to the north; however, Knackstedt Street does not provide access to the river.
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;  
**Applicant comments:** Existing road is well within the east 30 feet of the dedication. It appears that the north boundary of this property is the end of borough maintenance with the road beyond that point being a driveway.  
  
**Staff comments:** Knackstedt Street varies in width from 100 feet to 30 feet, extending north from Bonita Avenue and terminating at the Vineyards Drive. It is borough-maintained from Bonita Avenue north to Scholastic Avenue. Surrounding parcels will continue to have access via Scholastic Avenue and the remaining 30 feet of Knackstedt Street. Knackstedt Street currently provides access to multiple streets and parcels. Most parcels to the south are developed, while parcels to the northeast remain undeveloped. Parent plats to the south dedicated a combined 100 feet to Knackstedt Street, while the parent plat to the north dedicated 30 feet. Much of the land east of Knackstedt Street remains unsubdivided, and it is reasonable to expect matching dedication in the future.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;  
**Applicant comments:** Existing road is well within the east 30 feet of the dedication. It appears that the north boundary of this property is the end of borough maintenance with the road beyond that point being a driveway.  
  
**Staff comments:** While the existing road may be within 30 feet of a dedication, Future development and subdivision growth will affect the category of road. The need for minimum 60' dedications is established practice today, see also utility requests for additional easement if this vacation were to be approved.
7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

**Applicant comments:** The power poles and line are placed as if it was a 30-foot dedication with a 10-foot easement.

**Staff comments:** HEA has requested additional easements to be granted. ENSTAR and APC have requested conditions to be met for approval. The associated plat will grant a 10-foot utility easement along Knackstedt Street.

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

**Applicant comments:**

Original constructed roadway was considerable to the east of current location misleading the owners in locating the cabin building sites. Sight distance is adequate since the existing roadway is placed well within the east 30 feet of the 50-foot right-of-way.

**Staff comments:**

The roads director has indicated in his comments that the status of Knackstedt St along the stretch where the vacation is proposed, if granted may be affected. If the vacation is granted, he has indicated depending on the impact of the vacation, decertification of the that section of road could happen. Petitioner should address this issue and attempt to contact owner to east for a possible acquisition plat to KPB for the needed 30' to continue maintenance.

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled June 24, 2026 meeting.

If approved, College Estates Subdivision 2026 Addition will finalize the proposed right of way vacation and associated 5-foot clearing easement. The Plat will be scheduled for review by the Plat Committee once a complete application has been submitted.

**KPB department / agency review:**

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 35947 Knackstedt St, 35903 Knackstedt St.  Existing Street Names are Correct: Yes  List of Correct Street Names: Scholastic Ave, Knackstedt 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: No comments
LOZMS 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	See comment in packet
ENSTAR	See comment in packet
ACS	No objections
GCI	No response

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

- Modify legal description to include the block and revise associated utility easement to “5-foot clearing easement.”
- Add the KPB file number 2026-035
- Modify the label on the 20-foot building setback to parent plat KN 75-109
- Plat needs surveyed

**RECOMMENDATION:**

Staff recommends DENIAL as petitioned, due future anticipated growth in the region and due to the concern the road may be decertified for maintenance if the portion is vacated and the issue not being researched prior to submittal and addressed by the petitioner.

**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.*

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**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.





KPB Parcel ID(s):

**05561015**

 Selected Parcel  
Boundary or Boundaries

Regulatory Floodplain

FIRM_Panels



Floodplain

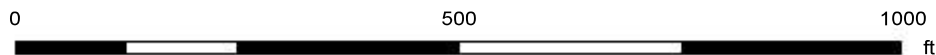
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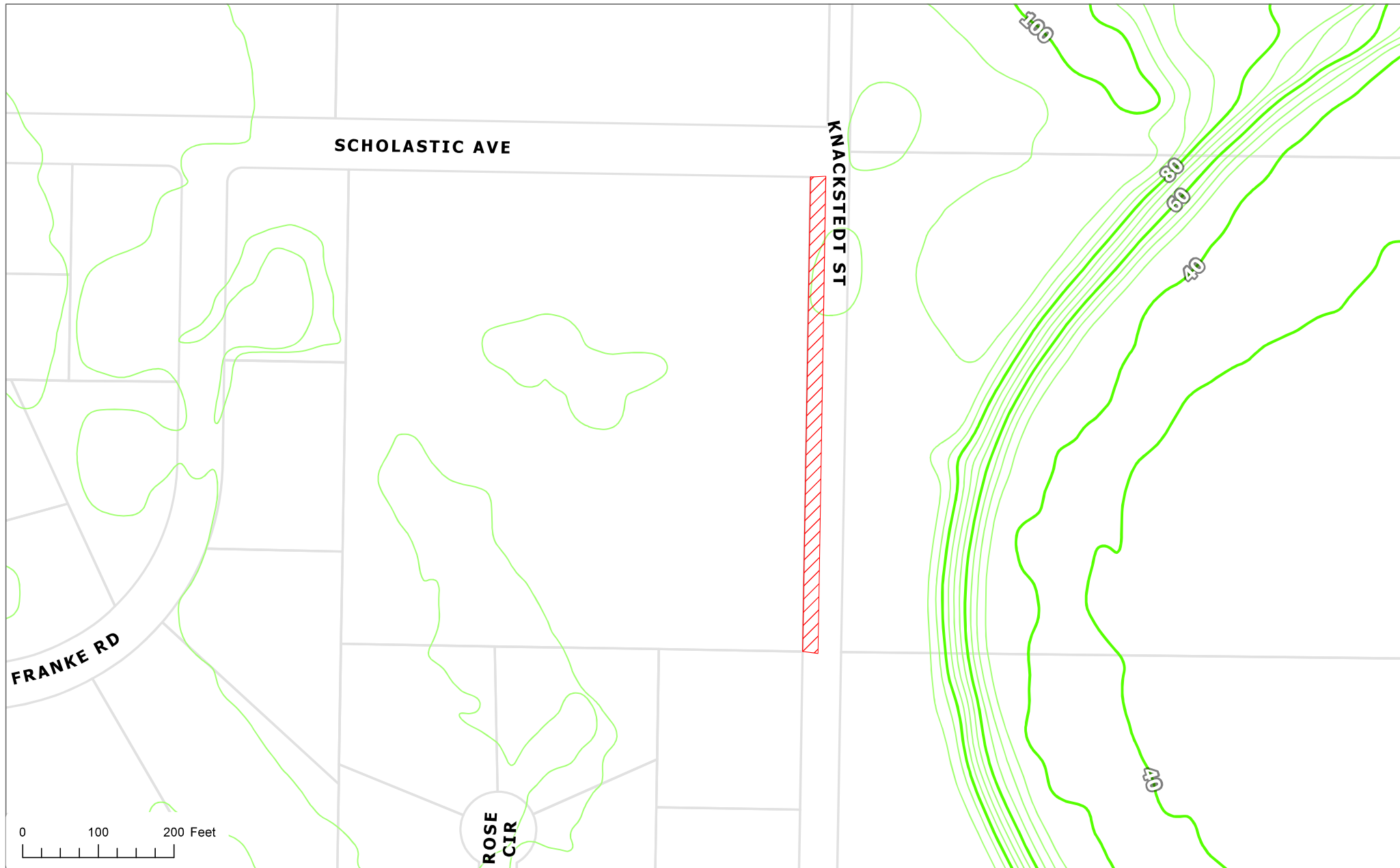
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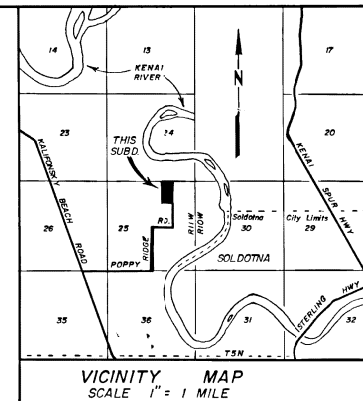
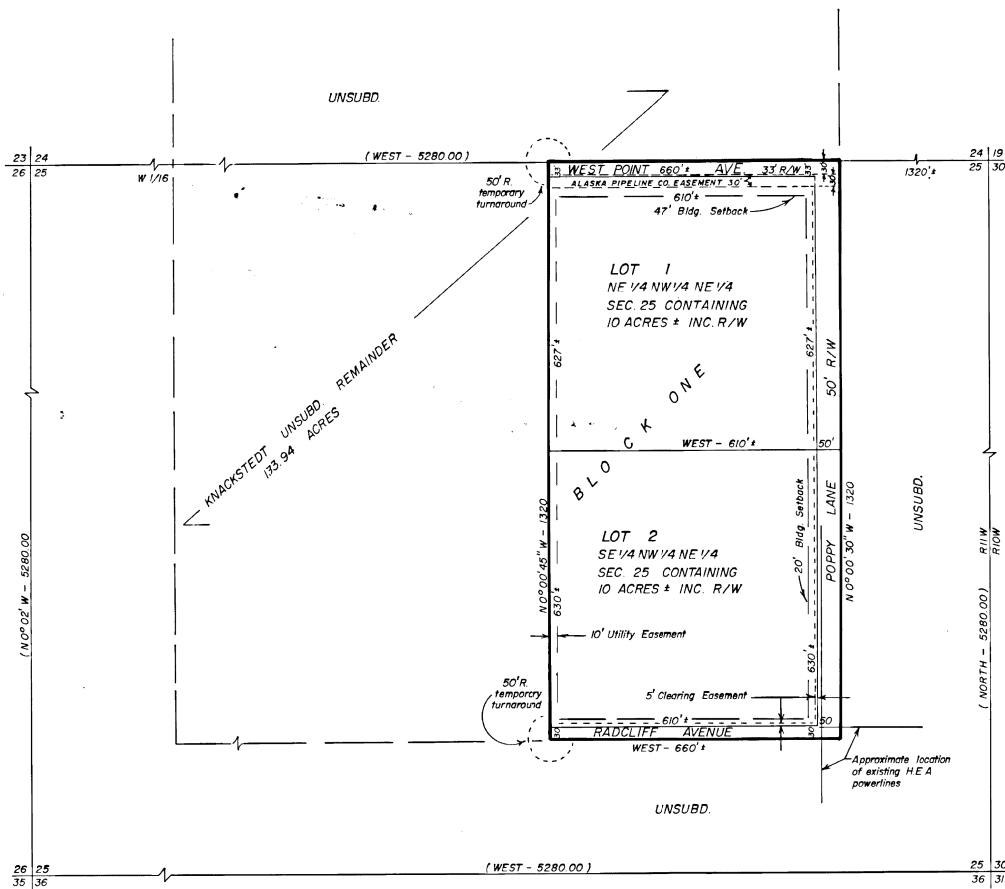
**Community Flood Insurance  
Rate Map (FIRM) Panel(s):**

02122C0145F, 02122C0240F



For a detailed description of the mapped floodplain areas, please see the letter accompanying this map.





#### LEGEND AND NOTES

This is a paper plat of the E1/2 NW1/4 NE1/4 SEC. 25, T5N, R11W, S4 AK divided by Aliquot parts.

G.L.O. datum of record shown in ( )

No field survey has been made and no stakes or monuments were set.

#### CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways and or streets dedicated by us for public use.

DATE 10-14-75

Loretta Knackstedt  
owner

Henry Knackstedt Jr by  
owner  
Loretta Knackstedt as Guardian

#### NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 14th day of October, 1975.

My commission expires July 9, 1978.



G. S. Best  
notary public for Alaska

#### PLAT APPROVAL

Plat approved by the Commission this 16th day of October, 1975.

Stanley S. McLane  
Mayor

75-109

RECORDED	FILED
Kenai	REC. DIST.
DATE <u>10-14</u>	TO <u>75</u>
TIME <u>2:07</u>	P. M.
Requested by <u>Loretta Knackstedt</u>	
Address <u>Box 4003</u>	
<u>Kenai</u>	

#### COLLEGE ESTATES SUBDIVISION

Loretta C. Knackstedt and Henry H. Knackstedt, Jr., owners  
Box 4003, Kenai, Ak. 99611

#### DESCRIPTION

E1/2 NW1/4 NE1/4 SECTION 25  
T5N, R11W, S4 AK CONTAINING 20 AC. M/L  
SITUATED IN THE KENAI PENINSULA BOROUGH.

Prepared by — McLane & Associates  
Soldotna, Ak

DATE OF PREPARATION  
9/9/75

SCALE  
1" = 200'



# SURVEYED TOWNSHIP 5 NORTH RANGE 11 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

## MTP SUPPL SECS 24 & 25

NO. 10

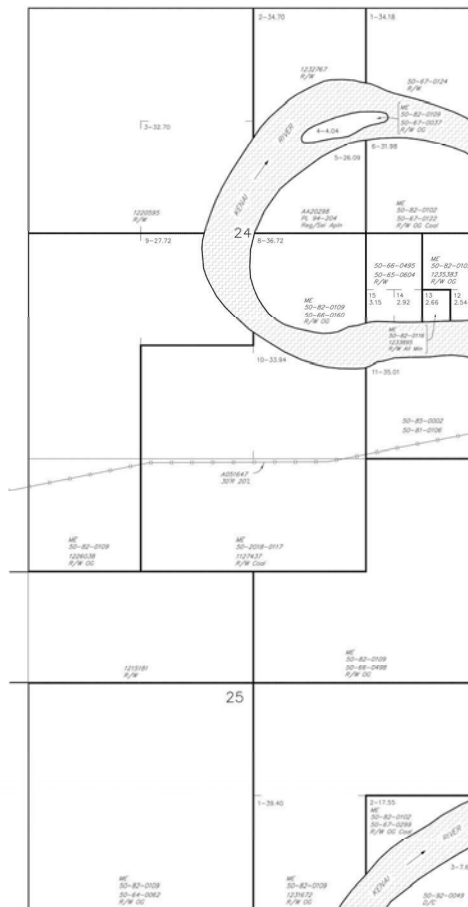
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-  
IDENTIFIED LANDS WITHIN/AMONG FOR CLASSIFICATION  
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES  
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only

PLO 5184 W& CI affects L&I/Interests not conveyed

A050604 SS Amst PL 86-487 Sec 806(s) Top Filed

AA76979 SS Amst PL 86-487 Sec 806(s) Top Filed

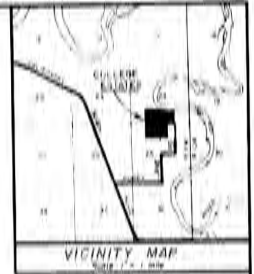


SCALE IN CHAINS  
0 5 10 20

NOTES:  
This plat is the Bureau's Record of Title, and should be used  
only as a guide to the actual survey data. Any  
discrepancies should be referred to the original survey data.  
Refer to the original survey for official survey information.

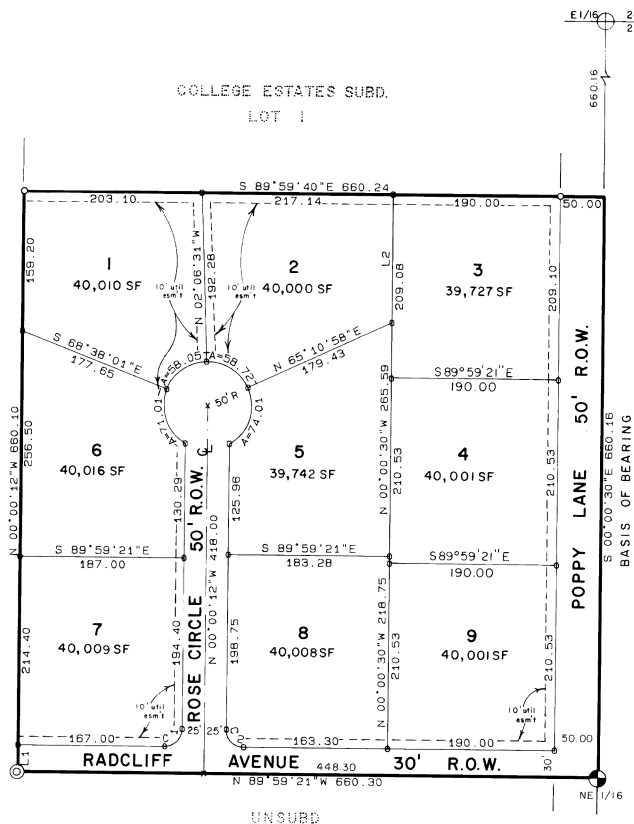
CURRENT TO	NO. 10
9-28-2025	See Mer
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ACAD

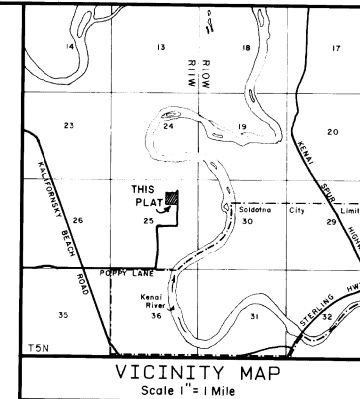
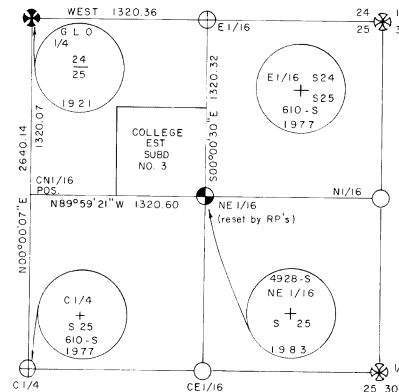


*All wastewater treatment and disposal systems shall comply with existing law of State of California.*

COLLEGE ESTATES SUBD. NO. 2  
LOT 3 BLOCK ONE



# 1/4 SECTION BREAKDOWN SECTION 25, T5N, R11W, S.M., AK.



## LEGEND

- BLM or GLO monument recovered
- BLM or GLO monument not recovered
- Found official survey monument
- Set Bernstein 3 1/4" x 30" aluminum survey monument
- Monument of record not recovered
- Found 5/8" rebar
- Set 5/8" x 30" rebar with 1/2" aluminum cap
- Found 1/2" rebar
- Set 1/2" x 24" rebar

## NOTES

- All wastewater treatment and disposal systems shall comply with existing law at the time of construction.
- BUILDING SET BACK - A building set back of 20 ft. is required from all street rights of ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Lots 1, 2, 5, 6, 7 and 8 are restricted to interior access only.
- I hereby certify that the lot design and associated building restrictions as shown will assure adequate area for each lot and meets those standards as set forth in 18AAC72.010 - 72.100 in force at the time of this plat.

*Bruce C. Robson* 5-16-83  
Bruce C. Robson CE # 5174

## LINE TABLE

LINE	BEARING	DISTANCE
1	N 00°00'12"W	30.00
2	N 00°00'30"W	145.80

## CURVE TABLE

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BRG
1	90°00'51"	20.00	31.42	20.00	28.29	N 45°00'13"E
2	89°59'09"	20.00	31.41	20.00	28.28	S 44°59'47"E

STATE OF ALASKA  
NOTARY PUBLIC  
MARY TOLL

My Commission Expires 9/20/86

## NOTARY'S ACKNOWLEDGEMENT

FOR: Beverly F. Brewer

Subscribed and sworn before me this  
12th day of May, 1983.

My commission expires 9/20/86

*Mary Toll*  
Notary Public for the State of Alaska

## CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and / or streets dedicated by us for use shown.

*Beverly F. Brewer*  
Beverly F. Brewer

## PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

April 11, 1983.

KENAI PENINSULA BOROUGH

*W. West*  
By _____

Authorized Official

## COLLEGE ESTATES SUBDIVISION NO. 3 (A SUBDIVISION OF LOT 2 COLLEGE EST. SUBD.)

Beverly F. Brewer, owner  
Box 1324  
Kenai AK 99611

LOCATION  
10.006 AC. M/L LOCATED IN THE E1/2 NW1/4 NE1/4 SECTION 25 T5N, R11W, S.M. AK. AND THE KENAI PENINSULA BOROUGH.

Surveyed by: McLANE & ASSOCIATES, INC.  
Soldotna, AK 99669

Date	Scale	Bk. No.
May 5, 1983	1" = 100'	81-13







**ENSTAR Natural Gas Company, LLC**

Engineering Department, Right of Way Section  
401 E. International Airport Road  
P. O. Box 190288  
Anchorage, Alaska 99519-0288  
(907) 277-5551  
FAX (907) 334-7798

May 8, 2026

Kenai Peninsula Borough, Platting Division  
144 North Binkley Street  
Soldotna, Ak 99669

To whom it may concern:

ENSTAR Natural Gas Company, LLC (ENSTAR) & Alaska Pipeline Company, LLC (APC) have reviewed the preliminary plat COLLEGE ESTATES SUBDIVISION 2026 ADDITION (KPB 2026-035V) and advises:

1. ENSTAR has existing natural gas distribution pipeline facilities located within the proposed twenty feet (20 FT) wide partial Right of Way vacation of Knackstedt Street. If vacated, the facilities will be located within proposed Lots 1A & 1B.
2. APC operates two high pressure natural gas transmission pipelines located within the existing thirty feet (30 FT) wide easement along the north edge of proposed Lots 1A & 1B.

ENSTAR & APC object to this plat unless the following conditions are met:

1. Owner signs an ENSTAR Natural Gas Easement for a fifteen foot (15 FT) wide natural gas easement centered over the existing natural gas distribution pipeline within proposed Lots 1A & 1B.
2. Add a plat note stating "30' Alaska Pipeline Co. easement per KRD 75-109 is in no way altered, vacated, or otherwise changed by the vacation of Knackstedt St. ROW & associated utility easement"
3. Add a plat note stating:

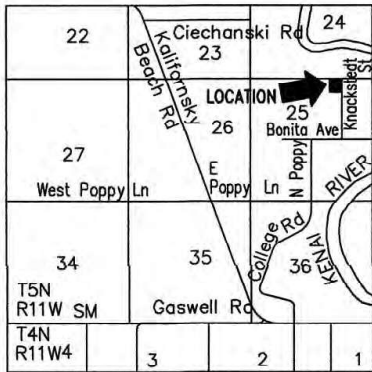
"In compliance with Alaska Statute 42.30.400-42.30.490 - Alaska Underground Utility Facilities Damage Prevention Act, any Landowner/Contractor working near ENSTAR gas facilities shall contact the Alaska Digline, Inc., (907) 278-3121 or 811 for line locating a minimum of two (2) business days prior to any related excavation. Additionally, ENSTAR requires mandatory on-site inspection and standby by qualified personnel for any excavation within 10 feet of a natural gas transmission pipeline or 5 feet of a natural gas distribution pipeline. This service is free of charge."

If you have any questions, please feel free to contact me at (907) 334-7944 or by email at [brandon.echols@enstarnaturalgas.com](mailto:brandon.echols@enstarnaturalgas.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Echols", is written over a light blue horizontal line.

Brandon Echols  
Right of Way & Permitting Agent  
ENSTAR Natural Gas Company, LLC



VICINITY 1" = 1 mile MAP

# College Estates Subdivision 2026 Addition Preliminary Plat

A Subdivision of Lot 1 College Estates Subd., KRD 75-109  
Including a partial vacation of Knackstedt St. ROW & associated utility easement.  
Located in the NE1/4 Section 25, T5N R11W, SM, Alaska.  
Kenai Recording District Kenai Peninsula Borough

## Prepared for

Brent & Tammy Blumentritt  
35903 Knackstedt St.  
Soldotna, AK 99669

## Prepared by

Johnson Surveying  
P.O. Box 27  
Clam Gulch, Ak 99568  
(907) 262-5772

SCALE 1" = 100' AREA = 9.065 acres

3 April, 2026

NOTE : Topography is flat. There are no wet areas on the property.

— indicates ROW proposed for vacation

HEA REVIEWED - SEE COMMENTS

Scott Huff 4/22/2026  
Land Management Officer

KRD 82-44  
Lot 2  
Block 2

KRD 2006-55  
Tract A

KRD 2005-75  
Lot 19

KRD 2005-75  
Lot 18

KRD 2005-75  
Lot 17

30' Alaska Pipeline Co. easement per KRD 75-109  
47' building setback per KRD 75-109

10' utility easement per KRD 75-109

626.63' N 0° 00' 12" W

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SCHOLASTIC AVE.

S 89° 58' 13" E 630.04'

66'

33' section line easement

33' section line easement

33' section line easement

33' section line easement

33' section line easement

33' section line easement

33' section line easement

33' section line easement

33' section line easement





## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/2/2026 to vacate a public right-of-way in the Kalifornsky area. Area under consideration is described as follows:

Request / Affected Property: Vacates a 20' wide by approximately 626' long right-of-way and the associated utility easements along Knackstedt St

KPB File No. 2026-035V.

Petitioner(s) / Land Owner(s): Brent D and Tammi L Blumentritt of Soldotna, AK.

Purpose as stated in petition: Original plat dedicated 50'. Required dedication should have been only 30'. Adjacent property will be required to dedicate matching 30' for any platting action. ROW dedication narrows to 30' just to the north of this property. There

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

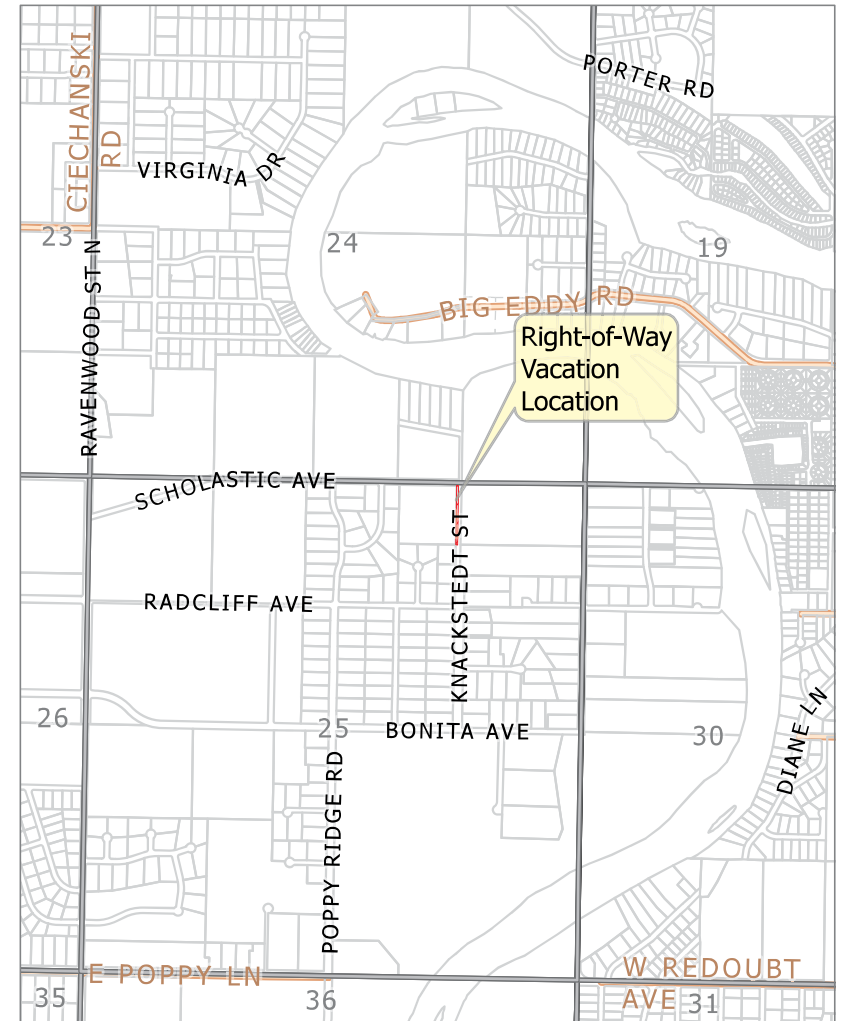
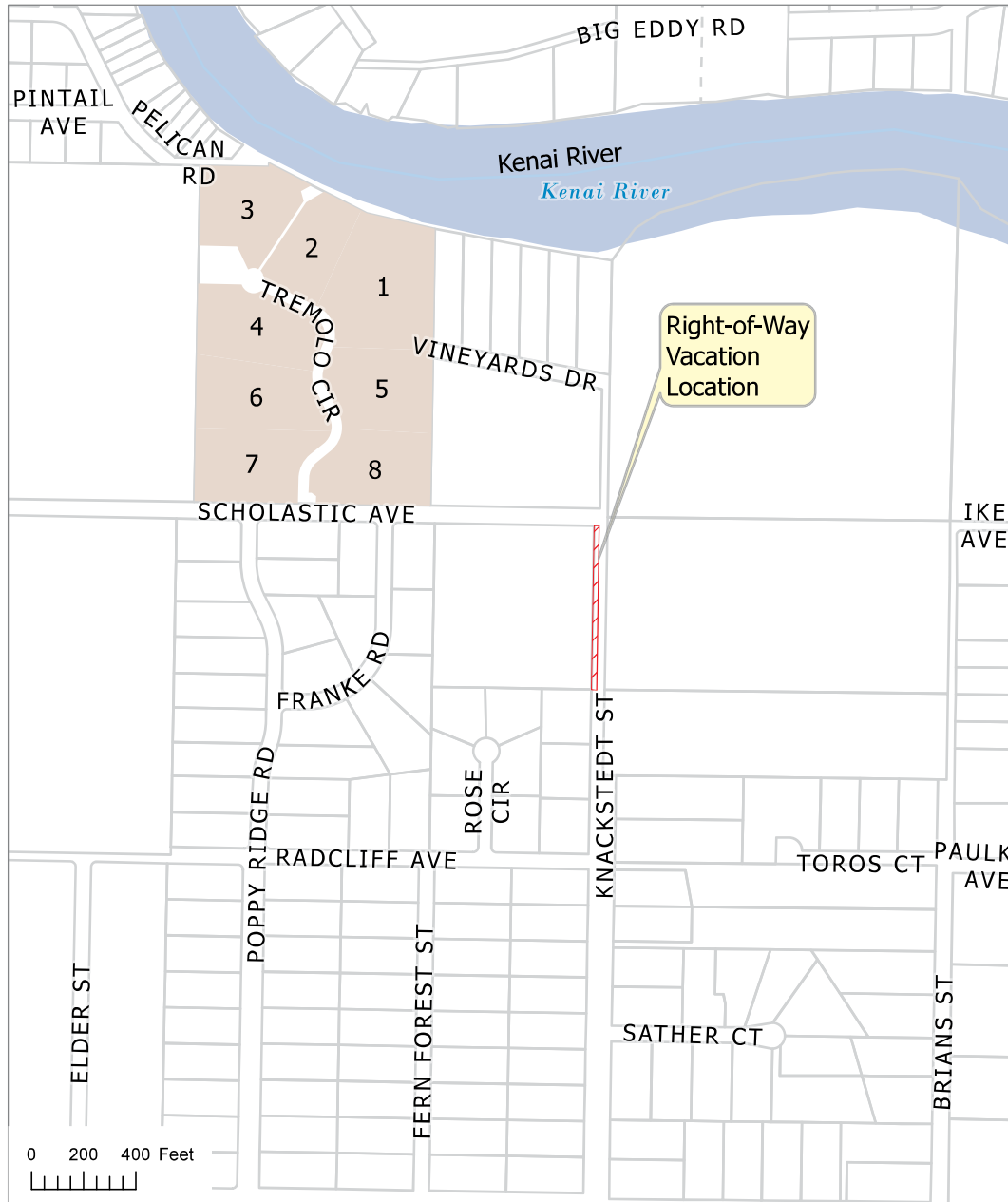
Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [planning@kpb.us](mailto:planning@kpb.us), or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

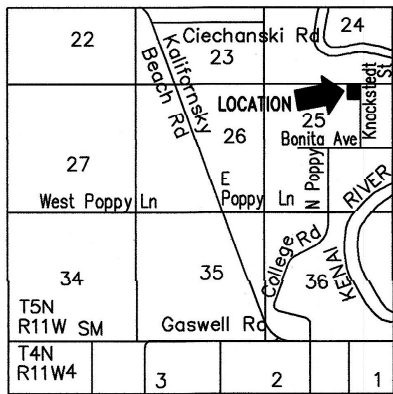
For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email [planning@kpb.us](mailto:planning@kpb.us).

Mailed 7/2/2026



KPB File 2026-035V  
T05N R11W SEC25  
Kalifornsky





VICINITY 1" = 1 mile MAP

# College Estates Subdivision 2026 Addition Preliminary Plat

A Subdivision of Lot 1 College Estates Subd., KRD 75-109  
Including a partial vacation of Knackstedt St. ROW & associated utility easement.  
Located in the NE1/4 Section 25, T5N R11W, SM, Alaska.  
Kenai Recording District Kenai Peninsula Borough

Prepared for

Brent & Tammy Blumentritt  
35903 Knackstedt St.  
Soldotna, AK 99669

Prepared by

Johnson Surveying  
P.O. Box 27  
Clam Gulch, Ak 99568  
(907) 262-5772

SCALE 1" = 100' AREA = 9.065 acres

3 April, 2026

NOTE : Topography is flat. There are no wet areas on the property.

- indicates ROW proposed for vacation

KRD 82-44  
Lot 2  
Block 2

KRD 2006-55  
Tract A

NW 1/4  
Gov Lot 11  
Sect 24

KRD 2005-75  
Lot 19

KRD 2005-75  
Lot 18

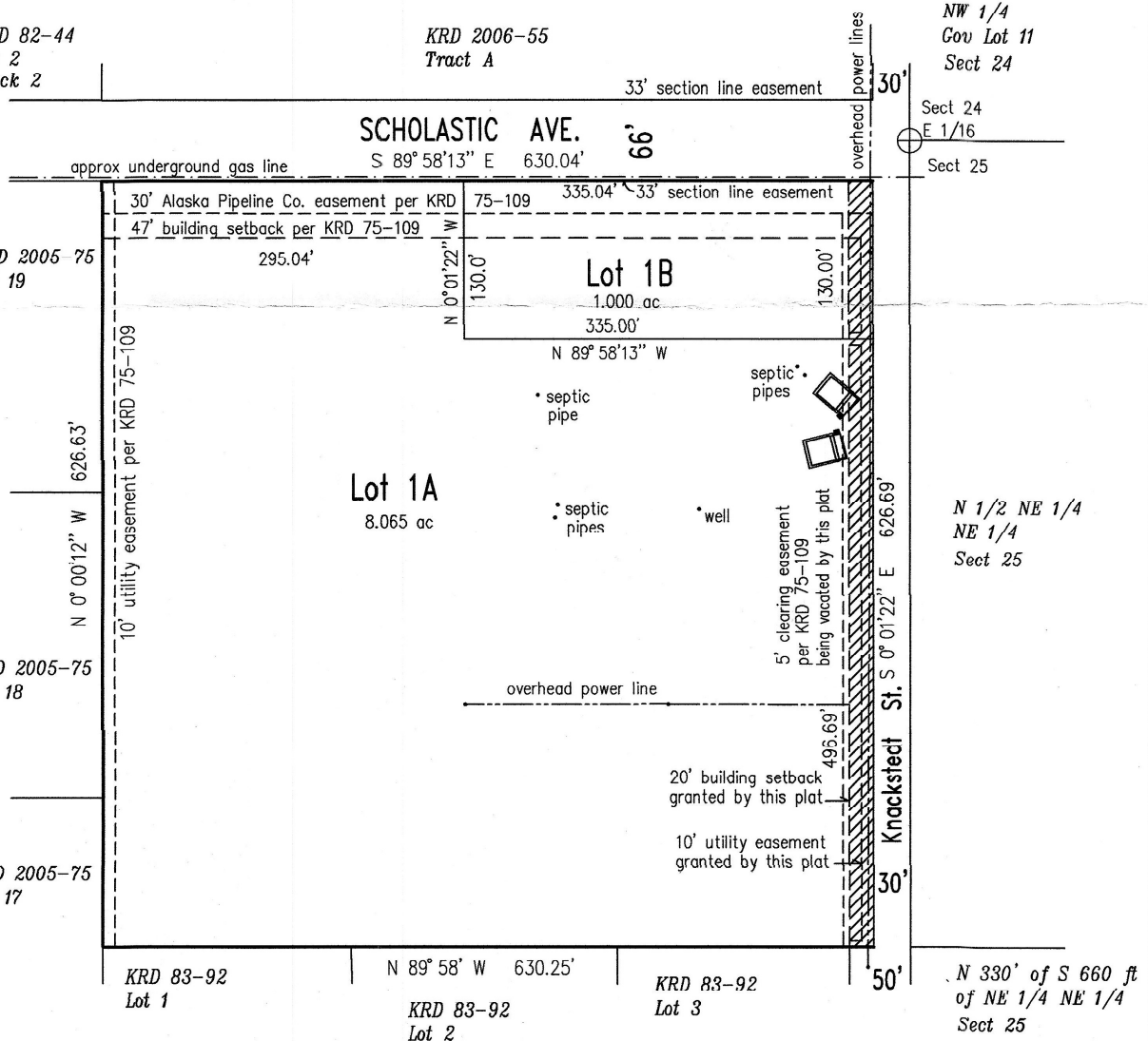
KRD 2005-75  
Lot 17

KRD 83-92  
Lot 1

KRD 83-92  
Lot 2

KRD 83-92  
Lot 3

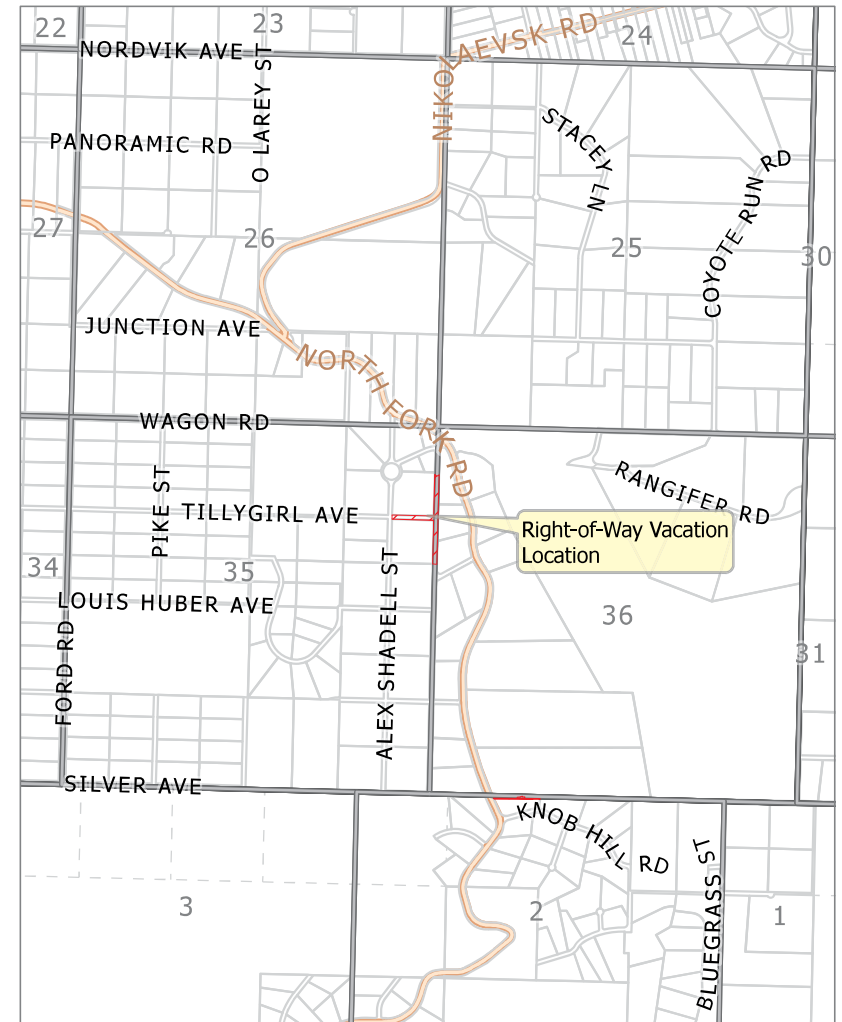
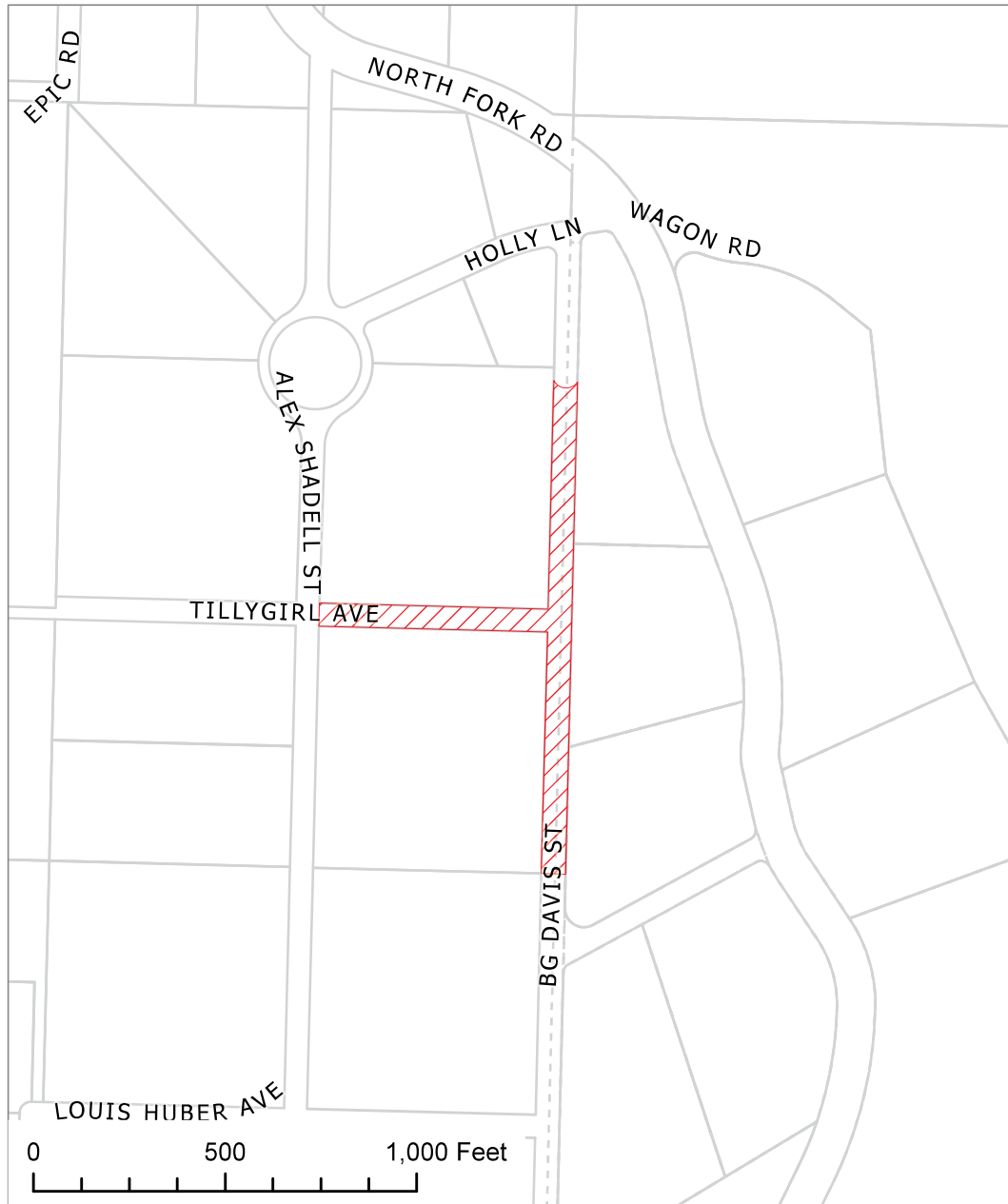
N 330' of S 660 ft  
of NE 1/4 NE 1/4  
Sect 25



**KPB 2026-035V**

## **E. NEW BUSINESS**

- 6. Right-of-Way Vacation; KPB File 2026-062V  
Peninsula Surveying / Inglis  
Request: Vacates portions of Tillygirl Ave & BG Davis St  
Anchor Point Area**



KPB File 2026-062V  
T 04S R 14W SEC 35 & SEC 36  
Anchor Point





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.



# NOTES

1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10' ADJOINING-DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.
3. 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.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. 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.
6. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.0C170.
7. SUBJECT TO A ROAD RESERVATION OF 33 FEET ALONG THE WEST SIDE OF THE SECTION LINE AS CREATED BY 43 U.S.C. 932 AND OF 50 FEET ALONG THE EAST SIDE OF THE SECTION LINE AS CREATED BY A.S. 15.10.010.
8. SUBJECT TO RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING WITHIN THE LIMITS OF ROADS, STREETS AND HIGHWAYS.
9. SUBJECT TO A 100 FOOT WIDE RIGHT-OF-WAY EASEMENT IN FAVOR OF THE STATE OF ALASKA DEPARTMENT OF HIGHWAYS RECORDED MARCH 15, 1961, IN BOOK 21, PAGE 401, HOMER RECORDING DISTRICT. NO CENTERLINE GIVEN HOWEVER THE INTENT IS FOR NORTH FORK ROAD WHICH WAS DEDICATED PER HW2024-17.
10. SUBJECT TO AN EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED APRIL 2, 1963 IN BOOK 28 PAGE 215, HOMER RECORDING DISTRICT WITH NO DEFINITE LOCATION DISCLOSED.
11. NO WETLANDS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB GIS WETLAND DATA.
12. NO FLOOD ZONE, FLOODWAY OR ANADROMOUS WATERS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB GIS DATA.

## LEGEND

- * RECORD PRIMARY MONUMENT AS DESCRIBED
- RECORD 1/2" REBAR
- RECORD 2.5" AL-CAP BY LS-14463, 2022
- RECORD 2" AL-CAP BY LS-4469, 2009
- TO SET RPC ON 5/8" X 36" REBAR BY LS14488
- (R1) RECORD DATA PER HW2024-17
- (R2) RECORD DATA PER HM83-123
- (R3) RECORD DATA PER HW2000-0-25R5
- (R4) RECORD DATA PER HW2024-17

- APPROXIMATE SLOPES GREATER THAN 20% FROM KPB CONTOUR GIS DATA
- RIGHT-OF-WAY VACATED THIS PLAT
- UTILITY EASEMENT VACATED THIS PLAT

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	35.05'	25.00'	360°19'53"	32.25'	N41°28'58"E
C2	29.66'	25.00'	267°58'41"	27.95'	S65°45'39"E
C3	196.73'	569.41'	31°59'48"	191.72'	S21°46'26"E
C4	136.15'	724.07'	21°04'24"	135.95'	S17°09'43"E
C5	41'90"	904.83'	32°04'46"	406.35'	S09°30'34"E
C6	66.55'	216.07'	21°38'52"	66.29'	S05°17'47"E
C7	32.31'	25.00'	37°40'31"	30.11'	S22°54'24"W
C8	104.71'	50.00'	11°59'23"	86.60'	N60°04'19"W
C9	249.81'	50.00'	28°15'36"	60.00'	S89°59'43"E
C10	102.34'	100.00'	58°38'14"	97.93'	N29°16'24"E
C11	151.54'	150.00'	58°38'56"	146.93'	N29°16'03"E
C12	92.73'	50.00'	106°15'37"	80.00'	S00°04'37"E
C13	157.08'	50.00'	180°00'00"	100.00'	N36°47'35"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.83'	N80°15'00"E
L2	31.09'	S31°46'19"E
L3	45.83'	S03°31'49"W
L4	89.71'	N00°04'37"W

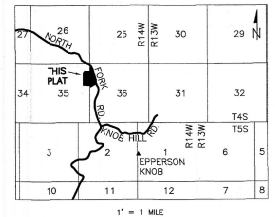
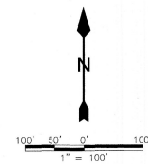
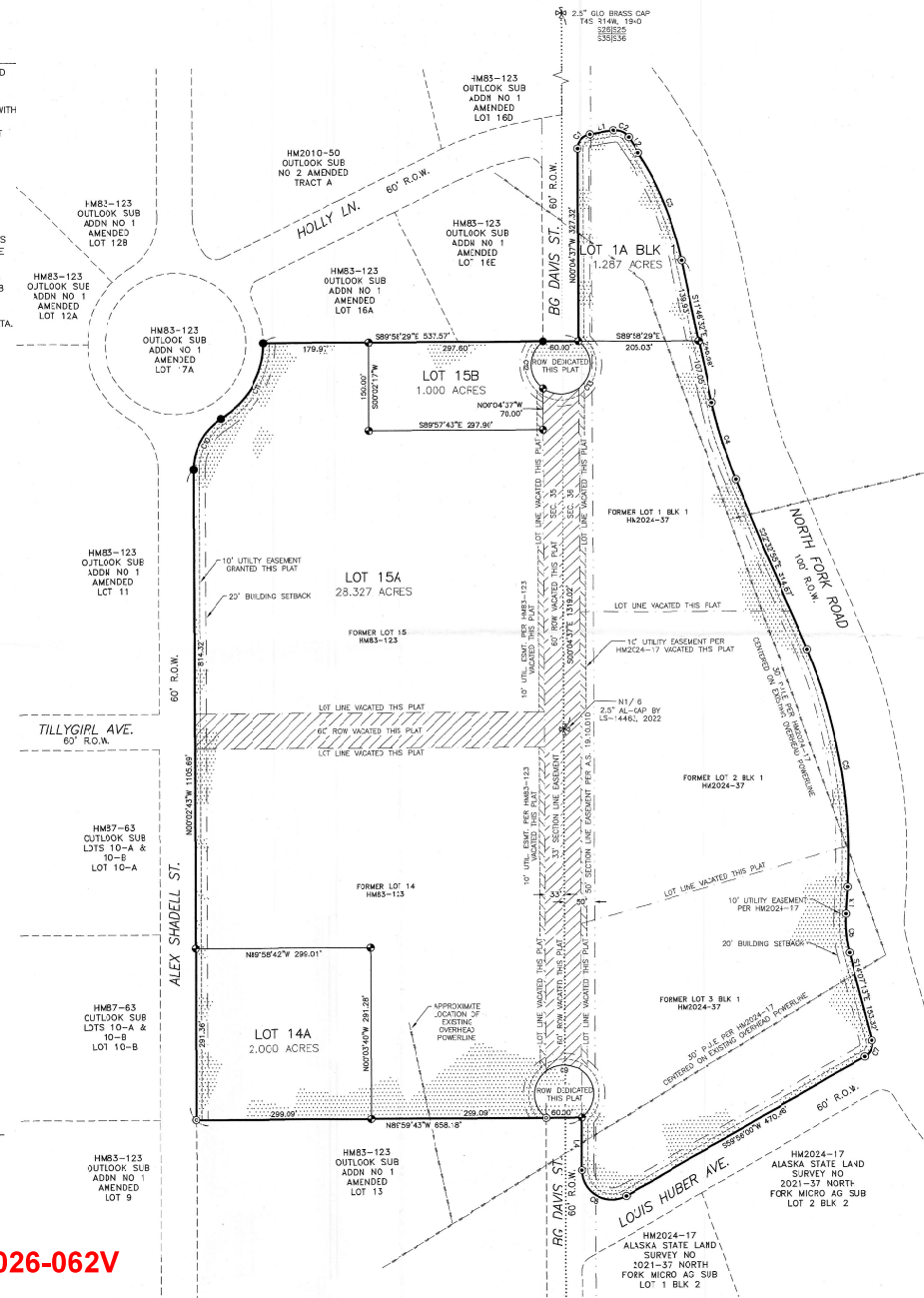
## WASTEWATER DISPOSAL

LOT 15A: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE 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.

LOTS 14A, 15B & LOT 1A BLK 1 TBO

ENGINEER LICENSE # DATE

KPB 2026-062V



## CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DOUGLAS JOHN INGLIS  
P.O. BOX 1344  
HOMER, AK 99603

CHERIE MICHELLE INGLIS  
P.O. BOX 1344  
HOMER, AK 99603

## NOTARY ACKNOWLEDGMENT

FOR: DOUGLAS JOHN INGLIS  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

## NOTARY ACKNOWLEDGMENT

FOR: CHERIE MICHELLE INGLIS  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL DATE

KPB FILE NUMBER: 2026-000

<b>PENINSULA SURVEYING, LLC</b> 10535 KATINA BOULEVARD, NINILCHIK, AK 99639 (907)356-7065	
PLAT OF <b>OUTLOOK SUBDIVISION</b> <b>NORTH FORK MICRO AG ADDITION</b>	
A SUBDIVISION OF LOTS 14 & 15, OUTLOOK SUBDIVISION ADDN. #1 AMENDED, HM83-123 AND LOTS 1-3, BLOCK 1, ALASKA STATE LAND SURVEY NO. 2021-37, NORTH FORK MICRO AG SUBDIVISION, HW2024-17 LOCATED WITHIN: THE NW1/4 OF SECTION 35 & THE NW1/4 36, T4S, R14W, S4M, HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA, CONTAINING 32.957 ACRES	
OWNERS: DOUGLAS JOHN INGLIS P.O. BOX 1344 HOMER, AK 99603	CHERIE MICHELLE INGLIS P.O. BOX 1344 HOMER, AK 99603
SCALE: 1" = 100' DRAWN: BLT CHECKED: JLS	DATE: JUNE 17, 2026 SHEET: 1 OF 1



AGENDA ITEM E.      NEW BUSINESS

**ITEM #6 - RIGHT OF WAY VACATION**

**PETITION TO VACATE TILLYGIRL AVE BETWEEN ALEX SHADELL ST AND BG DAVIS ST AND BG DAVIS ST  
FROM PROPOSED CUL-DE-SAC SOUTH OF LOT 16E OUTLOOK SUB ADD NO 1 AMENDED HM83-123  
AND PROPOSED CUL-DE-SAC NORTH OF LOT 13 OUTLOOK SUB ADD NO 1 AMENDED HM83-123 AND  
ADJACENT EASEMENTS**

<b>KPB File No.</b>	2026-062V
<b>Planning Commission Meeting:</b>	July 20, 2026
<b>Applicant / Owner:</b>	Douglas & Cherie Inglis / Homer, AK
<b>Surveyor:</b>	Jason Schollenberg / Peninsula Surveying LLC
<b>General Location:</b>	Anchor Point in vicinity of North Fork Rd and Holly Ln
<b>Legal Description:</b>	Road / Subdivision / Rec. Dist. / Section Township Range S.M.

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**STAFF REPORT**

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

**This petition is to vacate a portion Tillygirl Avenue and BG Davis Street, as shown on the included Preliminary Plat.**

**Notification:**

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 Anchor Point

Post Office of anchor Point

20 certified mailings were sent to owners of property within 300 feet of the proposed vacation. ____ receipts had been returned when the staff report was prepared.

22 public hearing notices 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

City of Homer

Kenai Peninsula Borough Land Management

Nikiski Community Council

Ninilchik Traditional Council

Alaska Communication Systems (ACS)

ENSTAR Natural Gas

General Communications Inc, (GCI)

Homer Electric Association (HEA)

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

North Fork Rd provides legal access along the east side of the plat, which is a 100' dedication maintained by the State of Alaska. On the north Holly Ln, a 60' dedication maintained by the Borough coming from North Fork Rd accesses BG Davis St on the north and continues to Alex Shadell St on the east of the plat. Both BG Davis and Alex Shadell St are undeveloped but provide driveway access to lots adjacent to them. On the South Louis Huber Ave comes off North Fork Rd in a dedicated right-of-way to BG Davis St and then continues across Lot 13 Outlook Subdivision Addition No 1 amended HM83-123 to Alex Shadell St. Louis Huber Ave is a Borough maintained road while BG Davis St and Alex Shadell St remain undeveloped on this end also and only provide driveway access to adjacent lots going north.



The plat proposes to vacate BG Davis St as it enters the subdivision from both directions and dedicate cul-de-sacs at the ends to close them off.

The Addressing Office has recommended BG Davis Street be changed to BG Davis Circle. **Staff recommends** the Plat Committee approve the name change recommended by the Addressing Officer naming the portion south of Holly Ln and north of the plat BG Davis Circle.

The plat is also proposing to vacate Tallygirl Ave from the east right-of way of Alex Shadell St, east to the intersection with BG Davis St.

Section line easements affect the plat running along the middle of BG Davis St and are drawn and noted. State of Alaska Survey section has requested the SLE be reviewed and if they continue beyond the plat, that they be extended and labeled as such. **Staff recommends** the surveyor confirm the extent the SLEs cover and show on the plat and tie them to a plat note.

Block length is not compliant on the west side of the plat. With vacating Tallygirl Ave, the distance from the middle of the round-about at Holly Ln and Alex Shadell St to Louis Huber Ave is 1800 feet. Staff recommends the applicant submit and exception request with the preliminary submittal or supply a break on the east side of Alex Shadell St in the form of a cul-de-sac or bump-out, no more than 1320 feet from the center of the traffic circle to the north and located with Lot 15A.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: RSA has no objections at this time
SOA DOT comments	
SOA DNR Survey Section	- Verify and clearly depict the 33' &amp; 50' Section Line Easements (SLEs), highlighting that the SLEs will remain and are not being vacated.    - The 33' Section Line Easement (SLE) appears to terminate at the cul-de-sac dedication abutting Lot 15B. Verify if the 33' SLE continues northerly along the section line between sections 35 &amp; 36. If that is the case, please be sure to depict and label it as such on the plat.

#### **Site Investigation:**

There are steep areas exceeding 20% grade on the plat shown with dotted hatching located along the edge of the plat near the roads. A high point is located in the southeast corner of the plat, north of Louis Huber Ave. The land slopes away from high point in all directions.

There are no areas of inundation and no FEMA designated flood hazards on the property. The plat is not near a hazard protection district either.

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
SOA ADF&G	

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**Staff Analysis:**

Land was originally part of two sections. On the west it was part of the E1/2 E1/2 Section 35, Township 4 South, Range 14 West, SM Alaska. Outlook Subdivision HM 76-37 subdivided the land into 16 lots and several dedications, including Tallygirl Ave and BG Davis Street. Outlook Subdivision Addition No 1 HM 79-22 and Amended HM83-123 platted the land with more accurate measurements and subdivided

The east part originally was the unsubdivided entire Section 36, Township 4 South, Range 14 West, SM Alaska. North Fork Micro AG Subdivision HM 2024-17 subdivided the section into 23 lots, a tract and several dedications, including the east half of BG Davis St.

Neighboring parcels are large tracts ranging in sizes starting at 1.16 acres for the parcels on the north to 9.13 acres for the parcel to the southwest of the plat. Few houses are built on the surrounding parcels, with only 4 shown on aerials of the 13 adjacent.

The plat Outlook Subdivision HM76-37 granted 10' utility easements along all dedications. North Fork Micro Ag Subdivision HM 2024-17 granted a 20' utility easement. HEA sent comment recommending the larger 20' utility easement be granted. KPB 20.30.060.D notes that unless a utility company request additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement. Since HEA is requesting the 20' utility be carried over, **staff recommends** the surveyor revised plat note #2 and all notation on the drawing to indicate a 20' utility easement granted this plat. HEA Comment is in the packet for review.

**20.65.050 – Action on vacation application**

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

**Applicant Comment:**

The ROW is not being use

**Staff comments:**

The rights-of-way petitions for vacation have not been developed.

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

**Applicant Comment:**

The terrain will make it difficult to build a road in this area. Alternate access has been provided.

**Staff comments:**

With the high point on the south end near BG Davis St, road layout could be challenging. Alignment would need to be adjusted to get a road to go through the area for better usage. Cul-de-sac bulbs have been provided to close off the vacated ends of BG Davis St.

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

**Applicant Comment;**

Some of the surround roads have been developed. All of the lots affected by this ROW vacation have alternate roads that are constructed and utilities already in place.

**Staff comments:**

Surrounding area has sparse houses and roads are developed as needed it appears.

4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

**Applicant Comment:**

Not Applicable.

**Staff comments:**

Roads petitioned for vacation are interior roads giving no access to areas of public interest or value, thereby a dedication of equal or superior access was not warranted.

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

**Applicant Comment:**

There is better access from other constructed roads.

**Staff comments:**

These petitioned vacations do not limit opportunities beyond the plat as they are contained entirely within the subdivision limits.

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

**Applicant Comment:**

It is unlikely that these ROW's would be used for other public access.

**Staff comments:**

Having not already been developed, there is no foreseeable future use of these petitioned vacated dedications.

7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

**Applicant Comment:**

The utilities are already in place for all affected lots. Future utilities, if needed, would be installed along constructed road corridors.

**Staff comments:**

The vacation plan was sent to utility companies for their review and comments. All comments received have been included in the staff report and meeting packet that have impact.

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

**Applicant Comment:**

None

**Staff comments:**

All factors relevant are noted in the staff report.

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 August 4, 2026 meeting.



If approved, Outlook Subdivision North Fork Micro Ag Addition will finalize the proposed right of way vacations. The plat will be submitted when Assembly consent is given.

**KPB department / agency review:**

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 33320 Alex Shadell St   Existing Street Names are Correct: Yes   List of Correct Street Names: Holly Ln, Alex Shadell St, North Fork Rd, Bg Davis St, Tilly Girl Ave, Louis Huber Ave   Existing Street Name Corrections Needed:   All New Street Names are Approved: No   List of Approved Street Names:   List of Street Names Denied:   Comments: The northern portion of Bg Davis will need new suffix of Circle.
Code Compliance	
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
Advisory Planning Commission	Anchor Point - Inactive

**Utility provider review:**

HEA	See comment in packet
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown

**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

*Add corrections to be made to drawing as noted*

- Add section line easements beyond plat limits and inside cul-de-sacs
- Show separation of the 33' SLE and 30' ROW on west side of BG Davis St
- Carry forward the 20' utility easement from HM2024-17
- Show the lots with labeling to the east across North Fork Rd.
- Add KPB File No. 2026-062

- On the Preliminary Submittal, make reference to KPB 20.10.080 and the date of ROWV approval and Assembly consent.

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### **RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by KPB Assembly.
  2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
  3. Grant utility easements requested by the utility providers.
  4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).
- 

### **KPB 20.65.050 – Action on vacation application**

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.**
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

*- Focus Area: Energy and Utilities*

- *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
  - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*

- *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
  - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

**Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough**

- *Focus Area: Transportation*
  - *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
    - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
    - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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**END OF STAFF REPORT**





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.



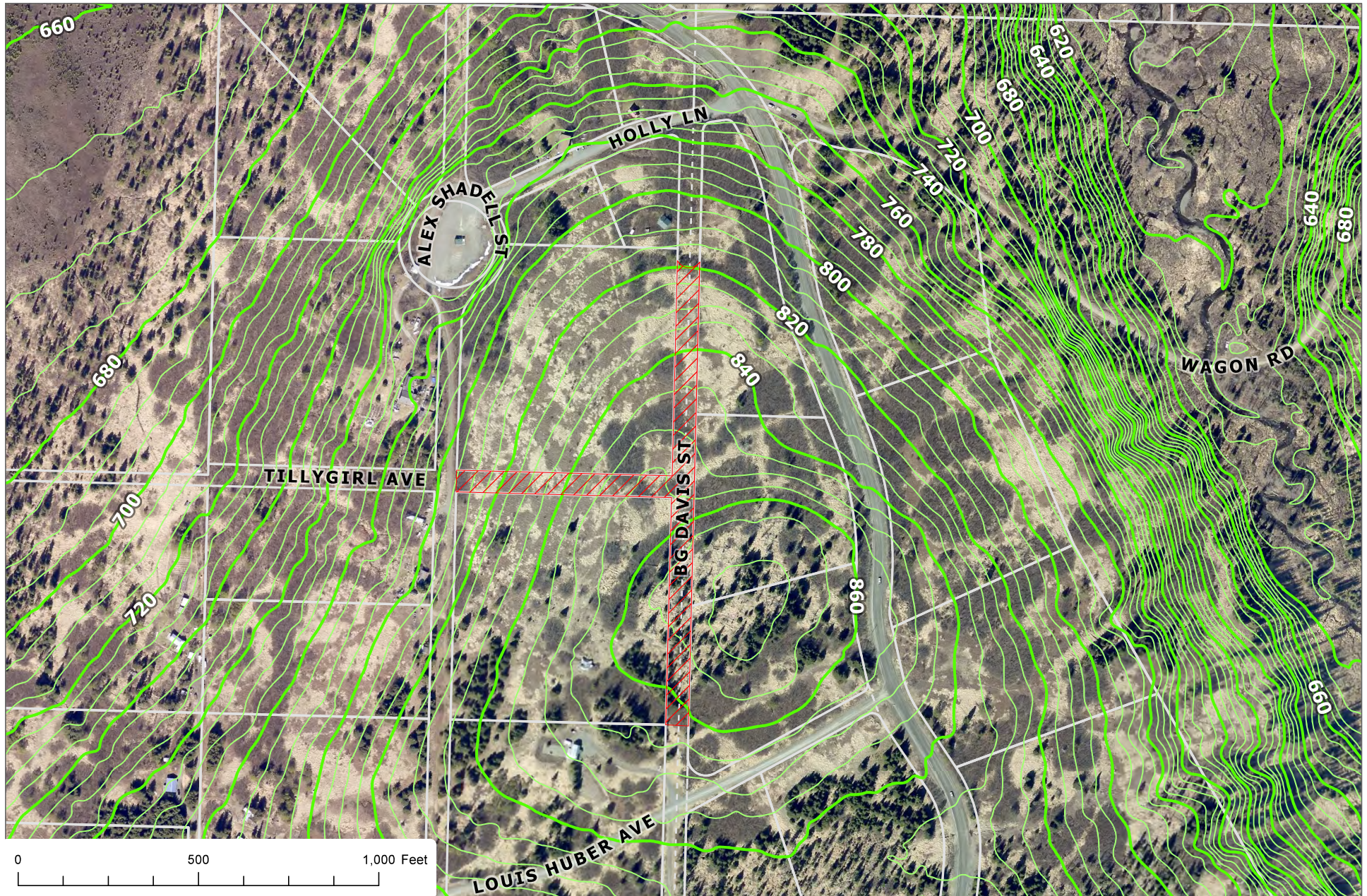


Wetlands



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.





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# NOTES

- THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.601 (H).
- NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
- THE FRONT TWENTY FEET ADJOINING RIGHTS-OF-WAY ARE DEEMED TO BE DESIGNATED AS A UTILITY EASEMENT GRANTED BY THIS PLAT.
- ALL WASTE-WATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
- SUBJECT TO EASEMENTS GRANTED BY A.S. 19.10.010, A.S. 19.10.020, A.S. 19.10.030, A.S. 19.10.040, A.S. 19.10.050, A.S. 19.10.060, A.S. 19.10.070, A.S. 19.10.080, A.S. 19.10.090, A.S. 19.10.100, A.S. 19.10.110, A.S. 19.10.120, A.S. 19.10.130, A.S. 19.10.140, A.S. 19.10.150, A.S. 19.10.160, A.S. 19.10.170, A.S. 19.10.180, A.S. 19.10.190, A.S. 19.10.200, A.S. 19.10.210, A.S. 19.10.220, A.S. 19.10.230, A.S. 19.10.240, A.S. 19.10.250, A.S. 19.10.260, A.S. 19.10.270, A.S. 19.10.280, A.S. 19.10.290, A.S. 19.10.300, A.S. 19.10.310, A.S. 19.10.320, A.S. 19.10.330, A.S. 19.10.340, A.S. 19.10.350, A.S. 19.10.360, A.S. 19.10.370, A.S. 19.10.380, A.S. 19.10.390, A.S. 19.10.400, A.S. 19.10.410, A.S. 19.10.420, A.S. 19.10.430, A.S. 19.10.440, A.S. 19.10.450, A.S. 19.10.460, A.S. 19.10.470, A.S. 19.10.480, A.S. 19.10.490, A.S. 19.10.500, A.S. 19.10.510, A.S. 19.10.520, A.S. 19.10.530, A.S. 19.10.540, A.S. 19.10.550, A.S. 19.10.560, A.S. 19.10.570, A.S. 19.10.580, A.S. 19.10.590, A.S. 19.10.600, A.S. 19.10.610, A.S. 19.10.620, A.S. 19.10.630, A.S. 19.10.640, A.S. 19.10.650, A.S. 19.10.660, A.S. 19.10.670, A.S. 19.10.680, A.S. 19.10.690, A.S. 19.10.700, A.S. 19.10.710, A.S. 19.10.720, A.S. 19.10.730, A.S. 19.10.740, A.S. 19.10.750, A.S. 19.10.760, A.S. 19.10.770, A.S. 19.10.780, A.S. 19.10.790, A.S. 19.10.800, A.S. 19.10.810, A.S. 19.10.820, A.S. 19.10.830, A.S. 19.10.840, A.S. 19.10.850, A.S. 19.10.860, A.S. 19.10.870, A.S. 19.10.880, A.S. 19.10.890, A.S. 19.10.900, A.S. 19.10.910, A.S. 19.10.920, A.S. 19.10.930, A.S. 19.10.940, A.S. 19.10.950, A.S. 19.10.960, A.S. 19.10.970, A.S. 19.10.980, A.S. 19.10.990, A.S. 19.10.1000.

# NOTES

- 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.
- LOT LINES NOT ADJACENT WITH A BEARING ARE ASSUMED TO HAVE THE SAME BEARING AS THE ADJACENT LINE PARALLEL TO THEM.

# LEGEND

- BLM MONUMENT RECOVERED
  - PRIMARY MONUMENT RECOVERED
  - PRIMARY MONUMENT SET THIS SURVEY
  - SECONDARY MONUMENT RECOVERED THIS SURVEY
  - SECONDARY MONUMENT SET THIS SURVEY
- SECTION LINE (EASEMENTS AND PUBLIC ACCESS EASEMENTS)
- SURVEYED
- UNSURVEYED
- OVERHEAD POWER LINE AND POLES
- MONUMENT IDENTIFIER
- BLOCK NUMBER
- RECORD PER A.S. 19.10.010 PROJECT # 11870, ANCHORAGE RIVER ADDRESS ROAD
- RECORD PER PLAT 76-50-1000
- RECORD PER PLAT 83-123-1000
- RECORD PER PLAT 3000-07-1000
- ANCHOR BECOMING DISTRICT



Curve #	Length	Radius	Delta	Bearing & Distance
C1	279.01	800.00	26°15'03"	N 43°27'12" W 279.01'
C2	29.00	25.00	88°01'34"	N 64°20'27" W 27.97'
C3	144.13	800.41	12°50'10"	N 34°08'07" W 143.88'
C4	198.73	500.41	18°50'42"	N 30°19'47" W 197.73'
C5	88.00	800.41	7°30'37"	N 14°09'41" W 88.43'
C6	117.34	824.07	10°40'25"	N 15°45'05" W 113.17'
C7	130.14	724.07	10°40'25"	N 15°45'05" W 135.94'
C8	457.41	1004.93	26°04'44"	N 8°03'54" W 453.47'
C9	341.90	804.93	21°50'11"	N 10°10'11" W 339.16'
C10	70.68	804.93	4°20'55"	N 2°44'11" E 70.67'
C11	35.76	110.07	17°30'02"	S 3°31'03" E 35.69'
C12	68.66	216.07	17°30'02"	S 3°31'03" E 66.80'
C13	37.29	25.00	74°00'20"	N 24°19'30" E 30.00'
C14	106.82	287.25	21°30'36"	S 3°11'52" E 106.80'
C15	30.65	25.00	80°51'41"	N 7°14'24" W 30.62'
C16	41.44	397.25	5°00'37"	S 30°47'02" E 41.43'
C17	245.24	402.36	34°04'08"	N 16°20'08" W 241.47'
C18	184.51	302.50	34°54'08"	N 16°20'08" W 181.40'
C19	474.01	1001.74	24°53'14"	N 13°33'30" E 470.40'
C20	305.00	901.74	17°57'24"	N 9°55'40" E 303.84'
C21	195.71	891.74	21°50'37"	N 2°27'27" E 195.65'
C22	806.20	1041.35	37°51'57"	S 12°04'32" W 801.20'
C23	233.62	1117.35	13°44'08"	S 10°10'08" W 233.90'
C24	281.76	1141.35	14°07'09"	S 9°17'28" W 280.54'
C25	40.69	25.00	92°41'01"	N 44°48'20" E 38.34'

Curve #	Length	Radius	Delta	Bearing & Distance
C26	27.13	25.00	85°50'51"	N 40°03'04" W 33.81'
C27	296.39	1477.88	9°58'23"	S 6°10'17" E 296.08'
C28	228.38	1077.88	8°17'58"	S 7°38'41" E 228.19'
C29	170.66	1058.88	5°15'50"	S 14°25'13" E 170.63'
C30	152.67	1058.88	4°27'48"	S 14°01'22" E 152.63'
C31	27.20	1888.88	18°47'57"	S 10°30'07" E 27.20'
C32	478.79	1788.72	21°27'32"	S 30°41'44" E 478.40'
C33	434.41	3888.72	8°34'48"	S 20°20'22" E 434.12'
C34	112.82	60.00	130°07'00"	S 46°32'03" W 40.48'
C35	61.89	70.00	50°39'17"	N 89°42'21" W 100.80'
C36	123.70	340.00	20°51'12"	S 74°48'18" E 123.60'
C37	106.08	323.00	18°12'30"	S 72°59'09" E 105.70'
C38	280.44	480.00	34°11'28"	N 88°08'10" W 282.21'
C39	368.75	447.00	43°11'29"	N 68°08'10" W 362.81'
C40	88.46	360.00	14°14'18"	N 43°55'18" W 88.57'
C41	126.57	340.00	21°54'43"	S 47°28'01" E 126.84'
C42	68.31	110.00	18°14'42"	S 75°55'16" E 67.92'
C43	278.70	240.00	80°32'03"	N 53°01'19" E 283.30'
C44	73.50	110.00	81°32'30"	S 23°53'01" W 73.42'
C45	181.58	230.00	39°16'14"	S 57°39'34" W 180.46'
C46	63.98	300.00	18°07'42"	S 30°50'44" W 63.02'
C47	103.21	200.00	29°18'06"	S 10°16'37" W 102.07'
C48	180.13	172.00	62°27'07"	N 43°55'07" E 178.90'
C49	117.89	202.00	33°20'28"	N 80°23'28" E 116.24'
C50	102.94	202.00	30°16'42"	N 77°05'47" E 101.84'

* MEASURED AND REVERSED (R) VALUES  
 ** MEASUREMENTS (R) VALUES REVERSED (R) DATA



KPB FILE NO. 2022-158

DATE OF SURVEY: August 13, 2022

Surveyed by: [Name]

Checked by: [Name]

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND & WATER

ALASKA STATE LAND SURVEY NO. 2021-37

NORTH FORK MICRO AG SUBDIVISION

A SUBDIVISION OF SURVEYED SECTION 36, TOWNSHIP 4 NORTH, RANGE 14 NORTH, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA

CREATING

LOTS 1-3 BLOCK 1, LOTS 4-6 BLOCK 2, LOTS 7-9 BLOCK 3, LOTS 10-12 BLOCK 4, LOTS 13-15 BLOCK 5, LOTS 16-18 BLOCK 6, LOTS 19-21 BLOCK 7, LOTS 22-24 BLOCK 8, LOTS 25-27 BLOCK 9, LOTS 28-30 BLOCK 10, LOTS 31-33 BLOCK 11, LOTS 34-36 BLOCK 12, LOTS 37-39 BLOCK 13, LOTS 40-42 BLOCK 14, LOTS 43-45 BLOCK 15, LOTS 46-48 BLOCK 16, LOTS 49-51 BLOCK 17, LOTS 52-54 BLOCK 18, LOTS 55-57 BLOCK 19, LOTS 58-60 BLOCK 20, LOTS 61-63 BLOCK 21, LOTS 64-66 BLOCK 22, LOTS 67-69 BLOCK 23, LOTS 70-72 BLOCK 24, LOTS 73-75 BLOCK 25, LOTS 76-78 BLOCK 26, LOTS 79-81 BLOCK 27, LOTS 82-84 BLOCK 28, LOTS 85-87 BLOCK 29, LOTS 88-90 BLOCK 30, LOTS 91-93 BLOCK 31, LOTS 94-96 BLOCK 32, LOTS 97-99 BLOCK 33, LOTS 100-102 BLOCK 34, LOTS 103-105 BLOCK 35, LOTS 106-108 BLOCK 36, LOTS 109-111 BLOCK 37, LOTS 112-114 BLOCK 38, LOTS 115-117 BLOCK 39, LOTS 118-120 BLOCK 40, LOTS 121-123 BLOCK 41, LOTS 124-126 BLOCK 42, LOTS 127-129 BLOCK 43, LOTS 130-132 BLOCK 44, LOTS 133-135 BLOCK 45, LOTS 136-138 BLOCK 46, LOTS 139-141 BLOCK 47, LOTS 142-144 BLOCK 48, LOTS 145-147 BLOCK 49, LOTS 148-150 BLOCK 50, LOTS 151-153 BLOCK 51, LOTS 154-156 BLOCK 52, LOTS 157-159 BLOCK 53, LOTS 160-162 BLOCK 54, LOTS 163-165 BLOCK 55, LOTS 166-168 BLOCK 56, LOTS 169-171 BLOCK 57, LOTS 172-174 BLOCK 58, LOTS 175-177 BLOCK 59, LOTS 178-180 BLOCK 60, LOTS 181-183 BLOCK 61, LOTS 184-186 BLOCK 62, LOTS 187-189 BLOCK 63, LOTS 190-192 BLOCK 64, LOTS 193-195 BLOCK 65, LOTS 196-198 BLOCK 66, LOTS 199-201 BLOCK 67, LOTS 202-204 BLOCK 68, LOTS 205-207 BLOCK 69, LOTS 208-210 BLOCK 70, LOTS 211-213 BLOCK 71, LOTS 214-216 BLOCK 72, LOTS 217-219 BLOCK 73, LOTS 220-222 BLOCK 74, LOTS 223-225 BLOCK 75, LOTS 226-228 BLOCK 76, LOTS 229-231 BLOCK 77, LOTS 232-234 BLOCK 78, LOTS 235-237 BLOCK 79, LOTS 238-240 BLOCK 80, LOTS 241-243 BLOCK 81, LOTS 244-246 BLOCK 82, LOTS 247-249 BLOCK 83, LOTS 250-252 BLOCK 84, LOTS 253-255 BLOCK 85, LOTS 256-258 BLOCK 86, LOTS 259-261 BLOCK 87, LOTS 262-264 BLOCK 88, LOTS 265-267 BLOCK 89, LOTS 268-270 BLOCK 90, LOTS 271-273 BLOCK 91, LOTS 274-276 BLOCK 92, LOTS 277-279 BLOCK 93, LOTS 280-282 BLOCK 94, LOTS 283-285 BLOCK 95, LOTS 286-288 BLOCK 96, LOTS 289-291 BLOCK 97, LOTS 292-294 BLOCK 98, LOTS 295-297 BLOCK 99, LOTS 298-300 BLOCK 100.

CONTAINING 300 ACRES MORE OR LESS

ANCHOR BECOMING DISTRICT

STATE OF ALASKA

DRAWN BY: [Name]

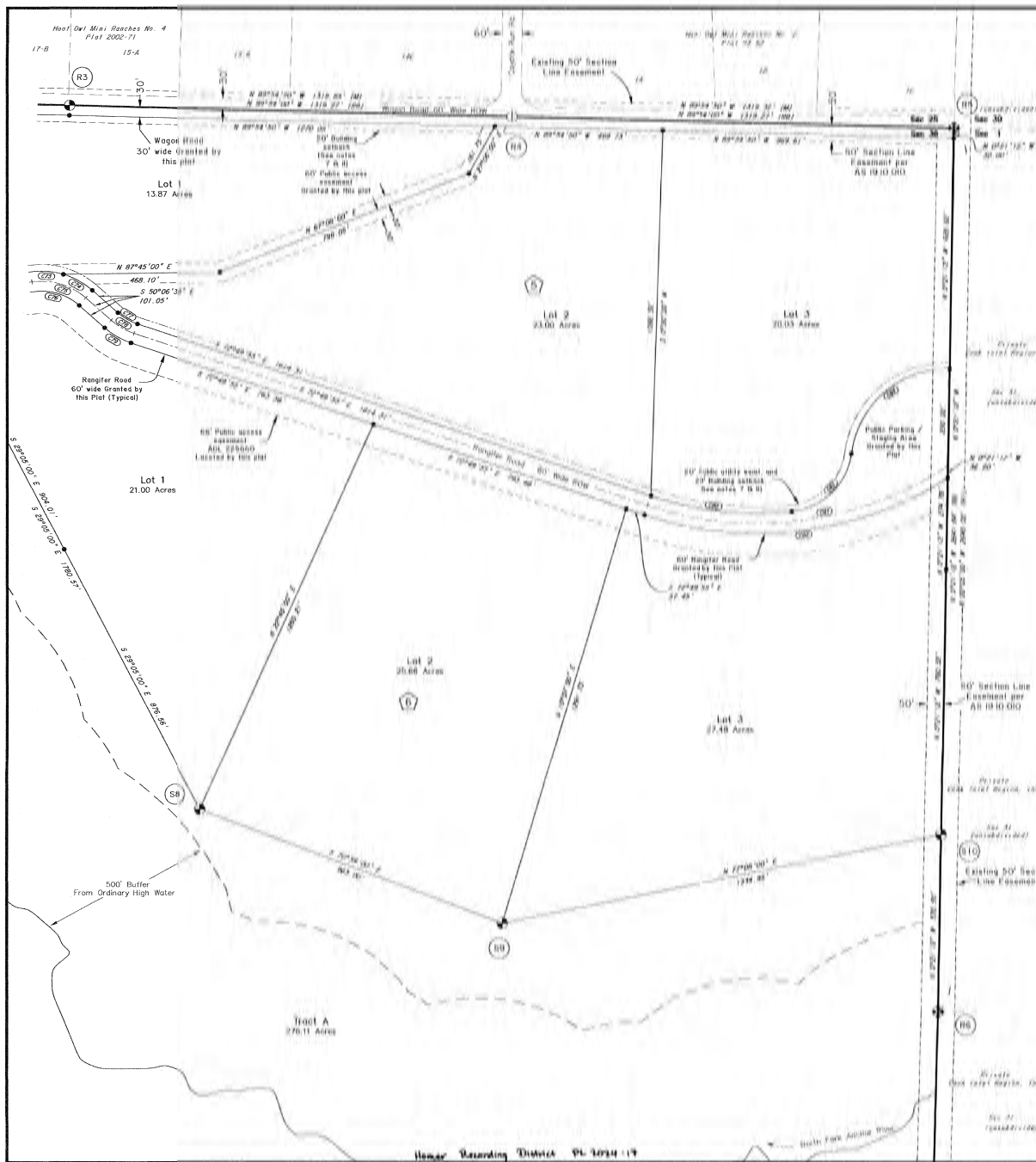
APPROVED: [Name]

DATE: [Date]

SCALE: 1"=150'

SHEET 3 OF 5



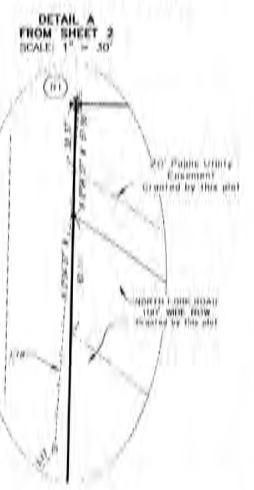


**Line Table**

Line #	Length	Direction
1.1	30.34'	N 52° 50' 03" W
1.2	312.00'	N 53° 47' 25" W
1.3	430.30'	N 10° 32' 51" W
1.4	443.14'	N 19° 40' 55" W
1.5	337.15'	N 19° 29' 37" W
1.6	450.10'	N 19° 33' 12" W
1.7	451.46'	N 19° 30' 20" W
1.8	308.84'	N 13° 43' 33" W
1.9	448.80'	N 19° 26' 42" W
1.10	447.06'	N 19° 31' 02" W
1.11	414.39'	N 19° 29' 30" W
1.12	358.35'	N 19° 20' 03" W
1.13	405.49'	N 19° 36' 12" W
1.14	433.40'	N 19° 39' 55" W
1.15	110.82'	N 19° 37' 41" W
1.16	136.63'	N 18° 37' 41" W
1.17	249.32'	N 32° 11' 23" E
1.18	192.72'	N 3° 37' 53" E
1.19	1084.48'	N 70° 52' 33" E
1.20	860.91'	N 5° 47' 40" E

**Line Table**

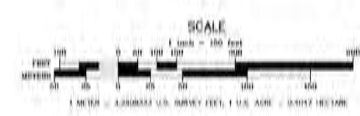
Line #	Length	Direction
1.21	178.77'	N 5° 47' 40" E
1.22	42.88'	S 80° 30' 27" W
1.23	401.07'	S 58° 10' 26" W
1.24	307.43'	S 58° 53' 47" W
1.25	330.48'	S 58° 31' 47" W
1.26	39.43'	N 31° 43' 20" W
1.27	52.55'	N 31° 43' 20" W
1.28	40.58'	S 80° 15' 10" W
1.29	45.87'	N 3° 34' 42" E
1.30	45.87'	N 3° 34' 42" E
1.31	10.63'	N 18° 04' 00" W
1.32	153.00'	N 14° 04' 00" W
1.33	133.43'	N 14° 04' 20" W
1.34	140.60'	N 65° 46' 29" W



**Curve Table**

Curve #	Length	Radius	Delta	Chord Bearing & Distance
C05	118.18	259.80	290° 42'	N 73° 08' 54" E 110.92'
C06	34.39	25.00	78° 48' 38"	S 52° 00' 28" W 31.74'
C07	66.28	45.97	67° 58' 36"	S 48° 54' 33" E 38.80'
C08	224.24	102.85	124° 36' 03"	S 20° 34' 48" E 181.77'
C09	157.08	77.85	124° 36' 03"	N 20° 34' 48" E 128.65'
C10	58.33	220.00	103° 09' 51"	N 88° 32' 30" E 58.06'
C11	66.17	280.00	103° 09' 51"	N 88° 32' 30" E 58.97'
C12	74.11	280.00	103° 09' 51"	N 88° 32' 30" E 73.80'
C13	86.63	250.00	24° 34' 08"	N 85° 45' 31" W 97.87'
C14	86.40	250.00	24° 34' 38"	N 81° 00' 38" W 88.62'
C15	122.18	200.00	49° 18' 42"	N 73° 22' 42" W 186.92'
C16	146.30	170.00	49° 18' 42"	N 73° 22' 42" W 141.88'
C17	67.43	170.00	22° 43' 21"	S 80° 04' 28" E 58.98'
C18	79.32	200.00	22° 43' 21"	S 80° 04' 28" E 76.80'
C19	91.21	250.00	22° 43' 21"	S 80° 04' 28" E 90.62'
C20	428.27	1000.00	24° 32' 18"	S 83° 42' 18" E 425.01'
C21	938.83	1030.00	63° 06' 47"	N 62° 30' 37" E 804.87'
C22	843.96	1060.00	51° 03' 07"	N 65° 53' 47" E 512.72'
C23	267.82	200.00	76° 40' 01"	N 45° 41' 33" E 248.08'
C24	423.98	280.00	83° 41' 00"	S 49° 20' 37" W 386.91'
C25	36.05	25.00	80° 19' 52"	S 41° 28' 56" W 32.95'
C26	104.71	50.00	110° 50' 24"	S 58° 40' 33" E 86.60'
C27	26.16	25.00	60° 07' 36"	S 31° 53' 27" W 25.00'
C28	38.25	25.00	80° 57' 03"	S 43° 42' 42" E 35.34'
C29	58.28	25.00	80° 57' 03"	S 43° 42' 42" E 35.37'
C30	38.20	25.00	89° 49' 30"	N 46° 30' 18" E 35.30'

- LEGEND:**
- ⊕ B.M. MONUMENT RECOVERED
  - ① PRIMARY MONUMENT RECOVERED
  - ⊙ PRIMARY MONUMENT SET THIS SURVEY
  - SECONDARY MONUMENT SET THIS SURVEY
  - SURVEYED
  - - - UNSURVEYED
  - - - SECTION LINE EASEMENTS AND PUBLIC ACCESS EASEMENTS
  - - - PUBLIC UTILITY EASEMENT
  - MONUMENT BENCH
  - BLOCK NUMBER
  - (B1) RECORD PER G.L.O. PLAT ACCEPTED APRIL 28, 1946
  - (B2) RECORD PER PLAT 92-5 BRL
  - (M) MEASURED BEARING AND DISTANCE
  - (C) COMPUTED USING RECORD VALUES
  - HRO HOMER RECORDING DISTRICT



HOMER FILE NO. 2022-158

DATE OF SURVEY: Beginning APR. 13, 2022  
 SURVEYED BY: J. J. JONES  
 SURVEYED FOR: J. J. JONES

DEPARTMENT OF MINING, LAND & WATER  
 DIVISION OF MINING, LAND & WATER  
 ALASKA STATE LAND SURVEY NO. 2021-37  
 NORTH FORK MICRO AG SUBDIVISION

A SUBDIVISION OF  
 SURVEYED SECTION 36  
 TOWNSHIP 4 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN,  
 BEAR PERRINIA BOROUGH, ALASKA  
 CREA 1980

LOTS 1-3 BLOCK 5, LOTS 1-4 BLOCK 6, LOTS 1-3 BLOCK 3,  
 LOTS 1-7 BLOCK 4, LOTS 1-3 BLOCK 8, LOTS 1-3 BLOCK 9

CONTAINING 640 ACRES, MORE OR LESS  
 HOMER RECORDING DISTRICT  
 BEAR PERRINIA BOROUGH  
 STATE OF ALASKA

DRAWN BY: J. J. JONES  
 DATE: APR. 2022  
 SCALE: 1"=150'

APPROVAL: RECOMMENDED  
 DATE: APR. 2022  
 FOR: J. J. JONES  
 BY: J. J. JONES  
 1/8/2024  
 ASLS 20210037





Subscribed and sworn to before me this 1st day of Feb 1977  
Harley J. Smith  
 NOTARY PUBLIC FOR ALASKA      MY COMMISSION EXPIRES

HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN  
AND DESCRIBED HEREON. I HEREBY REQUEST APPROVAL OF THIS PLAT SHOW-  
ING SUCH EASEMENTS FOR PUBLIC UTILITIES AND ROADWAYS DEDICATED BY  
ME FOR PUBLIC USE.

NOTARY'S ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 22 DAY OF March 1978  
Barley Ann Wilson July 17, 1980  
NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

RAYMOND E. OLSON  
410 CEDAR, R.F. DE  
ANCHORAGE, ALASKA

NOTARY'S ACKNOWLEDGEMENT  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 1st DAY OF April 1981  
 By Barbara D. Val. S. 2040 of 9-9-92  
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

MICHAEL THORRELL  
975 WANA PS NO 1 ASC  
FAIRBANKS, ALASKA

NOTARY PUBLIC FOR ALABAMA  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 2 DAY OF April 1978  
MY COMMISSION EXPIRES 12/18/80

THOMAS C WOOD  
303 O'CONNOR ROAD  
FAIRBANKS, ALASKA

PATRICA WOOD  
1221 N. 10TH AVE.  
FAIRBANKS, ALASKA

NOTARY PUBLIC FOR ALABAMA  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 22 DAY OF September 1984  
Virginia L. Wilson  
NOTARY PUBLIC FOR ALABAMA  
A-2280  
NY COMMISSION EXPIRES

UNITED MEDIAN MARSH  
BOX 21  
ANCHOR POINT, ALASKA

NOTARY'S ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 22 DAY OF NOVEMBER 1973  
NOTARY B.L.C. FOR ALASKA MY COMMISSION EXPIRES 3-3-74

JANET RABOH BROWN  
BOX 2  
ANCHOR POINT, ALASKA  
NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF FEBRUARY 1970.  
 Notary Public for Alaska  
 My Commission Expires

HOLLIS RABICH STEELMAN  
BOX 21  
ANCHOR POINT, ALASKA  
NOTARY'S ACKNOWLEDGEMENT

NOTARY PUBLIC FOR ALABAMA  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 2 DAY OF July 1978  
William E. Riddle 3-16-82  
MY COMMISSION EXPIRES

ROBERT J. OHV, JR.  
BOX 21  
ANCHORAGE, ALASKA

NOTARY'S ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 24 DAY OF Feb, 1978  
Virginia F. Wilson  
NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES _____

ALISON HUME RABICH  
BOX 21  
ANCHOR POINT, ALASKA

NOTARY'S ACKNOWLEDGEMENT  
 RE SUBMITTED AND SWORN TO BEFORE ME THIS 27 DAY OF July, 1974  
William D. Knutson #1081  
 NO FEE PUBLIC FOR ALASKA MI COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT, SUPERVISORIAL  
AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTAB-  
LISHED AND THAT DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT.

1-11-88 1-1-88  
 _____ DATE _____  
 _____ NAME AND POSITION _____

PLAT APPROVAL

THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH-  
 BOARD OF COMMISSIONERS, AS REQUIRED BY THE GENERAL LAWS OF THE

PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF January 9, 1978 IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW PERTAINING THERETO.

KETIAI PENINSULA BOROUGH  
By Philip Waring

VICINITY MAP 1" = 1 MILE

21	22	23	24	19
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DATE:	NOVEMBER, 1977
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SCALE: 1" = 200'

STATE OF ALASKA  
49TH

DRAWN BY:	SW
DESIGNED BY:	JA
OR NO:	220



COB NO. 770  
CHECKED BY BR  
ELD BK NO. 7 20 31 374

OUTLOOK SUBDIVISION ADD'N #1  
AMENDED

3. RESUBDIVISION OF TRACTS 1-16, OUTLOOK SUBDIVISION, AS SHOWN  
ON PLAT NO. 76-37, H.R.D., BEING THE E 1/2 E 1/2 SEC 35, T 4 S, R 3 W,  
S.M.

CONTAINING 150.353 ACRES

ABILITY SURVEYS

NOTE: CORNERS OF TRACTS 1-11 B 13-15 ARE NOT MONUMENTED EXCEPT AS SHOWN.

THE PROHIBITION AGAINST RE-SUBDIVISION AS EVIDENCED BY NOTE 5, ON THE ORIGINAL P.L. OF OUTLOOK SUBDIVISION, PLAT NO. 7-37, HOMER RECORDING DISTRICT, IS HEREBY RESCINDED FOR LOTS 9 THRU 16 ONLY.

DIAGRAM OF SEC. 35, T 4 S, R 14 W, S 4 W  
1" = 1320'

UNSUBDIVIDED

DETAIL- SCALE: 1" = 100'

1. 1/2" X 24" REBAR SET AT ALL LOT CORNERS
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION
3. NO BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY
4. THE STATE OF ALASKA REQUIRES ALL WASTEWATER DISPOSAL SYSTEMS TO BE A MINIMUM OF 100' FROM ANY WATER SOURCE
5. BASIS OF BEARING IS THE SLC BEARING S 89° 50' E BETWEEN THE LAM CORNER CONNECTION TO SECTIONS 15 B 22 AND THE SECTION CORNER CONNECTION TO SECTIONS 14, 15, 22 B 23, T 5 S, R 14 W, S 4. AND WAS CARRIED TO THIS SURVEY THROUGH PREVIOUS SURVEYS TO THE AREA
6. ACCESS TO LOT 14-D SHALL BE FROM HOLLY LANE ONLY

LEGEND

- FOUND GLO B.C MON, 198
- FOUND 1/2" REBAR
- SET B.C MON THIS SURVEY
- ◐ SET AL CAR MON THIS SURVEY
- FOUND 3/4" I.P.

NOTE:  
SEE ATTACHED AFFIDAVIT FOR  
COMPLETE LIST OF CHANGES  
FOR THIS AMENDED PLAT



# ABILITY SURVEYS

JERRY ANDERSON PLS (907)235-8440

REGISTERED LAND SURVEYORS & CIVIL ENGINEERS

184 CITYVIEW HOMER, ALASKA 99603

## OUTLOOK SUBDIVISION ADD'N #1 AMENDMENT AFFIDAVIT

*Plat # 83-123*

The above referenced subdivision plat as filed in the office of the District Recorder, Homer Recording District, under plat file #79-22 has been amended as follows:

- 1). The job number was added to the title block.
- 2). Delta angles were added to all curves.
- 3). A radial intersection was shown within Lot 17-A.
- 4). Distances were added to show the length of the curves on the north and south boundary of Lot 17-A.
- 5). The distance along the curve on Alex Shadell Street within Lot 16-A was corrected to read 76.41.
- 6). The acreage of Lot 16-A was corrected to 1.160 acres.
- 7). The distance along the north lot line of Lot 16-A was corrected to read 258.97.
- 8). The distance along the south line of Lots 16-A and 16-E as shown on the detail was corrected to 510.57.
- 9). The distance along the east boundary of Lot 16-D was corrected to 104.79.
- 10) Radial bearings for the North Fork right-of-way curve as shown in Lot 16-D were added.
- 11) The tangent bearing for the north westerly end of the North Fork Road was added.
- 12) Lot lines were labeled "radial or non-radial" as was appropriate.
- 13) The bearing between the section corner common to sections 27, 26, 34, and 35, and the 1/4 corner common to sections 26 and 35 was corrected to read N 89° 58' 28" E, and the distance was added within the drawing depicting the breakdown of Section 35, T4S, R14W, S.M.
- 14) The distance along the east boundary of Section 35, between the 1/4 corner and the northeast section corner was

corrected to read 2638.03.

The above revisions do not materially alter lot areas or rights-of-way or influence any change of ownership, drainage features, or any other item which would adversely affect this or adjacent properties. We therefore are submitting this plat for refiling as corrected.

These revisions constitute the sole changes made to the plat, aside from their notation thereon..

Date: 12-6-83

Jerry Anderson, LS #3686-S



83-123

RECORDED - FILED 10-9L	
HOMER REC. DIST.	
DATE	12-7-1983
TIME	10:22 AM
Requested by	J.P. Barough
Address	Tuladoma

Dec 7 10 22 AM '83  
REQUESTED BY J.P. Barough  
ADDRESS Tuladoma  
RECORDED - FILED  
HOMER RECORDING  
DISTRICT

83-581-5

10-9L

# CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, I HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADSIDE AND ALLEYS DEDICATED BY ME FOR PUBLIC USE.

8-1-76  
JAMES M. HATCH  
BOX 21  
ANCHOR POINT, ALASKA

## SURVYOR'S ACKNOWLEDGEMENT

SUBDIVISION AND SWORN TO BEFORE ME THIS 1 DAY OF 1976

SURVYOR PUBLIC FOR ALASKA

MY COMMISSION EXPIRES MAY 31 1976

## SURVYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED SURVYOR, HEREBY CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS BASED UPON THE MOST RECENT PLATS OF THE EASEMENTS SHOWN, AND THAT NO FIELD SURVEY WAS PERFORMED.

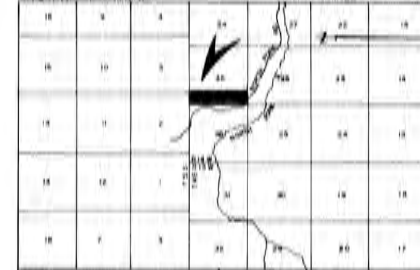
DATE 8-24-76

## PLAT APPROVAL

PLAT APPROVED BY THE SURVYOR PLANNING COMMISSION THIS 17 DAY OF 1976

DATE 8-24-76

## VICINITY MAP



DATE:	MAY, 1976
SCALE:	1" = 200'
DESIGNED BY:	J.A.
CHECKED BY:	J.A.
DRAWN BY:	S.W.
FILE NO.:	

## OUTLOOK SUBDIVISION

SITUATED IN THE E 1/2, S 25, T4S, R15W, 5M

SECTION 18, 19, 20, 21

ABILITY SURVEYS

JAMES M. HATCH, L.S. REG. 1975, JAMES M. HATCH, ALASKA 1975

## NOTES:

1. A 20' BLOC DIVISION LINE EXTENDS FROM ALL ROAD RIGHTS OF WAY.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAW.
3. NO SURVEY WAS MADE AND THERE WERE ANY STAKES OR MONUMENTS SET.
4. ALL TRACTS ARE 10.1 ACRES INCLUDING ROADS.
5. NO LOT IN THIS SUBDIVISION SHALL BE FURTHER SUBDIVIDED.

76-37  
Hatch  
8/24/76  
Hatch  
KPB



# NOTES

1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10' ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.
3. 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.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. 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.
6. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.60.170.
7. SUBJECT TO A ROAD RESERVATION OF 33 FEET ALONG THE WEST SIDE OF THE SECTION LINE AS CREATED BY 43 U.S.C. 832 AND OF 50 FEET ALONG THE EAST SIDE OF THE SECTION LINE AS CREATED BY A.S. 19.10.010.
8. SUBJECT TO RIGHTS OF THE PUBLIC AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING WITHIN THE LIMITS OF ROADS, STREETS AND HIGHWAYS.
9. SUBJECT TO A 100 FOOT WIDE RIGHT-OF-WAY EASEMENT IN FAVOR OF THE STATE OF ALASKA DEPARTMENT OF HIGHWAYS RECORDED MARCH 15, 1961, IN BOOK 21, PAGE 401, HOMER RECORDING DISTRICT, NO CENTERLINE GIVEN HOWEVER THE INTENT IS FOR NORTH FORK ROAD WHICH WAS DEDICATED PER HM2024-17.
10. SUBJECT TO AN EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED APRIL 2, 1963 IN BOOK 26 PAGE 219, HOMER RECORDING DISTRICT WITH NO DEFINITE LOCATION DISCLOSED.
11. NO WETLANDS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB GIS WETLAND DATA.
12. NO FLOOD ZONE, FLOODWAY OR ANADROMOUS WATERS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB GIS DATA.

## LEGEND

- RECORD PRIMARY MONUMENT AS DESCRIBED
- RECORD 1/2" REBAR
- RECORD 2.5" AL-CAP BY LS-14463, 2022
- RECORD 2" AL-CAP BY LS-4469, 2009
- TO SET RPC ON 5/8" X 36" REBAR BY LS14468
- (R1) RECORD DATA PER HM2024-17
- (R2) RECORD DATA PER HM2024-17
- (R3) RECORD DATA PER HM2010-25RS
- (R4) RECORD DATA PER HM2024-17
- APPROXIMATE SLOPES GREATER THAN 20% FROM KPB CONTOUR GIS DATA
- RIGHT-OF-WAY VACATED THIS PLAT
- UTILITY EASEMENT VACATED THIS PLAT

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	35.05'	25.00'	080°19'53"	32.25' N41°28'58"E
C2	29.66'	25.00'	067°58'41"	27.95' S69°45'39"E
C3	188.73'	569.41'	019°59'48"	197.72' S21°46'38"E
C4	136.15'	724.07'	010°46'24"	135.95' S17°09'43"E
C5	411.90'	904.93'	025°04'46"	408.35' S09°30'34"E
C6	66.55'	216.07'	017°38'52"	66.29' S05°17'47"E
C7	32.31'	25.00'	074°03'13"	30.11' S22°54'24"W
C8	104.71'	50.00'	119°59'23"	86.80' N60°04'19"W
C9	249.81'	50.00'	286°15'36"	60.00' S89°59'43"E
C10	102.34'	100.00'	058°58'14"	97.93' N29°16'24"E
C11	153.54'	150.00'	098°38'56"	146.93' N29°16'03"E
C12	92.73'	50.00'	106°15'37"	80.00' S00°04'37"E
C13	157.08'	50.00'	180°00'00"	100.00' N36°47'35"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.93'	N80°15'00"E
L2	31.29'	S31°46'19"E
L3	45.83'	S03°31'49"W
L4	69.71'	N00°04'37"W

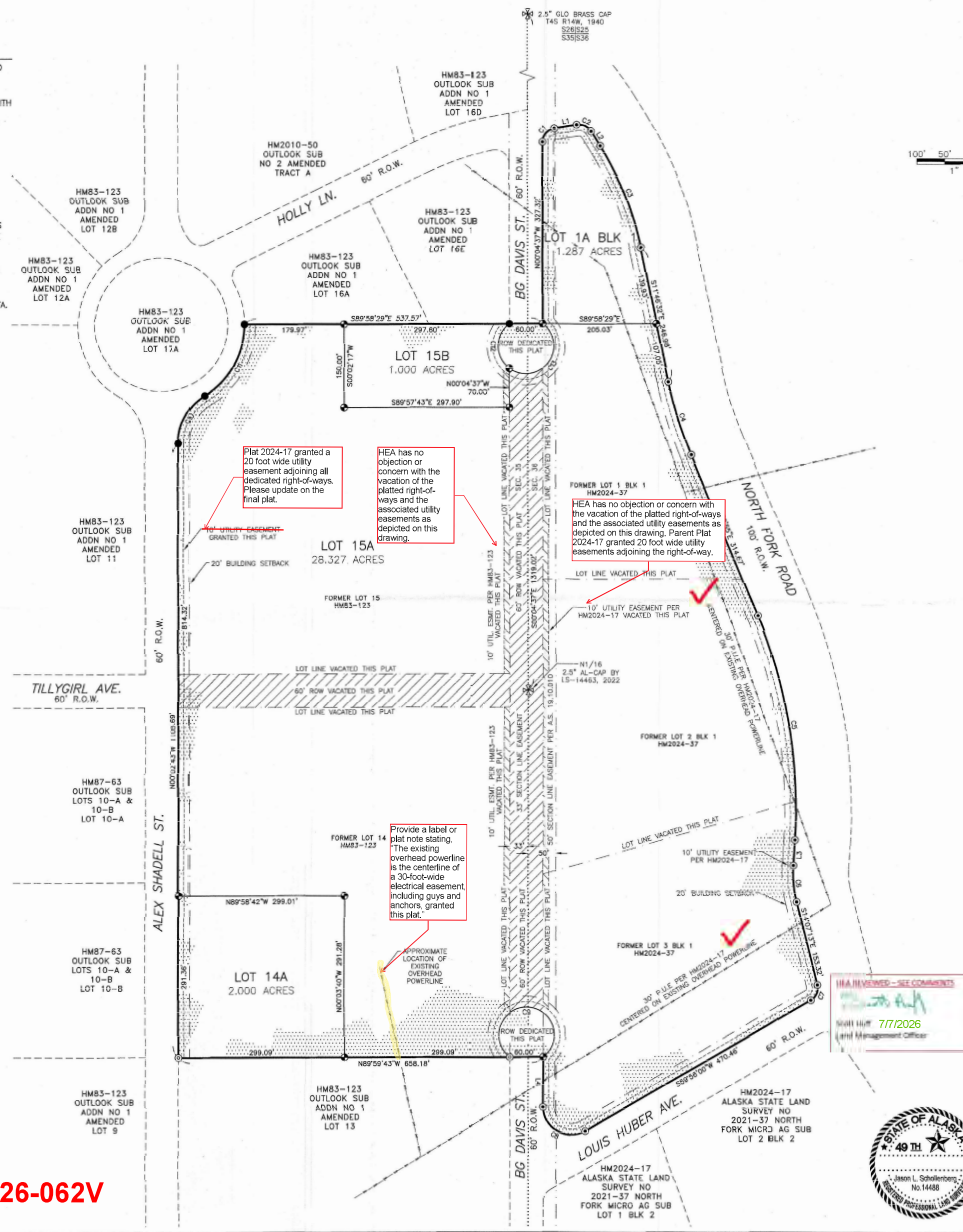
## WASTEWATER DISPOSAL

LOT 15A: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE 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.

LOTS 14A, 15B & LOT 1A BLK 1 TBD

ENGINEER LICENSE # DATE

KPB 2026-062V



## CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DOUGLAS JOHN INGLIS  
P.O. BOX 1344  
HOMER, AK 99603

CHERIE MICHELLE INGLIS  
P.O. BOX 1344  
HOMER, AK 99603

## NOTARY ACKNOWLEDGMENT

FOR: DOUGLAS JOHN INGLIS  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

## NOTARY ACKNOWLEDGMENT

FOR: CHERIE MICHELLE INGLIS  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MM/00/TTTT.

BOROUGH OFFICIAL DATE

KPB FILE NUMBER: 2026-000

PENINSULA SURVEYING, LLC  
10635 NATRINA DOUGLASS, WILKINSON, AK 99639  
(907)306-7003

## PLAT OF OUTLOOK SUBDIVISION NORTH FORK MICRO AG ADDITION

A SUBDIVISION OF  
LOTS 14 & 15, OUTLOOK SUBDIVISION ADDITION #1 AMENDED, HM2024-17  
AND LOTS 1-3, BLOCK 1, ALASKA STATE LAND SURVEY NO. 2021-37,  
NORTH FORK MICRO AG SUBDIVISION, HM2024-17

LOCATED WITHIN  
THE NE1/4 OF SECTION 35 & THE NW1/4 36, T4S, R14W, S.M.  
HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA,  
CONTAINING 32.857 ACRES

OWNERS: DOUGLAS JOHN INGLIS P.O. BOX 1344 HOMER, AK 99603  
CHERIE MICHELLE INGLIS P.O. BOX 1344 HOMER, AK 99603

SCALE: 1" = 180' DATE: JUNE 17, 2026  
DRAWN: BLT CHECKED: JLS SHEET: 1 OF 1



# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER 6/10/26)**

- 6. Right-of-Way Vacation; KPB File 2026-062V  
Peninsula Surveying / Inglis  
Request: Vacates portions of Tillygirl Avenue & BG  
Davis Street  
Anchor Point Area**

**From:** [Lamas, Louanne L \(DNR\)](#)  
**To:** [Carpenter, Beverly](#)  
**Cc:** [Donohue, Joseph M \(DNR\)](#)  
**Subject:** <EXTERNAL-SENDER>Re: PLAT NOTICE FOR JULY 20, 2026 meeting: J. Donohue_State of Alaska DNR  
**Date:** Friday, July 17, 2026 8:42:10 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Notice Public.pdf](#)  
[Notice Public.pdf](#)  
[Notice Public.pdf](#)

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**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

---

Good morning, Beverly,

Upon review of the preliminary plats provided:

**Re: KPB 2026-053 - Hangover Hollow**

- DNR Survey Section has no comments or objections.

**Re: KPB 2026-071 - Kenai LNG Subdivision**

- Research and verify the existence of Section Line Easements (SLEs) along all section lines that are shown in the plat.
- If any SLEs exist, please depict and clearly label them on the plat.

**Re: KPB 2026-062V - Outlook Subdivision North Fork Micro Ag Addition**

- DNR Survey Section has already provided the following comments per email correspondence to KPB dated 7/8/2026:
  - Verify and clearly depict the 33' & 50' Section Line Easements (SLEs), highlighting that the SLEs will remain and are not being vacated.
  - The 33' SLE appears to terminate at the cul-de-sac dedication abutting Lot 15B. Verify if the 33' SLE continues northerly along the section line between sections 35 & 36. If that is the case, please be sure to depict and label it as such on the plat.

Thank you for the opportunity to comment.

Regards,

Louanne

---

**From:** Donohue, Joseph M (DNR) <joseph.donohue@alaska.gov>  
**Sent:** Tuesday, July 7, 2026 9:07 AM  
**To:** Lamas, Louanne L (DNR) <louanne.lamas@alaska.gov>  
**Subject:** FW: PLAT NOTICE FOR JULY 20, 2026 meeting: J. Donohue_State of Alaska DNR

FYI



**From:** Carpenter, Beverly <BCarpenter@kpb.us>  
**Sent:** Monday, July 6, 2026 12:38 PM  
**To:** Donohue, Joseph M (DNR) <joseph.donohue@alaska.gov>  
**Subject:** PLAT NOTICE FOR JULY 20, 2026 meeting: J. Donohue_State of Alaska DNR

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Joseph,

Attached is the public hearing notice and associated maps for:

- Hangover Hollow KPB 2026-053
- Kenai LNG Subdivision KPB 2026-071
- Outlook Subdivision North Fork Micro AG Addition Vacate Portions of Tillygirl Avenue and BG Davis Street **Right-of-Way Vacation** (KPB 2026-062V)

The State of Alaska, Dept. of Natural Resources is a land owner in our notification area.

Please provide comments by **July 17, 2026**.

Kind regards,

**Beverly Carpenter**  
Platting Specialist, Planning Department  
Office: 907-714-2200 Direct: 907-714-2210

---



**Kenai Peninsula Borough**  
144 N. Binkley St. Soldotna, AK 99669  
[kpb.us](http://kpb.us)

**PUBLIC RECORDS LAW DISCLOSURE:** This email and responses to this email may be considered a public record under the law.



## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/18/2026 to vacate a public right-of-way in the Anchor Point area. Area under consideration is described as follows:

Request / Affected Property: Vacate portions of Tillygirl Avenue and BG Davis Street

KPB File No. 2026-062V.

Petitioner(s) / Land Owner(s): Douglas J Inglis and Cherie M Inglis of Homer, AK.

Purpose as stated in petition: The landowner is vacating the lot lines surrounding this section of right-of-way. These portions of Tillygirl Avenue and Big Davis Street being requested for vacation have not been constructed and are not currently in use.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [planning@kpb.us](mailto:planning@kpb.us), or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

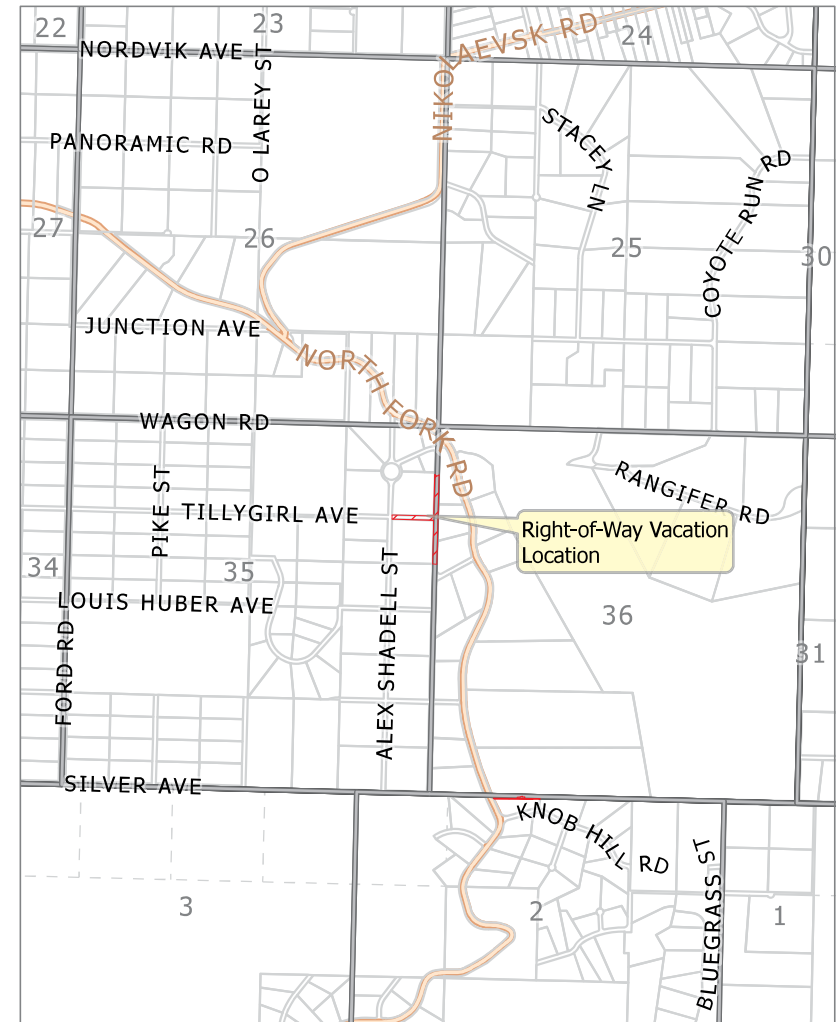
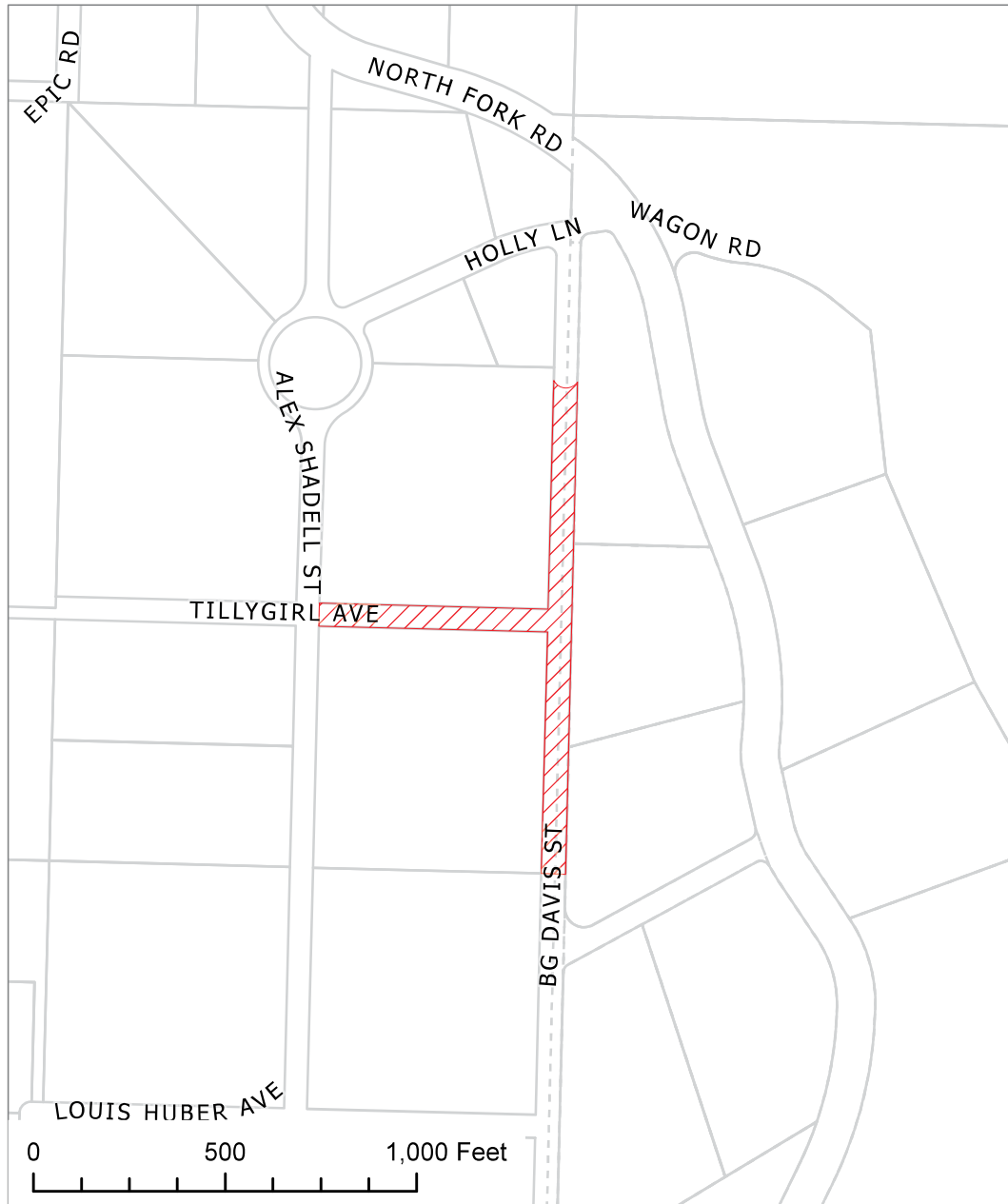
Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons ([ssimons@kpb.us](mailto:ssimons@kpb.us)) or Beverly Carpenter

(BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email [planning@kpb.us](mailto:planning@kpb.us).

Mailed 7/2/2026





KPB File 2026-062V  
T 04S R 14W SEC 35 & SEC 36  
Anchor Point

# NOTES

1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10' ADJOINING-DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.
3. 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.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. 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.
6. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.0C170.
7. SUBJECT TO A ROAD RESERVATION OF 33 FEET ALONG THE WEST SIDE OF THE SECTION LINE AS CREATED BY 43 U.S.C. 932 AND OF 50 FEET ALONG THE EAST SIDE OF THE SECTION LINE AS CREATED BY A.S. 15.10.010.
8. SUBJECT TO RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING WITHIN THE LIMITS OF ROADS, STREETS AND HIGHWAYS.
9. SUBJECT TO A 100 FOOT WIDE RIGHT-OF-WAY EASEMENT IN FAVOR OF THE STATE OF ALASKA DEPARTMENT OF HIGHWAYS RECORDED MARCH 15, 1961, IN BOOK 21, PAGE 401, HOMER RECORDING DISTRICT. NO CENTERLINE GIVEN HOWEVER THE INTENT IS FOR NORTH FORK ROAD WHICH WAS DEDICATED PER HW2024-17.
10. SUBJECT TO AN EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED APRIL 2, 1963 IN BOOK 28 PAGE 215, HOMER RECORDING DISTRICT WITH NO DEFINITE LOCATION DISCLOSED.
11. NO WETLANDS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB GIS WETLAND DATA.
12. NO FLOOD ZONE, FLOODWAY OR ANADROMOUS WATERS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB GIS DATA.

## LEGEND

- RECORD PRIMARY MONUMENT AS DESCRIBED
- RECORD 1/2" REBAR
- RECORD 2.5" AL-CAP BY LS-14463, 2022
- RECORD 2" AL-CAP BY LS-4469, 2009
- TO SET RPC ON 5/8" X 36" REBAR BY LS14488
- (R1) RECORD DATA PER HW2024-17
- (R2) RECORD DATA PER HM83-123
- (R3) RECORD DATA PER HW20-0-25RS
- (R4) RECORD DATA PER HW2024-17

- APPROXIMATE SLOPES GREATER THAN 20% FROM KPB CONTOUR GIS DATA
- RIGHT-OF-WAY VACATED THIS PLAT
- UTILITY EASEMENT VACATED THIS PLAT

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	35.05'	25.00'	360°19'53"	32.25'	N41°28'58"E
C2	29.66'	25.00'	267°58'41"	27.95'	S65°45'39"E
C3	196.73'	569.41'	31°59'48"	191.72'	S21°46'26"E
C4	136.15'	724.07'	31°04'24"	135.95'	S17°09'43"E
C5	41°90'	904.83'	326°04'46"	406.35'	S09°30'34"E
C6	66.55'	216.07'	217°36'52"	66.29'	S05°17'47"E
C7	32.31'	25.00'	374°03'13"	30.11'	S22°54'24"W
C8	104.71'	50.00'	119°59'23"	86.60'	N60°04'19"W
C9	249.81'	50.00'	286°15'36"	60.00'	S89°59'43"E
C10	102.34'	100.00'	358°38'14"	97.93'	N29°16'24"E
C11	151.54'	150.00'	358°38'56"	146.93'	N29°16'03"E
C12	92.73'	50.00'	106°15'37"	80.00'	S00°04'37"E
C13	157.08'	50.00'	180°00'00"	100.00'	N36°47'35"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.83'	N80°15'00"E
L2	31.09'	S31°46'19"E
L3	45.83'	S03°31'49"W
L4	89.71'	N00°04'37"W

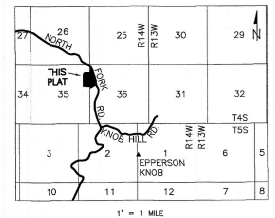
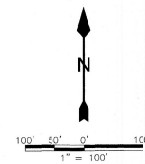
## WASTEWATER DISPOSAL

LOT 15A: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE 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.

LOTS 14A, 15B & LOT 1A BLK 1 TBD

ENGINEER LICENSE # DATE

KPB 2026-062V



## CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DOUGLAS JOHN INGLIS  
P.O. BOX 1344  
HOMER, AK 99603

CHERIE MICHELLE INGLIS  
P.O. BOX 1344  
HOMER, AK 99603

## NOTARY ACKNOWLEDGMENT

FOR: DOUGLAS JOHN INGLIS  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

## NOTARY ACKNOWLEDGMENT

FOR: CHERIE MICHELLE INGLIS  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL DATE

KPB FILE NUMBER: 2026-000

<b>PENINSULA SURVEYING, LLC</b> 10535 KATRONA BOULEVARD, NINILCHIK, AK 99639 (907)356-7065	
PLAT OF <b>OUTLOOK SUBDIVISION</b> <b>NORTH FORK MICRO AG ADDITION</b>	
A SUBDIVISION OF LOTS 14 & 15, OUTLOOK SUBDIVISION ADDN. #1 AMENDED, HM83-123 AND LOTS 1-3, BLOCK 1, ALASKA STATE LAND SURVEY NO. 2021-37, NORTH FORK MICRO AG SUBDIVISION, HW2024-17 LOCATED WITHIN: THE NW1/4 OF SECTION 35 & THE NW1/4 36, T4S, R14W, S4M, HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA, CONTAINING 32.957 ACRES	
OWNERS: DOUGLAS JOHN INGLIS P.O. BOX 1344 HOMER, AK 99603	CHERIE MICHELLE INGLIS P.O. BOX 1344 HOMER, AK 99603
SCALE: 1" = 100' DRAWN: BLT CHECKED: JLS	DATE: JUNE 17, 2026 SHEET: 1 OF 1



## **E. NEW BUSINESS**

- 7. Right-of-Way Vacation; KPB File 2026-066V  
Peninsula Surveying / Rininger  
Request: Vacates a portion of Glacier Street & associated  
utility easements  
City of Kenai**



AGENDA ITEM E.    NEW BUSINESS

**ITEM #7 - RIGHT OF WAY VACATION  
VACATE A PORTION OF THE 30-FOOT-WIDE GLACIER STREET RIGHT-OF-WAY AND ASSOCIATED  
UTILITY EASEMENT**

<b>KPB File No.</b>	2026-066V
<b>Planning Commission Meeting:</b>	July 20, 2026
<b>Applicant / Owner:</b>	Lacey and Zachary Rininger of Kenai, Alaska
<b>Surveyor:</b>	Jason Schollenberg; Peninsula Surveying, LLC
<b>General Location:</b>	City of Kenai
<b>Legal Description:</b>	Glacier Street  T 6N R 11W SEC 34 Seward Meridian KN 2012103 MICAH SUB LOT 156B  T 6N R 11W SEC 34 Seward Meridian KN GOVT LOT 155

---

**STAFF REPORT**

Staff has postponed this item to allow additional time for design review of the proposed right-of-way vacation. If anyone wishes to provide public comment on the item, they may do so; however, no decision will be made at this meeting.

END OF STAFF REPORT

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## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/12/2026 to vacate a public right-of-way in the City of Kenai. Area under consideration is described as follows:

Request / Affected Property: Vacate a portion of the 30-foot-wide Glacier Street right-of-way and associated utility easement

KPB File No. 2026-066V.

Petitioner(s) / Land Owner(s): Lacey and Zachary Riningger of Kenai, AK.

Purpose as stated in petition: As part of a preliminary plat application, the owners of Government Lot 155 and Lot 156B, KN 2021-103, are seeking to vacate a portion of the 30-foot-wide Glacier Street right-of-way that currently separates their two lots. The goal is to combine both lots to maximize useability of these properties.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notice>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [planning@kpb.us](mailto:planning@kpb.us), or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

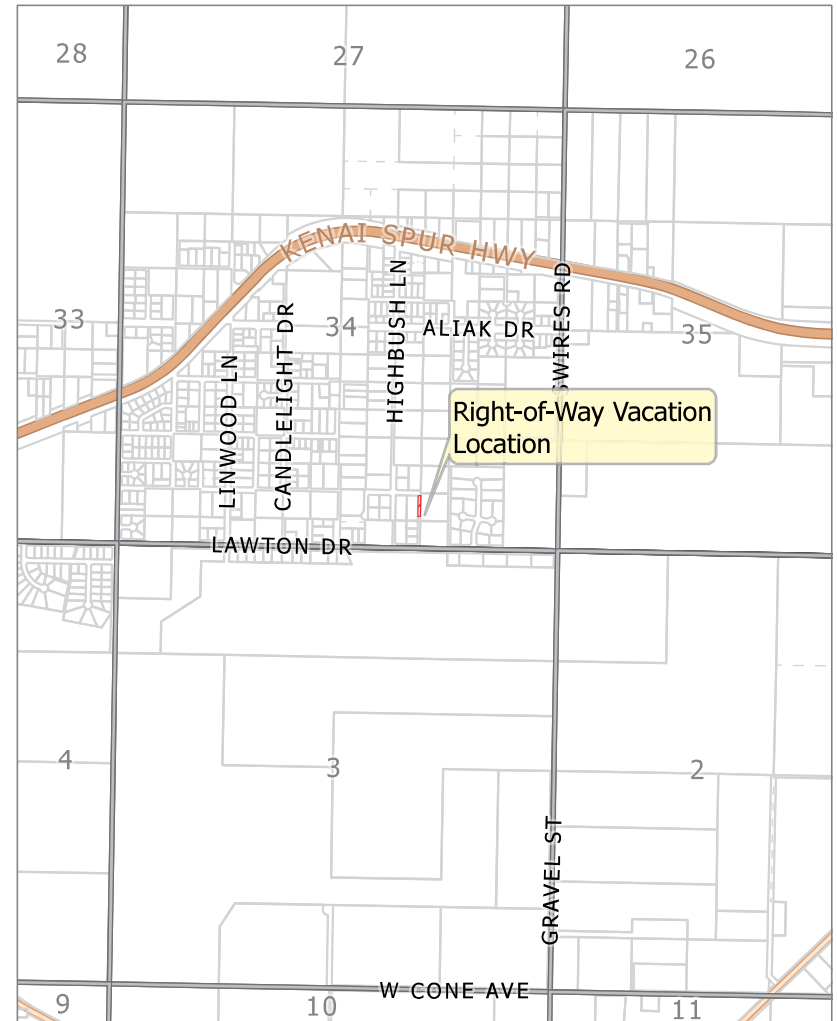
If the Planning Commission approves the vacation, the Kenai City Council has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

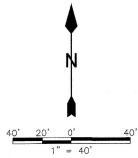
For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email [planning@kpb.us](mailto:planning@kpb.us).

Mailed 7/2/2026





KPB File 2026-066V  
T 06N R11W SEC 34  
City of Kenai



NOTES

1. THIS SUBDIVISION IS SUBJECT TO CITY OF KENAI ZONING REGULATIONS. PER KPB 20.30.250 THE BUILDING SETBACK OF RECORD HAS BEEN REMOVED. ALL DEVELOPMENT MUST COMPLY WITH THE MUNICIPAL ZONING REQUIREMENTS.
2. NO PRIVATE ACCESS TO CITY MAINTAINED ROW'S PERMITTED UNLESS APPROVED BY THE CITY OF KENAI.
3. THE FRONT 15' ADJACENT TO RIGHTS-OF-WAYS IS A UTILITY EASEMENT.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. 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.
6. ACCEPTANCE OF THIS PLAT BY THE BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
7. SUBJECT TO RIGHT-OF-WAY NOT EXCEEDING 33 FEET IN WIDTH, FOR ROADWAY AND PUBLIC UTILITIES PURPOSES, TO BE LOCATED ALONG THE NORTH AND EAST BOUNDARIES OF SAID LAND PER BOOK 30 PAGE 168 AND THE NORTH AND WEST BOUNDARIES OF SAID LAND PER BOOK 30 PAGE 169.
8. SUBJECT TO THE RIGHTS TO THE PUBLIC IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING WITHIN THE LIMITS OF ROADS, STREETS AND HIGHWAYS.
9. FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDERS' OFFICE. PRIOR TO DEVELOPMENT, THE CITY OF KENAI FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 14.30 OF THE KENAI MUNICIPAL CODE. SEE FEMA FIRM PANEL 02122C-0145F FOR INFORMATION ON FLOODPLAIN ZONES X-U.
10. KPB GIS DATA SHOWS THERE IS NO ANADROMOUS WATERS.

LEGEND

- RECORD PRIMARY MONUMENT
- ROW VACATED THIS PLAT
- UTILITY EASEMENT VACATED

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	188.50'	60.00'	180°00'00"	S89°48'33"W

WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES. AN ENGINEER'S SUBDIVISION AND SOILS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER LICENSE # DATE

CERTIFICATE OF ACCEPTANCE

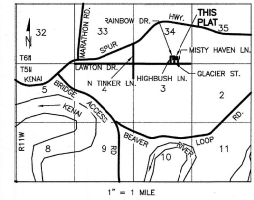
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE INDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

GLACIER ST. RIGHT-OF-WAY  
RAINBOW DR. RIGHT-OF-WAY  
MISTY HAVEN LN. RIGHT-OF-WAY

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

AUTHORIZED OFFICIAL: TERRY EUBANK, CITY MANAGER, CITY OF KENAI

DATE:



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

LACEY RININGER  
511 ASH AVE.  
KENAI, AK 99611

ZACHARY RININGER  
511 ASH AVE.  
KENAI, AK 99611

NOTARY ACKNOWLEDGMENT

FOR: LACEY RININGER  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

FOR: ZACHARY RININGER  
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026

NOTARY PUBLIC FOR: _____  
MY COMMISSION EXPIRES: _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMITTEE AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL DATE

KPB FILE NUMBER: 2026-000

PENINSULA SURVEYING, LLC

10535 KATRINA BOULEVARD, NINILCHIK, AK 99639  
(907)506-7065

PLAT OF

MICAH SUBDIVISION RININGER REPLAT

A SUBDIVISION OF  
LOT 156B, MICAH SUBDIVISION, KN2012-103  
& GOVERNMENT LOT 155, SEC. 34, T6N, R11W

LOCATED WITHIN

SW1/4 SE1/4 SEC. 34, T6N, R11W, S.M., CITY OF KENAI,  
KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA  
CONTAINING 3.644 ACRES

OWNERS: LACEY RININGER  
511 ASH AVE.  
KENAI, AK 99611

ZACHARY RININGER  
511 ASH AVE.  
KENAI, AK 99611

SCALE: 1" = 40'

DATE: JUNE 2, 2026

DRAWN: BLT

CHECKED: JLS

SHEET: 1 OF 1

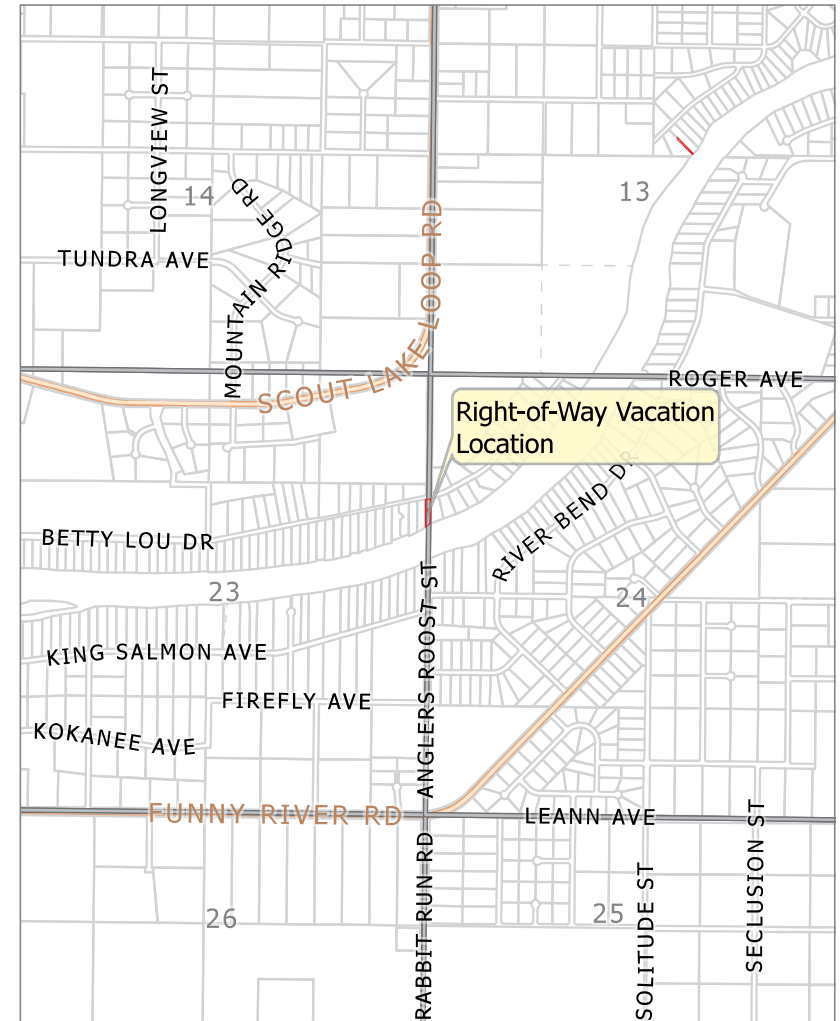
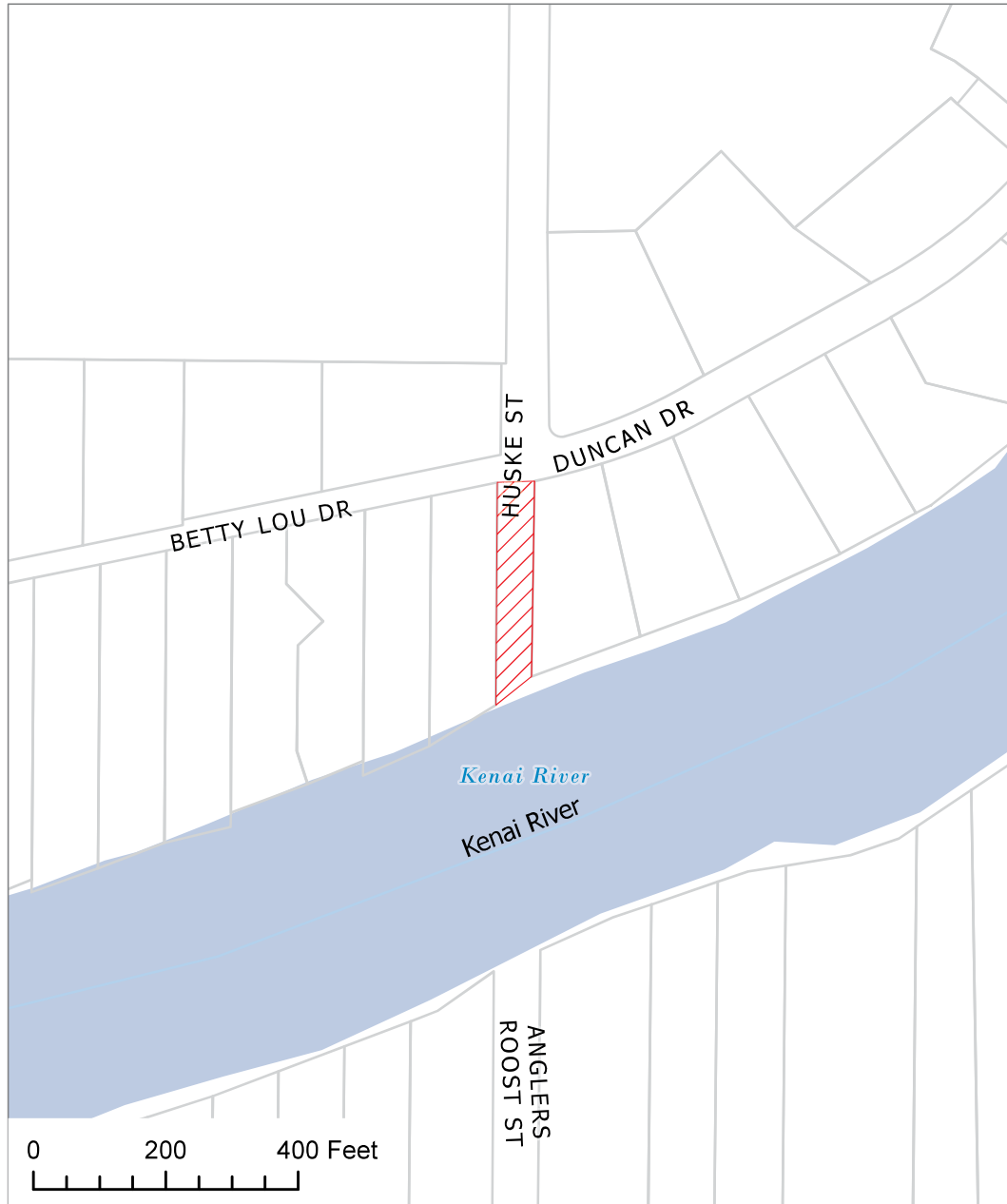


KPB 2026-066V

## **E. NEW BUSINESS**

- 8. Right-of-Way Vacation; KPB File 2026-069V1  
AK Lands / Huske, Montgomery  
Request: Vacates a portion of Huske Street  
Sterling Area**





KPB File 2026-069V1  
T 05N R09W SEC 23 AND SEC 24  
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.



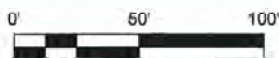
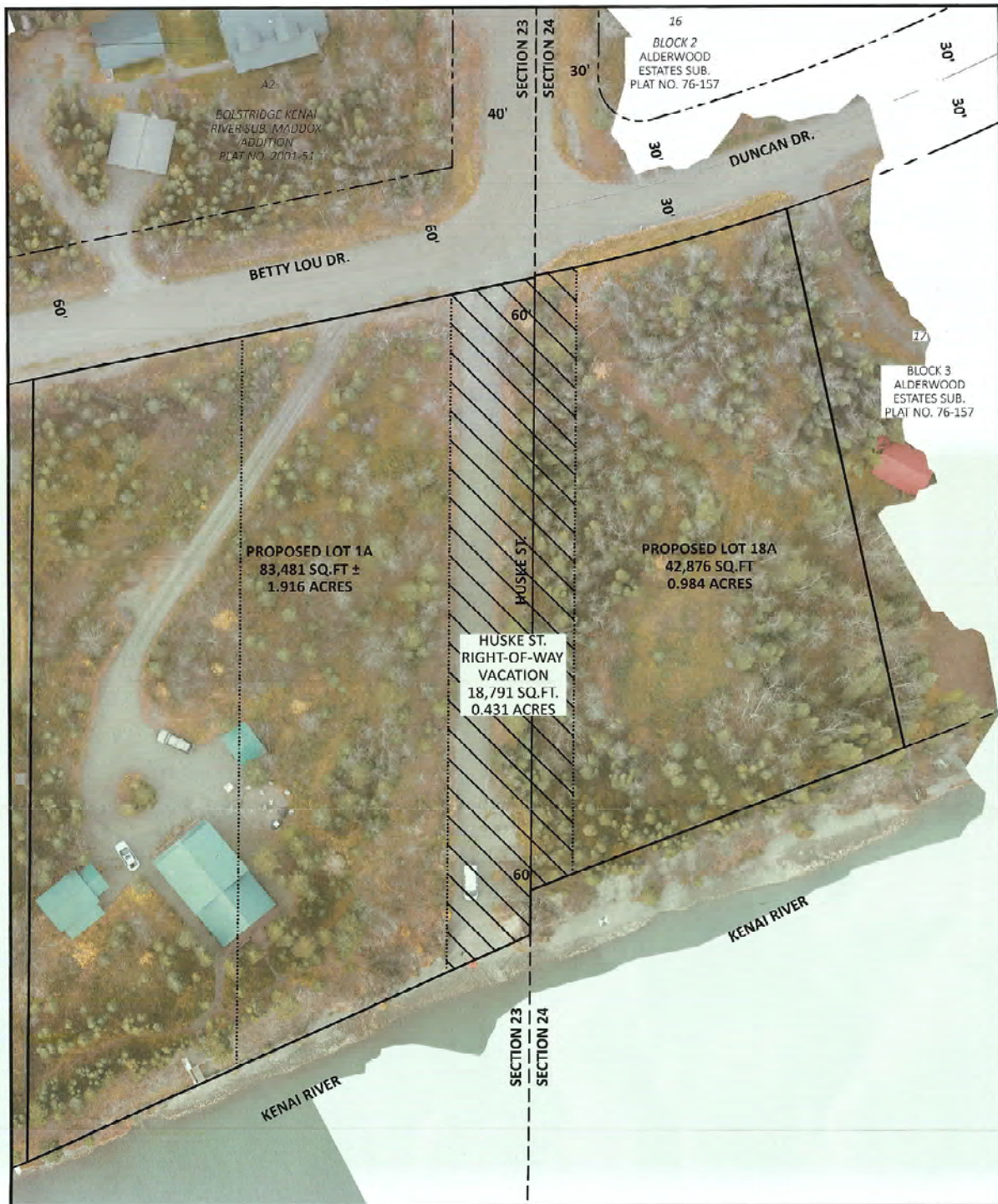


EXHIBIT OF:  
 PROPOSED LOT 1A AND 18A  
 AND  
 HUSKE ST RIGHT-OF-WAY VACATION  
 LOCATED SOUTH OF BETTY LOU DR. AND  
 NORTH OF KENAI RIVER  
 AND WITHIN A PORTION OF  
 SECTION 23 AND SECTION 24 T5N, R9W, SM

**NOTES**

Imagery was captured on October 8-9, 2025, using a Wispri SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.

PROJECT  
 NO. 1530  
 DATE  
 05-09-2026  
 DRAWN BY  
 SMW

PO BOX 110485  
 ANCHORAGE, AK 99511  
 aklands@aklands.com  
 (907) 744-LAND  
 https://aklands.com





AGENDA ITEM E.      NEW BUSINESS

**ITEM #8 - RIGHT OF WAY VACATION**

**Vacate a portion of 60' Huske St ROW adjacent to Lot 1 Bolstridge Kenai River Subdivision KN1129 RS and Lot 18 Block 3 Alderwood Estates Subdivision KN76-157**

<b>KPB File No.</b>	2026-069V1
<b>Planning Commission Meeting:</b>	July 20, 2026
<b>Applicant / Owner:</b>	Gene Montgomery / Placitas NM Paul Huske / Anchorage, AK
<b>Surveyor:</b>	Stacy Wessel / AK Lands
<b>General Location:</b>	On Kenai River south of Betty Lou Dr
<b>Legal Description:</b>	Huske St south of Betty Lou Dr, north of Kenai River

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**STAFF REPORT**

**Specific Request / Purpose as stated in the petition:** Petition to Vacate a portion of the 60' Huske Street right-of-way located between Lot 1, Bolstridge Kenai River Subdivision Plat KN 1129 RS and Lot 18 Block 3, Alderwood Estates Subdivision Plat KN 76-157

**Notification:**

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 Soldotna

Post Office of Sterling

16 certified mailings were sent to owners of property within 300 feet of the proposed vacation. ____ receipts had been returned when the staff report was prepared.

22 public hearing notices 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  
Central Emergency Services  
Kenai Peninsula Borough Office

Kenai Peninsula Borough Land Management  
Alaska Communication Systems (ACS)  
ENSTAR Natural Gas  
General Communications Inc, (GCI)  
Homer Electric Association (HEA)

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

Legal access to Huske St is by Scout Lake Loop Rd and is KPB maintained to the intersection of Betty Lou Dr and Duncan Dr. Betty Lou Dr is a 50' dedication, and Duncan Dr is a 60' dedication, both being borough maintained. Huske St south of the intersection with Duncan and Betty Lou Dr is unmaintained and provides access to the Kenai River as a Public Access designated by the State of Alaska. Huske St is being used as river access by the public.

No new access is proposed with this vacation and proposed subdivision. The surveyor has supplied a diagram of existing access points in the adjacent area, on both sides of the Kenai River with the majority being on the Funny River side.

The proposed vacated road is also affected by a 66' section line easement, 33' on each side of the section line running between the two subdivisions. The section line is being requested for vacation in a separate vacation request to be reviewed by the Planning Commission.

The plat Bolstridge Kenai River and Alderwood Estates Subdivision Montgomery Addition and Section Line Easement Vacation is proposed for finalizing the Huske St vacation and 66' section line easement vacation. The plat has not been submitted yet and is waiting for approval of the two vacation petitions prior to submittal.

Block length is currently not compliant. Huske St is the only break on the south of Duncan Dr and Betty Lou Dr within 5200 feet accessing the Kenai River. Fields Rd to the west is 5200 feet from Huske St, with no other access points. To the east of Huske St, Duncan Dr proceeds for 2250 feet with no dedicated access to the Kenai River. There is a 33' section line easement at the north end of Duncan Dr as shown in Alderwood Estates Subdivision KN 76-157.

Per the comment noted below, the Roads Director is in opposition of vacation of the right-of-way of Huske St, as a long-time access point to the Kenai River.

Per their review comments, both the State of Alaska Fish and Game and DNR Survey Division are opposed to the vacation of Huske St. Fish and Game stated Huske St has a long history of public use and their own use for river access to the Kenai River for public, entertainment, fishing and research purposes.

KPB Roads Dept. comments	Out of Jurisdiction: No   Roads Director: Uhlin, Dil   Comments:   This right-of-way gives access to the Kenai River and has been used for decades by local residents and tourist alike. The applicant is not giving equal or superior access as noted in KPB Code 20.65.050(D)(4). The RSA does not recommend granting the vacation.
SOA DNR Survey comments	DNR Survey Section objects to the vacation of Huske Street.
ADFG	Alaska Department of Fish &amp; Game (ADF&amp;G) has reviewed KPB 2026-069V1 to vacate a portion of the Huske Street right of way (ROW) and KPB 2026-069V section line easement (SLE) vacation.   --This ROW and SLE provide public access to the Kenai River. The Kenai River is cataloged as anadromous (AWC: 244-30-10010) and is important habitat for chum, coho, Chinook, pink, and sockeye salmon as well as Dolly Varden, pacific lamprey, and eulachon. The presence of these fishes also provides significant recreational opportunity to the public using the Kenai River. Kenai River fisheries for king, sockeye and coho salmon are the largest freshwater sport fisheries for these species in Alaska.   --This easement has been used for decades for launching and retrieving boats and has become more popular as the sockeye salmon fishery has expanded. ADF&amp;G has used it to launch boats for research projects, especially late season when water is low and Isaak Walton boat launch freezes up.   ---<a href="#">Kenai Borough Code 20.65.050 – Action on a vacation application:</a>   D. The planning commission shall consider the merits of each vacation request. A platted dedication to public use of land or interest in land may be vacated if the dedication is no longer necessary for present or future public use and in all cases the planning commission shall deem the area being vacated to be of value 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;

	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;  <u>---ADF&amp;G does not see in this application where equal or superior access is provided.</u>  *Nearest access:  --Approximately 1.0 river miles downstream; Fields Rd ROW provides access to the Kenai River in a similar manner to Huske Dr.  --Approximately 2.9 river miles downstream; Morgan's Landing State Recreation Area. This area has a daily use fee so it should not be considered as equal or superior access as the SLE provides free public access to the Kenai River.  --Approximately 2.25 river miles upstream; Izaak Walton State Recreation Area. This area has a daily use fee so it should not be considered as equal or superior access as the SLE provides free public access to the Kenai River.   Due to the significant public value of the Kenai River for recreation and angling opportunities, <b><u>ADF&amp;G objects to the vacation of the Huske St ROW and the existing SLE.</u></b>

#### **Site Investigation:**

The terrain along Huske St falls towards the Kenai River from Betty Lou Dr at approximately a 5% slope. Drainage from Betty Lou Dr and Duncan Dr flows down Huske St toward the river. There is a drainage easement on the plat to the east, five lots over from Huske St.

There is a small area of inundation on Lot 1 Bolstridge Kenai River Subdivision KN 1129RS near the Kenai River.

Per the River Center review, Huske St and the lots adjacent are in a FEMA designated flood hazard area. If the vacation is approved and a plat is submitted, the plat should include required plat notes with the FEMA Panel and Flood Zone Designations noted and shown.

Huske St and the adjacent parcels are located in a Habitat Protection District, and a plat note in reference to KPB 20.30.290 should be added.

KPB River Center review	A. Floodplain   Reviewer: Hindman, Julie  Floodplain Status: IS in flood hazard area  Comments: If vacation is approved the floodway and regulatory AE Zones must be depicted and labeled on the plat. The X shaded may be labeled but not required. Code required plat notes must be present.  In regards to the right-of-way, any development within the AE and Floodway require floodplain permits and within the floodway, a no-rise analysis done by licensed engineer. The area within the X-Shaded may have additional requirements if federal funding.   Flood Zone: AE, X (shaded), X (unshaded)  Map Panel: 02122C-0395F  In Floodway: True  Floodway Panel: *same as FIRM Panel   B. Habitat Protection   Reviewer: Aldridge, Morgan
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	Habitat Protection District Status: IS totally or partially within HPD Comments: Portions of this parcel lie within the jurisdiction of KPB 21.18 and River Center must be consulted prior to work.
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### **Staff Analysis:**

The west 40' of Huske St was dedicated by Bolstridge Kenai River Subdivision KN 129 RS. KN 1129 RS was subdivided out of Government Lots 3 & 4 of Sec 23, Township 5 North, Range 9 West SM Alaska. The east 20' of Huske St was dedicated by Alderwood Estates Subdivision KN 76-157. KN 76-157 was subdivided out of Government Lot 2 Section 24, Township 5 North, Range 9 West, SM Alaska.

The parcels at the four corners of the intersection and running east and west from Huske St are developed with residential houses when the aerial view is looked at. Lot 18 Block 3 adjacent to Huske St on the east, currently is undeveloped.

With the vacation of Huske St as proposed, public access to the Kenai River at this location will be eliminated. Other than Fields Rd, this looks to be the only public access constructed, for several miles on the north side of the Kenai River. The next available public access on this side of the Kenai River is at Ed Ave, 8500 feet downstream from Fields Rd and it is undeveloped.

In the 1997 Alaska DNR Kenai River Comprehensive plan this site has been identified as the preferred location for a potential future bridge to the Funny River Community as a second point of ingress and egress. With Angler's Roost St. Rd directly south, across the Kenai River. There is presently no proposal for the construction of a bridge, but KPB administration cannot support eliminating this future potential. .

### **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:

***FOR SUBMITTER COMMENTS PLEASE SEE THE END OF THE STAFF REPORT FOR ATTACHED LETTER FROM SURVEYOR***

1. The right-of-way or public easement to be vacated is being used;

**Staff comments:**

Yes, the road is used as a boat ramp, public access, fishing area and parking area.

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

**Staff comments:**

No, the road is constructable but was decertified..

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

**Staff comments:**

Yes, the surrounding area is developed. Viewing the area block length is not compliant but making compliant does not appear possible.

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:**

Huske St does provide access to the Kenai River which is in the public's interest and current use is noted. No access is being given in exchange for this vacation. The surveyor has provided a

document showing where access is available along the river to gain access, both on this side and across the river.

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

**Staff comments:**

Vacating Huske St would limit the chance for a bridge connection to Angler's Roost St to the south across the Kenai River. This is one of the few locations where roads line up and parcels will not need to be acquired for connections to be made.

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

**Staff comments:**

Huske St is a popular access point and provides angler access to the Kenai River and can be used for boat access to the Kenai River.

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:**

Enstar has a line within the Huske St right-of-way that will need to be addressed.

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

The Assembly will hear the vacation at their scheduled August 4, 2026 meeting.

If approved, the plat Bolstridge Kenai River & Alderwood Estates Subdivision Montgomery Addition and Section Line Easement Vacation will finalize the proposed right of way vacations.

**KPB department / agency review:**

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 35029 Betty Lou Dr, 35049 Betty Lou Dr  Existing Street Names are Correct: Yes  List of Correct Street Names: Betty Lou Dr, Huske St, Duncan Dr  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: no comment
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Code Compliance	Vacant
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	Depict and add a note stating "The exiting overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat. "
ENSTAR	See comments
ACS	
GCI	Approved as shown

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

*Add corrections to be made to drawing as noted*

- Add the KPB file No of 2026-069 to the plat drawing.
- If approved, add the dates of the Planning Commission approval and the Assembly consent.

**RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends DENIAL as petitioned,

If the vacation should be approved, the vacation shall be subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant utility easements requested by the utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

**KPB 20.65.050 – Action on vacation application**

H. A planning commission decision to approve this vacation is not effective without the consent of the assembly. The 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.*

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**END OF STAFF REPORT**



PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

June 17, 2026

Kenai Peninsula Borough  
Planning Commission  
144 N. Binkley St.  
Soldotna, AK 9966

Subject: Huske St. Right of Way Vacation

Dear Kenai Peninsula Borough and Planning Commission,

This letter is submitted in support of the petition to vacate the Huske Street right-of-way. The issue before the Planning Commission is not whether public access to the Kenai River is important. It is. The issue is whether this specific right-of-way remains necessary for present or future public use under KPB 20.65.050(D).

Based on the existing site conditions, surrounding development pattern, available alternative access, and documented impacts, Huske Street no longer functions as a practical public access corridor. Instead, the corridor has become an unmanaged destination point where prolonged parking, overnight occupation, waste disposal, trespass, and repeated conflicts with adjacent residential uses interfere with the purpose of the original dedication.

Approval of this vacation would not eliminate public access to the Kenai River. Public access is already available through multiple nearby rights-of-way, easements, and developed access points that are wider, more functional, and better suited to public use. Necessary utility interests can be preserved by easement. For these reasons, the dedication is no longer necessary for present or future public use, and vacation is appropriate.

The surrounding property owners are pursuing coordinated platting actions with the Kenai Peninsula Borough and the State of Alaska to vacate the Huske Street right-of-way and the associated 66-foot section line easement located on the east and west sides of the section line. As part of the same platting process, Lot 1 and Lot 2 of the Bolstridge Kenai River Subdivision, Plat No. K-1129, will be combined, and Lot 18, Block 3 of the Alderwood Estates Subdivision, Plat No. KN 076-157, will be replatted. The vacated right-of-way will be absorbed into the adjoining parcels through the final platting process. These coordinated actions are intended to address all public access dedications at this location in a comprehensive and consistent manner.



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## **Responses to Required Criteria for KPB 20.65.050(D)**

### **1. Whether the right-of-way is being used**

Huske Street was originally dedicated to provide access to the Kenai River. A public right-of-way is intended to function as a defined travel and access corridor, allowing movement to and from public or private lands and waters. That limited access function has been displaced by unmanaged use of the corridor as a place to park, camp, gather, and remain for extended periods.

As a result, Huske Street is not functioning as a reliable ingress and egress route. During peak fishing periods, vehicles and recreational vehicles occupy the corridor, often for extended periods and sometimes overnight. The width of the right-of-way is frequently consumed by parked vehicles, leaving little practical ability for the corridor to function as intended.

Adjacent property owners and individuals familiar with the site have documented recurring conditions including overnight camping, long-term vehicle and RV parking, trash and debris, fish carcasses and other waste, human waste, open fires, alcohol-related disturbances, trespass, property damage, threats, and conflicts with adjacent residential use. These impacts are described in the letters included in Appendix A.

This pattern of use is material to the vacation request. The question is not whether people physically enter the corridor. They do. The question is whether the corridor is serving the public purpose for which it was dedicated. It is not. The corridor has shifted from access to occupation, and its current use creates public safety, environmental, and neighborhood concerns.

---

### **2. Whether a road is impossible or impractical to construct, and alternative access has been provided**

Huske Street is a short, dead-end corridor extending from the Huske Road/Betty Lou Drive area to the Kenai River. It does not connect to another road, provide through circulation, or serve the broader transportation network.

While some form of road or access improvement could theoretically be constructed, further construction would be impractical because it would not solve a transportation need. The



corridor would still terminate at the river, would not improve interconnectivity, and would likely intensify the unmanaged use already occurring at the site. Improving the corridor would convert it further into a destination-style access point without the space, management, or configuration needed to support that use safely.

Alternative access is available. Multiple nearby public access points provide access to the Kenai River within approximately one mile of the subject area. These access points include wider rights-of-way, section line easements, developed corridors, and purpose-built river access locations. Several are better suited to accommodate public use because they provide greater width, better vehicle circulation, and more appropriate staging opportunities.

Accordingly, retaining Huske Street is not necessary to preserve public access, and construction or expansion of this specific corridor would be impractical.

---

### **3. Whether the surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed**

The surrounding area is an established residential neighborhood along the Kenai River. The road pattern, lot layout, and utility services are already in place. The Huske Street right-of-way does not provide through access, does not connect to a larger road network, and is not needed for future road construction, circulation, or development of adjacent parcels.

Existing electrical and telecommunications infrastructure, including overhead power, is constructed along the northern portion of the corridor and a gas line runs north-south within the right-of-way. The adjoining lots are already served by individual well and septic systems. Because the neighborhood and utility services are already developed, there is no need to retain the full width of the public right-of-way for additional road or utility purposes.

The existing utilities are not dependent on the full width of the corridor. Any existing utility facilities, and any additional utility interests that may be identified during agency review, can be protected through a dedicated utility easement on the final plat. A standard utility easement will preserve necessary access for utility providers without requiring the continued public dedication of the full right-of-way.

Because the surrounding area is already developed and the corridor is not needed for circulation or utility expansion, this criterion supports vacation.

#### **4. Whether the vacation of a public right-of-way provides access to a river or other area of public interest, and if so, whether equal or superior access is provided**

The Huske Street right-of-way does provide physical access to the Kenai River. However, public access to the river in this area is not dependent on Huske Street. Equal or superior access exists through a network of nearby public access corridors.

**See Appendix B showing 7 access points within a one-mile radius.**

The alternative access locations include:

- **Fields Road (Access A)**-Fields Road access, which includes a substantially wider public access area and space for parking and vehicle maneuvering.
- **Mykiss St. (Access B)**-Mykiss Street access, which includes a wider right-of-way and associated section line easement, providing significantly greater capacity than Huske Street.
- **Kings Salmon Dr. (Access C)**-Kings Salmon Drive walkway easement, which provides a dedicated pedestrian access corridor to the river.
- **Flyfisher Street (Access D)**-Flyfisher Street access, which includes a developed road to a cul-de-sac and dedicated boat ramp-related access near the river.
- **Anglers Roost St. (Access E)**-Anglers Roost Street access, which provides a wider public corridor across the river.
- **Additional Access Corridors (Access F and Access G)**-Additional access corridors east of the subject area, including Roger Avenue and section line easement access.

These alternative access points are legally established and, in several cases, better configured for public use. They provide a more suitable access network because they are wider, better able to accommodate vehicles and users, and less constrained by the narrow residential conditions present at Huske Street.

Vacation of Huske Street therefore will not remove public access to the Kenai River. It will redirect use to access locations that are equal or superior in width, capacity, and function

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#### **5. Whether the proposed vacation would limit opportunities for interconnectivity with adjacent parcels**



The proposed vacation will not limit interconnectivity. Huske Street is a dead-end corridor that terminates at the Kenai River. It does not connect to another road, does not provide through access, and does not serve as part of a larger transportation grid.

Because the corridor does not provide existing or potential interparcel circulation, vacating it will not impair connectivity between developed or undeveloped parcels.

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**6. Whether other public access, other than general road use, exists or is feasible for the right-of-way**

Other public access exists and is feasible. The nearby access points described above provide a combination of road access, walkway access, boat-ramp-related access, rights-of-way, and section line easements. These corridors preserve public access to the Kenai River without relying on Huske Street.

The continued designation of Huske Street as public access is therefore not necessary to maintain public use of the river

---

**7. Whether all existing and future utility requirements are met**

The surrounding neighborhood is already developed and served by existing utility systems. Water and sewer service for the adjoining lots is provided by individual wells and septic systems, and electrical, telecommunications, and gas infrastructure already exists in the area. The corridor is not required for existing or future utility installation.

Existing utilities are located within and along the Huske Street right-of-way, including telecommunications facilities, an overhead power line, and an electrical junction box along the northern portion of the corridor, as well as a gas line that runs north-south within the corridor

The existing utilities are not dependent on retaining the full width of the right-of-way. The petitioner is currently coordinating with Enstar regarding the gas line and will work with other utility providers, as applicable, to identify any additional utility interests. Any existing/required utilities can be preserved through dedicated utility easements established as part of the final platting process. See attached correspondence with Enstar.

Vacating the right-of-way is not anticipated to impair existing utility service or future utility planning.



---

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

The existing use of the Huske Street access corridor raises additional concerns related to habitat protection, water quality, public safety, and neighborhood compatibility. These concerns are directly relevant to the Planning Commission's review under KPB 20.65.050(D)(8).

The Kenai River is an anadromous water body, and shoreline use in this area must be considered in light of the Kenai Peninsula Borough's Anadromous Waters Habitat Protection Ordinance, KPB Chapter 21.18. That chapter is intended to protect anadromous waters, riparian habitat, shoreland vegetation, water quality, and the public health, safety, and welfare.

The conditions documented at Huske Street are the type of unmanaged shoreline use that KPB Chapter 21.18 is intended to prevent. The record describes repeated overnight occupation, disturbance of the riverbank area, trash and refuse, fish carcasses and fish waste, human waste, open fires, and recurring public safety incidents. These activities are inconsistent with protecting nearshore habitat, riparian vegetation, water quality, and anadromous fish habitat.

The continued designation of this corridor as public access creates an ongoing management problem. Public access near a habitat protection area should be compatible with protection of the river, shoreline, and adjacent properties. Huske Street is not functioning in that manner. Instead, it has become an unmanaged access point where recurring use creates a substantial risk of environmental degradation and repeated conflict with surrounding residential properties.

These impacts are not speculative. Adjacent property owners and individuals familiar with the site have documented recurring conflicts, unmanaged use, environmental impacts, and public safety concerns associated with the corridor.

For these reasons, vacation of the Huske Street right-of-way is consistent with KPB Chapter 21.18 and the broader public interest. Vacating the corridor would reduce unmanaged shoreline impacts, protect riparian habitat, address ongoing pollution and public safety concerns, and direct public access to locations that are better suited for that purpose.

---

## Conclusion

The record supports approval of the requested vacation because Huske Street no longer serves the public purpose for which it was dedicated. Although the corridor provides physical access to the Kenai River, its current use is no longer limited to ingress and egress. The right-of-way has become an unmanaged access point where prolonged parking, overnight occupation, waste disposal, trespass, and repeated conflicts with adjoining residential properties have displaced its intended function as a public travel corridor.

Retaining the right-of-way would not improve circulation, interconnectivity, development potential, or utility service. Huske Street is a short dead-end corridor that terminates at the river and does not connect to a larger road network. Additional construction or expansion would not create a meaningful transportation benefit and would likely intensify the same unmanaged use that has created the current public safety, environmental, and neighborhood impacts.

Vacation will also not deprive the public of access to the Kenai River. The surrounding area contains multiple legally established access points, including wider rights-of-way, section line easements, walkway access, and developed or purpose-built river access corridors. Those locations provide equal or superior access because they are better suited to accommodate public use, vehicle movement, parking, staging, and long-term access needs without relying on this constrained residential corridor.

Any existing utility interests can be protected through dedicated easements on the final plat. Preserving a utility easement, where required, would meet existing and future utility needs without retaining the full public right-of-way.

For these reasons, the Huske Street right-of-way is no longer necessary for present or future public use under KPB 20.65.050(D). Approval of the vacation would preserve necessary utility interests, maintain public access to the Kenai River through better-suited alternatives, reduce unmanaged shoreline impacts, and resolve a corridor that no longer functions as intended. We respectfully request that the Planning Commission approve the vacation, subject to reservation of any required utility easements and completion of the final plat in accordance with Borough requirements.

Respectfully,

  
AK Lands, Land Surveying by  
Stacy Wessel, Professional Land Surveyor

Attachments: Email – Enstar, Appendix A - Supporting letters, Appendix B - Alternative Kenai River access exhibits, Appendix C - Photographs





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.





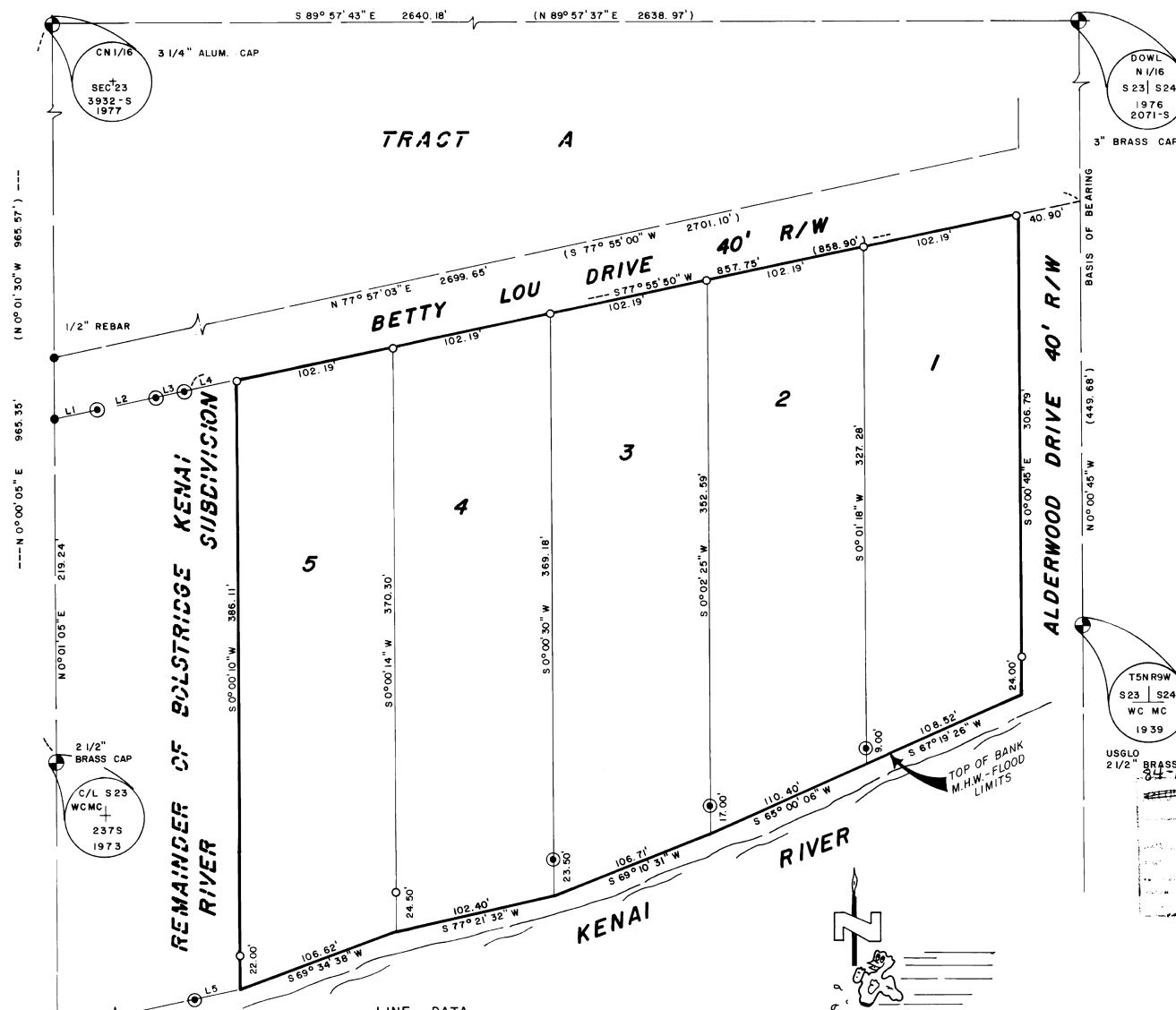
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





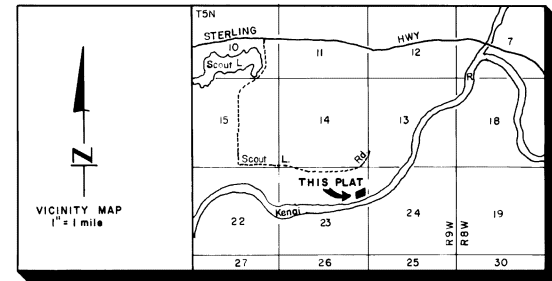
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





## LEGEND

- ⊕ MONUMENT (Found this survey)
- ⊕ MONUMENT (Set this survey)
- 5/8" REBAR (Found this survey)
- 5/8" x 30" REBAR (Set this survey)
- ( ) RECORD DATUM KR D 78-129
- ⊙ 3/4" GALVANIZED IRON PIPE (Found this survey)



### CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON.

JAMES D. MEDEMA  
BOX 1422  
HOMER, AK. 99603  
(A.K.A. J.D. MEDEMA)

MILLIE M. MEDEMA  
BOX 1422  
HOMER, AK. 99603

### NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 25th DAY OF May, 1984 FOR ALASKA

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 10-25-84

### PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 7, 1984

KENAI PENINSULA BOROUGH  
AUTHORIZED OFFICIAL

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



## NOTES:

- PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
- 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.
- ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.

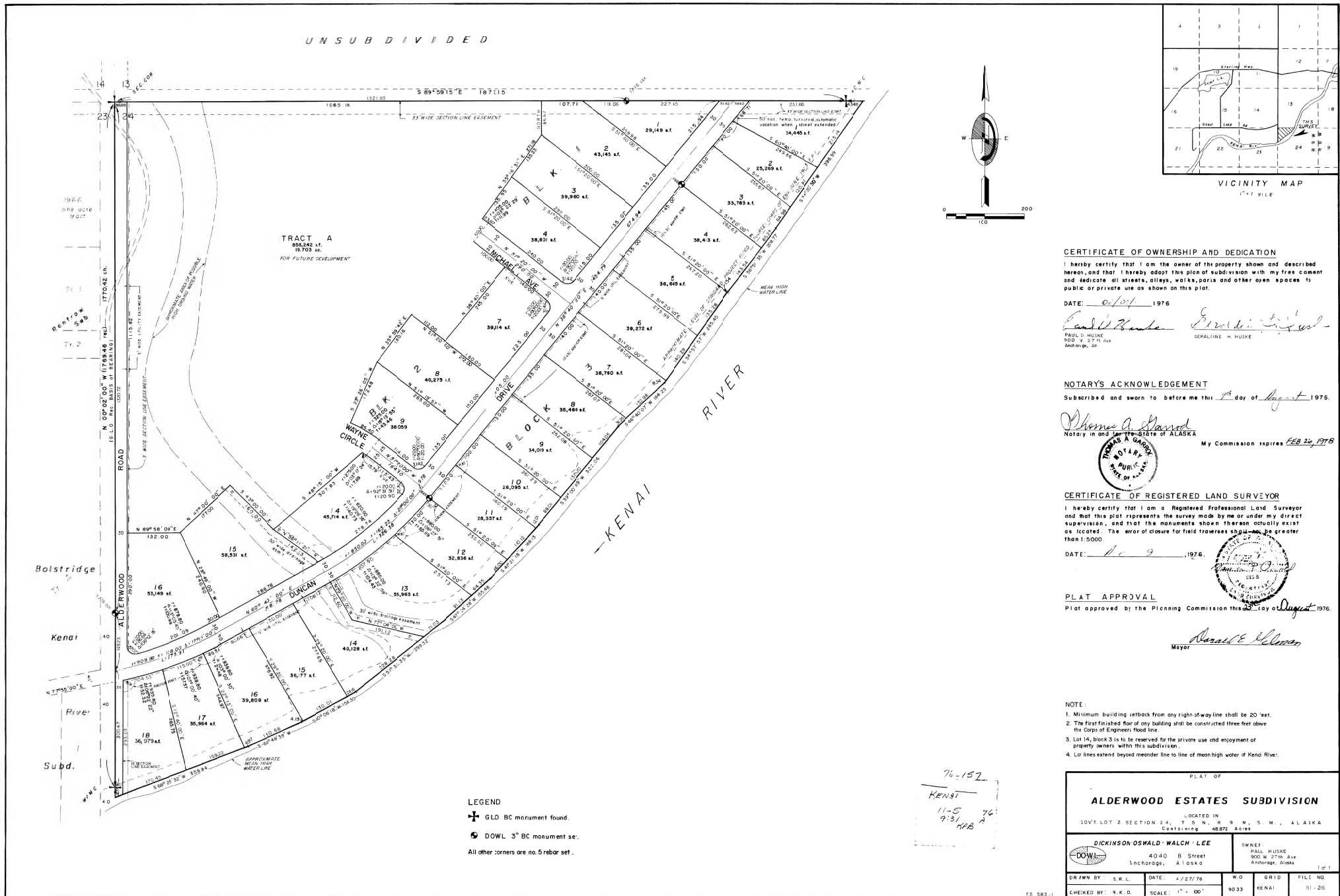
### DEED OF RECORD BOUNDARY SURVEY BOLSTRIDGE KENAI RIVER SUBDIVISION

A BOUNDARY SURVEY OF LOTS 1 THRU 5 LOCATED WITHIN S 1/2 NE 1/4 SEC. 23 T5N R9W S.M. AND THE KENAI PENINSULA BOROUGH.

**DOWLING-RICE and ASSOCIATES**  
P.O. BOX 1974 SOLDOTNA, ALASKA 99669  
ENGINEERS 262 - 9011 SURVEYORS

SURVEYED: APRIL 1984	PLATTED: APRIL 1984
DRAFTED: NM / DW	SCALE: 1" = 50'
CHECKED: DW / CB	SHEET:





5.14 Year  
5.25  
5.10  
5.17

12-1129  
 62-444  
 B. 1 1/2 1/2 205

RECORDED - FILED  
JAN 11 1966  
FBI - NEW YORK  
DATE 11-16-65  
TIME 3:29 PM  
BY SA [illegible]  
SUBJECT [illegible]

$$\begin{array}{r} 500 \text{ Car} \\ 750 \text{ R90} \\ + 141517 \\ \hline 83034 \end{array}$$

Тнаст В

Tract "C"

Часть А

665²

665⁴

1330[±]

Kenai River

Bolstridge Kenai River Subdivision  
within Lot 3 and Lot 4  
Sec. 23 T5N R9W S5W Mer.  
Sterling Alaska

Galbridge Naval River Co. I.  
A-1129



**ENSTAR Natural Gas Company, LLC**  
Engineering Department, Right of Way Section 401  
E. International Airport Road  
P. O. Box 190288  
Anchorage, Alaska 99519-0288  
(907) 277-5551  
FAX (907) 334-7798

July 8, 2026

Kenai Peninsula Borough, Platting Division  
144 North Binkley Street  
Soldotna, AK 99669

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following ROW Vacation and advises:

- **PROPOSED LOT 1A AND 18A AND SECTION LINE EASEMENT VACATION (KPB 2026-069V)**
- **PROPOSED LOT 1A AND 18A AND HUSKE RIGHT-OF-WAY VACATION (KPB 2026-069V1)**

1. ENSTAR has existing natural gas distribution pipeline that is within the above listed existing Rights of Way proposed for vacation within proposed LOT 1A. Attached is a depiction for your reference.

ENSTAR objects to this plat unless the following condition is met:

- Grant ENSTAR a thirty feet (30 FT) wide natural gas easement within proposed LOT 1A.

ENSTAR confirms that it is actively working with the underlying owner and their representatives to format a final easement document sufficient for the continued operation and maintenance of its facilities.

If you have any questions, please feel free to contact me at (907) 334-7944 or by email at [brandon.echols@enstarnaturalgas.com](mailto:brandon.echols@enstarnaturalgas.com).

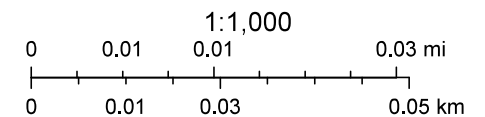
Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Echols", is written over a light blue horizontal line.

Brandon Echols  
Right of Way & Permitting Agent  
ENSTAR Natural Gas Company, LLC



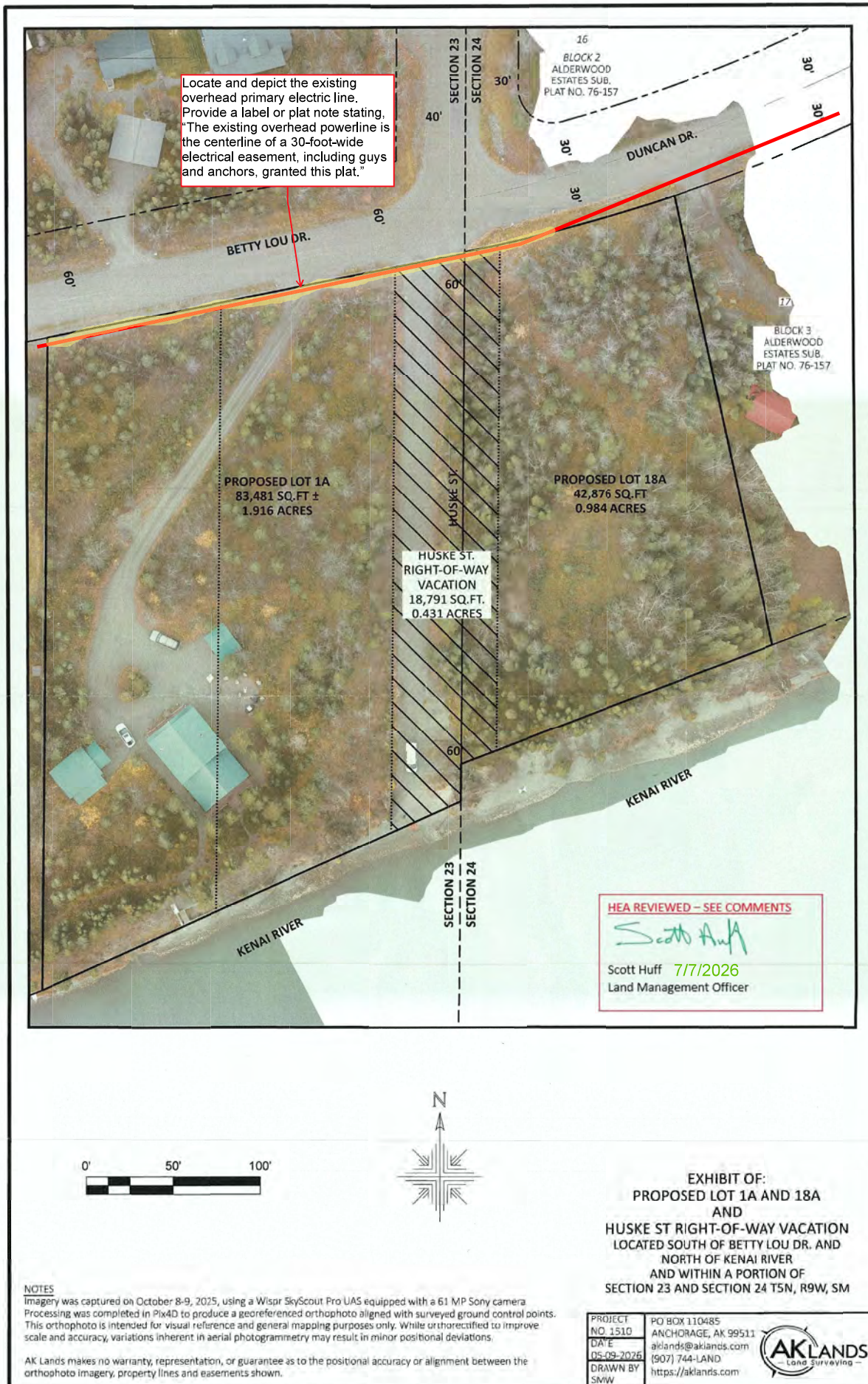
# PROPOSED LOT 1A AND 18A AND SECTION LINE EASEMENT VACATION & HUSKE RIGHT-OF-WAY VACATION



ENSTAR Natural Gas Company, ENSTAR Natural Gas Company, Matanuska  
- Susitna Borough, Kenai Peninsula Borough, Municipality of Anchorage,

ArcGIS Web AppBuilder  
ENSTAR Natural Gas Company





KPB 2026-069V1





PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

June 17, 2026

Kenai Peninsula Borough  
Planning Commission  
144 N. Binkley St.  
Soldotna, AK 9966

Subject: Huske St. Right of Way Vacation

Dear Kenai Peninsula Borough and Planning Commission,

This letter is submitted in support of the petition to vacate the Huske Street right-of-way. The issue before the Planning Commission is not whether public access to the Kenai River is important. It is. The issue is whether this specific right-of-way remains necessary for present or future public use under KPB 20.65.050(D).

Based on the existing site conditions, surrounding development pattern, available alternative access, and documented impacts, Huske Street no longer functions as a practical public access corridor. Instead, the corridor has become an unmanaged destination point where prolonged parking, overnight occupation, waste disposal, trespass, and repeated conflicts with adjacent residential uses interfere with the purpose of the original dedication.

Approval of this vacation would not eliminate public access to the Kenai River. Public access is already available through multiple nearby rights-of-way, easements, and developed access points that are wider, more functional, and better suited to public use. Necessary utility interests can be preserved by easement. For these reasons, the dedication is no longer necessary for present or future public use, and vacation is appropriate.

The surrounding property owners are pursuing coordinated platting actions with the Kenai Peninsula Borough and the State of Alaska to vacate the Huske Street right-of-way and the associated 66-foot section line easement located on the east and west sides of the section line. As part of the same platting process, Lot 1 and Lot 2 of the Bolstridge Kenai River Subdivision, Plat No. K-1129, will be combined, and Lot 18, Block 3 of the Alderwood Estates Subdivision, Plat No. KN 076-157, will be replatted. The vacated right-of-way will be absorbed into the adjoining parcels through the final platting process. These coordinated actions are intended to address all public access dedications at this location in a comprehensive and consistent manner.



## Conclusion

The record supports approval of the requested vacation because Huske Street no longer serves the public purpose for which it was dedicated. Although the corridor provides physical access to the Kenai River, its current use is no longer limited to ingress and egress. The right-of-way has become an unmanaged access point where prolonged parking, overnight occupation, waste disposal, trespass, and repeated conflicts with adjoining residential properties have displaced its intended function as a public travel corridor.

Retaining the right-of-way would not improve circulation, interconnectivity, development potential, or utility service. Huske Street is a short dead-end corridor that terminates at the river and does not connect to a larger road network. Additional construction or expansion would not create a meaningful transportation benefit and would likely intensify the same unmanaged use that has created the current public safety, environmental, and neighborhood impacts.

Vacation will also not deprive the public of access to the Kenai River. The surrounding area contains multiple legally established access points, including wider rights-of-way, section line easements, walkway access, and developed or purpose-built river access corridors. Those locations provide equal or superior access because they are better suited to accommodate public use, vehicle movement, parking, staging, and long-term access needs without relying on this constrained residential corridor.

Any existing utility interests can be protected through dedicated easements on the final plat. Preserving a utility easement, where required, would meet existing and future utility needs without retaining the full public right-of-way.

For these reasons, the Huske Street right-of-way is no longer necessary for present or future public use under KPB 20.65.050(D). Approval of the vacation would preserve necessary utility interests, maintain public access to the Kenai River through better-suited alternatives, reduce unmanaged shoreline impacts, and resolve a corridor that no longer functions as intended. We respectfully request that the Planning Commission approve the vacation, subject to reservation of any required utility easements and completion of the final plat in accordance with Borough requirements.

Respectfully,

  
AK Lands, Land Surveying by  
Stacy Wessel, Professional Land Surveyor

Attachments: Email – Enstar, Appendix A - Supporting letters, Appendix B - Alternative Kenai River access exhibits, Appendix C - Photographs

## **Appendix A**

Appendix A includes letters from adjacent property owners and individuals familiar with the site supporting the proposed vacation of the right-of-way and section line easement. These letters document recurring conditions at the location, including overnight camping, long-term vehicle and RV parking, trash and debris, fish waste, human waste, open fires, alcohol-related disturbances, trespass, property damage, threats, and ongoing conflicts with adjacent residential use.

Appendix A also includes a December 27, 2001 memorandum from the Kenai Peninsula Borough Attorney's Office (Assistant Borough Attorney) to the Borough Assembly regarding decertification of Huske Street from road maintenance. The memorandum notes liability and safety concerns, prior accident history, lack of maintenance to borough standards, and its use for river access, parking, and boat launching, while clarifying that decertification does not constitute a vacation of the right-of-way.



**MEMORANDUM**

**TO:** Timothy Navarre, Assembly President

Members, Kenai Peninsula Borough Assembly

**THRU:** Dale Bagley, Mayor

Colette Thompson, Borough Attorney

**FROM:** Holly B. Montague, Assistant Borough Attorney

**CC:** Gary Davis, Roads Director

**DATE:** December 27, 2001

**SUBJECT:** Resolution 2002-007, decertifying Beluga Street, Salmon Road, and Huske Street

The borough attorney's office recommended decertification of the above-referenced roads to the road service area ("RSA") board because of liability and safety concerns. All of the roads are in the central region and, according to the RSA staff, have not been maintained within the past five years. Salmon Road is connected to Beluga Street in J.W. Subdivision Addition No. 1, and was the site of a snow machine accident for which the borough, through its insurer, paid in excess of one million dollars in settlement several years ago. Huske Street accesses the Kenai River and receives substantial use as a parking area and boat launch. The road is not entirely within the right-of-way. None of the three roads meet borough standards, nor do they access dwellings. A public hearing was held on November 6, 2001 regarding decertification of these roads. No one testified against decertification, nor were any written objections received to the decertification. The public hearing before the assembly was advertised on December 27, 2001, and January 3, 2002, in compliance with KPB 14.06.070(B)(6). The resolution sets forth findings adopted by the RSA board supporting decertification in accordance with KPB 14.06.070. The memo seeking authorization from the board to initiate the public process for decertification for these roads is also enclosed and contains more detail regarding the status of the three roads. Decertification from the maintenance system does not result in vacation of the roads, and if the roads are brought to borough standards they will again be eligible for borough maintenance.

*Road Maintenance  
Huske Street*



Number  
Address  
State and Zip  
Phone number

Date 4-22-26

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

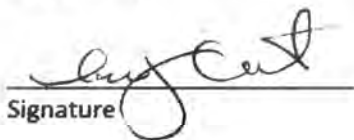
To Whom it may concern,

I (We) support the platting action to vacate the full 60foot Huske Road rightofway and the 66foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

AS A LOCAL CONTRACTOR (RETIRED), I BUILT NUMEROUS HOMES ON BETTY LOU DRIVE, STERLING, AK. THIS PARTICULAR EASEMENT HAS CAUSED CONTINUOUS PROBLEMS IN THE AREA. THE AREA HAS BECOME A PARTY AREA AT THE SITE. VEHICLES CONSTANTLY BLOCK TRAFFIC ON BETTY LOU AVE. HUSKE RD. PEOPLE ARE UNABLE TO LAUNCH THEIR BOATS DUE TO CAMPER'S AND TENTS BLOCKING THE RAMP. THEFTS HAVE INCREASED IN THIS AREA AS WELL. THE REVELERS KEEP THE MUSIC LOUD ALL NIGHT LONG AND THEIR GARBAGE REMAINS THERE WHEN THEY LEAVE. THEY USE THE NEIGHBORING FENCES FOR CLOTHES AND BOOT DRYING RACKS ALSO.

IN SHORT, I FULLY SUPPORT TO VACATE THIS EASEMENT AND RETURN IT BACK TO THE QUIET RESPECTFULLY, AND CLEAN NEIGHBORHOOD IT ONCE WAS.

  
Signature

SCOTT CHRISTIAN  
Printed Name  
907-394-2880  
CHRISTIAN RIDGE CONST

4-22-26  
Date

35085 Betty Lou Dr  
Sterling, AK 99672  
801-859-2190

April 25, 2026

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom it may concern,

I (We) support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

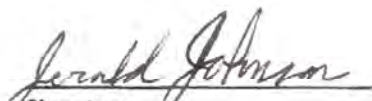
Primarily during the Sockeye salmon run June through early September there are up to 50 fishermen trying to fish about 25 feet of the Kenai river where a small public boat ramp exists just upstream from my property at 35084 and 35085 Betty Lou Dr. It is physically impossible for more than 3 or 4 people to fish that small public area. So naturally these people spread out along the river bank to fish adjacent to private property, including my own.

I understand that private land owners do not own part of the river, however, after spreading out up and down river from the public boat ramp, many people get out of the river to use our private property to repair fishing gear, store their salmon catch and even stand on our fishing ramps to fish. Most people will vacate our private property peacefully when asked, but some will not and become angry and hostile. It is impossible to use our private property river bank and fishing ramps if people are standing in the water in front of these ramps.

There is also a matter of public safety. To not trespass, people have to stay in the river while walking up and down stream. The current is fairly swift in this section of the river which makes it unsafe to navigate on foot. Additionally, Betty Lou Drive is a narrow unpaved road with a limited shoulder. Therefore, people who can't find parking in front of the boat launch, must park on private property near the boat ramp or leave their vehicles partially in the road obstructing passing cars. Also, when the boat launch fills up with parked cars, there is no room to launch a boat.

These issues have progressively gotten worse over time. It is my hope that the Kenai Peninsula Borough Planning Commission and the State of Alaska Department of Natural Resources will take the necessary action to rectify this growing problem.

Respectfully,

  
Signature

Jerald Johnson  
Printed Name

4/25/26  
Date

Marvin Huske  
431 W. 123rd Avenue  
Anchorage, Alaska 99515

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom It May Concern,

I (We) support the platting action to vacate the full 60-foot Huske Street right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reasons for Support:**

This request is made after many years of ongoing issues associated with public use of this easement that have significantly and repeatedly impacted my private property.

Specifically:

- My property has been continually trespassed upon, particularly during summer months.
- Trespassers have left behind garbage, human waste, and fire debris, requiring ongoing cleanup.
- My riverbank/land has suffered significant erosion and physical damage as a result of foot traffic and unauthorized access.
- Posted No Trespassing and No Parking signs have been torn down, burned, removed or thrown in the river.
- Vehicles, including cars, trucks, and motorhomes, regularly block access and park on or near my property.
- I have been threatened with assault and/or arson when attempting to enforce private property boundaries.
- Local enforcement efforts have proven ineffective due to the volume of day and night unlawful use.

Additionally, this easement has been misrepresented by local businesses as a free Kenai River access point resulting in commercial guides and members of the public accessing my private property.

Due to the ongoing safety concerns, property damage, and loss of use and enjoyment, I respectfully request that this section line easement be vacated in order to protect private property rights and prevent further harm.

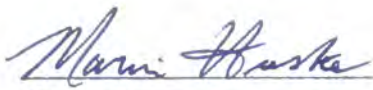
This request has been raised previously and remains unresolved. Given the long history of issues, I believe vacating this easement is reasonable, necessary, and overdue.



Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources  
Page 2

Thank you for your time and consideration of this request. Please contact me if further information or documentation is required.

Respectfully,

  
Signature

Marvin Huske  
Printed Name

4/29/26  
Date

# Phillip M Finley III

5405 Candlewood Ct NE

Albuquerque, NM 87111

505.459.2957

April 18, 2026

Kenai Peninsula Borough Planning Commission

AND

State of Alaska Department of Natural Resources

Subject: Support for Platting Action

To Whom It May Concern:

I support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

I support this action due to the following activities that my wife and I have personally observed occurring within the right-of-way and on Mr. Montgomery's property ("the property").

- Excessive alcohol consumption by individuals using the area
- Instances of defecation and urination on the property
- Loitering on private property
- Fires on the access ramp, as well as in the bushes of the property
- Consistent disregard for posted no-trespassing signs
- Loud music being played late into the evening and in early morning hours
- Personal items such as clothing, chairs, tents, coolers, and fishing gear being stored on the property, as well as trash and fish remains

This situation, which seems to be getting worse with each of our visits, creates significant concerns for Mr. Montgomery, as it is clearly a violation of property rights, as individuals are entering and using the property without permission, despite the posted signs. This limits the ability for Mr. Montgomery, family, and guests to safely and peacefully use and enjoy the property.

Additionally, due to the excessive alcohol use, open fires, and unsanitary conditions, this introduces safety and liability risks and the potential for property damage. The accumulation of trash and personal belongings, along with defecation and urination, creates environmental and public health concerns and, again, can damage the property, require ongoing cleanup, and diminish its overall value and usability.

Collectively, these issues represent not just an inconvenience, but an ongoing interference with the owner's rights, safety, and property value.

Sincerely,

Phillip M Finley III

James Donovan  
5514 W Lake River Ln  
Boise, Id 83703  
208-995-5587

4-25-2026

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom It may concern,

I (We) support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

I have visited the cabin located on/near this location several times per year. I have witnessed the following activities that reduce the quality of time and disrupt our stays.

Anglers have continuously entered the private property.

Placing gear and fish, carcasses on the private property to include attaching fish cleaning tables on the private fencing etc.

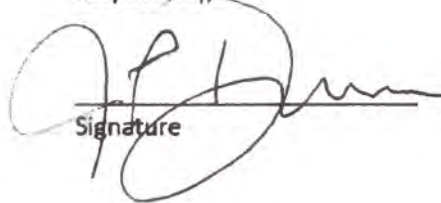
Leaving trash behind.

Camping with fires overnight.

Open drinking alcohol which typically leads to foul language, approaching owners and guests of the private property which on occasions has come close to violent situations.

I appreciate the opportunity to address this with you and if you would like to speak to me directly please let me know.

Respectfully,

  
Signature

Jim Donovan  
Printed Name

4-25-26  
Date



Number  
Address  
State and Zip  
Phone number

Date 4/23/2026

Kenai Peninsula Borough Planning Commission

AND

State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom it may concern,

I (We) support the platting action to vacate the full 60foot Huske Road rightofway and the 66foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

I have been to the Montgomery Lodge numerous times over the years and there have been issues with people down at the Shoreline. Some leave their trash on the riverbank. Others will be directly out in front of the private camp, and won't move. People will also put their gear on the private camp. We also have to bring our fishing gear up to the lodge so it doesn't get stolen. They also camp out all day and night. It was either June or July 2004 and the week before we got there someone drove down the ramp Respectfully, during the night into the river and downed.

Mike P. Sunder

Mike P. Sunder

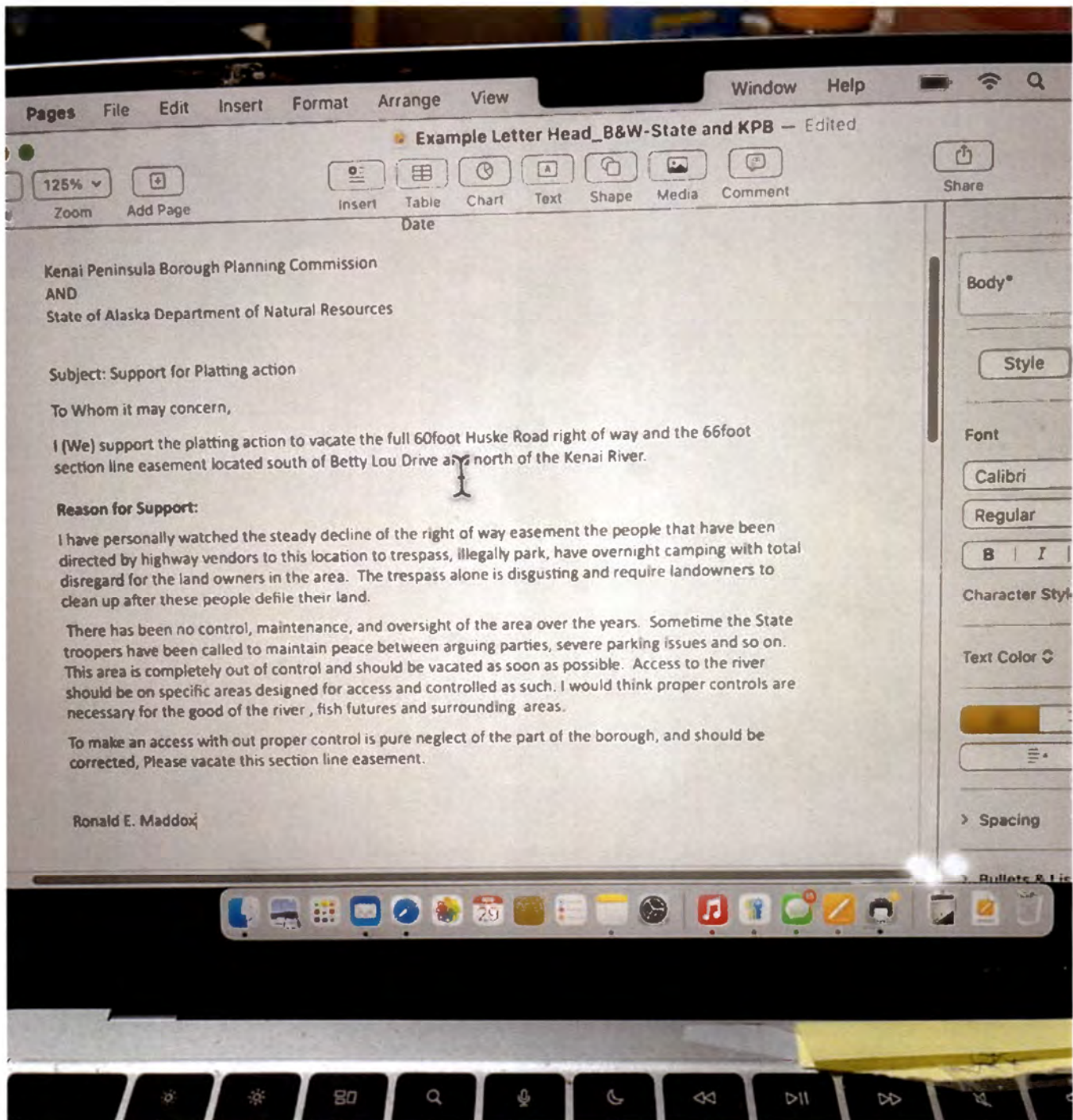
Signature

Printed Name

Date 4/23/2026



This letter was provided to me by Gene Montgomery via text message. He indicated that Ron prepared it but has been very ill and unable to print or sign it.



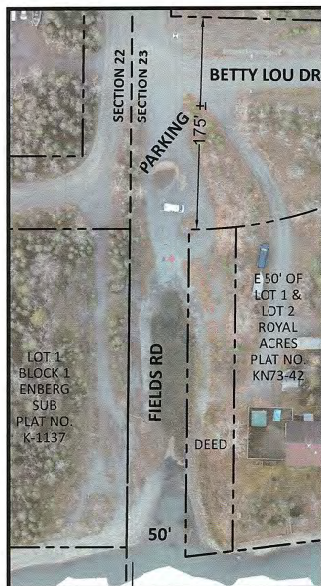
## **Appendix B**

Appendix B provides a collection of aerial imagery and supporting documentation for seven additional public access points along the Kenai River. Each access point is accompanied by a brief description, exhibit, and legal documentation of the Rights of Way and/or Section Line Easements illustrating the network of alternative public access routes in the vicinity of Huske Street.

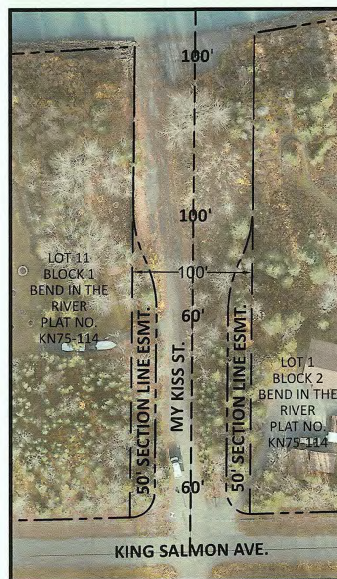
These exhibits demonstrate that multiple legally established access corridors exist, including section line easements. As shown, these locations generally offer equal or greater access to the Kenai River, improved boat launching, better parking accommodation, and more suitable configurations for public use.

Collectively, the packet supports that public access to the Kenai River is not dependent on Huske Street and that equal and better access opportunities are available through the surrounding network.

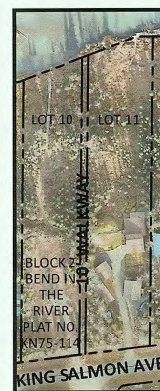




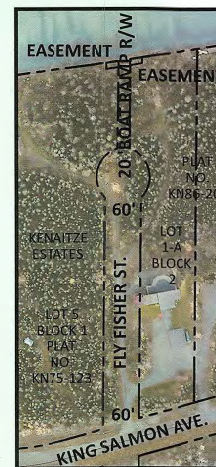
**ACCESS A**  
1"=100'



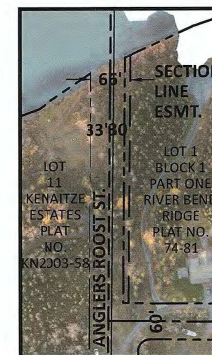
**ACCESS B**  
1"=100'



**ACCESS C**  
1"=200'



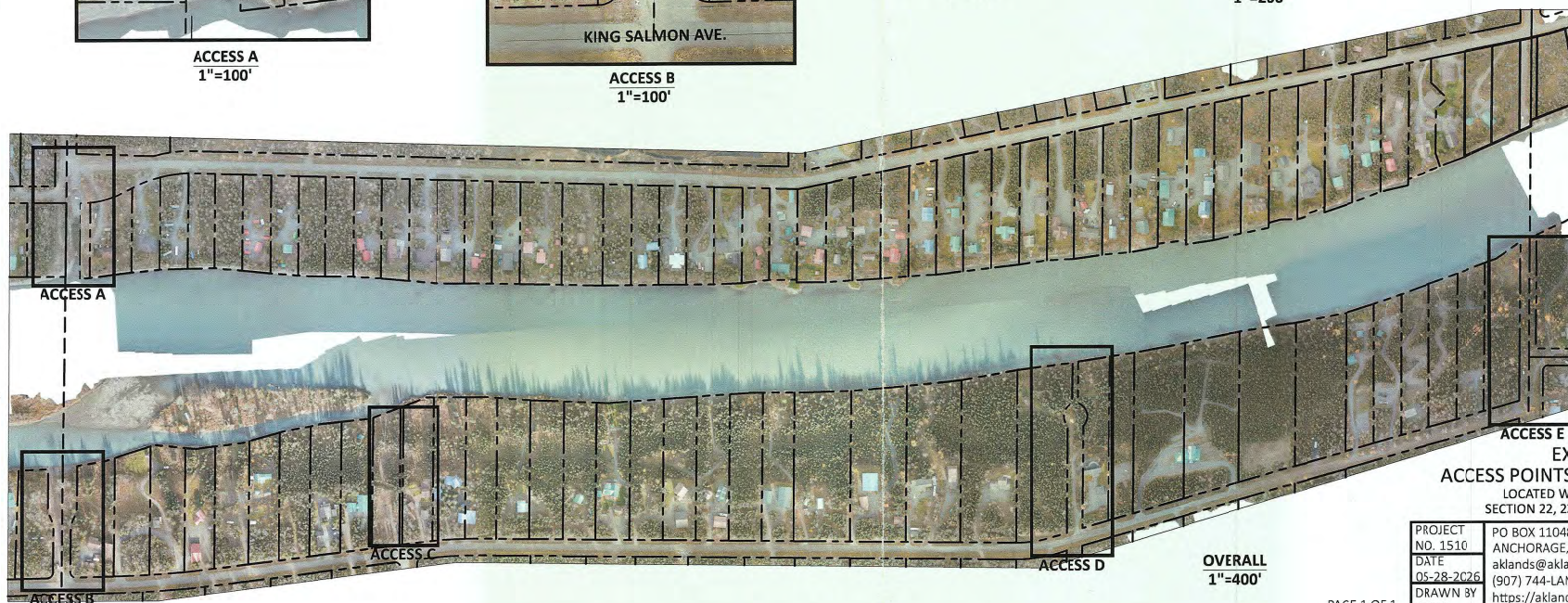
**ACCESS D**  
1"=200'



**ACCESS E**  
1"=200'

**NOTES**  
Imagery was captured on October 8-9, 2025, using a Wispr SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.



**EXHIBIT A:  
ACCESS POINTS TO THE KENAI RIVER**  
LOCATED WITHIN A PORTION OF  
SECTION 22, 23, AND 24 T5N, R9W, SM

PROJECT  
NO. 1510  
DATE  
05-28-2026  
DRAWN BY  
S/MW

PO BOX 110485  
ANCHORAGE, AK 99511  
aklands@aklands.com  
(907) 744-LAND  
https://aklands.com







Legend

Transportation

Mileposts

Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major Collector
- Town Medium Volume-Maintained
- Town Medium Volume-Unmaintained

Parcels and PLSS

Tax Parcels

0 1000 2000 ft

5/29/2026 11:40:56 AM

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.





Legend

- Transportation
  - Mileposts
  - Roads
    - Legal Trail
    - Private Road
    - Proposed
    - State Highway
    - Town Low/Seasonal
    - Town Major Collector
    - Town Medium Volume-Maintained
    - Town Medium Volume-Urnmaintained
- Parcels and PLSS
  - Tax Parcels
- Terrain
  - 2008/09 LIDAR Hillshade
  - 255 - 0

0 1000 2000 ft

6/17/2026 3:14:11 PM

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.



## Access Point A

### Fields Road

This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 178 feet in width, providing significant space for parking and maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. Aerial imagery collected in October 2025 shows its developed and can accommodate river access. Google Maps imagery also depicts a slough area with boats staged along the side and a gravel area that appears to be used for parking. The configuration of the slough suggests it may provide conditions suitable for launching outside of the main river channel, which may offer a safer alternative to launching directly into the primary river flow and associated swift water conditions. The width of the corridor and available parking area allow it to accommodate multiple users without congestion, obstruction, or spillover onto adjacent properties.

Sources: Wilson-Fields Subdivision Plat 2020-10, Royal Acres Subdivision Plat 73-42, Public Road Easement recorded September 11, 2017, Serial No. 2017-007009-0, and google maps.



ACCESS A  
1"=100'











## Legend

### Transportation

#### Mileposts



#### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

### Parcels and PLSS

#### Tax Parcels



0 150 300  
ft

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# CERTIFICATE OF OWNERSHIP & DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE TO PUBLIC USE THE ROADWAYS AND UTILITY EASEMENTS SHOWN.

Lewis K. Fields OWNER OWNER

## NOTARY'S ACKNOWLEDGMENT

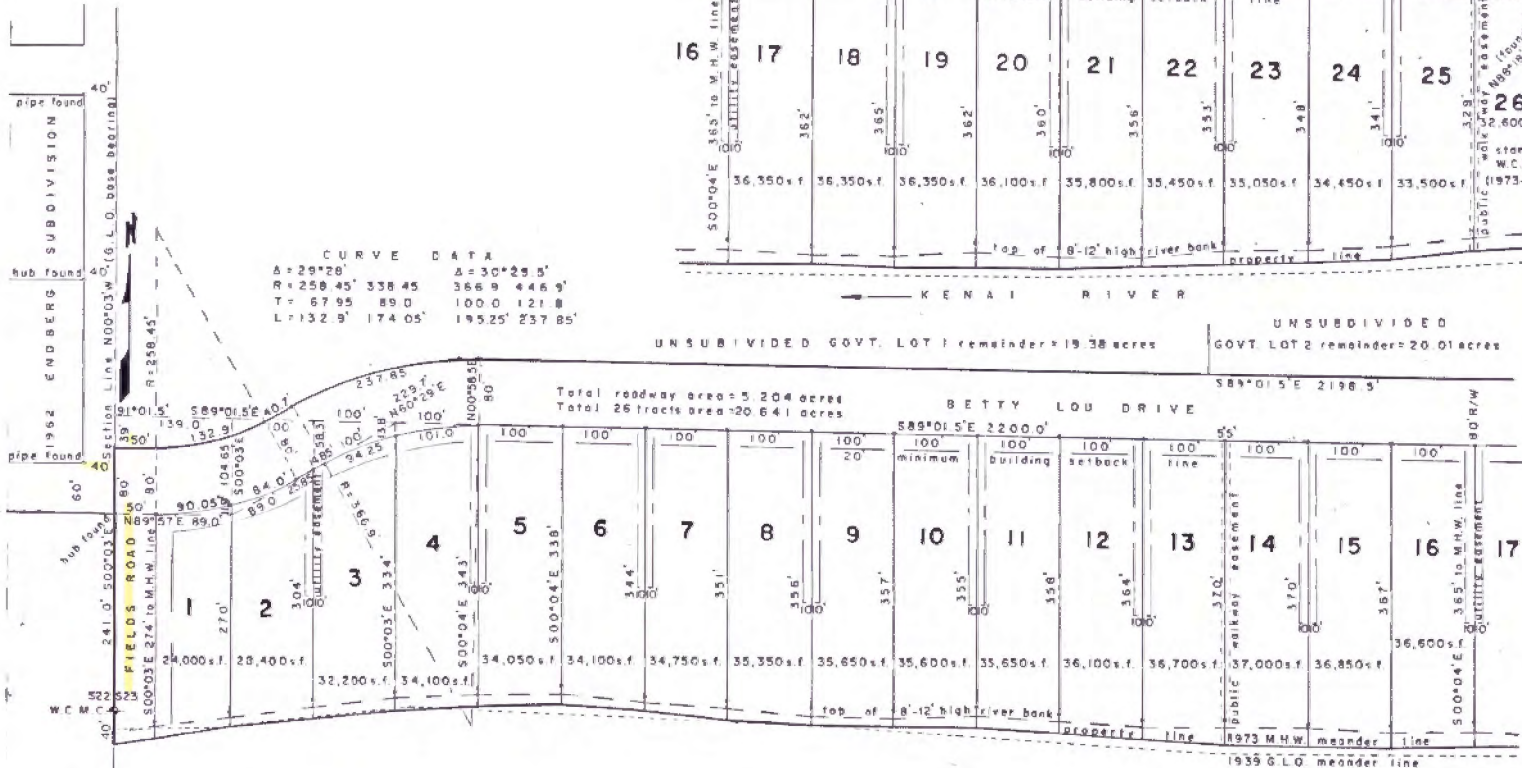
SUBSCRIBED AND SIGNED BEFORE ME THIS 30th DAY OF May, 1973

W. H. Best  
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES July 1, 1974

PLAN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION  
THIS 21st DAY OF May, 1973.

Heidi F. Thompson  
Mayor



CURVE DATA

A=29°20'	B=30°25'5"
R=258.45'	338.45'
T=67.95'	89.0'
L=132.9'	174.05'
	195.25'
	237.85'

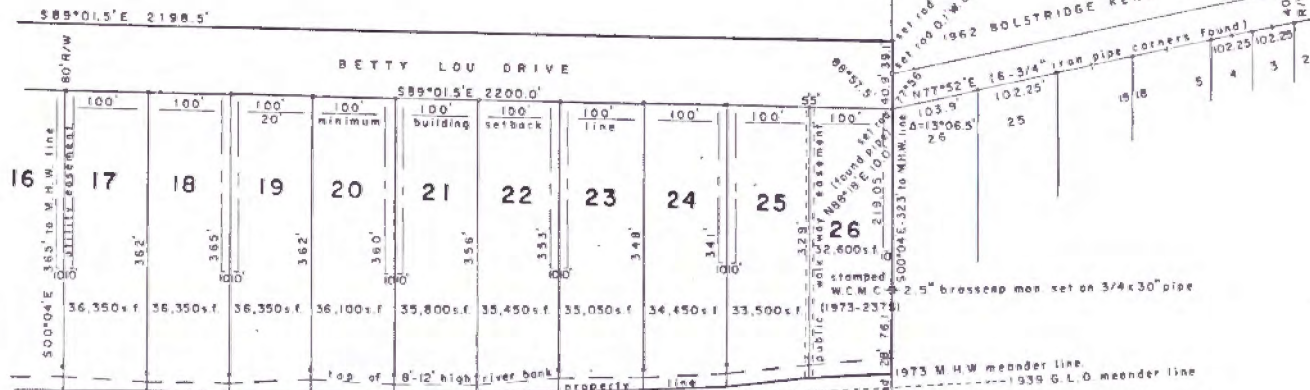
Total roadway area=5.204 acres  
Total 26 tracts area=20.641 acres

RESTRICTIONS:  
1. NO SEWAGE OR GARBAGE DISPOSAL ALLOWED  
WITHIN 150 FEET OF RIVER HIGH WATER LINE.

## ROYAL ACRES SUBDIVISION

25.845 ACRES OF GOVT. LOTS 1 and 2 in SECTION 23, T5N, R9W, S4M  
OWNER: LEWIS K. FIELDS, BOX 18, STERLING, ALASKA  
SURVEYOR: C. L. PARKER, R. L. S. 237, SOLDOTNA, AK.  
APRIL, 1973

E8-47



UNSUBDIVIDED GOVT. LOT 1 remainder=19.38 acres

UNSUBDIVIDED GOVT. LOT 2 remainder=20.01 acres

## LEGEND

- 1939 G.L.O. brasscap monument found
- set 5/8"x24" rebar rod.



13-42  
RECORDED - FIELD  
Kenai  
DATE: 8-7-73  
BY: 3:14 P.  
KAP

Royal Acres Subd.

# LEGEND:

- 1 1/4" ALUM CAP W/OL 3832-5 1877 FOUND
- 2 1/2" ALUM CAP W/OL 8859 2020 SET
- 3 5/8" REBAR IN MONUMENT BOX FOUND
- 4 5/8" REBAR FOUND
- 5 5/8" REBAR w/PLASTIC CAP 158658 SET
- 6 RECORD DATUM PLAT 73-42 KN
- 7 RECORD DATUM PLAT K-1137 KRD

## CERTIFICATE of OWNERSHIP and DEDICATION

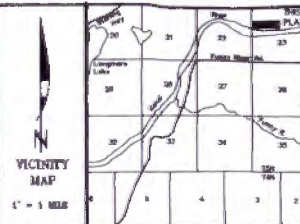
I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*Samson Fields*  
SAMSON FIELDS  
P.O. BOX 1215  
STERLING, ALASKA 99672

## NOTARY'S ACKNOWLEDGMENT

FOR *Samson Fields*  
ACKNOWLEDGED BEFORE ME THIS 20th DAY OF September, 2019.

*Nicole E. Finner*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 6/11/2024



North

Lot 4  
KN 83-101

KN 78-213

Lot 3

KN 2009-42

Lot 1

KN 2002-31

Lot B-1-A

Floodplain Ave.  
60' ROW dedication  
by this plat

Boundary of low wet areas as defined by  
Kenai Watershed Forum mapping.

Comfortable St.  
35' ROW dedication  
by this plat

Unsubd.

Fields Rd.  
33' Section line  
easement.  
33' ROW dedicated  
by this plat

Tract A  
5.000 Ac.

Tract B  
32.578 Ac.

Line #	Direction	Length
L1	S86°57'00"W	49.77'
L2	S80°29'00"W	40.70'
L3	N89°49'45"E	32.96'
L4	N89°49'45"E	30.05'
L5	S00°18'29"E	60.00'

Approximate boundary of Zone A4  
and Zone C from FEMA FIRM panel  
020202-2070A. See note 9.

Curve #	Bearing	Radius	Length	Tangent	Chord	Chord Bearing
C1	S29°26'00"	298.45'	132.82'	67.86'	133.45'	N75°13'00"E
C2	S50°28'30"	446.80'	257.85'	121.81'	235.05'	S75°40'48"W
C3	S00°56'19"	446.80'	69.88'	35.05'	68.91'	S77°33'57"W
C4	S08°52'33"	446.80'	68.23'	34.65'	69.16'	S86°29'22"W

Betty Lou Dr.

Roscoe Ave.

KN 1137  
Lot 1  
Block 2

KN 1137  
Lot 12  
Block 2

Betty Lou Dr.

KN 1137  
Block 1

Fields Rd.

Deed

Deed

Deed

Deed

Deed

Deed

Deed

Deed

Deed

Deed

## NOTES:

- 1) Bands of bearing taken from Royal Acres Subdivision, Plat 73-42, Kenai Recording District.
- 2) Building setbacks 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) A public road easement which affects this plat is recorded as serial number 2017-027008-0. Said easement is being dedicated by this plat.
- 4) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association, Inc. is recorded in Book 5 Page 100, Kenai Recording District.
- 5) Easements to KPB 20.30.030, Proposed street layout, and KPB 20.30.170, Block length, were granted by the Plat Committee at the meeting of December 18, 2018.
- 6) Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination if applicable.
- 7) Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.
- 8) Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- 9) FLOOD HAZARD NOTICE: Some or all of the property shown on this plat has been designated by FEMA as a flood hazard area district on or of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code. See FEMA FIRM panel 020202-2070A for information on Floodplain Zones A4 and C.
- 10) Front 15 feet of the 20 foot building setback and the entire setback 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.
- 11) WASTEWATER DISPOSAL: Three lots are of at least 200,000 square feet or nominal 5 acres in size 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.



## 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 herein actually exist as described, and all dimensions and other details are correct.

Date: 9-20-2019

## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 18, 2019.

KENAI PENINSULA BOROUGH  
*Mark But* Mayor  
AUTHORISED OFFICIAL

KPB FILE No. 2019-141

Wilson-Fields  
Subdivision

A re-subdivision of Government Lots 1 and 2 Section 23, T8N, R9W, S3M, excepting there from Royal Acres Subdivision, plat 73-42 Kenai Recording District.

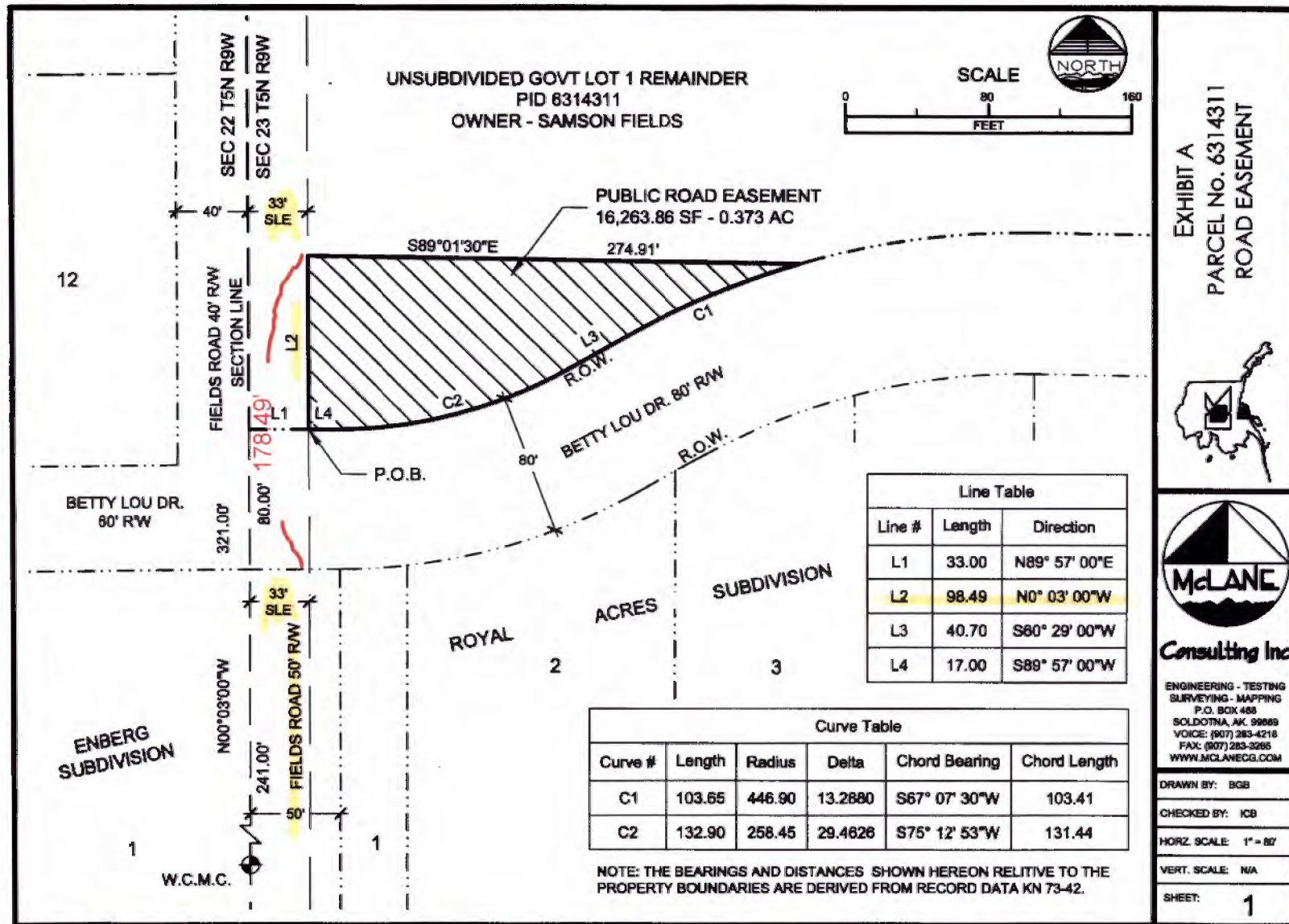
Located within the S1/2 NW1/4 Section 23, T8N, R9W, S3M, Kenai Peninsula Borough, Alaska.

Containing 39.624 Ac.

Surveyor	Owner
Segesser Surveys 30485 Roseland St. Soldotna, AK 99686 (907) 282-3906	Samson Fields P.O. Box 1215 Sterling, AK 99672
KPB NO. 19310	DATE: 2-20-2020
SURVEYED: Nov. 2018	SCALE: 1"=100'
FIELD BOOK: 19-4	SHEET: 1 of 1

Page 1 of 1





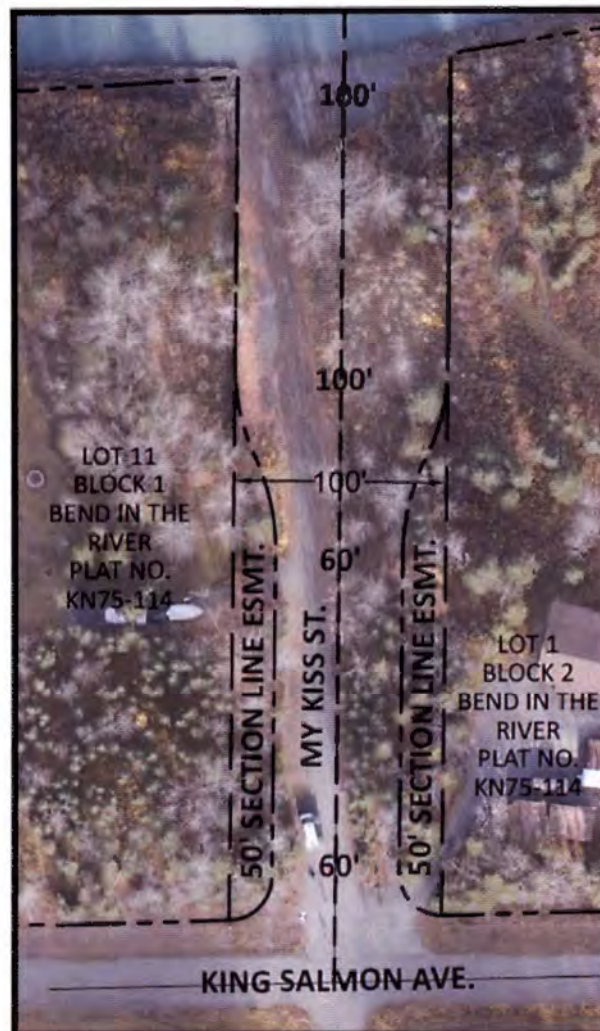
5 of 6  
2017-007009-0

## Access Point B

### Mykiss St.

This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Husker Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

Sources: Bend in the River Subdivision Plat 75-114



ACCESS B  
1"=100'





### Legend

#### Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

#### Parcels and PLSS

Tax Parcels



0 150 300  
ft

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## Access Point C

### 10' Walkway

Off Kings Salmon Dr there is a 10-foot-wide dedicated walkway easement that provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

Sources: Bend in the River Subdivision Plat 75-114



ACCESS C  
1"=200'





### Legend

#### Transportation

##### Mileposts

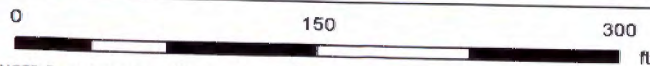


##### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

#### Parcels and PLSS

##### Tax Parcels



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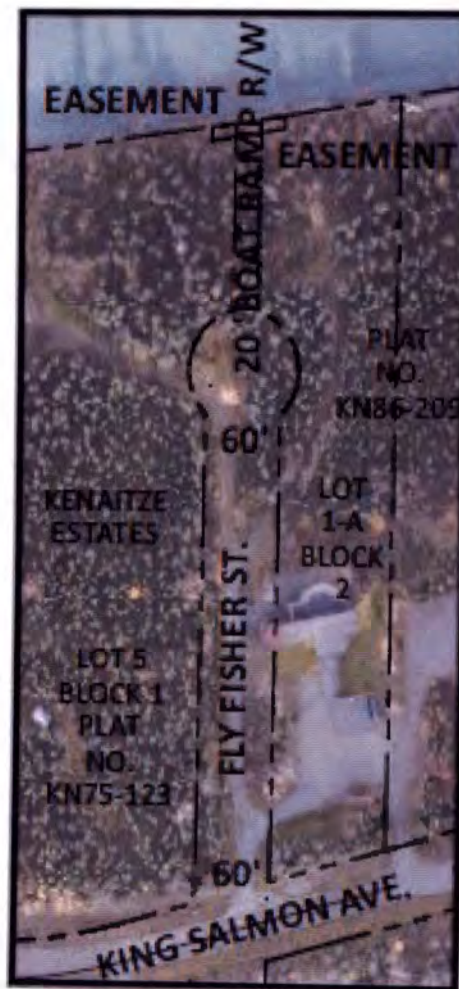


## Access Point D

### Flyfisher Street

Flyfisher Street– Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

Sources: Kenaitze Estates Subdivision Plat 75-123, Kenaitze Estates Subdivision Yamamoto's and Yamada's Addition Plat 86-209



ACCESS D  
1"=200'





### Legend

#### Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

#### Parcels and PLSS

Tax Parcels



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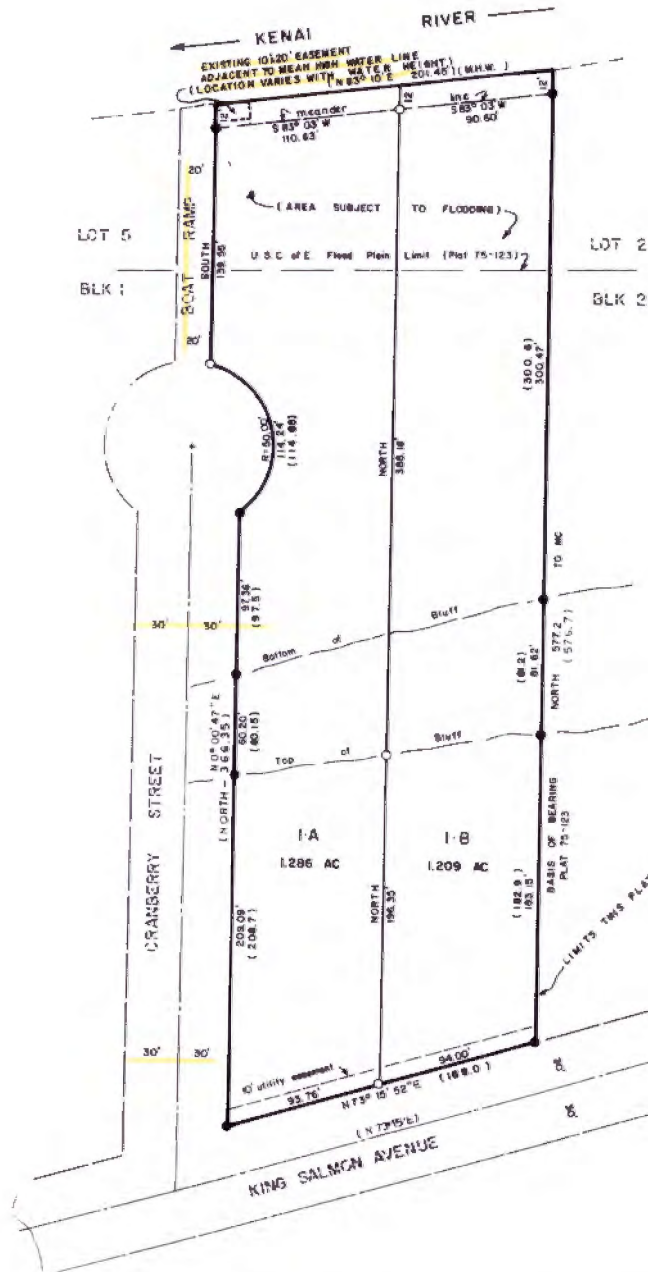




N

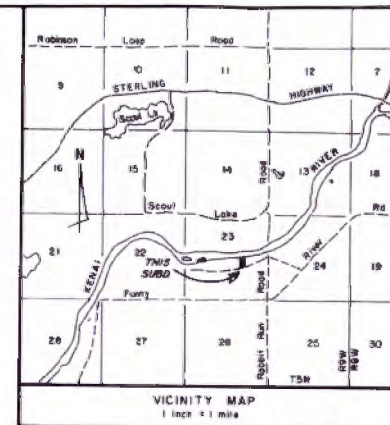
LEGEND

- 1/2" REBAR FOUND
- 5/8" x 24" REBAR SET
- ( ) RECORD DATA PLAT 75-123



NOTES

- 1) THE FIRST FLOOR OF ANY BUILDING SHALL BE CONSTRUCTED THREE (3) FEET ABOVE THE U.S. CORPS OF ENGINEERS FLOOD LEVEL.
- 2) THE ORDINARY HIGH WATER MARK OF THE KENAI RIVER (H.W.) FORMS THE NORTHERLY BOUNDARY OF THE SUBD. THE RECORD MEANDER AS SHOWN IS FOR COMPUTATIONAL PURPOSES ONLY.
- 3) 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.
- 4) 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.



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, that we adopt this plan of subdivision, and do hereby dedicate all rights of way to public use, and grant all easements to the use shown.

RONALD S. YAMAMOTO  
DRAWER 4363  
KENAI, ALASKA 99669

KERRY S. YAMADA  
DRAWER 3550  
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGMENT

For RONALD S. YAMAMOTO AND KERRY S. YAMADA  
Subscribed to and sworn before me this _____ day of _____, 19____.

My commission expires _____

Notary Public for Alaska

PLAT APPROVAL

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

MAY 12, 1986  
Kenai Peninsula Borough  
By *Richard T. [Signature]*  
Authorized Official

KENAITZE ESTATES SUBDIVISION  
YAMAMOTO'S and YAMADA'S ADDITION

A SUBDIVISION OF LOT 1 BLK 2 KENAITZE ESTATES SUBD.  
PLAT 75-123 K.R.D. LOCATED WITHIN THE NE 1/4 AND SE 1/4 SEC 23 T5N R9W S4M, ALASKA

CONTAINING 2.495 AC KENAI RECORDING DISTRICT

OWNERS:		MALONE SURVEYING	
RON YAMAMOTO DRAWER 4363 KENAI ALASKA 99669 and KEN YAMADA DRAWER 3550 SOLDOTNA, ALASKA 99669		BOX 566 KENAI, ALASKA 99611	
JOB NO. R6021	FB 86-09	DATE OF SURVEY 5/19/86	
DRAWN [Signature]		CHECKED [Signature]	
SCALE 1 inch = 50 feet		KPB FILE NO. 88-131	

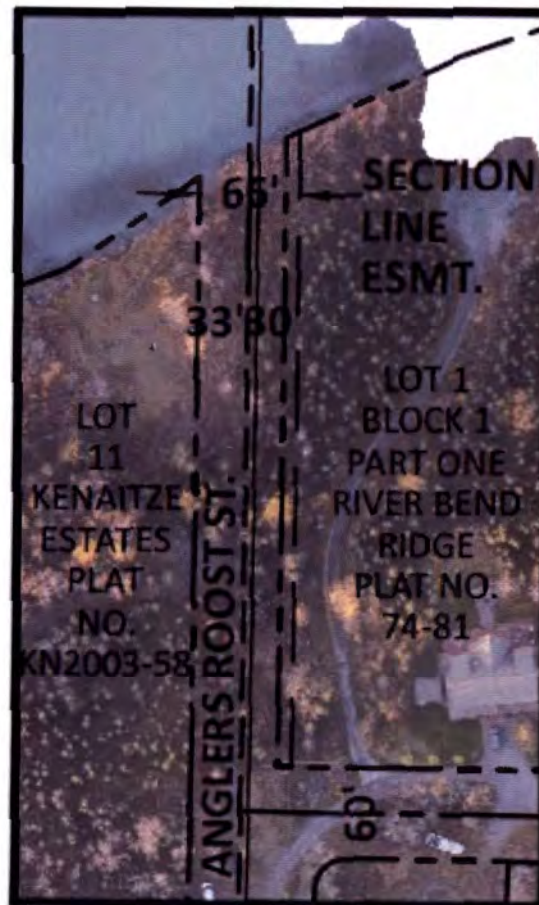


## Access Point E

### Anglers Roost Road

A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

Sources: Kenaitze Estates Subdivision Fall Addition Plat 2003-58, Part One River Bend Ridge Plat 74-81



**ACCESS E**  
**1"=200'**





### Legend

#### Transportation

##### Mileposts

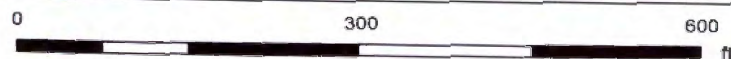


##### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

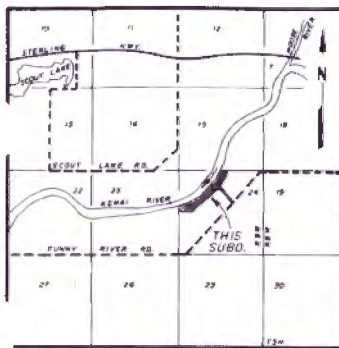
#### Parcels and PLSS

##### Tax Parcels



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VICINITY MAP  
SCALE 1" = 1 MILE

PLAT APPROVAL

Plat approved by the Commission this  
7th day of August, 1974

*Harvey L. Thompson*  
Mayor

CURVE DATA

CURVE	Δ	R	L	Ch	T
1	21° 30' 00"	300.00	112.87	111.34	36.96
2	26° 17' 10"	300.00	137.63	136.43	70.05
3	32° 36' 00"	300.00	170.69	168.40	87.73
4	20° 00' 00"	300.00	104.72	104.19	52.90
5	14° 00' 00"	300.00	73.90	73.12	36.84
6	13° 00' 00"	300.00	68.07	67.92	34.16

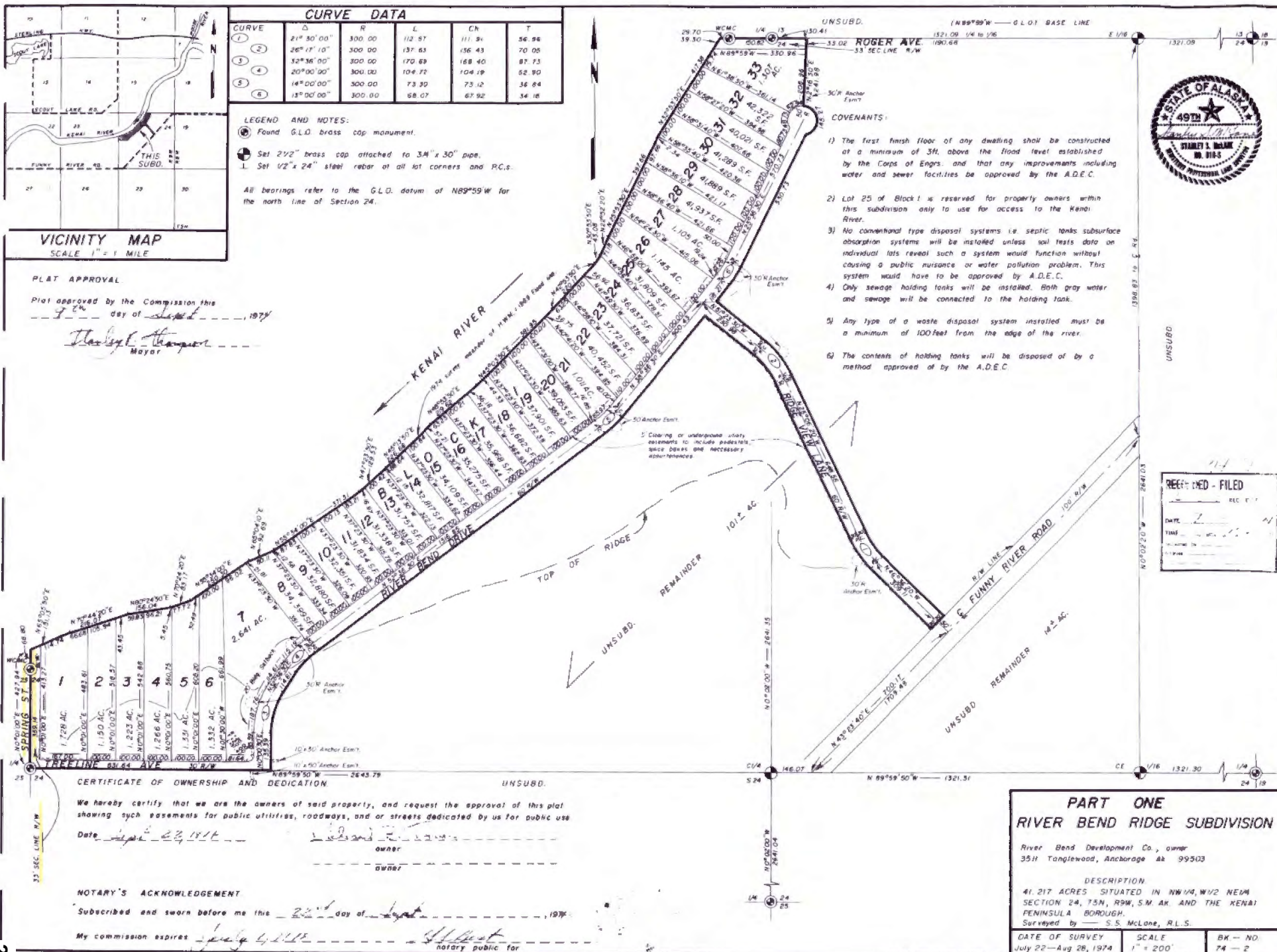
LEGEND AND NOTES:

Found G.L.D. brass cap monument.

Set 2 1/2" brass cap attached to 3/4" x 30" pipe.

Set 1/2" x 24" steel rebar at all lot corners and P.C.s.

All bearings refer to the G.L.D. datum of N89°59'W for the north line of Section 24.



COVENANTS:

- 1) The first finish floor of any dwelling shall be constructed at a minimum of 3ft. above the flood level established by the Corps of Engrs. and that any improvements including water and sewer facilities be approved by the A.D.E.C.
- 2) Lot 25 of Block 1 is reserved for property owners within this subdivision only to use for access to the Kenai River.
- 3) No conventional type disposal systems i.e. septic tanks subsurface absorption systems will be installed unless soil tests data on individual lots reveal such a system would function without causing a public nuisance or water pollution problem. This system would have to be approved by A.D.E.C.
- 4) Only sewage holding tanks will be installed. Both gray water and sewage will be connected to the holding tank.
- 5) Any type of a waste disposal system installed must be a minimum of 100 feet from the edge of the river.
- 6) The contents of holding tanks will be disposed of by a method approved of by the A.D.E.C.

RECEIVED - FILED  
DATE: 8/22/74  
TIME: 1:15 PM  
BY: [Signature]

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use

Date: 8/22/74  
owner: [Signature]  
owner: [Signature]

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 22nd day of August, 1974

My commission expires July 4, 1975  
notary public for: [Signature]

PART ONE  
RIVER BEND RIDGE SUBDIVISION

River Bend Development Co., owner  
3511 Tanglewood, Anchorage Ak 99503

DESCRIPTION:  
41.217 ACRES SITUATED IN NW1/4, W1/2 NE1/4  
SECTION 24, T5N, R9W, S4M AK AND THE KENAI  
PENINSULA BOROUGH.  
Surveyed by S.S. McLane, R.L.S.

DATE OF SURVEY: July 22-Aug 26, 1974  
SCALE: 1" = 200'  
BK - NO: 74 - 2



# NOTES

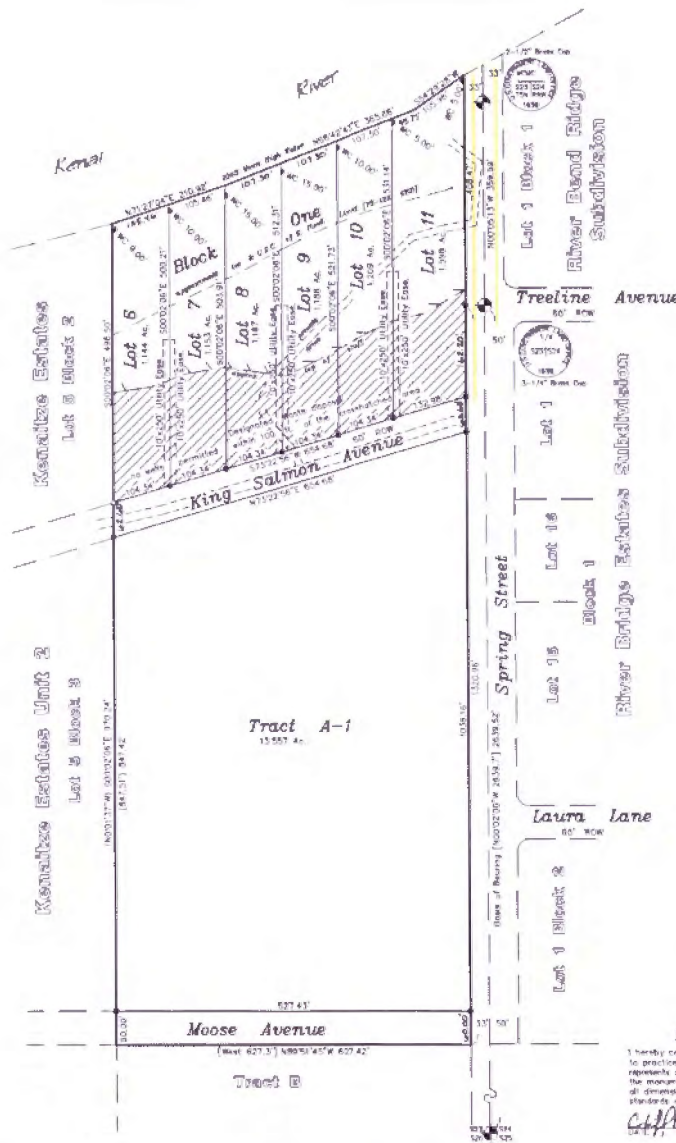
- Proposed land uses are recreational, residential, agricultural, and commercial.
- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Front 10 ft. of the building setback adjacent to rights-of-way with an additional 10 ft. within 5ft. of the side property lines is designated as a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the utility's use of the easement.
- Lots within this subdivision may be located within a designated flood hazard area if such is the case. Development must comply with Title 21 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
- Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- The natural meanders of the line of Mean High Water or Ordinary High Water forms the true bounds of the subdivision. The approximate line of Mean High Water or Ordinary High Water, as shown in the computations only. The true property corners being on the meanders of the side lot lines and their intersection with the natural meanders.
- An exemption to KRS Subdivision Ordinance 20.20.180 (3.1 mile) was granted by the Plat Committee August 22, 2003.
- Portions of this subdivision are within the Kenai Peninsula Borough 501 In-stream Stream Habitat Protection Area. Development may be restricted under Chapter 20.18 Kenai Peninsula Borough Code of Ordinances.
- WASTEWATER DISPOSAL:** Tract A-1 is at least 200,000 square feet or more 3 acres in size 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: Soil conditions for lots 6 - 11 may be unsuitable for conventional wastewater treatment and disposal systems. Plans for a logical, alternate wastewater disposal system for use on lots in this subdivision are included in the Engineer's Subdivision and Code Book and are available from the Kenai Peninsula Borough at alternate onsite wastewater treatment and disposal systems must be designed by a professional engineer registered in practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

ALTA Survey  
3200 F  
25 Sep 03

## LEGEND:

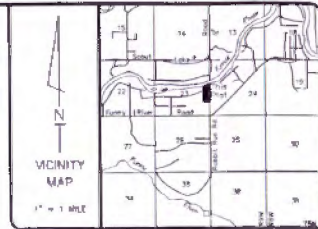
- Monument (found this survey)
- Monument (not this survey)
- 5/8" Rebar (found this survey)
- 5/8" Rebar (not this survey)
- Witness Corner Marker Corner 5/8" Rebar (not this survey)
- Record Datum - Kenaitze Estates Unit 2, Plat # 75-124-000
- Record Datum - Kenaitze Estates Subdivision, Plat # 75-123-000



## CERTIFICATE OF SURVEYOR

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 herein actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

Chad B. Doe, 2 Sept. 03



## CERTIFICATE OF OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADVERTISE 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.

2802 East Bay Drive  
Craig, Alaska 99583

## NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY OF SEPTEMBER 2003 FOR WITNESSES: KENAI FALL ADDITION

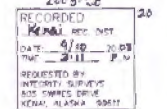


## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 12th August 25, 2003.

WITNESSES: BOROUGH

Chad B. Doe



KPS FILE No. 2003-091

## Kenaitze Estates Fall Addition

A subdivision of Tract A Kenaitze Estates Subdivision, Plat No. 75-123-000

Located within the NE 1/4 & SW 1/4 of Section 22, T56N, R99E, S14W, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 22.790 Acres

## Integrity Surveys

4000 Salvo Drive  
Kenai, Alaska 99511-8363

PHONE - (907) 381-8047 FAX - (907) 381-8071

JOB NO. 23085 DRAIN 2 September, 2003 CB  
SURVEYED June - July 2003 SCALE 1" = 100'  
FIELD BY 2003-02, Pg. 33 DISK Kenaitze





## Legend

### Transportation

#### Mileposts



#### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

### Parcels and PLSS

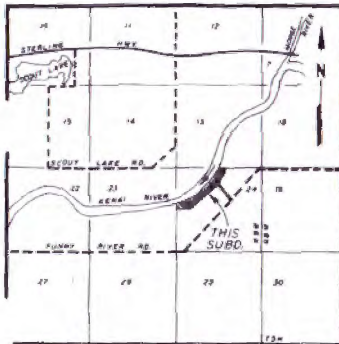
#### Tax Parcels



0 150 300 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.





VICINITY MAP  
SCALE 1" = 1 MILE

PLAT APPROVAL

Plat approved by the Commission this  
24 day of August, 1974

*Harold K. Thompson*  
Mayor

CURVE DATA					
CURVE	Δ	R	L	CH	T
1	21° 30' 00"	300.00	112.57	111.91	56.96
2	26° 17' 10"	300.00	157.63	136.43	70.05
3	32° 36' 00"	300.00	170.69	162.40	87.73
4	20° 00' 00"	300.00	104.72	104.19	52.90
5	14° 00' 00"	300.00	73.80	73.32	36.84
6	13° 00' 00"	300.00	68.07	67.92	34.18

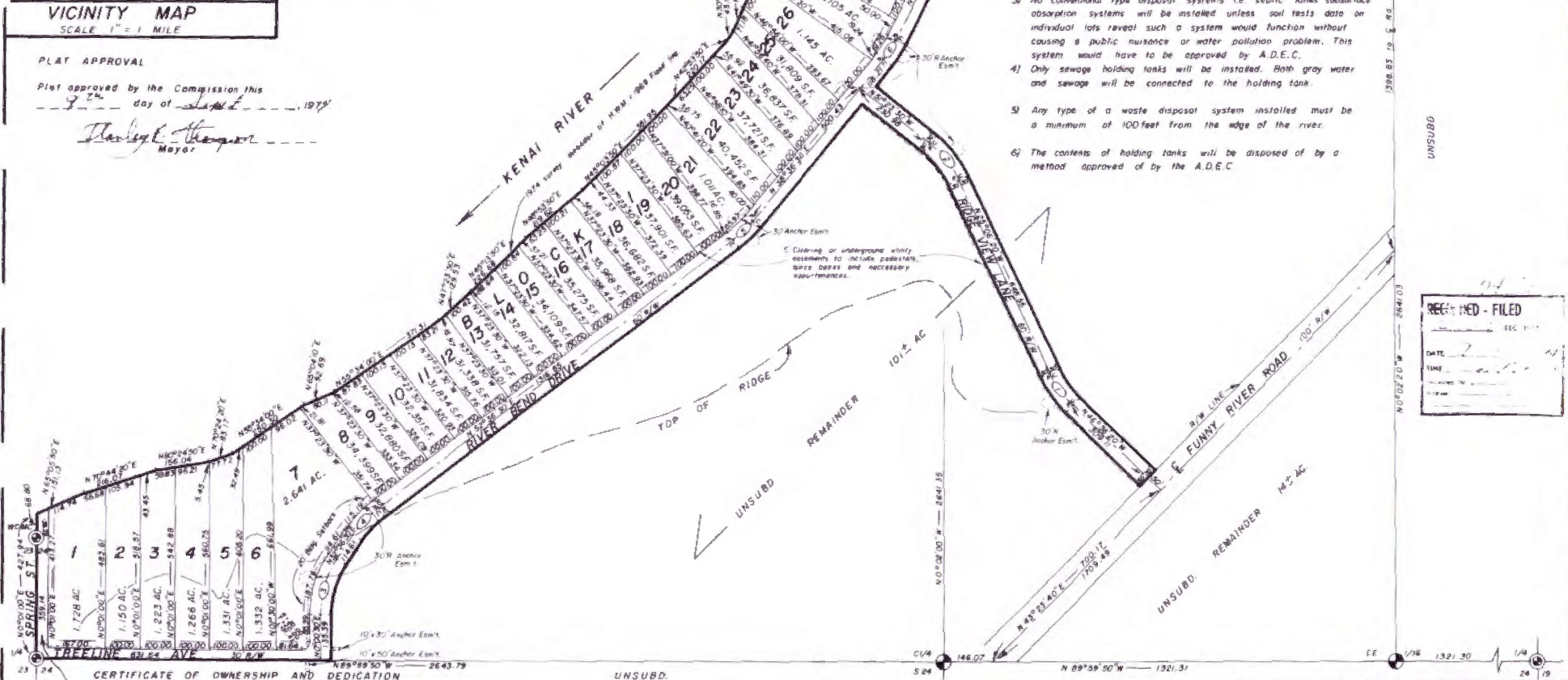
LEGEND AND NOTES:

Found G.L.D. brass cap monument.

Set 2 1/2" brass cap attached to 3/4" x 30" pipe.

Set 1/2" x 24" steel rebar at all lot corners and P.C.'s.

All bearings refer to the G.L.D. datum of N89°59'W for the north line of Section 24.



COVENANTS:

- 1) The first finish floor of any dwelling shall be constructed at a minimum of 3ft. above the flood level established by the Corps of Engrs. and that any improvements including water and sewer facilities be approved by the A.D.E.C.
- 2) Lot 25 of Block 1 is reserved for property owners within this subdivision only to use for access to the Kenai River.
- 3) No conventional type disposal systems i.e. septic tanks subsurface absorption systems will be installed unless soil tests data on individual lots reveal such a system would function without causing a public nuisance or water pollution problem. This system would have to be approved by A.D.E.C.
- 4) Only sewage holding tanks will be installed. Both gray water and sewage will be connected to the holding tank.
- 5) Any type of a waste disposal system installed must be a minimum of 100 feet from the edge of the river.
- 6) The contents of holding tanks will be disposed of by a method approved of by the A.D.E.C.



RECEIVED - FILED

DATE: 2

TIME: 11:00 AM

FILED: 11:00 AM

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use

Date: July 23, 1974

owner

owner

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 23 day of July, 1974

My commission expires July 23, 1975

notary public for

PART ONE  
RIVER BEND RIDGE SUBDIVISION

River Bend Development Co., owner  
3511 Tanglewood, Anchorage, AK 99503

DESCRIPTION  
41.217 ACRES SITUATED IN NW 1/4, W 1/2 NE 1/4  
SECTION 24, T5N, R9W, S1M, AK AND THE KENAI  
PENINSULA BOROUGH.  
Surveyed by S.S. McLane, R.L.S.

DATE OF SURVEY SCALE BK. - NO.  
July 27 - Aug 26, 1974 1" = 200' 74 - 2





TRACT - 2  
HOUSE SUBD



LEGEND AND NOTES

- [illegible]

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said premises and request the removal of this sign showing such ownership for public utilities, roadways, and all streets dedicated by us for public use.

6A-9-6  
Crested A King - Columbia Reg. No. 500110, 44 Widen

Shonda Myrtle Horne  
MURDER (MURDER) (MURDER)

1000

NOTARY'S ACKNOWLEDGEMENT

2009

See comments below 11-E-A

Handwritten: Handwritten: 1000

~~refugee public the Alaska~~

---

Autopsy Done at Alaska, Lying Officer

#### NOTES AND ACKNOWLEDGMENT

Subscribers and those before me, and

_____ 409 of _____

My summation of evidence _____

_____

_____

PLATE 10. *APPENDIX 4*

This plan having been approved by the Kane-Monroe  
Borough Planning Commission is recorded in the official  
minutes of the meeting of March 15, 1977  
it hereby acknowledged and accepted as the official plan,  
subject to any and all conditions and requirements of  
ordinance and law governing thereto.

RENAI PENINSULA BOROUGH  
By Anthony Wang

HOUSE SUBDIVISION  
- PART ONE -

TO: Major, Box 3756 Reno, Nevada 89501  
 DESCRIPTION  
 OTHER AGENTS SITUATED IN GOLF LOT 5 AREA F  
 SEC 13, T2N, R2E, S1W AN AND THE KENAI  
 PENINSULA BOROUGH

Surveyed by: Nilima and Anandadas  
Registered and Surveyed  
Sundara, Classa 00007

Date of Survey 8/14 - 8/24/77	Scale 1" = 100'	Sheet No. 75 - 07
----------------------------------	--------------------	----------------------





## Legend

### Transportation

#### Mileposts



#### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

### Parcels and PLSS

#### Tax Parcels



0 150 300  
ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.









## Appendix C

The following photographic evidence documents the long-term and ongoing conditions at the Huske Street corridor. These images demonstrate that the section-line easement and right-of-way have not functioned as a travel corridor for access to the Kenai River, but instead have been consistently used for prolonged occupation, obstruction of access, environmental degradation and unmanaged activity.



## 1. Documented Long Term Pattern Use (1999-Present)

Historic and recent photographs show that the Huske Street corridor has consistently been used for gathering, parking, and prolonged occupation rather than as a route of travel. Vehicles and individuals occupy the full width of the corridor, obstructing access to and from the river

Figures 1-4





## Blocking Access





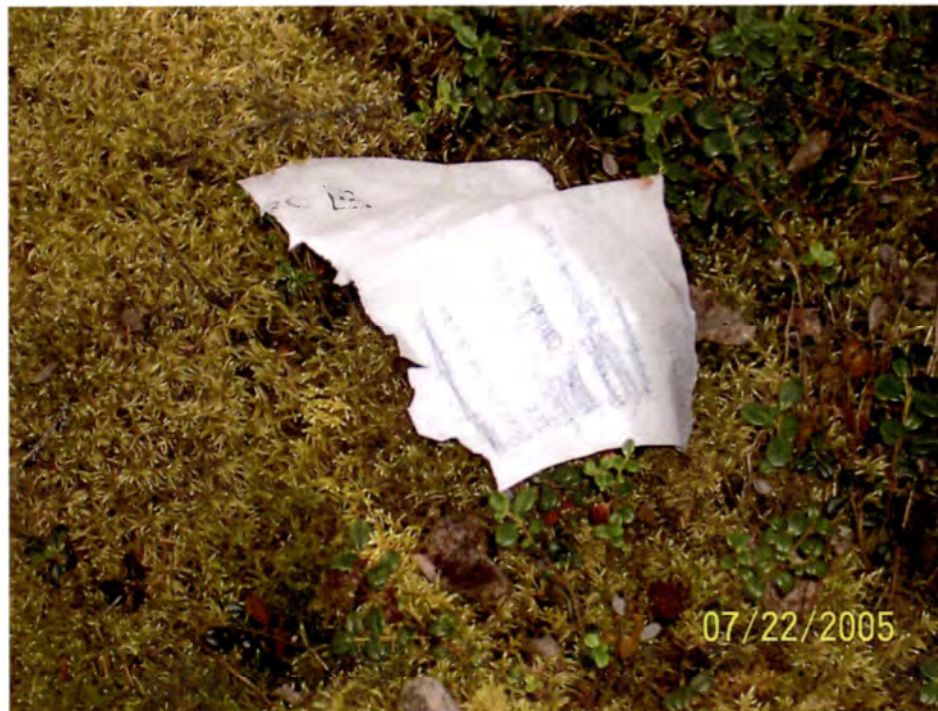




## **2. Trash and Waste Conditions (2005 to Present)**

Photographs taken in 2005 and 2024 show continued accumulation of trash, refuse, and debris within the corridor. The conditions observed are not new and have persisted over time, demonstrating a consistent pattern of unmanaged use. - **Figures 5-8**

### **Trash 2025**



### **Trash Bags Hanging from Private Property**









### 3. Human Waste and Environmental Impacts

Figure 9

**Picture taken in 2005**-Photograph document the presence of human waste and pollutants along the riverbank within the corridor. These conditions are inconsistent with the intended function of a public access easement and demonstrate ongoing environmental degradation.

#### Human Waste





#### **4. Bank Degradation and Informal Trails**

##### **Figures 10-11**

Photographs show removal of vegetation along the riverbank and the creation of informal trails leading to the river. These paths have developed through repeated use rather than design and contribute to erosion and environmental disturbance

**Photograph from 2005 showing the trail, vegetation and new fence.**





**Photo 2024 – Trail Now-** Photographs show removal of riverbank vegetation and the creation of informal access trails. These paths have developed through repeated use rather than design and contribute to erosion and environmental degradation along the riverbank





## 5. Informal Development and Private Property Damage

Images show the creation of informal or makeshift facilities within the corridor, including fish-cleaning areas and other temporary installations. These features indicate that the site is being used as a destination and activity area rather than as a point of access. In addition, photographs show repeated damage to fencing and private improvements adjacent to the corridor. This shows ongoing trespass and damage to private property. - **Figures 12-14**

This photo was taken in 2005 showing the new fence





This photo shows the damaged fence and the creation of makeshift facilities





This photo shows the ongoing use of different makeshift facilities.





# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER 6/16/26)**

- 8. Right-of-Way Vacation; KPB File 2026-069V1  
AK Lands / Huske, Montgomery  
Request: Vacates a portion of Huske Street  
Sterling Area**

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 1:04 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: Huske Street Vacation

---

**From:** Mayor Peter Micciche <pmicciche@kpb.us>  
**Sent:** Friday, July 17, 2026 12:59 PM  
**To:** Ruffner, Robert <RRuffner@kpb.us>; Planning Dept, <planning@kpb.us>  
**Subject:** Huske Street Vacation

Dear KPB Planning Commissioners,

I rarely weigh in on legislative items that are heard by the Planning Commission, but I felt this was important enough to share my opinion as both a Kenai Peninsula resident and as the Kenai Peninsula Borough Mayor. The Kenai River is a treasure that has been allowed to be largely privatized by former policy makers due to inadequate vision for access by the public as the popularity of the river grew exponentially. Very few points of public access have been preserved and all of us need to ensure that we don't get complacent about defending both access and habitat protections, especially because it is our backyard. This time of year we all experience elements of tourism that support our local economy, some of these are fantastic and some leave us with something to be desired. With respect to accessing the river, there are very limited opportunities for our own residents, as well as the average visitor as well as most of our own residents. Huske Ave, "Smiley Rock" has been one such location that has provide the public with many decades of access and we should absolutely not consider a vacation for a variety of reasons. For the sake of today's and future generations, we must be very careful and guarded in protection of the limited access points that we have in place.

At the same time, we need to do what we can within our powers as a 2nd class borough to assist landowners who struggle with the bad behavior of a few residents and non-residents alike. We recently amended code (21.18.081) to allow fences, with certain conditions, in the 50' habitat protection district when the property and fence is located adjacent to a public right-of-way. This is one new tool we have put on the books to assist with these exact situations. Me and several staff members met with the property owner last week. We explained that we do not support the vacation, but that we will continue to work with him to do what we can to protect his rights as a property owner. In addition to helping with permitting of an upgraded fence should they chose to do so, we would like to facilitate repair to habitat and bank damage that occurs as a result of trespassing on their private property. We can encourage the landowner to work with the Department of Fish and Game's "cost-share" granting program that will likely have some ideas and signage that has improved similarly-situated lands where the public has an impact. In summary vacating this access point is not the solution to the concerns.

Please do not support the vacation of Huske Street and thank you for your service on the commission.

Thank you,

Mayor Peter Micciche

**Mayor Peter A. Micciche**  
**Kenai Peninsula Borough**  
**Office:** (907) 714-2150



To Whom it May Concern:

Our family has owned the property adjoining the section line on Huske Street since 1953 when the United States government awarded the Deed to my grandfather who was one of the original Naptowne homesteaders.

This property is a Federally patented homestead land and therefore there is no riverbank easement for public use. We own to the high-water mark which the river is typically in July. As far I know, the section line was never intended to be used as a boat launch, nor as an impromptu campground. From what history I've heard, the gravel was mined out of the easement by a road builder and has slowly over the years morphed into an extremely dangerous place to launch a boat, in fact this same day of your meeting 22 years ago on 7/20/04 a young girl by the name of Kelly Williams drowned in the river from a vehicle rolling down the steep sloped bank into the fast moving water (see attached article from the Peninsula Clarion). It grew in popularity when the word spread to go and "do whatever you want for free." If its sole purpose is to access the river it should have been contained to the sixty-foot width of the easement. During the last decade or more, our property has suffered severe erosion and vegetation degradation from trespassers trampling our property regardless of numerous attempts we've implemented with posted no trespassing signs only to be torn down and destroyed. The public has left human waste, which is a biohazard, as well as garbage and fish carcasses. Landowners in both subdivisions adjoining the area have had to put up with reoccurring mayhem every summer and are also very tired of this attractive nuisance growing out of control even more.

If you were a property owner, would you expect and allow the public to overrun it? I don't think so. Most of the people objecting to this vacation of the right-of-way have no clue of the decades of problems this so called "public access" has brought. All I hear is public rights to access; what about private property rights to the use and enjoyment of something you own and pay property taxes on. How does the public have the right to destroy private property? This situation is out of control and should have been dealt with a long time ago. The easement should be vacated and the public moved to designated parks and campgrounds instead of trampling and destroying our property.

Regards, Roderick Huske

A handwritten signature in black ink, appearing to read 'R. Huske', with a long, sweeping horizontal stroke at the end.

## Soldotna teenager drowns in Kenai River

Newspaper July 20, 2004



Peninsula Clarion, The (Kenai, AK)



## Staff Report

Alaska State Troopers are trying to determine the cause of death of a teenage **girl** found **in** a partially submerged pickup **in** the **Kenai** River **in** Sterling early Monday morning.

The body of Kelly E. Williams, 17, of Soldotna, was pulled from the vehicle by river rescue medics from Central Emergency Services responding to a 911 call at 3:53 a.m. The caller said the truck rolled into the river near Scout Lake Loop and a person was trapped **in** the cab.

Responders pulled Wil-liams from the vehicle, but resuscitation efforts were unsuccessful and she was pronounced dead at Central Peninsula General Hospital.

Her body was taken to Anchorage for an autopsy by the state medical examiner.

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## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 6:53 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB File No. 2026-069V1

---

**From:** R L <okalaska1@gmail.com>  
**Sent:** Thursday, July 16, 2026 2:22 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB File No. 2026-069V1

---

**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

---

To: Beverly Carpenter

Response to File No. 2026-069V1

The Petitioners state they want to vacate the Huske Street right-of-way access to the Kenai River in which has been routinely use for many years by local residents for fishing, launching a water craft or just enjoying a scenic view of the Kenai. The petitioners offer no alternative access to the Kenai River or state how local residents will have continual use of this location for public personal use. Instead wanting to divide this public "Section Line Easement" right-of-way between themselves for their own personal use thus, diminishing the value of public use property and adding value to their personal property. If the KPB Planning Department approves such action, then this action will set a precedence for all public Kenai River access locations adjacent to private property to become future private property. Thus, denying Sterling residents access to favorite locations used by them for many decades. Additionally, AS 19.30.410 addresses the vacation of section line easements (RS 2477, Rights of Way) will be approved or disapproves by DNR and not by local government. Request consideration of many local residents who has used this public access remain open for their use and not vacate the access for private interest.

Thank you

Randy Lukasik



**Subject: Strong Opposition to Vacation Requests – KPB Files 2026-069V and 2026-069V1  
(Huske Street ROW & Section Line Easement, Sterling)**

**Date: July 17, 2026**

Dear Kenai Peninsula Borough Planning Commission, I am writing as an interested property owner located within 300 feet of the site to strongly oppose the proposed vacation of the section line easement (KPB File 2026-069V) and associated right-of-way on Huske Street (KPB File 2026-069V1) at the corner of Huske Road and Betty Lou Lane, Sterling, AK 99672.

**I recommend denial.** I empathize with the petitioners' desire to protect their land from trespass and potential damage. I also acknowledge that, for a few short weeks each year during the peak of the salmon run, this access point experiences high public use, primarily for fishing. While standards of care and compliance with laws vary among users, these issues are common at many public access points along the Kenai River and across Alaska. They do not justify eliminating a longstanding public corridor.

Vacating this easement is unnecessary and not in the public interest. Targeted, less restrictive solutions can address the petitioners' concerns while preserving lawful public use and wildlife access. I would welcome the opportunity to explore alternative solutions with the Commission, the petitioners, and neighboring property owners.

**Key Considerations Supporting Denial**

**1. Legal and Historical Considerations**

Section line easements were established under federal RS 2477 and are recognized by Alaska law (AS 19.10.010) as permanent public rights-of-way. The Kenai River is a navigable waterway, and public use rights extend below the Ordinary High Water Mark (OHWM) under the public trust doctrine (AS 38.05.126 and Alaska Constitution Article VIII). Staff confirms the west 40' and east 20' of Huske Street were dedicated as public right-of-way, with the underlying 66' section line easement reserved by federal patents decades before the petitioners acquired their properties.

**2. Public Interest**

I do not believe granting this Petition serves the broader public interest or has broad support. I also do not believe any equal or superior free public replacement access has been offered.

This corridor provides important public access to the Kenai River for recreation, fishing, and traditional outdoor activities protected under state law. Local residents frequently use this easement for non-fishing purposes such as viewing the river and walking their dogs.

My own family use this location as a key point of access to the Kenai River. My own experiences and interactions with other residents and members of the public at this access point have been unanimously positive, and consistent with the goals and objectives these easements were originally created for.

Public records and nearby real estate listings routinely promote river access via Huske Street as a community benefit. My searches of public records show no documented incidents or

complaints, and much of the evidence presented by the Plaintiffs appears to relate to early 2000's and testimonials submitted by Guests who have stayed at their lodges.

My review of information submitted to the KPB email address related to this matter appear to show an equal number of local property owners supporting denial, based on the direct and ongoing impact they would experience should the petition be accepted.

Importantly, the issues noted in public comments are limited to a few weeks a year during the height of the salmon run. Throughout most of the year the easement is quiet and used primarily by local residents with no impact to the property of the Petitioners.

The record further appears to show:

- Huske Street functions as a boat ramp and angler access point that has been used for decades and has become more popular with the expansion of the sockeye salmon fishery (ADF&G comment).
- ADF&G has used it for research projects, especially late season.
- It is actively used for boat launching/retrieving, fishing, and parking (KPB Staff and Roads Director).
- Under KPB 20.65.050(D)(1), (4), and (6), the right-of-way is being used and provides valuable public access to the Kenai River — Alaska's largest freshwater sport fishery.

No equal or superior free public replacement access has been offered. The nearest same-side free access (Fields Road) is approximately 1.0 river mile downstream. Most other access points are located on the opposite side of the Kenai River, requiring a drive of roughly 25 miles / 45 minutes via Soldotna. This is not comparable for local residents of Betty Lou Lane and Huske Road, or for visitors and property owners in the Sterling area who rely on convenient, direct access. Paid access sites such as (Morgan's Landing, Izaak Walton, Bings Landing) do not qualify.

### **3. Environmental Considerations**

I have personally observed Moose and Caribou using this easement as a natural travel corridor. Vacation could disrupt wildlife movement and increase human-wildlife conflict elsewhere. The site lies within a Habitat Protection District and FEMA flood hazard area (AE/Floodway), further underscoring its environmental importance.

### **4. Private Property Protection & Reasonable Expectations**

I understand the desire to protect private property above the OHWM. However, assuming the Petitioners purchased these parcels with full knowledge of the recorded public easement and dedicated right-of-way that existed for decades prior, this situation is analogous to buying a house on a golf course and later demanding the golf course be shut down because of occasional broken windows and balls in the yard. I believe the proper response is better management — not elimination of a pre-existing public asset.

### **5. Agency and Code Support for Denial**

- KPB Roads Director Uhlin and RSA recommend denial — no equal or superior access exists.



- DNR Survey Section and Southcentral Regional Office object due to the State's obligation to preserve public access.
- ADF&G objects under KPB 20.65.050(D)(4).
- Staff analysis confirms the vacation would eliminate public river access for several miles on this side of the river and limit future bridge interconnectivity (1997 DNR Plan).
- The Commission must deem the area "of value to the public" — the record clearly shows it is.

### **Conclusion and Recommendation:**

I believe denial best balances all interests and complies with KPB 20.65.050(D). I urge the Commission to follow agency and staff recommendations and deny both applications. The bar for vacation was originally set by our lawmakers at a very high level. It has subsequently been confirmed by such decisions as the Dorothy Drive / East Skyline Drive case (Homer area, 2019), where the KPB Planning Commission voted to recommend denial of a section line easement vacation for reasons including insufficient public benefit, lack of broad support, and failure to demonstrate equal or better alternative access. I do not feel the petition submitted meets the required standard and believe better alternative solutions should be considered to address the Petitioners concerns. I believe accepting this Petition based on the information submitted would significantly lower the standard required for such a request and could open the floodgates for similar requests throughout the region and across the State.

Instead of vacation, I recommend consideration of the following targeted, seasonal solutions:

- Installation of a heavy-duty steel vehicle barrier/gate at the top of the easement (Huske Street) to block vehicular access while preserving pedestrian and wildlife passage.
- Clearer signage defining the OHWM, responsible use, "No Camping / No Overnight Parking," and "Pack It In, Pack It Out."
- Time-limited (e.g., 2-hour maximum) or 'No Parking' parking restrictions during peak season with towing enforcement along Betty Lou Lane and Huske Street.
- Increased seasonal patrols by ADF&G, Troopers, and Code Enforcement with a rapid-response protocol.

These relatively low-cost/low-impact measures could help to address seasonal issues while keeping the corridor accessible and available for all to enjoy – people and wildlife.

Finally, I only learned of this matter on July 15 via certified mail. The extremely short comment window has limited meaningful public input. I respectfully request that, if the Commission is considering approval, it extend the comment period and ensure full transparency of applicant materials.

Thank you for considering these comments. I am available for questions and plan to attend the July 20, 2026 hearing.

Sincerely, Mark Halliwell  
 35050 Betty Lou Lane, Sterling, AK 99672  
 Phone: 214-704-4660  
 Email: halliwellmark@hotmail.com

07/17/2026

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 1:03 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Planning Commission Agenda Item KPB-7863

-----Original Message-----

From: Brian bridges <harley88wi@hotmail.com>  
Sent: Friday, July 17, 2026 12:52 PM  
To: Planning Dept, <planning@kpb.us>  
Subject: <EXTERNAL-SENDER>Planning Commission Agenda Item KPB-7863

---

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---

Hello,

As a land owners in the KPB we are opposed to changing this KPB parcel into anything that changes the access for the public to the Kenai River. It is owned by the public and has been used for public access for decades. This proposed change does not benefit the public in any way and restricts Kenai River access to fishers, boaters, emergency services, and research purposes.

This proposed change does not provide for replacement equal or improved access for the public.

If the property owners are having issues with violations of law by the public coming onto their property those laws should be enforced.

Respectfully,

Brian and Jane Bridges  
Cross Plains WI/Sterling AK

Sent from my iPad



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Wednesday, July 15, 2026 6:46 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Launching boats at Huske rd, aka "smily rock"

---

**From:** fnrklouda@gci.net <fnrklouda@gci.net>  
**Sent:** Tuesday, July 14, 2026 2:30 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Cc:** Stacy@aklands.com  
**Subject:** <EXTERNAL-SENDER>Launching boats at Huske rd, aka "smily rock"

---

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---

Dear Stacy, I would like to bring to your attention the very dangerous situation that exists at the end of Huske drive and the Kenai river. The area is used as a makeshift boat launch, It is a dangerous situation as the river is very swift and there currently is no slack water or side channel to make a safe launch and retrieve of the boat. In addition the surrounding land is private and there is no parking or place to tie up a boat while retrieving a vehicle to either launch or pull the boat back out of the water ,or barely any room to fish from shore, there are no latrine facilities or garbage services resulting in the private surrounding area's to be trespassed on and used in a very detrimental and unsanitary manner. I'm aware of the limited public property in this section of the Kenai river and understand people's desire to access the river, but unless surrounding land can be accquired to facilitate a safe launch and sanitary situation this unsuitable area should be closed to boat launching. I believe there could be liability issues, I understand that several vehicles have ended up lost in the river while launching boats. I seem to remember a young lady that lost her life when the vehicle she was in rolled into the river several years ago, not completly sure on that. Thank you for your consideration in this delcate matter.

Please feel free to contact me if you have any questions thank you. Fred Klouda, 907-242-4471

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Monday, July 13, 2026 7:06 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB File No. 2026-069V1 Husky St Vacation

---

**From:** ROY WHITFORD <whitsurv@hotmail.com>  
**Sent:** Sunday, July 12, 2026 8:58 AM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB File No. 2026-069V1 Husky St Vacation

---

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I am adamantly opposed to the vacation of this Kenai River access. We have used this access for 40yrs to put in and retrieve drift boats. Husky St is used by many locals to fill their freezers with sockeye salmon. The adjoining landowners have tried to prevent use of the access for many years. Chain link fencing downstream and multiple no parking signs upstream. The only other river access in this area is 1mile downstream; Mosquito Flats. Mosquito Flats is unusable for launching when the river is low. Perhaps the Borough should be a better steward in managing this public access.

Roy Whitford  
Sterling, AK

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## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Monday, July 13, 2026 7:06 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Fw: Smiley Rock Access

---

**From:** RONALD J WILLIAMS <williams0809@msn.com>  
**Sent:** Sunday, July 12, 2026 12:44 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Fw: Smiley Rock Access

---

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**From:** RONALD J WILLIAMS <[williams0809@msn.com](mailto:williams0809@msn.com)>  
**Sent:** Sunday, July 12, 2026 11:44 AM  
**Subject:** Smiley Rock Access

Dear Members of the Borough Assembly,

We are writing to ask you to protect and preserve public access to the Kenai River, including access at Smiley Rock. These access points are not only important for recreation, but they are also vital for public safety.

Our family experienced this firsthand. While we were returning from a day of fishing on the Kenai River, we had a serious medical emergency. We were able to get off the river at the Isaak Walton State Recreation Site, where an ambulance met us and transported our family member for emergency medical care. Without that public access, getting help would have taken much longer. That experience showed us that river access points can be lifesaving when emergencies happen.

At the same time, we understand the concerns of the property owners near Smiley Rock. Unfortunately, some people misuse the area by trespassing, leaving trash, making excessive noise, or failing to respect private property. Those concerns are valid, and no landowner should have to deal with that kind of behavior.

We believe there is a solution that benefits everyone. The borough could install fencing or clearly mark property boundaries so visitors know where public access begins and ends. Signs could remind users to respect private property, pack out their trash, and practice responsible sportsmanship. A simple message such as, "Respect the land, respect our neighbors, and help keep public access open for future generations," could encourage responsible use.

Most people who use the Kenai River are responsible outdoorsmen and women who value the resource and want to preserve it for future generations. By improving education and clearly defining the public

access area, we believe the borough can reduce conflicts while maintaining an important access point for recreation and emergency response.

We respectfully ask you to work toward a solution that protects both private property rights and continued public access to the Kenai River. Smiley Rock is an important community resource, and with thoughtful planning, we believe it is possible to preserve this valuable access while addressing the concerns of nearby landowners.

Thank you for your time, your service, and your thoughtful consideration.

Sincerely,

Ron and Robyn Williams

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## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 11:54 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Huske ROW vacation (20 July planning meeting)

---

**From:** NICHOLAS WOOD <nswood923@gmail.com>  
**Sent:** Friday, July 17, 2026 11:45 AM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Huske ROW vacation (20 July planning meeting)

---

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To whom it may concern,

I am writing to the planning commission in regards to the proposed vacation of the Huske ROW which provides access to the Kenai River at Smiley Rock.

I strongly encourage the commission to deny this proposal. Any action that further limits the public access of a public resource such as the Kenai River needs to be given the highest level of scrutiny. The River is a shared resource that should benefit all, not just a few landowners who happen to have riverfront properties.

The only reason that I believe this proposal is being made is so a few landowners can have their own private access to the Kenai. Landowners who do not appear to even live on the Kenai Peninsula or even Alaska.

The argument can be made that other access points are available. Maybe that is the case, but if the Huske ROW is removed what is to stop other public access points also being removed? What about the kid who lives down the road who wants to ride his bike to the river to flip for reds? What about the average working Alaskan who wants to hit the river for a couple hours after work? These are the people we should be preserving access for. Not a handful of landowners who already have their own access to the river.

If anything the borough should be making more access points for the public not less. More access would also eliminate some of the issues that landowners complain about on the river such as trash and legitimate trespass issues.

Thank you  
Nicholas Wood  
Saint Theresa Road, Soldotna

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Tuesday, July 14, 2026 7:04 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB File No. 2026-069V Huske Street Right-of-Way

---

**From:** Joseph J. Zych <JZych@HDLAlaska.com>  
**Sent:** Monday, July 13, 2026 9:21 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB File No. 2026-069V Huske Street Right-of-Way

---

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Hello, I would like to express my concerns about the Huske Street Right-of-Way and section line easement vacations.

To vacate any section line easements there needs to be equal or better access provided according to the AK DNR. From looking at page E9-50, it appears that A-F are different ways to access the river. Access points B-F are over a 40 minute drive from Huske Street and that doesn't seem like equal or better access for the land owners around the Scout Lake Loop road, therefore I do not believe B-F are applicable when identifying other public access points.

Letter G, which is a section line easement and does allow public access to the river, but since it is not improved and the section line easement is not staked, it would be difficult for the public to ensure they stay within the section line easement when accessing the river.

Letter A (fields road) is very similar to the Huske Street Right-of-Way and if the Huske Street section line easements and Right-of-Way is vacated it could force the local residents to be further condensed into 1 area, which would/could cause further congestion.

After visiting the Huske Street sight this weekend, and viewing the KPB Parcel Viewer as well as other online resources, it appears that the fence on the West Right-of-Way line of Huske Street is right on the Right-of-Way line. The gravel road is ~25' wide, that leaves an extra 35' of Right-of-Way that the owner to the East of Huske has basically cut off usage by putting up no trespassing signs as well as barbed wire fence near the Kenai River. Not only does the owner have barbed wire fencing that encroaches into the Right-of-Way, they are also cutting off the publics use of the Section Line Easement. The barbed wire fence creates a public safety hazard when trying to use the Section Line Easement for public access to the river.

The Huske Street Kenai River access is a great spot to for families to fish. It allows easy walking access into the river, especially for kids who are learning how to floss with their families. Other access points are much steeper and can be harder for families to access.

According to KPB Code 20.65.050 “ A platted dedication to public use of land or interest in land may be vacated if the dedication is no longer necessary for present or future public use and in all cases the planning commission shall deem the area being vacated to be of value to the public.”. The Huske street Right-of-Way is still very much in public use and is necessary for the greater good of the public who utilize this public access for recreation with their families on the Kenai River. Vacating this Right-of-Way would be a disservice to the local area families that do not live on the Kenai River. I OPPOSE the vacation of the Right-of-Way and Section Line Easements that the local families and general public currently use to create long lasting memories and provide fish for their family.

Thank you for your time and consideration of public testimony.

Joe Zych



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Thursday, July 9, 2026 2:14 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

---

**From:** Kelly Demarsh <ksdemarsh@gmail.com>  
**Sent:** Thursday, July 9, 2026 1:20 PM  
**To:** Simons, Sandee <ssimons@kpb.us>; Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

---

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---

I live on Betty Lou Drive and I have heard a rumor that the boat launch is going to be shut down to the public.

There are two boat launches one at each end but if this is concerning the one at the end of Husky Rd I would have to strongly object.

Being a resident on this road I access this area to fish and would be pretty upset if all the sudden my ability to access the river was shut down. This would drastically affect my property value as the river access is one of the main reasons I purchased my house/property.

Why would this get shut down to area residents?

Sincerely,  
Kelly and Joe DeMarsh  
35152 Betty Lou Dr.  
907-322-2774

**From:** [Planning Dept.](#)  
**To:** [Piagentini, Vincent](#); [Carpenter, Beverly](#)  
**Subject:** FW: <EXTERNAL-SENDER>Betty Lou boat dock vacation  
**Date:** Thursday, July 9, 2026 11:26:16 AM

---

-----Original Message-----

From: Grace Merkes <grace.merkes@gmail.com>  
Sent: Thursday, July 9, 2026 10:46 AM  
To: Planning Dept, <planning@kpb.us>  
Subject: <EXTERNAL-SENDER>Betty Lou boat dock vacation

---

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Wed, Jul 8, 7:43 PM (14 hours ago)

Please accept this email as my opposition to vacating the section line that is commonly known as the public boat launch on Betty Lou Drive in Sterling. it is my understanding that two property owners that are adjacent to this public access boat launch are requesting the vacation and adding that vacated property to their own private property. This boat access has been available to the local public for over 50 years and I strongly object to the vacation of this section line.

Could you please forward my objection to all Planning Commission Members & Assembly Members

Thank you.  
Signed: Grace Merkes

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 8:05 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Against closure of public easement

---

**From:** Bethany Swanson <bethanyswanson95@gmail.com>  
**Sent:** Friday, July 17, 2026 8:04 AM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Against closure of public easement

---

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---

Hello, I have copied the post I saw on FB in this email and wanted to give my opinion. I live in Sterling year round and the Huske st smiley rock is the easiest way to access the river and its where a lot of the old timers go to fish as you often dont need full chest waders and has some calmer waters. Its a safe place and yeah it could use some more trash cans but people usually are respectful and dont go up the surrounding areas and every time I have gone we all wade through the easy going water to get to a good spot. My question is if this closes where are we supposed to fish? Are the old timers going to have to battle it out elsewhere? Just down the road there is the open public boat launch and parking but the HOA there is AWEFUL about letting people access the river there and I have been harrassed by their members many times when I have gone because they think its all theirs even when we are in our legal right for fishing and follow the high tide marks making sure not to tresspass.

These are my opions, thoughts and questions as I will not be able to attend the meeting.

Thank you.

Bethany S.

FYI if you use Huske off Scout Lake Loop to fish or access the Kenai near Smiley Rock (or just have strong opinions regarding public access to public lands and water). There is currently a proposal by adjacent land owners to vacate the easement effectively blocking off access to the river at that location.

The KPB planning meeting discussing this is on 7/20 at 7:30pm. You can attend in person or by zoom. You can also submit written comments by email to [planning@kpb.us](mailto:planning@kpb.us), mail, or in person at the borough building.

Written comments need to be submitted by 7/17 at 1pm.



<https://kpb.legistar.com/MeetingDetail.aspx?ID=1427722&GUID=CEE0F1AD-3615-4824-B798-060956D8DCEB&Options=&Search=>

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Wednesday, July 15, 2026 12:57 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB file no. 2026-069v, vacate of 66 foot section line easement...public hearing on July 20,2026

-----Original Message-----

From: Jim Weber <reischl1950@hotmail.com>  
Sent: Wednesday, July 15, 2026 12:24 PM  
To: Planning Dept, <planning@kpb.us>  
Cc: Jim Weber <Resichl1950@hotmail.com>  
Subject: <EXTERNAL-SENDER>KPB file no. 2026-069v, vacate of 66 foot section line easement...public hearing on July 20,2026

---

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Sent from my iPad

From Patricia L. Weber and James S. Weber, owners of lot A 1 bolstridge , kenai river subdivision, Maddox addition

According to our sale documents for our property , kenai river access was noted in the sales document as the existing section line easement. It was a big selling feature for us and for future buyers of our property. We have had the enjoyment of having the easement available.

We therefore request that the current easement be left alone and the easement be continued.

We do not support any change in any manner or removal of the easement as it currently stands.

Sincerely,  
Patricia L. Weber  
James s. Weber  
35080 Betty Lou Drive  
Sterling, Ak. 99672  
Reischl1950@hotmail.com.

ail





**From:** [Planning Dept.](#)  
**To:** [Piagentini, Vincent](#); [Carpenter, Beverly](#)  
**Subject:** FW: <EXTERNAL-SENDER>KPB-7863  
**Date:** Friday, July 17, 2026 1:03:40 PM

---

**From:** Kenneth Kerl <kgkerl1@gmail.com>  
**Sent:** Friday, July 17, 2026 12:54 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB-7863

---

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Request to vacate Huske right of way.

As a property owner in Sterling, I am against vacating the Huske Right away as requested by Montgomery & Huske. Although I understand the impact this right of way has on Montgomery and Huske during a 2-3 month period of high use, it is of greater benefit to the larger population for access to the Kenai River. As outlined in the use report it also serves as an access point to the river for other agencies year around.

To address the concerns of Montgomery and Huske, signage and enforcement could help with these concerns.

The benefit to many is greater than the request by two property owners.

Respectfully,

Kenneth G. Kerl  
37392 Arabian Lane  
Sterling, AK 99672  
and  
W13569 Burr Oak Ct.  
Coloma, WI 54930



## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/18/2026 to vacate a public right-of-way in the Sterling area. Area under consideration is described as follows:

Request / Affected Property: Vacate a portion of Huske Street located between Lot 1, Plat KN 1129 RS, and Lot 18, Block 3, Plat KN 76-157

KPB File No. 2026-069V1.

Petitioner(s) / Land Owner(s): Marvin Huske and Gene Montgomery of Anchorage, AK.

Purpose as stated in petition: The surrounding property owners are pursuing coordinated platting actions with the Kenai Peninsula Borough and the State of Alaska to vacate the Huske Street right-of-way and the associated 66-foot section line easement located on the east and west sides of the section lines. As part of the same platting process, Lot 1 and Lot 2 of the Bolstridge Kenai River Subdivision, Plat K-1129, will be combined and Lot 18, Block 3, of the Alderwood Estates Subdivision, Plat KN 76-157, will be replatted.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notice>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [planning@kpb.us](mailto:planning@kpb.us), or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

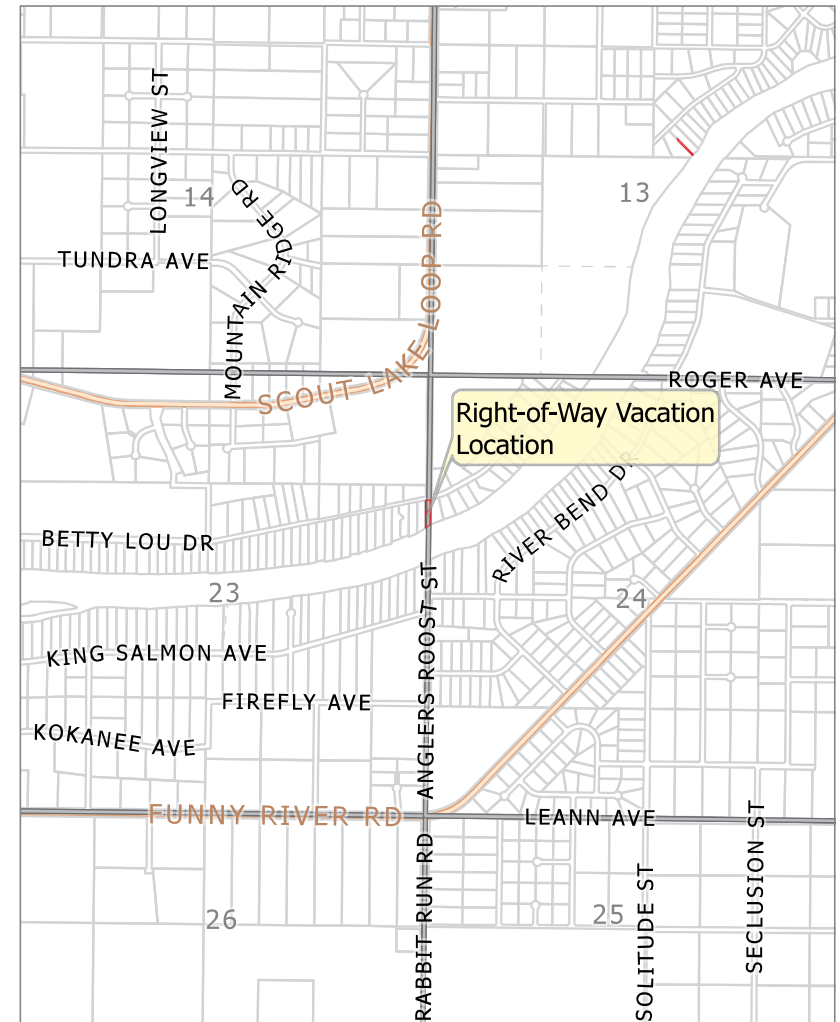
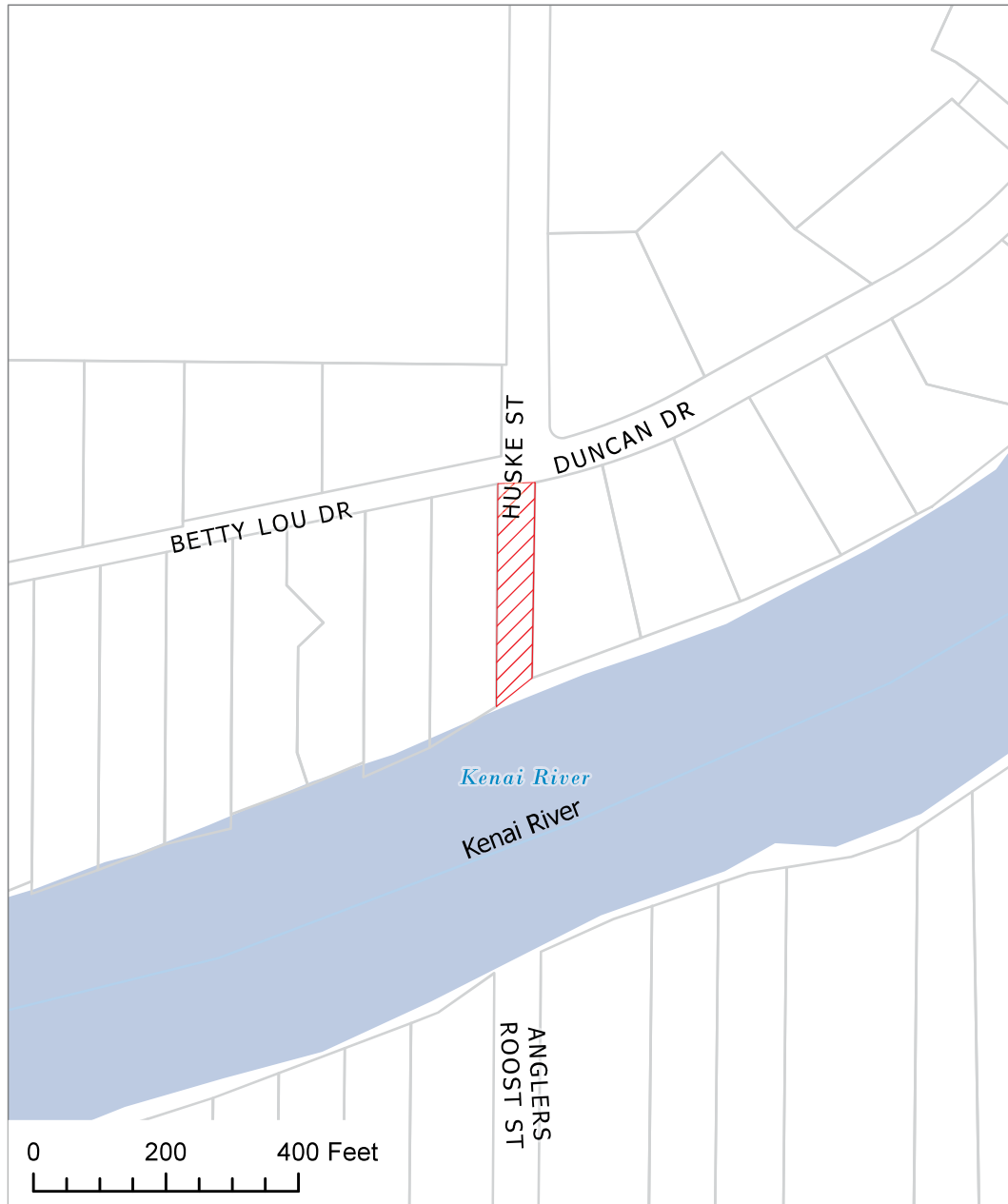
Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the

search options to find the correct timeframe and committee.

For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email [planning@kpb.us](mailto:planning@kpb.us).

Mailed 7/2/2026





KPB File 2026-069V1  
T 05N R09W SEC 23 AND SEC 24  
Sterling



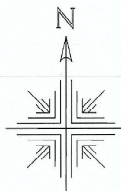
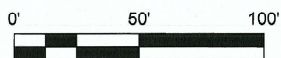
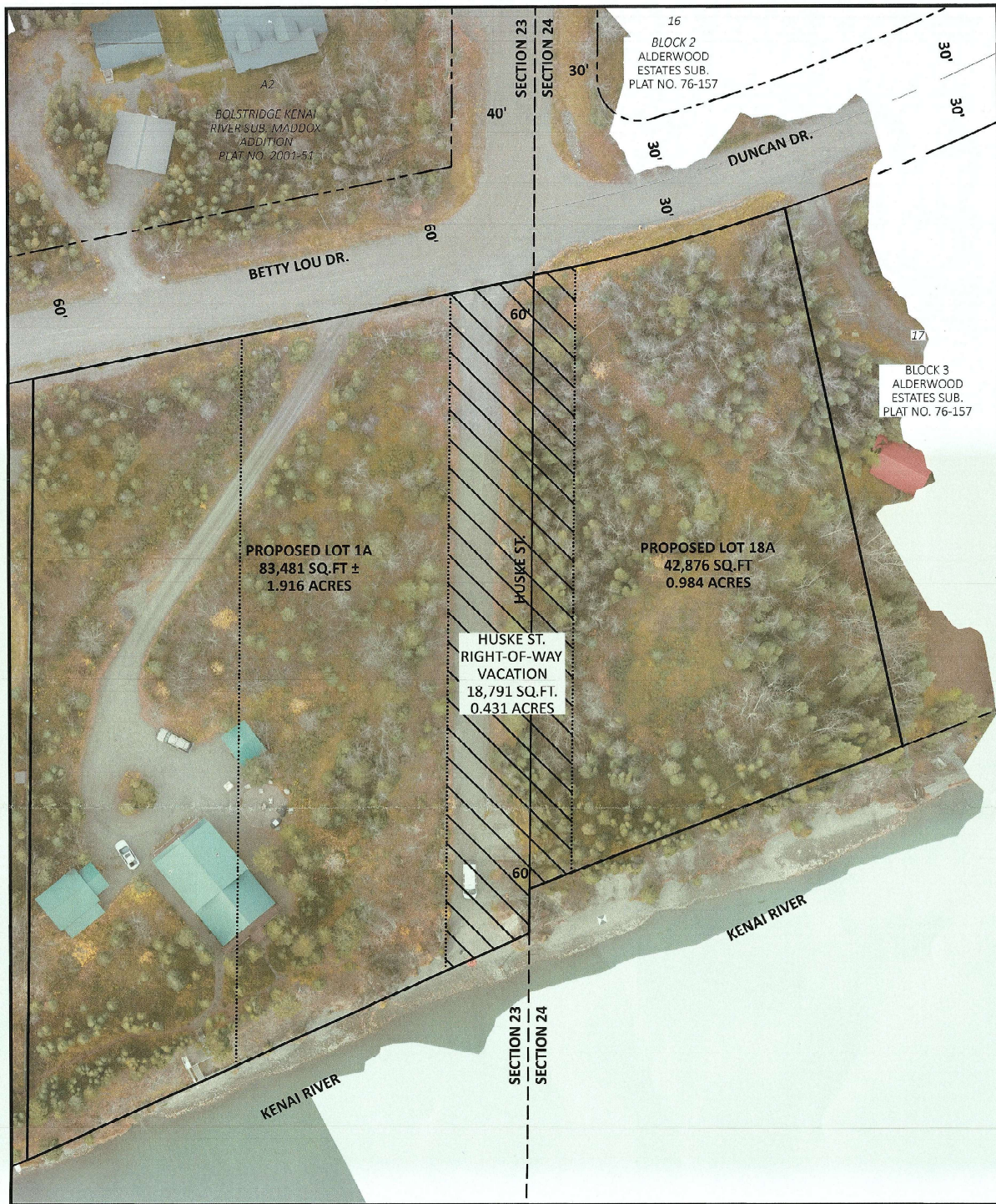


EXHIBIT OF:  
 PROPOSED LOT 1A AND 18A  
 AND  
 HUSKE ST RIGHT-OF-WAY VACATION  
 LOCATED SOUTH OF BETTY LOU DR. AND  
 NORTH OF KENAI RIVER  
 AND WITHIN A PORTION OF  
 SECTION 23 AND SECTION 24 T5N, R9W, SM

**NOTES**

Imagery was captured on October 8-9, 2025, using a Wispr SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.

PROJECT  
 NO. 1510  
 DATE  
 05-09-2026  
 DRAWN BY  
 SMW

PO BOX 110485  
 ANCHORAGE, AK 99511  
 aklands@aklands.com  
 (907) 744-LAND  
 https://aklands.com



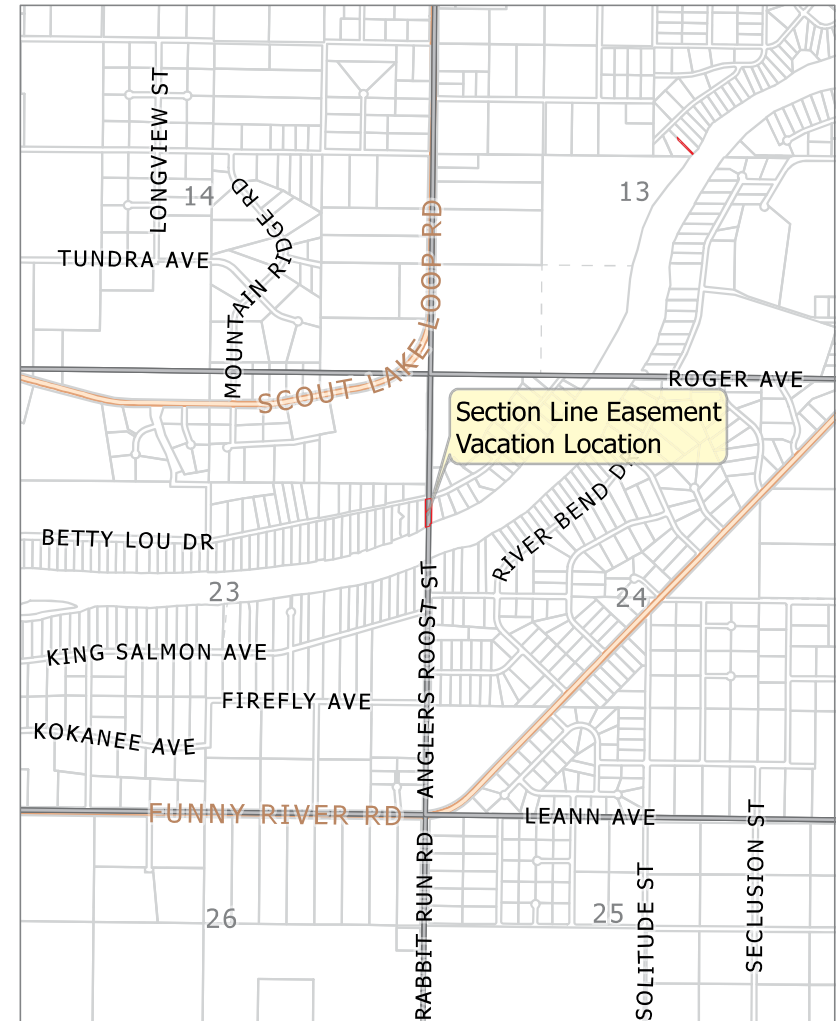
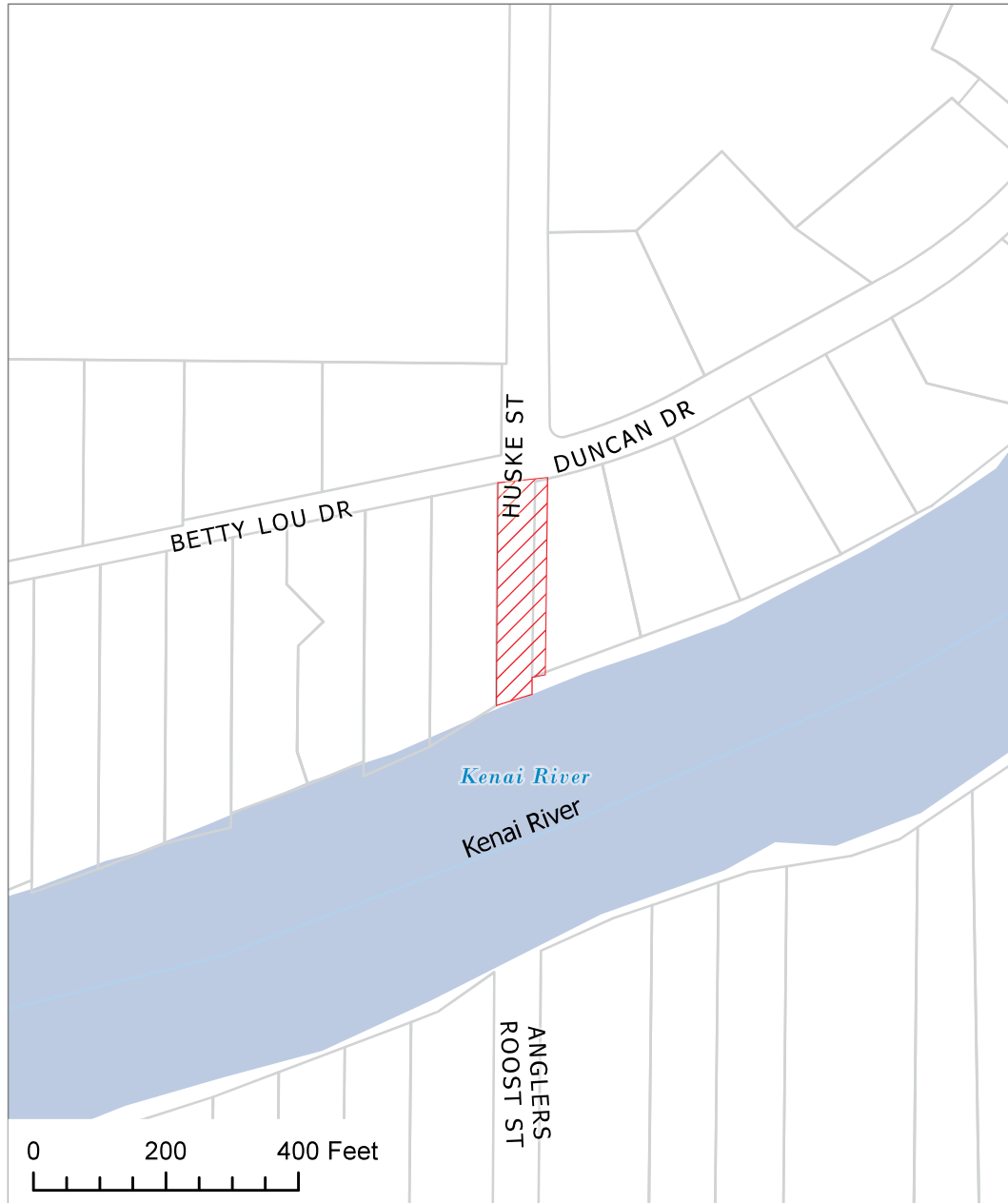
**KPB 2026-069V1**



## **E. NEW BUSINESS**

- 9. Section Line Easement Vacation; KPB File 2026-069V  
AK Lands / Huske, Montgomery  
Request: Vacates a portion of a section line easement  
within Huske Street  
Sterling Area**





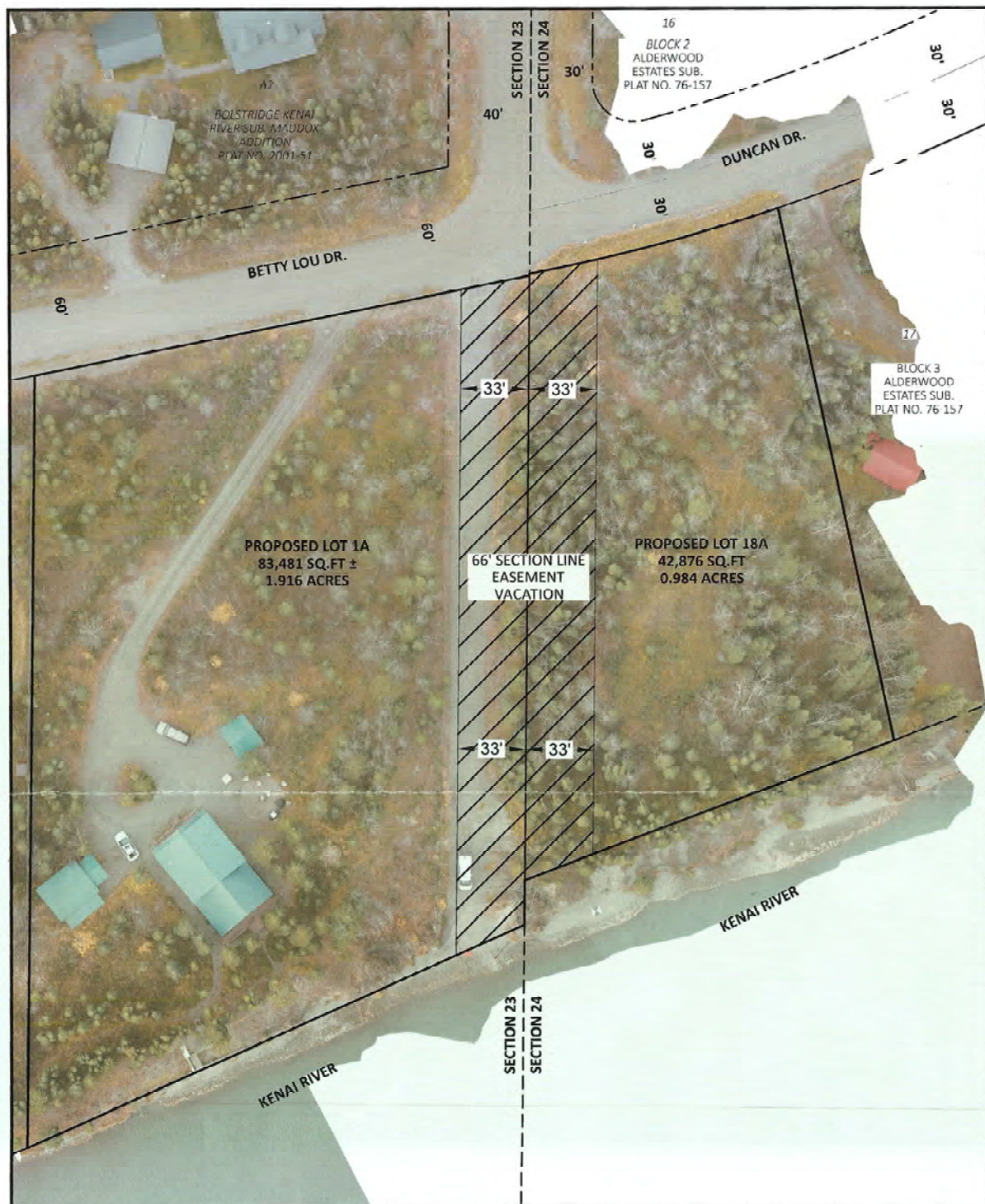
KPB File 2026-069V  
T 05N R09W SEC 23 AND SEC 24  
Sterling





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.





**KPB 2026-069V**

**NOTES**

Imagery was captured on October 8th, 2025, using a Wispr SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.

EXHIBIT OF:  
**PROPOSED LOT 1A AND 18A**  
 AND  
**SECTION LINE EASEMENT VACATION**  
 LOCATED SOUTH OF BETTY LOU DR. AND  
 NORTH OF KENAI RIVER  
 AND WITHIN A PORTION OF  
 SECTION 23 AND SECTION 24 T5N, R9W, 5M

PROJECT NO. 1510	PO BOX 110485
DATE 05-09-2026	ANCHORAGE, AK 99511
DRAWN BY SMW	aklands@aklands.com (907) 744-4LAND <a href="https://aklands.com">https://aklands.com</a>





AGENDA ITEM E.      NEW BUSINESS

**ITEM #9 - SECTION LINE EASEMENT VACATION**

**Vacate a portion of the 66' Section Line Easement located adjacent to Lot 1, Bolstridge Kenai River Subdivision Plat KN 1129 RS and Lot 18 Block 3, Alderwood Estates Subdivision Plat KN 76-157 lying south of Betty Lou Dr and Duncan Dr and north of the Kenai River.**

<b>KPB File No.</b>	2026-069V
<b>Planning Commission Meeting:</b>	July 20, 2026
<b>Applicant / Owner:</b>	Gene Montgomery / Placitas NM Paul Huske / Anchorage, AK
<b>Surveyor:</b>	Stacy Wessel / AK Lands
<b>General Location:</b>	On Kenai River south of Betty Lou Dr
<b>Legal Description:</b>	Section Line Easements associated with aliquot SEC

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**STAFF REPORT**

**Specific Request / Purpose as stated in the petition:** Petition to Vacate a portion of the 66' Section Line Easement located adjacent to Lot 1, Bolstridge Kenai River Subdivision Plat KN 1129 RS and Lot 18 Block 3, Alderwood Estates Subdivision Plat KN 76-157 lying south of Betty Lou Dr and Duncan Dr and north of the Kenai River

**Notification:** The public hearing notice was published in the July 17, 2026 issue of the Peninsula Clarion and the July 16, 2026 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 Soldotna

Post Office of Soldotna

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

17 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  
Central Emergency Services  
Kenai Peninsula Borough Office

Kenai Peninsula Borough Land Management  
Alaska Communication Systems (ACS)  
ENSTAR Natural Gas  
General Communications Inc, (GCI)  
Homer Electric Association (HEA)

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

Legal access to Huske St is by Scout Lake Loop Rd and is KPB maintained to the intersection of Betty Lou Dr and Duncan Dr. Betty Lou Dr is a 50' dedication, and Duncan Dr is a 60' dedication, both being borough maintained. Huske St south of the intersection with Duncan and Betty Lou Dr is unmaintained and provides access to the Kenai River as a Public Access designated by the State of Alaska. Huske St is being used as river access by the public.

No new access is proposed with this section line easement vacation. The surveyor has supplied a diagram of existing access points in the adjacent area, on both sides of the Kenai River with the majority being on the Funny River side.

The section line easement affects as shown and is being vacated. The right-of-way of Huske St as shown on the exhibit of the section line easement vacation is shown as being the same width as the SLE. **Staff recommends** the surveyor correct the exhibit to show / represent the Huske St right-of-way correctly.

Huske St right-of-way, lying south of Betty Lou Dr and Duncan Dr to the Kenai River is also being petitioned for vacation. The right-of-way is being requested for vacation in a separate vacation petition to be reviewed by the Planning Commission.

The plat Bolstridge Kenai River and Alderwood Estates Subdivision Montgomery Addition and Section Line Easement Vacation is proposed for finalizing the Huske St vacation and 66' section line easement vacation. The plat has not been submitted yet and is waiting for approval of the two vacation petitions prior to submittal.

Block length is currently not compliant. Huske St is the only break on the south of Duncan Dr and Betty Lou Dr within 5200 feet accessing the Kenai River. Fields Rd to the west is 5200 feet from Huske St, with no other access points. To the east of Huske St, Duncan Dr proceeds for 2250 feet with no dedicated access to the Kenai River. There is a 33' section line easement at the north end of Duncan Dr as shown in Alderwood Estates Subdivision KN 76-157.

The KPB Roads Director is in opposition to the vacation of easement.

The State of Alaska DNR Survey Department has submitted comment and indicated that the petition to vacate this section line easement may not be successful and not getting any support at the DOT and other departments reviewing.

KPB Roads Dept. comments	Out of Jurisdiction: No   Roads Director: Uhlin, Dil   Comments:   This vacation would get rid of a public right-of-way that provides access to the Kenai River. This area has been utilized for decade by local residents and tourist to access the river. There does not appear to be equal or superior access to the river. The RSA recommends denying the request.
SOA DNR Survey Section comments	• DNR Survey Section received the petition to vacate subject SLEs from Stacy Wessell, PLS of AK Lands on behalf of petitioners Marvin Huske &amp; Gene Montgomery, on June 23, 2026.     • A letter dated July 1, 2026, was sent to the affected parties acknowledging receipt and outlining key requirements for processing the easement vacation (EV). The correspondence explains that EV petitions must undergo multi-agency review due to the SLEs providing public access to public waters. It further highlights that EV requests affecting public water access—particularly when proposing alternate access through nearby roads or recreation areas—may be unsuccessful due to the State's obligation to preserve public access. Petitioners were asked to review this information with their surveyor and confirm whether they wish to proceed with the EV petition, acknowledging that the \$2,000 EV fee is non-refundable.
SOA DNR Southcentral Regional Office comments	SCRO objects to the proposed vacation of the section line easement. The applicant has not identified or demonstrated a dedicated public alternate access that provides access equal to or better than the easement proposed for vacation. Section line easements are established to preserve public access, and in the absence of a legally available and dedicated alternate route,

	the proposed vacation would eliminate existing public access without replacement.
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**Site Investigation:**

The terrain along Huske St falls towards the Kenai River from Betty Lou Dr at approximately a 5% slope. Drainage from Betty Lou Dr and Duncan Dr flows down Huske St toward the river. There is a drainage easement on the plat to the east, five lots over from Huske St.

There is a small area of inundation on Lot 1 Bolstridge Kenai River Subdivision KN 1129RS near the Kenai River.

Per the River Center review, Huske St and the lots adjacent are in a FEMA designated flood hazard area. If the vacation is approved and a plat is submitted, the plat should include required plat notes with the FEMA Panel and Flood Zone Designations noted and shown.

Huske St and the adjacent parcels are located in a Habitat Protection District, and a plat note in reference to KPB 20.30.290 should be added.

KPB River Center review	A. Floodplain   Reviewer: Hindman, Julie  Floodplain Status: IS in flood hazard area  Comments: If vacation is approved the floodway and regulatory AE Zones must be depicted and labeled on the plat. The X-Shaded may be labeled but not required. Code required plat notes must be present.  In regards to the right-of-way, any development within the AE and Floodway required floodplain permits and within the floodway, a no-rise analysis done by licensed engineer. The area within the X-Shaded may have additional requirements if federal funding is used.   Flood Zone: AE,X (shaded),X (unshaded),Floodway  Map Panel: 02122C-0395F  In Floodway: True  Floodway Panel: *same as FIRM Panel   B. Habitat Protection   Reviewer: Aldridge, Morgan  Habitat Protection District Status: IS totally or partially within HPD  Comments: Portions of this parcel lie within the jurisdiction of KPB 21.18 and River Center must be consulted prior to work.
State of Alaska Fish and Game	Alaska Department of Fish &amp; Game (ADF&amp;G) has reviewed KPB 2026-069V1 to vacate a portion of the Huske Street right of way (ROW) and KPB 2026-069V section line easement (SLE) vacation.   --This ROW and SLE provide public access to the Kenai River. The Kenai River is cataloged as anadromous (AWC: 244-30-10010) and is important habitat for chum, coho, Chinook, pink, and sockeye salmon as well as Dolly Varden, pacific lamprey, and eulachon. The presence of these fishes also provides significant recreational opportunity to the public using the Kenai River. Kenai River fisheries for king, sockeye and coho salmon are the largest freshwater sport fisheries for these species in Alaska.



	--This easement has been used for decades for launching and retrieving boats and has become more popular as the sockeye salmon fishery has expanded. ADF&amp;G has used it to launch boats for research projects, especially late season when water is low and Isaak Walton boat launch freezes up.   ---<u>Kenai Borough Code 20.65.050 – Action on a vacation application:</u>   D. The planning commission shall consider the merits of each vacation request. A platted dedication to public use of land or interest in land may be vacated if the dedication is no longer necessary for present or future public use and in all cases the planning commission shall deem the area being vacated to be of value 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;     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;       ---<u>ADF&amp;G does not see in this application where equal or superior access is provided.</u>   *Nearest access:   --Approximately 1.0 river miles downstream; Fields Rd ROW provides access to the Kenai River in a similar manner to Huske Dr.   --Approximately 2.9 river miles downstream; Morgan's Landing State Recreation Area. This area has a daily use fee so it should not be considered as equal or superior access as the SLE provides free public access to the Kenai River.   --Approximately 2.25 river miles upstream; Izaak Walton State Recreation Area. This area has a daily use fee so it should not be considered as equal or superior access as the SLE provides free public access to the Kenai River.   Due to the significant public value of the Kenai River for recreation and angling opportunities, <b><u>ADF&amp;G objects to the vacation of the Huske St ROW and the existing SLE.</u></b>
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#### **Staff Analysis:**

The section line easements were reserved by patents. Patent 1143238 reserved a 33' easement along the west side of Lot 2 Section 24 Township 5 North, Range 9 West SM Alaska. Patent 1207237 reserved a 33' easement along the east side of Lot 4 Section 23, Township 5 North, Range 9 West SM Alaska.

The west 40' of Huske St was dedicated by Bolstridge Kenai River Subdivision KN 129 RS. KN 1129 RS was subdivided out of Government Lots 3 & 4 of Sec 23, Township 5 North, Range 9 West SM Alaska. The east 20' of Huske St was dedicated by Alderwood Estates Subdivision KN 76-157. KN 76-157 was subdivided out of Government Lot 2 Section 24, Township 5 North, Range 9 West, SM Alaska.

With the vacation of the 66' section line easement and Huske St as proposed, public access to the Kenai River at this location will be eliminated. Other than Fields Rd, this looks to be the only public access constructed, for several miles on the north side of the Kenai River. The next available public access on this side of the Kenai River is at Ed Ave, 8500 feet downstream from Fields Rd and it is undeveloped.

In the 1997 Alaska DNR Kenai River Comprehensive plan this site has been identified as the preferred location for a potential future bridge to the Funny River Community as a second point of ingress and egress. With Angler's Roost St. Rd directly south, across the Kenai River. There is presently no proposal for the construction of a bridge, but KPB administration cannot support eliminating this future potential.

Multiple public comment have been received in opposition to the proposed section line easement vacation and are included in the packet for review.

#### **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:

**FOR SUBMITTER COMMENTS PLEASE SEE THE END OF THE STAFF REPORT FOR ATTACHED LETTER FROM SURVEYOR**

1. The right-of-way or public easement to be vacated is being used;  
**Staff comments:**  
Yes, the road is used as a boat ramp, public access, fishing area and parking area.
2. A road is impossible or impractical to construct, and alternative access has been provided;  
**Staff comments:**  
No, the road is constructable but was decertified.
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;  
**Staff comments:**  
Yes, the surrounding area is developed. Viewing the area block length is not compliant but making compliant does not appear possible.
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:**  
He section line easement underlying Huske St does provide access to the Kenai River which is in the public's interest and currently use as noted. No access is being given in exchange for this vacation. The surveyor has provided a document showing where access is available along the river to gain access, both on this side and across the river.
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;  
**Staff comments:**  
Vacating the section line easement while being under Huske St would limit the chance for a bridge connection to Angler's Roost St to the south across the Kenai River. This is one of the few locations where roads line up and parcels will not need to be acquired for connections to be made.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;  
**Staff comments:**  
Huske St is a popular access point and provides angler access to the Kenai River and can be used for boat access to the Kenai River. The section line easement lies under the right-of-way of Huske St and thereby still affected the access to the Kenai River.
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:**

Enstar has a line within the Huske St right-of-way that will need to be addressed.

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

The Assembly will hear the vacation at their scheduled August 4, 2026 meeting.

If approved, the plat Bolstridge Kenai River & Alderwood Estates Subdivision Montgomery Addition and Section Line Easement Vacation will finalize the proposed right of way vacations.

**KPB department / agency review:**

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.
Code Compliance	Vacant
Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 35029 Betty Lou Dr  Existing Street Names are Correct: No  List of Correct Street Names: Betty Lou Dr, Duncan Dr, Huske 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 comment
Assessing	Reviewer: Windsor, Heather Comments: No comment

**Utility provider review:**

HEA	Depict and add a note stating "The exiting overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat. "
ENSTAR	See comments
ACS	
GCI	Approved as shown

**STAFF RECOMMENDATIONS**



### CORRECTIONS / EDITS

- Exhibit needs corrected to represent the right of way of Huske St adjacent to the SLE correctly, 40' on the west and 20' on the east.

### RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends DENIAL as petitioned, subject to:

If the vacation should be approved, the vacation shall be subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant utility easements requested by the utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

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### **KPB 20.65.050 – Action on vacation application**

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.**
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

- *Focus Area: Energy and Utilities*
  - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*

- *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
- *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
- *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

*Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough*

- *Focus Area: Transportation*
  - *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
    - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
    - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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**END OF STAFF REPORT**



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June 17, 2026

Alaska Department of Natural Resources  
Division of Mining, Land and Water  
Survey Section  
550 West 7th Avenue, Suite 650  
Anchorage, Alaska 99501-3576

Subject: Section Line Easement Vacation

*To the Alaska Department of Natural Resources and the Department of Transportation and Public Facilities:*

Public access to Alaska's waters is a fundamental public interest, and the Kenai River is one of the State's significant public resources. This petition does not ask the State to abandon that interest. It asks whether this specific section-line easement, under current site conditions, remains necessary to provide practical public access to the river.

Section-line easements are intended to function as public access and transportation corridors. They are not intended to become unmanaged destination areas for prolonged parking, overnight occupation, waste disposal, or other uses that obstruct travel and interfere with adjoining properties.

This letter is submitted in support of the proposed vacation of the 66-foot-wide section-line easement located at the end of Huske Street, south of Betty Lou Drive, where the corridor extends to the Kenai River. The request is part of a coordinated action with the Kenai Peninsula Borough to vacate the related Huske Street right-of-way and address all public access dedications at this location through the final platting process.

As demonstrated below, the easement no longer functions as a practical access corridor, continued use at this location is impractical, and reasonably comparable or superior alternate access exists to serve present and reasonably foreseeable public access needs. For those reasons, vacating the easement preserves public access by directing use to better-suited locations and is consistent with AS 19.30.410, 11 AAC 51.065, and the State's interest.



## **Underlying Land Ownership**

The section-line easement at the end of Huske Street lies across privately owned land within Lot 1 of the Bolstridge Kenai River Subdivision (Plat No. K-1129) and Lot 18, Block 3 of the Alderwood Estates Subdivision (Plat No. KN 076-157), and partially within the Kenai Peninsula Borough 60-foot right-of-way for Huske Street.

This request is coordinated with a concurrent Kenai Peninsula Borough platting action to vacate the Huske Street right-of-way and replat the adjoining parcels, with the vacated right-of-way being absorbed into the resulting lot configuration. (A copy of the KPB preliminary plat and supporting letter is attached.)

The State action seeks to vacate the section-line easement, which extends across the privately owned parcels and Borough right-of-way corridor.

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## **Current and Historical Public Use Patterns**

The Huske Street section-line easement has been used as a point of physical access to the Kenai River. However, its current use has shifted away from short-term ingress and egress and toward prolonged, unmanaged occupation of the corridor.

A section-line easement is intended to function as a public travel and access corridor. At this location, that function has been displaced by recurring use of the corridor as a place to park, camp, gather, and remain for extended periods.

Adjacent property owners and individuals familiar with the site have documented repeated conditions including overnight camping, long-term parking of vehicles and recreational vehicles, accumulation of trash and debris, disposal of fish carcasses and other waste, human waste, open fires, alcohol-related disturbances, discharge of firearms, trespass onto adjacent private property, damage to fencing and structures, harassment, threats, and recurring conflicts with surrounding residential use. These conditions are described in the supporting letters included in Appendix A and photographs included in Appendix C..

During peak fishing periods, vehicles and recreational vehicles occupy the corridor, often for extended periods and sometimes overnight. The width of the corridor is frequently consumed by parked vehicles, leaving little practical ability for the easement to function as a reliable ingress and egress route.

This use pattern is important to the State's review. The issue is not whether the public has entered the corridor. The issue is whether the easement is serving as a practical public access route. Under

current conditions, it is not. The easement has shifted from access to occupation, and that shift has impaired the usefulness of the route for travel.

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### **Practicality of Use**

Continued use of the Huske Street section-line easement as a public access corridor is impractical.

The easement is a short, dead-end segment that terminates at the Kenai River. It does not provide through access, does not connect to a broader transportation network, and does not support circulation beyond a single point of entry. Even if the corridor were unobstructed, its physical configuration would remain limited.

Further improvement or construction would not resolve those limitations. Improving the corridor would not create through access or meaningful transportation connectivity. Instead, it would likely increase use of the site as a destination-style access point without providing the space, design, or management needed to accommodate that use safely.

The practical result is that the easement is not functioning as a transportation or access corridor. It is functioning as an unmanaged gathering and parking area at the river. That use is incompatible with the purpose of a section-line easement and creates recurring safety, environmental, and neighborhood impacts.

For these reasons, continued reliance on this easement is not practical for present or reasonably foreseeable public access needs.

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### **Alternate Access-Equal or Better**

Under AS 19.30.410, the relevant question is whether reasonably comparable or better access exists that is sufficient to satisfy present and reasonably foreseeable uses. In this case, multiple access corridors and access points exist within approximately one mile of the subject area. The alternate access points include legally established rights-of-way, section-line easements, walkway easements, and developed or purpose-built river access corridors.

**See Appendix B showing 7 access points within a one-mile radius.**

The alternate access locations include:



**Fields Road (Access A)** – This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 175 feet in width, providing significant space for parking and vehicle maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. The overall width, combined with available parking and staging areas, allows this access point to accommodate multiple users without congestion or conflict.

**Mykiss St. (Access B)** – This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Huske Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

**Kings Salmon Dr. (Access C)** – A 10-foot-wide dedicated walkway easement provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

**Flyfisher Street (Access D)** – Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

**Anglers Roost St. (Access E)** – • A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

**Additional Access Corridors (Access F and Access G)** – Additional access corridors exist to the east of the subject area, including one on each side of the river. Roger Avenue (Access F) provides a 66-foot-wide dedicated right of way with a half 50 foot radius cul-de-sac for turnaround. A separate access point (Access G) consists of two 33-foot-wide section line easements, providing a total width of 66 feet. While not fully developed, both corridors remain legally established public access routes and contribute to the overall network of access to the Kenai River.

Taken together, these access points provide a network of established public access that is not dependent on the Huske Street section-line easement. Several are already developed and actively used, while others remain legally protected and available to serve future access needs. When



considering width, level of improvement, capacity to accommodate public use, and legal protection by easement or right-of-way of record, these routes provide access that is reasonably comparable to, and in several cases superior to, the Huske Street section-line easement. Accordingly, vacating the easement will not diminish public access to the Kenai River and is consistent with the alternate-access requirement of AS 19.30.410.

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### **Future Use**

The Huske Street section-line easement is not required to satisfy present or reasonably foreseeable future access needs.

The surrounding area is already served by multiple established public access routes to the Kenai River. These access points provide a range of access types, including vehicle access, pedestrian access, boat-ramp-related access, dedicated rights-of-way, and section-line easements. This distributed network is better suited to accommodate current and future public use than the constrained Huske Street corridor.

Retaining the Huske Street easement would not improve regional access, circulation, or future transportation planning. The easement terminates at the river and does not provide access beyond that point. Future use of this corridor would likely continue the same unmanaged pattern of occupation, parking, waste disposal, and conflict documented in the record.

Because reasonably comparable or superior access exists nearby, the Huske Street easement is not necessary for present or reasonably foreseeable future public use.

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### **Best Interests of the State**

Vacation of the Huske Street section-line easement is in the State's interest.

The State has an interest in preserving meaningful public access to public waters. It also has an interest in ensuring that public access occurs through routes that are practical, safe, environmentally appropriate, and capable of accommodating public use. The Huske Street easement no longer meets that standard.

The record demonstrates that the easement is physically limited, routinely obstructed, and used in a manner that creates environmental, public safety, and neighborhood impacts. Continued retention of the easement would preserve a legal access route that no longer functions as a practical access corridor and would continue to direct public use to a constrained location that is poorly suited to that use.

By contrast, vacating the easement would not eliminate public access to the Kenai River. Public access would remain available through nearby established corridors that are wider, better configured, and legally protected. Vacation would therefore allow the State to remove an impractical and high-conflict access point while maintaining public access through more suitable routes.

For these reasons, the proposed vacation satisfies AS 19.30.410 and 11 AAC 51.065 and serves the State's interest.

---

### **Conclusion – State**

The Huske Street section-line easement no longer functions as a practical public access corridor. Its current use has shifted from ingress and egress to prolonged, unmanaged occupation of a constrained river access point. The result is recurring obstruction, waste disposal, public safety concerns, environmental impacts, trespass, and conflict with surrounding residential properties.

The easement is also physically limited. It is a short dead-end corridor that terminates at the Kenai River, does not provide through access, and does not connect to a larger transportation network. Additional improvement would not create meaningful circulation or transportation benefit and would likely intensify the same unmanaged use already occurring at the site.

Vacating the easement will not remove public access to the Kenai River. Multiple nearby rights-of-way, section-line easements, walkway easements, and developed or purpose-built access corridors provide reasonably comparable or superior access. Those routes are legally established, better suited to accommodate public use, and sufficient to satisfy present and reasonably foreseeable access needs.

**For these reasons, the proposed vacation satisfies AS 19.30.410, serves the best interests of the State, and should be approved.**

Respectfully,

  
AK Land, Land Surveying by

Stacy Wessel, Professional Land Surveyor

Kenai Peninsula Borough Section-Line Easement Vacation Support Letter  
Kenai Peninsula Borough Huske Street Right-of-Way Vacation Support Letter  
Appendix A - Supporting letters  
Appendix B - Alternative Kenai River access exhibits  
Appendix C - Photographs





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.



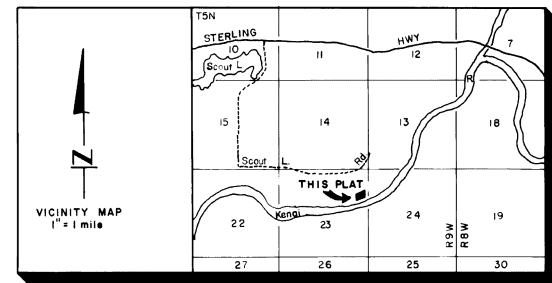
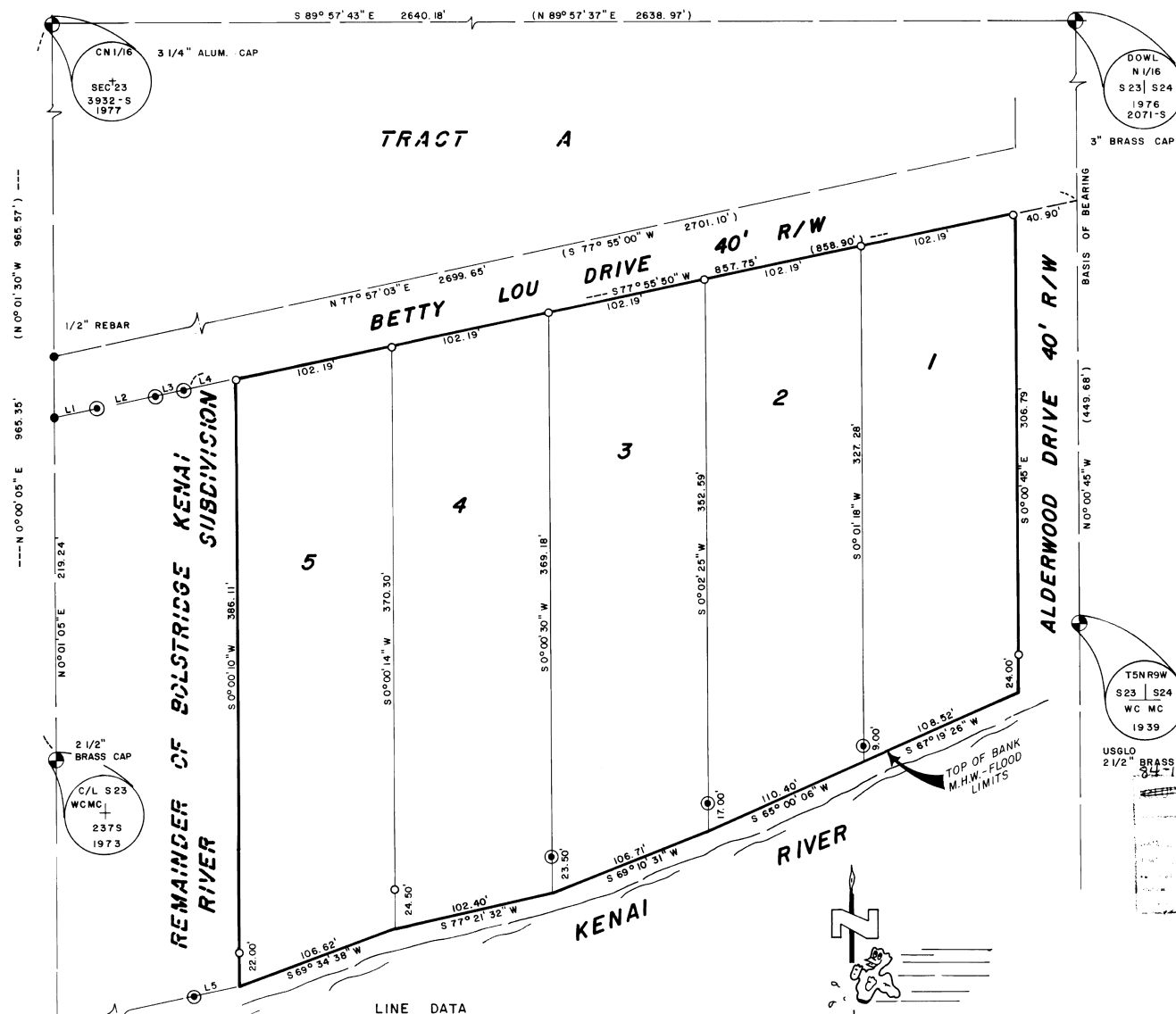


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.









### CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON.

James D. Medema  
JAMES D. MEDEMA  
BOX 1422  
HOMER, AK. 99603  
(A.K.A. J.D. MEDEMA)

Millie M. Medema  
MILLIE M. MEDEMA  
BOX 1422  
HOMER, AK. 99603

### NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 25th DAY OF May, 1984 FOR ALASKA

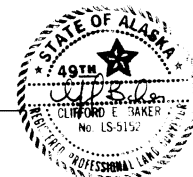
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 10-25-84

### PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 7, 1984

KENAI PENINSULA BOROUGH  
Ed Burt  
AUTHORIZED OFFICIAL

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



### NOTES:

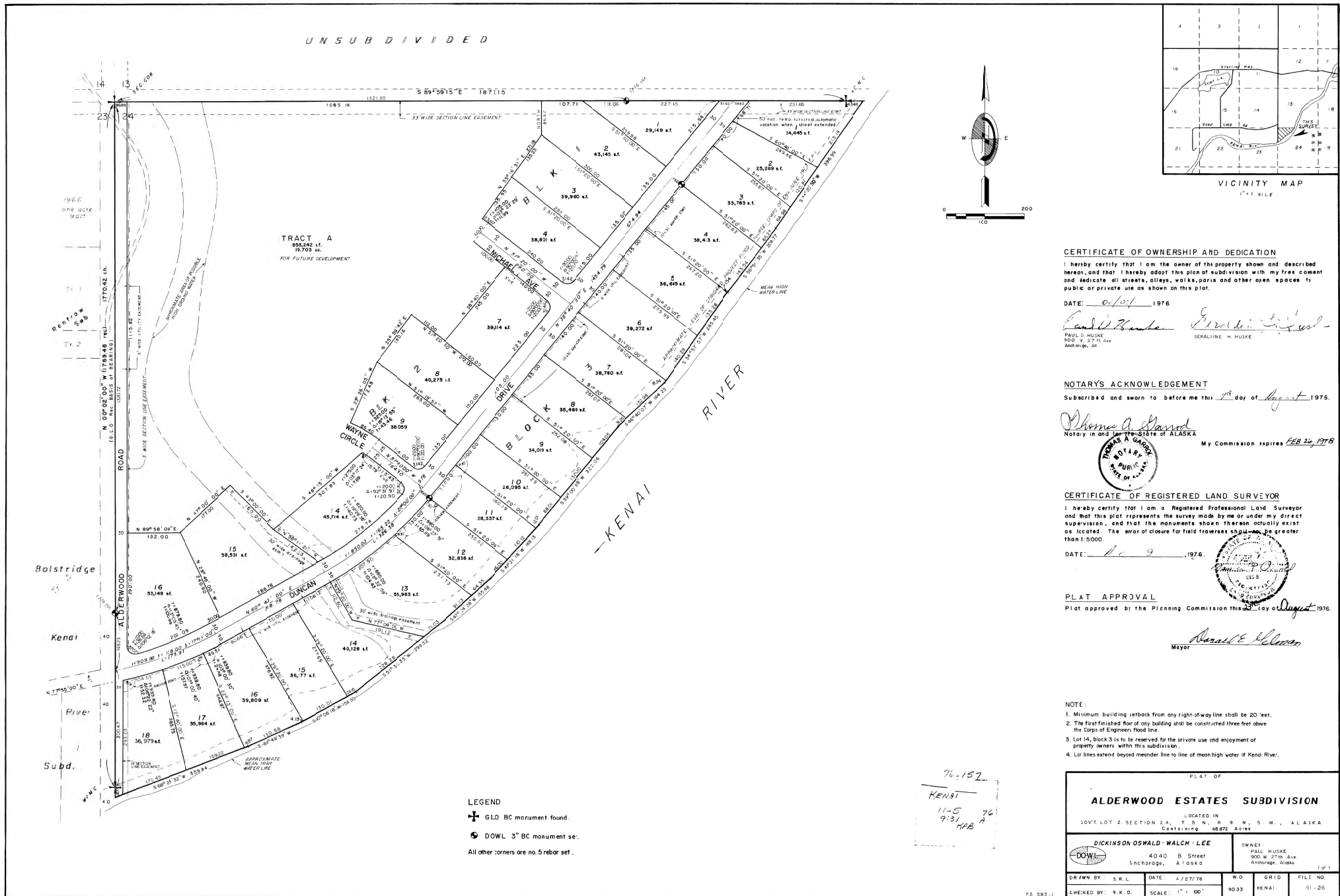
- PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
- A SETBACK OF 20 FEET IS REQ'D FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF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

### DEED OF RECORD BOUNDARY SURVEY BOLSTRIDGE KENAI RIVER SUBDIVISION

A BOUNDARY SURVEY OF LOTS 1 THRU 5  
LOCATED WITHIN S 1/2 NE 1/4 SEC. 23 T5N  
R9W S.M. AND THE KENAI PENINSULA BOROUGH.

**DOWLING-RICE and ASSOCIATES**  
P.O. BOX 1974 SOLDOTNA, ALASKA 99669  
ENGINEERS 262 - 9011 SURVEYORS

SURVEYED: APRIL 1984	PLATTED: APRIL 1984
DRAFTED: NM / DW	SCALE: 1" = 50'
CHECKED: DW / CB	SHEET:



5.14 Year  
5.25  
5.10  
5.17

12-1129  
 62-444  
 Bu. 1 100 205

RECORDED - FILED  
14-16-41  
DATE 11-16-41  
TIME 3:29 PM  
FOR MR. [illegible]  
[illegible]

Тласт В.

Tr. et "C"

Тракт "А"

665⁺

665²

1330[±]

Kenai River

Bolstridge Kennai River Subdivision  
within Lot 3 and Lot 4  
Sec. 23 T5N R7W S6W Mer.  
Sterling Alaska





**ENSTAR Natural Gas Company, LLC**  
Engineering Department, Right of Way Section 401  
E. International Airport Road  
P. O. Box 190288  
Anchorage, Alaska 99519-0288  
(907) 277-5551  
FAX (907) 334-7798

July 8, 2026

Kenai Peninsula Borough, Platting Division  
144 North Binkley Street  
Soldotna, AK 99669

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following ROW Vacation and advises:

- **PROPOSED LOT 1A AND 18A AND SECTION LINE EASEMENT VACATION (KPB 2026-069V)**
- **PROPOSED LOT 1A AND 18A AND HUSKE RIGHT-OF-WAY VACATION (KPB 2026-069V1)**

1. ENSTAR has existing natural gas distribution pipeline that is within the above listed existing Rights of Way proposed for vacation within proposed LOT 1A. Attached is a depiction for your reference.

ENSTAR objects to this plat unless the following condition is met:

- Grant ENSTAR a thirty feet (30 FT) wide natural gas easement within proposed LOT 1A.

ENSTAR confirms that it is actively working with the underlying owner and their representatives to format a final easement document sufficient for the continued operation and maintenance of its facilities.

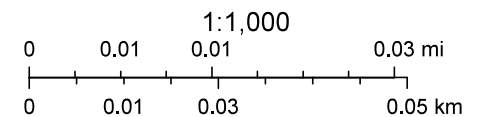
If you have any questions, please feel free to contact me at (907) 334-7944 or by email at [brandon.echols@enstarnaturalgas.com](mailto:brandon.echols@enstarnaturalgas.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Echols", is written over a light blue horizontal line.

Brandon Echols  
Right of Way & Permitting Agent  
ENSTAR Natural Gas Company, LLC

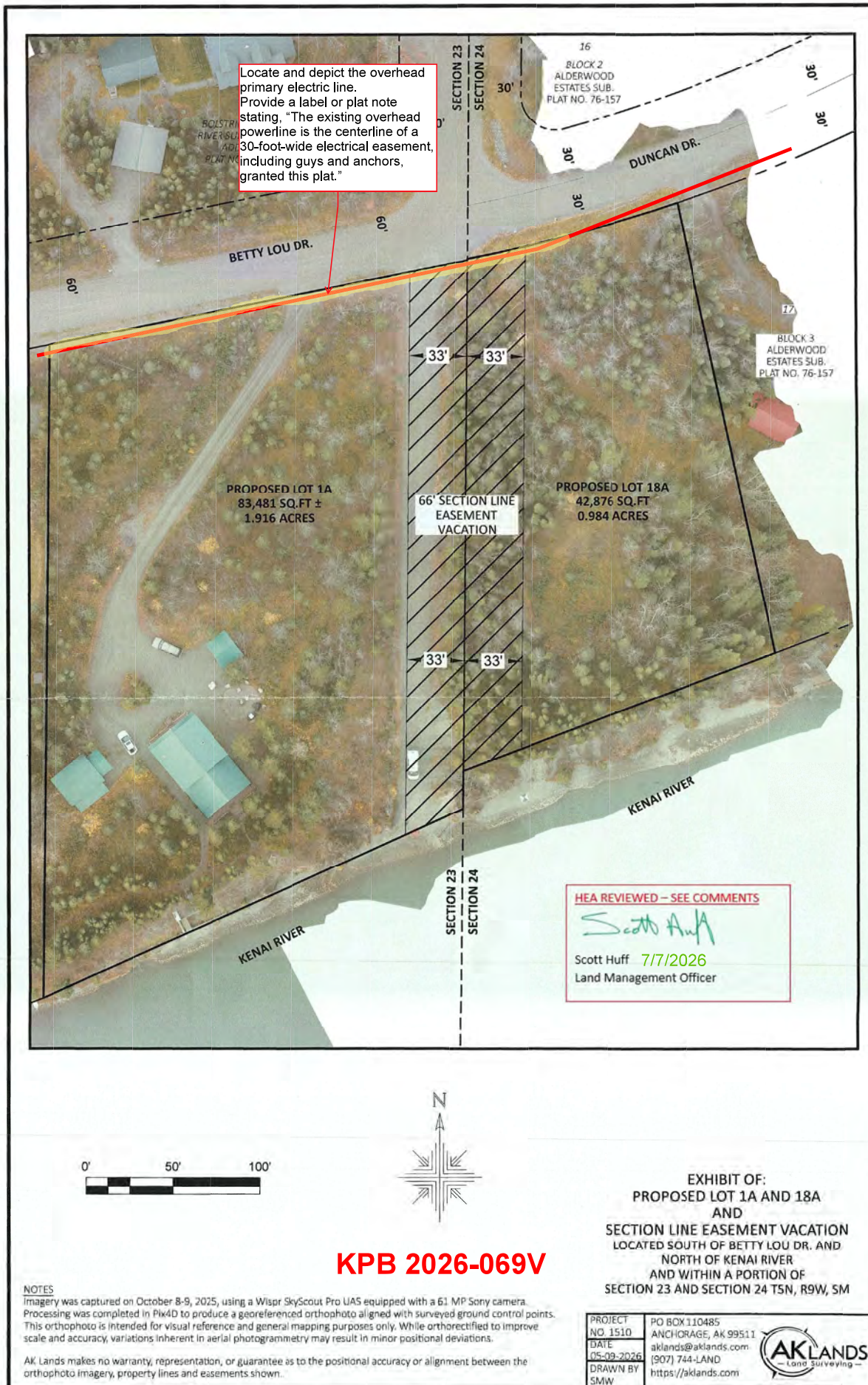
# PROPOSED LOT 1A AND 18A AND SECTION LINE EASEMENT VACATION & HUSKE RIGHT-OF-WAY VACATION



ENSTAR Natural Gas Company, ENSTAR Natural Gas Company, Matanuska  
- Susitna Borough, Kenai Peninsula Borough, Municipality of Anchorage,

ArcGIS Web AppBuilder  
ENSTAR Natural Gas Company







**From:** [Planning Dept.](#)  
**To:** [Piagentini, Vincent](#); [Carpenter, Beverly](#)  
**Subject:** FW: <EXTERNAL-SENDER>Betty Lou boat dock vacation  
**Date:** Thursday, July 9, 2026 11:26:16 AM

---

-----Original Message-----

From: Grace Merkes <grace.merkes@gmail.com>  
Sent: Thursday, July 9, 2026 10:46 AM  
To: Planning Dept, <planning@kpb.us>  
Subject: <EXTERNAL-SENDER>Betty Lou boat dock vacation

---

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

---

Wed, Jul 8, 7:43 PM (14 hours ago)

Please accept this email as my opposition to vacating the section line that is commonly known as the public boat launch on Betty Lou Drive in Sterling. it is my understanding that two property owners that are adjacent to this public access boat launch are requesting the vacation and adding that vacated property to their own private property. This boat access has been available to the local public for over 50 years and I strongly object to the vacation of this section line.

Could you please forward my objection to all Planning Commission Members & Assembly Members

Thank you.  
Signed: Grace Merkes

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Thursday, July 9, 2026 2:14 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

---

**From:** Kelly Demarsh <ksdemarsh@gmail.com>  
**Sent:** Thursday, July 9, 2026 1:20 PM  
**To:** Simons, Sandee <:ssimons@kpb.us>; Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

---

**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

---

I live on Betty Lou Drive and I have heard a rumor that the boat launch is going to be shut down to the public.

There are two boat launches one at each end but if this is concerning the one at the end of Husky Rd I would have to strongly object.

Being a resident on this road I access this area to fish and would be pretty upset if all the sudden my ability to access the river was shut down. This would drastically affect my property value as the river access is one of the main reasons I purchased my house/property.

Why would this get shut down to area residents?

Sincerely,  
Kelly and Joe DeMarsh  
35152 Betty Lou Dr.  
907-322-2774



11500 Daryl Ave  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

June 17, 2026

Kenai Peninsula Borough  
Planning Commission  
144 N. Binkley St.  
Soldotna, AK 9966

Subject: Section-Line Easement Vacation at Huske Street

Dear Planning Commission Members,

This letter is submitted in support of the petition to vacate the 66-foot section-line easement located between Sections 23 and 24, Township 5 North, Range 9 West, Seward Meridian, south of Betty Lou Drive and north of the Kenai River.

The Kenai Peninsula Borough's role in this petition is advisory to the State of Alaska Department of Natural Resources, which has final authority over section-line easement vacations. The Borough's review remains important because the Planning Commission evaluates the local land use, access, utility, and neighborhood conditions affected by the proposed vacation.

This request should be considered together with the related petition to vacate the Huske Street right-of-way. The section-line easement and the Huske Street right-of-way overlap and function as part of the same public access corridor to the Kenai River. Vacating one without the other would leave an incomplete and impractical access condition. The purpose of the coordinated petitions is to address all public access dedications at this location in a consistent manner through the final platting process.

The section-line easement has been used for access to the Kenai River, but its current use no longer reflects a practical ingress and egress function. The corridor is routinely used for prolonged parking, overnight camping, gathering, and occupation. Documented conditions include long-term vehicle and recreational vehicle presence, trash and debris, fish waste, human waste, trespass, property damage, open fires, alcohol-related disturbances, discharge of firearms, and repeated conflicts with adjoining residential properties.

These conditions are not consistent with a public access corridor. Instead of providing reliable movement to and from the river, the easement has become an unmanaged destination point. During peak fishing periods, vehicles and recreational vehicles occupy the corridor for extended periods and often obstruct passage. This prevents the easement from functioning as a practical travel route.

The physical configuration of the easement further limits its usefulness. The corridor is short, dead-end, and terminates at the Kenai River. It does not provide through access, does not connect to a broader transportation network, and does not support interconnectivity with adjacent parcels. Additional construction or improvement would not



create meaningful circulation and would likely intensify the unmanaged use already occurring at the site.

The surrounding area is already developed. Existing roads, lots, and access routes are in place, and the section-line easement is not needed for future road construction, circulation, or development of adjoining parcels.

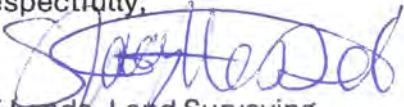
Existing utility infrastructure is located within the section-line easement, including overhead electrical facilities to the north and a gas line that runs north-south through the easement. These utilities are not dependent on retaining the full width of the section-line easement. The petitioner is currently coordinating with Enstar regarding the gas line, and will work with other utility providers, as applicable, to identify and reserve any required utility easements through the final platting process. Any necessary utility access can be preserved through dedicated easements, and vacation of the section-line easement is not anticipated to impair utility service.

Vacating the section-line easement will not eliminate public access to the Kenai River. Public access in this area is already provided through multiple established rights-of-way, section-line easements, walkway easements, and developed or purpose-built access corridors. These alternative access points are identified and discussed in the attached State support letter and alternate access exhibits. Several of those corridors are wider, more functional, and better suited to accommodate public use than the constrained Huske Street corridor.

Retaining the section-line easement while vacating the Huske Street right-of-way would create an unworkable result. It would leave a public access easement across privately owned land without a practical supporting corridor, while allowing the same unmanaged use, trespass, and conflict to continue on private property. Addressing both the right-of-way and the section-line easement together is the more consistent and practical land use solution.

For these reasons, the section-line easement is no longer necessary to provide practical public access at this location. Vacation of the easement is reasonable, will not eliminate public access to the Kenai River, and will direct use to established access points that are better suited for that purpose. We respectfully request that the Planning Commission recommend approval of the section-line easement vacation to the State of Alaska, subject to any required utility easements and completion of the final platting process.

Respectfully,

  
AK Lands, Land Surveying  
Stacy Wessel, Professional Land Surveyor

Attachments:

State of Alaska Section-Line Easement Vacation Support Letter

Kenai Peninsula Borough Huske Street Right-of-Way Vacation Support Letter

Appendix A - Supporting letters, Appendix B - Alternative Kenai River access exhibits, Appendix C - Photographs



PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

June 17, 2026

Alaska Department of Natural Resources  
Division of Mining, Land and Water  
Survey Section  
550 West 7th Avenue, Suite 650  
Anchorage, Alaska 99501-3576

Subject: Section Line Easement Vacation

*To the Alaska Department of Natural Resources and the Department of Transportation and Public Facilities:*

Public access to Alaska's waters is a fundamental public interest, and the Kenai River is one of the State's significant public resources. This petition does not ask the State to abandon that interest. It asks whether this specific section-line easement, under current site conditions, remains necessary to provide practical public access to the river.

Section-line easements are intended to function as public access and transportation corridors. They are not intended to become unmanaged destination areas for prolonged parking, overnight occupation, waste disposal, or other uses that obstruct travel and interfere with adjoining properties.

This letter is submitted in support of the proposed vacation of the 66-foot-wide section-line easement located at the end of Huske Street, south of Betty Lou Drive, where the corridor extends to the Kenai River. The request is part of a coordinated action with the Kenai Peninsula Borough to vacate the related Huske Street right-of-way and address all public access dedications at this location through the final platting process.

As demonstrated below, the easement no longer functions as a practical access corridor, continued use at this location is impractical, and reasonably comparable or superior alternate access exists to serve present and reasonably foreseeable public access needs. For those reasons, vacating the easement preserves public access by directing use to better-suited locations and is consistent with AS 19.30.410, 11 AAC 51.065, and the State's interest.



## **Underlying Land Ownership**

The section-line easement at the end of Huske Street lies across privately owned land within Lot 1 of the Bolstridge Kenai River Subdivision (Plat No. K-1129) and Lot 18, Block 3 of the Alderwood Estates Subdivision (Plat No. KN 076-157), and partially within the Kenai Peninsula Borough 60-foot right-of-way for Huske Street.

This request is coordinated with a concurrent Kenai Peninsula Borough platting action to vacate the Huske Street right-of-way and replat the adjoining parcels, with the vacated right-of-way being absorbed into the resulting lot configuration. (A copy of the KPB preliminary plat and supporting letter is attached.)

The State action seeks to vacate the section-line easement, which extends across the privately owned parcels and Borough right-of-way corridor.

---

## **Current and Historical Public Use Patterns**

The Huske Street section-line easement has been used as a point of physical access to the Kenai River. However, its current use has shifted away from short-term ingress and egress and toward prolonged, unmanaged occupation of the corridor.

A section-line easement is intended to function as a public travel and access corridor. At this location, that function has been displaced by recurring use of the corridor as a place to park, camp, gather, and remain for extended periods.

Adjacent property owners and individuals familiar with the site have documented repeated conditions including overnight camping, long-term parking of vehicles and recreational vehicles, accumulation of trash and debris, disposal of fish carcasses and other waste, human waste, open fires, alcohol-related disturbances, discharge of firearms, trespass onto adjacent private property, damage to fencing and structures, harassment, threats, and recurring conflicts with surrounding residential use. These conditions are described in the supporting letters included in Appendix A and photographs included in Appendix C..

During peak fishing periods, vehicles and recreational vehicles occupy the corridor, often for extended periods and sometimes overnight. The width of the corridor is frequently consumed by parked vehicles, leaving little practical ability for the easement to function as a reliable ingress and egress route.

This use pattern is important to the State's review. The issue is not whether the public has entered the corridor. The issue is whether the easement is serving as a practical public access route. Under



current conditions, it is not. The easement has shifted from access to occupation, and that shift has impaired the usefulness of the route for travel.

---

### **Practicality of Use**

Continued use of the Huske Street section-line easement as a public access corridor is impractical.

The easement is a short, dead-end segment that terminates at the Kenai River. It does not provide through access, does not connect to a broader transportation network, and does not support circulation beyond a single point of entry. Even if the corridor were unobstructed, its physical configuration would remain limited.

Further improvement or construction would not resolve those limitations. Improving the corridor would not create through access or meaningful transportation connectivity. Instead, it would likely increase use of the site as a destination-style access point without providing the space, design, or management needed to accommodate that use safely.

The practical result is that the easement is not functioning as a transportation or access corridor. It is functioning as an unmanaged gathering and parking area at the river. That use is incompatible with the purpose of a section-line easement and creates recurring safety, environmental, and neighborhood impacts.

For these reasons, continued reliance on this easement is not practical for present or reasonably foreseeable public access needs.

---

### **Alternate Access-Equal or Better**

Under AS 19.30.410, the relevant question is whether reasonably comparable or better access exists that is sufficient to satisfy present and reasonably foreseeable uses. In this case, multiple access corridors and access points exist within approximately one mile of the subject area. The alternate access points include legally established rights-of-way, section-line easements, walkway easements, and developed or purpose-built river access corridors.

**See Appendix B showing 7 access points within a one-mile radius.**

The alternate access locations include:



**Fields Road (Access A)** – This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 175 feet in width, providing significant space for parking and vehicle maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. The overall width, combined with available parking and staging areas, allows this access point to accommodate multiple users without congestion or conflict.

**Mykiss St. (Access B)** – This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Huske Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

**Kings Salmon Dr. (Access C)** – A 10-foot-wide dedicated walkway easement provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

**Flyfisher Street (Access D)** – Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

**Anglers Roost St. (Access E)** – • A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

**Additional Access Corridors (Access F and Access G)** – Additional access corridors exist to the east of the subject area, including one on each side of the river. Roger Avenue (Access F) provides a 66-foot-wide dedicated right of way with a half 50 foot radius cul-de-sac for turnaround. A separate access point (Access G) consists of two 33-foot-wide section line easements, providing a total width of 66 feet. While not fully developed, both corridors remain legally established public access routes and contribute to the overall network of access to the Kenai River.

Taken together, these access points provide a network of established public access that is not dependent on the Huske Street section-line easement. Several are already developed and actively used, while others remain legally protected and available to serve future access needs. When



considering width, level of improvement, capacity to accommodate public use, and legal protection by easement or right-of-way of record, these routes provide access that is reasonably comparable to, and in several cases superior to, the Huske Street section-line easement. Accordingly, vacating the easement will not diminish public access to the Kenai River and is consistent with the alternate-access requirement of AS 19.30.410.

---

### **Future Use**

The Huske Street section-line easement is not required to satisfy present or reasonably foreseeable future access needs.

The surrounding area is already served by multiple established public access routes to the Kenai River. These access points provide a range of access types, including vehicle access, pedestrian access, boat-ramp-related access, dedicated rights-of-way, and section-line easements. This distributed network is better suited to accommodate current and future public use than the constrained Huske Street corridor.

Retaining the Huske Street easement would not improve regional access, circulation, or future transportation planning. The easement terminates at the river and does not provide access beyond that point. Future use of this corridor would likely continue the same unmanaged pattern of occupation, parking, waste disposal, and conflict documented in the record.

Because reasonably comparable or superior access exists nearby, the Huske Street easement is not necessary for present or reasonably foreseeable future public use.

---

### **Best Interests of the State**

Vacation of the Huske Street section-line easement is in the State's interest.

The State has an interest in preserving meaningful public access to public waters. It also has an interest in ensuring that public access occurs through routes that are practical, safe, environmentally appropriate, and capable of accommodating public use. The Huske Street easement no longer meets that standard.

The record demonstrates that the easement is physically limited, routinely obstructed, and used in a manner that creates environmental, public safety, and neighborhood impacts. Continued retention of the easement would preserve a legal access route that no longer functions as a practical access corridor and would continue to direct public use to a constrained location that is poorly suited to that use.



By contrast, vacating the easement would not eliminate public access to the Kenai River. Public access would remain available through nearby established corridors that are wider, better configured, and legally protected. Vacation would therefore allow the State to remove an impractical and high-conflict access point while maintaining public access through more suitable routes.

For these reasons, the proposed vacation satisfies AS 19.30.410 and 11 AAC 51.065 and serves the State's interest.

---

### **Conclusion – State**

The Huske Street section-line easement no longer functions as a practical public access corridor. Its current use has shifted from ingress and egress to prolonged, unmanaged occupation of a constrained river access point. The result is recurring obstruction, waste disposal, public safety concerns, environmental impacts, trespass, and conflict with surrounding residential properties.

The easement is also physically limited. It is a short dead-end corridor that terminates at the Kenai River, does not provide through access, and does not connect to a larger transportation network. Additional improvement would not create meaningful circulation or transportation benefit and would likely intensify the same unmanaged use already occurring at the site.

Vacating the easement will not remove public access to the Kenai River. Multiple nearby rights-of-way, section-line easements, walkway easements, and developed or purpose-built access corridors provide reasonably comparable or superior access. Those routes are legally established, better suited to accommodate public use, and sufficient to satisfy present and reasonably foreseeable access needs.

**For these reasons, the proposed vacation satisfies AS 19.30.410, serves the best interests of the State, and should be approved.**

Respectfully,

  
AK Land, Land Surveying by

Stacy Wessel, Professional Land Surveyor

Kenai Peninsula Borough Section-Line Easement Vacation Support Letter  
Kenai Peninsula Borough Huske Street Right-of-Way Vacation Support Letter  
Appendix A - Supporting letters  
Appendix B - Alternative Kenai River access exhibits  
Appendix C - Photographs

## **Appendix A**

Appendix A includes letters from adjacent property owners and individuals familiar with the site supporting the proposed vacation of the right-of-way and section line easement. These letters document recurring conditions at the location, including overnight camping, long-term vehicle and RV parking, trash and debris, fish waste, human waste, open fires, alcohol-related disturbances, trespass, property damage, threats, and ongoing conflicts with adjacent residential use.

Appendix A also includes a December 27, 2001 memorandum from the Kenai Peninsula Borough Attorney's Office (Assistant Borough Attorney) to the Borough Assembly regarding decertification of Huske Street from road maintenance. The memorandum notes liability and safety concerns, prior accident history, lack of maintenance to borough standards, and its use for river access, parking, and boat launching, while clarifying that decertification does not constitute a vacation of the right-of-way.



**MEMORANDUM**

**TO:** Timothy Navarre, Assembly President

Members, Kenai Peninsula Borough Assembly

**THRU:** Dale Bagley, Mayor

Colette Thompson, Borough Attorney

**FROM:** Holly B. Montague, Assistant Borough Attorney

**CC:** Gary Davis, Roads Director

**DATE:** December 27, 2001

**SUBJECT:** Resolution 2002-007, decertifying Beluga Street, Salmon Road, and Huske Street

The borough attorney's office recommended decertification of the above-referenced roads to the road service area ("RSA") board because of liability and safety concerns. All of the roads are in the central region and, according to the RSA staff, have not been maintained within the past five years. Salmon Road is connected to Beluga Street in J.W. Subdivision Addition No. 1, and was the site of a snow machine accident for which the borough, through its insurer, paid in excess of one million dollars in settlement several years ago. Huske Street accesses the Kenai River and receives substantial use as a parking area and boat launch. The road is not entirely within the right-of-way. None of the three roads meet borough standards, nor do they access dwellings. A public hearing was held on November 6, 2001 regarding decertification of these roads. No one testified against decertification, nor were any written objections received to the decertification. The public hearing before the assembly was advertised on December 27, 2001, and January 3, 2002, in compliance with KPB 14.06.070(B)(6). The resolution sets forth findings adopted by the RSA board supporting decertification in accordance with KPB 14.06.070. The memo seeking authorization from the board to initiate the public process for decertification for these roads is also enclosed and contains more detail regarding the status of the three roads. Decertification from the maintenance system does not result in vacation of the roads, and if the roads are brought to borough standards they will again be eligible for borough maintenance.

*Road Maintenance  
Huske Street*



Number  
Address  
State and Zip  
Phone number

Date 4-22-26

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

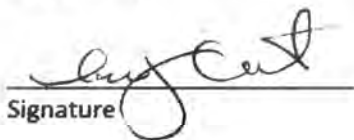
To Whom it may concern,

I (We) support the platting action to vacate the full 60foot Huske Road rightofway and the 66foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

AS A LOCAL CONTRACTOR (RETIRED), I BUILT NUMEROUS HOMES ON BETTY LOU DRIVE, STERLING, AK. THIS PARTICULAR EASEMENT HAS CAUSED CONTINUOUS PROBLEMS IN THE AREA. THE AREA HAS BECOME A PARTY AREA AT THE SITE. VEHICLES CONSTANTLY BLOCK TRAFFIC ON BETTY LOU AVE. HUSKE RD. PEOPLE ARE UNABLE TO LAUNCH THEIR BOATS DUE TO CAMPER'S AND TENTS BLOCKING THE RAMP. THEFTS HAVE INCREASED IN THIS AREA AS WELL. THE REVELERS KEEP THE MUSIC GOING ALL NIGHT LONG AND THEIR GARBAGE REMAINS THERE WHEN THEY LEAVE. THEY USE THE NEIGHBORING FENCES FOR CLOTHES AND BOOT DRYING RACKS ALSO.

IN SHORT, I FULLY SUPPORT TO VACATE THIS EASEMENT AND RETURN IT BACK TO THE QUIET RESPECTFULLY, AND CLEAN NEIGHBORHOOD IT ONCE WAS.

  
Signature

SCOTT CHRISTIAN  
Printed Name  
907-394-2880  
CHRISTIAN RIDGE CONST

4-22-26  
Date

35085 Betty Lou Dr  
Sterling, AK 99672  
801-859-2190

April 25, 2026

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom it may concern,

I (We) support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

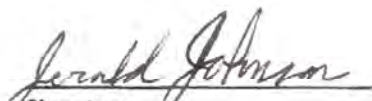
Primarily during the Sockeye salmon run June through early September there are up to 50 fishermen trying to fish about 25 feet of the Kenai river where a small public boat ramp exists just upstream from my property at 35084 and 35085 Betty Lou Dr. It is physically impossible for more than 3 or 4 people to fish that small public area. So naturally these people spread out along the river bank to fish adjacent to private property, including my own.

I understand that private land owners do not own part of the river, however, after spreading out up and down river from the public boat ramp, many people get out of the river to use our private property to repair fishing gear, store their salmon catch and even stand on our fishing ramps to fish. Most people will vacate our private property peacefully when asked, but some will not and become angry and hostile. It is impossible to use our private property river bank and fishing ramps if people are standing in the water in front of these ramps.

There is also a matter of public safety. To not trespass, people have to stay in the river while walking up and down stream. The current is fairly swift in this section of the river which makes it unsafe to navigate on foot. Additionally, Betty Lou Drive is a narrow unpaved road with a limited shoulder. Therefore, people who can't find parking in front of the boat launch, must park on private property near the boat ramp or leave their vehicles partially in the road obstructing passing cars. Also, when the boat launch fills up with parked cars, there is no room to launch a boat.

These issues have progressively gotten worse over time. It is my hope that the Kenai Peninsula Borough Planning Commission and the State of Alaska Department of Natural Resources will take the necessary action to rectify this growing problem.

Respectfully,

  
Signature

Jerald Johnson  
Printed Name

4/25/26  
Date

Marvin Huske  
431 W. 123rd Avenue  
Anchorage, Alaska 99515

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom It May Concern,

I (We) support the platting action to vacate the full 60-foot Huske Street right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reasons for Support:**

This request is made after many years of ongoing issues associated with public use of this easement that have significantly and repeatedly impacted my private property.

Specifically:

- My property has been continually trespassed upon, particularly during summer months.
- Trespassers have left behind garbage, human waste, and fire debris, requiring ongoing cleanup.
- My riverbank/land has suffered significant erosion and physical damage as a result of foot traffic and unauthorized access.
- Posted No Trespassing and No Parking signs have been torn down, burned, removed or thrown in the river.
- Vehicles, including cars, trucks, and motorhomes, regularly block access and park on or near my property.
- I have been threatened with assault and/or arson when attempting to enforce private property boundaries.
- Local enforcement efforts have proven ineffective due to the volume of day and night unlawful use.

Additionally, this easement has been misrepresented by local businesses as a free Kenai River access point resulting in commercial guides and members of the public accessing my private property.

Due to the ongoing safety concerns, property damage, and loss of use and enjoyment, I respectfully request that this section line easement be vacated in order to protect private property rights and prevent further harm.

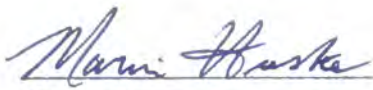
This request has been raised previously and remains unresolved. Given the long history of issues, I believe vacating this easement is reasonable, necessary, and overdue.



Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources  
Page 2

Thank you for your time and consideration of this request. Please contact me if further information or documentation is required.

Respectfully,

  
Signature

Marvin Huske  
Printed Name

4/29/26  
Date

# Phillip M Finley III

5405 Candlewood Ct NE

Albuquerque, NM 87111

505.459.2957

April 18, 2026

Kenai Peninsula Borough Planning Commission

AND

State of Alaska Department of Natural Resources

Subject: Support for Platting Action

To Whom It May Concern:

I support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

I support this action due to the following activities that my wife and I have personally observed occurring within the right-of-way and on Mr. Montgomery's property ("the property").

- Excessive alcohol consumption by individuals using the area
- Instances of defecation and urination on the property
- Loitering on private property
- Fires on the access ramp, as well as in the bushes of the property
- Consistent disregard for posted no-trespassing signs
- Loud music being played late into the evening and in early morning hours
- Personal items such as clothing, chairs, tents, coolers, and fishing gear being stored on the property, as well as trash and fish remains

This situation, which seems to be getting worse with each of our visits, creates significant concerns for Mr. Montgomery, as it is clearly a violation of property rights, as individuals are entering and using the property without permission, despite the posted signs. This limits the ability for Mr. Montgomery, family, and guests to safely and peacefully use and enjoy the property.

Additionally, due to the excessive alcohol use, open fires, and unsanitary conditions, this introduces safety and liability risks and the potential for property damage. The accumulation of trash and personal belongings, along with defecation and urination, creates environmental and public health concerns and, again, can damage the property, require ongoing cleanup, and diminish its overall value and usability.

Collectively, these issues represent not just an inconvenience, but an ongoing interference with the owner's rights, safety, and property value.

Sincerely,

Phillip M Finley III

James Donovan  
5514 W Lake River Ln  
Boise, Id 83703  
208-995-5587

4-25-2026

Kenai Peninsula Borough Planning Commission  
AND  
State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom It may concern,

I (We) support the platting action to vacate the full 60-foot Huske Road right-of-way and the 66-foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

I have visited the cabin located on/near this location several times per year. I have witnessed the following activities that reduce the quality of time and disrupt our stays.

Anglers have continuously entered the private property.

Placing gear and fish, carcasses on the private property to include attaching fish cleaning tables on the private fencing etc.

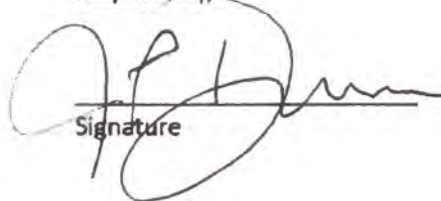
Leaving trash behind.

Camping with fires overnight.

Open drinking alcohol which typically leads to foul language, approaching owners and guests of the private property which on occasions has come close to violent situations.

I appreciate the opportunity to address this with you and if you would like to speak to me directly please let me know.

Respectfully,

  
Signature

Jim Donovan  
Printed Name

4-25-26  
Date



Number  
Address  
State and Zip  
Phone number

Date 4/23/2026

Kenai Peninsula Borough Planning Commission

AND

State of Alaska Department of Natural Resources

Subject: Support for Platting action

To Whom it may concern,

I (We) support the platting action to vacate the full 60foot Huske Road rightofway and the 66foot section line easement located south of Betty Lou Drive and north of the Kenai River.

**Reason for Support:**

I have been to the Montgomery Lodge numerous times over the years and there have been issues with people down at the Shoreline. Some leave their trash on the riverbank. Others will be directly out in front of the private camp, and won't move. People will also put their gear on the private camp. We also have to bring our fishing gear up to the lodge so it doesn't get stolen. They also camp out all day and night. It was either June or July 2004 and the week before we got there someone drove down the ramp Respectfully, during the night into the river and downed.

Mike P. Sunder

Mike P. Sunder

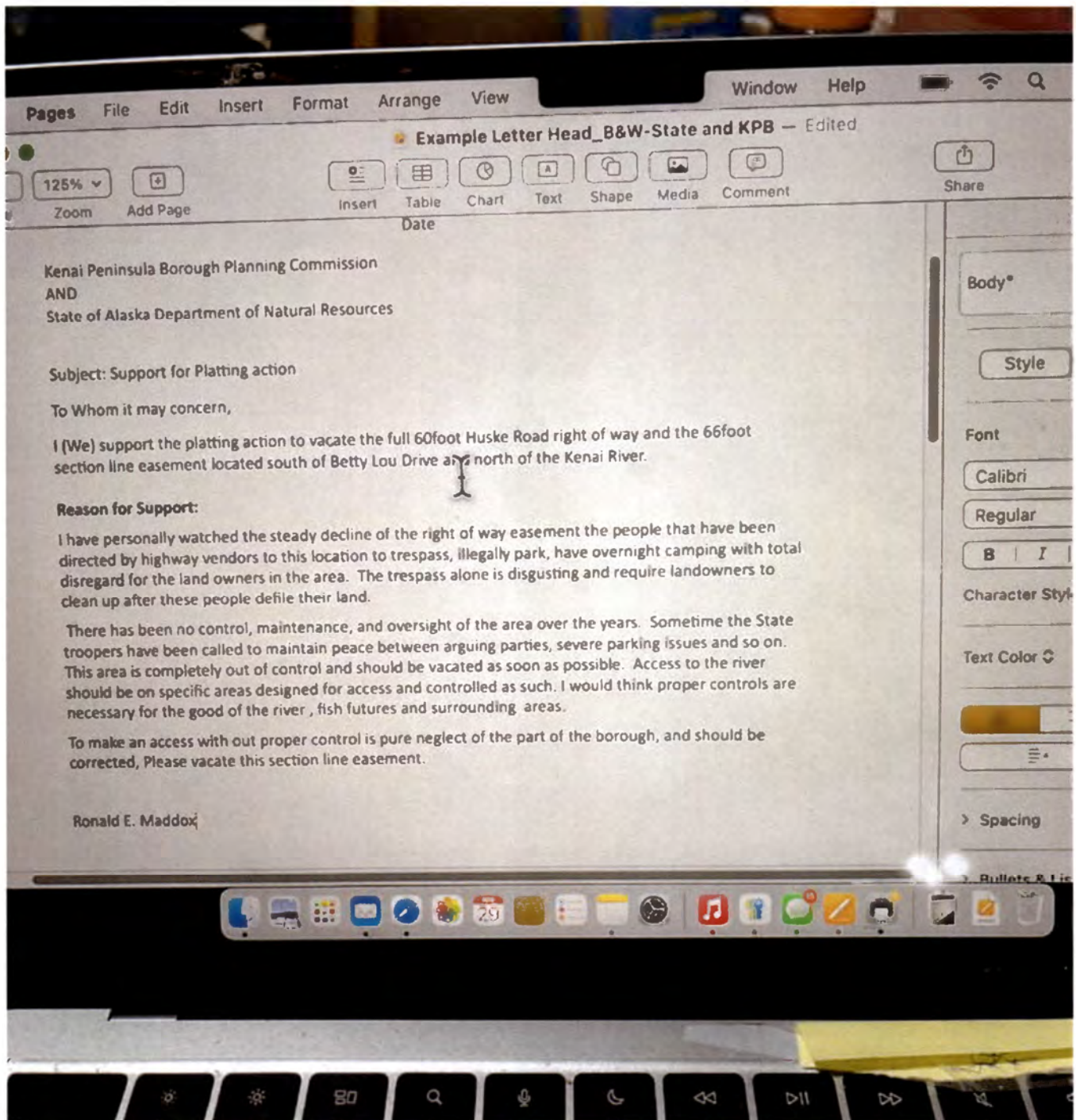
Signature

Printed Name

Date 4/23/2026



This letter was provided to me by Gene Montgomery via text message. He indicated that Ron prepared it but has been very ill and unable to print or sign it.



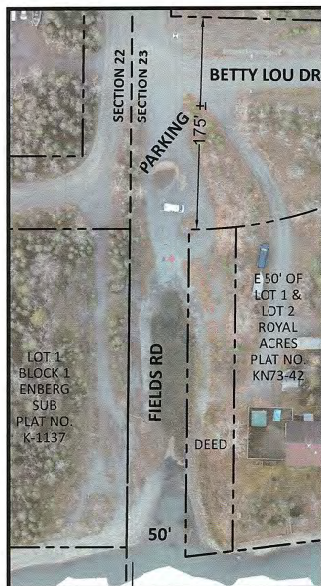
## **Appendix B**

Appendix B provides a collection of aerial imagery and supporting documentation for seven additional public access points along the Kenai River. Each access point is accompanied by a brief description, exhibit, and legal documentation of the Rights of Way and/or Section Line Easements illustrating the network of alternative public access routes in the vicinity of Huske Street.

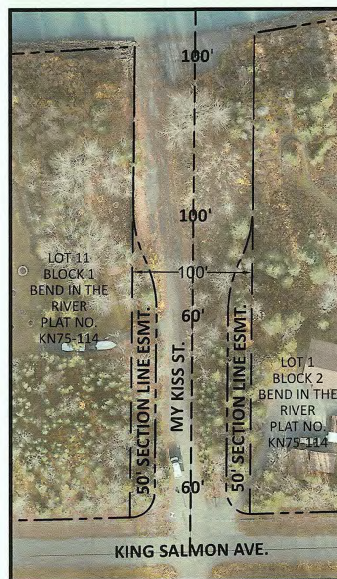
These exhibits demonstrate that multiple legally established access corridors exist, including section line easements. As shown, these locations generally offer equal or greater access to the Kenai River, improved boat launching, better parking accommodation, and more suitable configurations for public use.

Collectively, the packet supports that public access to the Kenai River is not dependent on Huske Street and that equal and better access opportunities are available through the surrounding network.

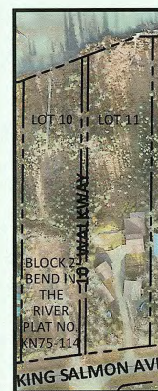




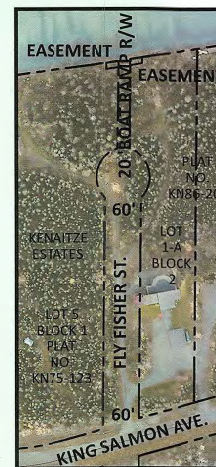
**ACCESS A**  
1"=100'



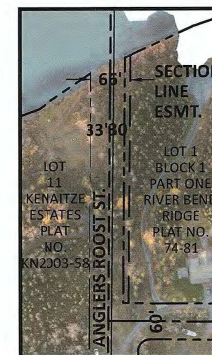
**ACCESS B**  
1"=100'



**ACCESS C**  
1"=200'



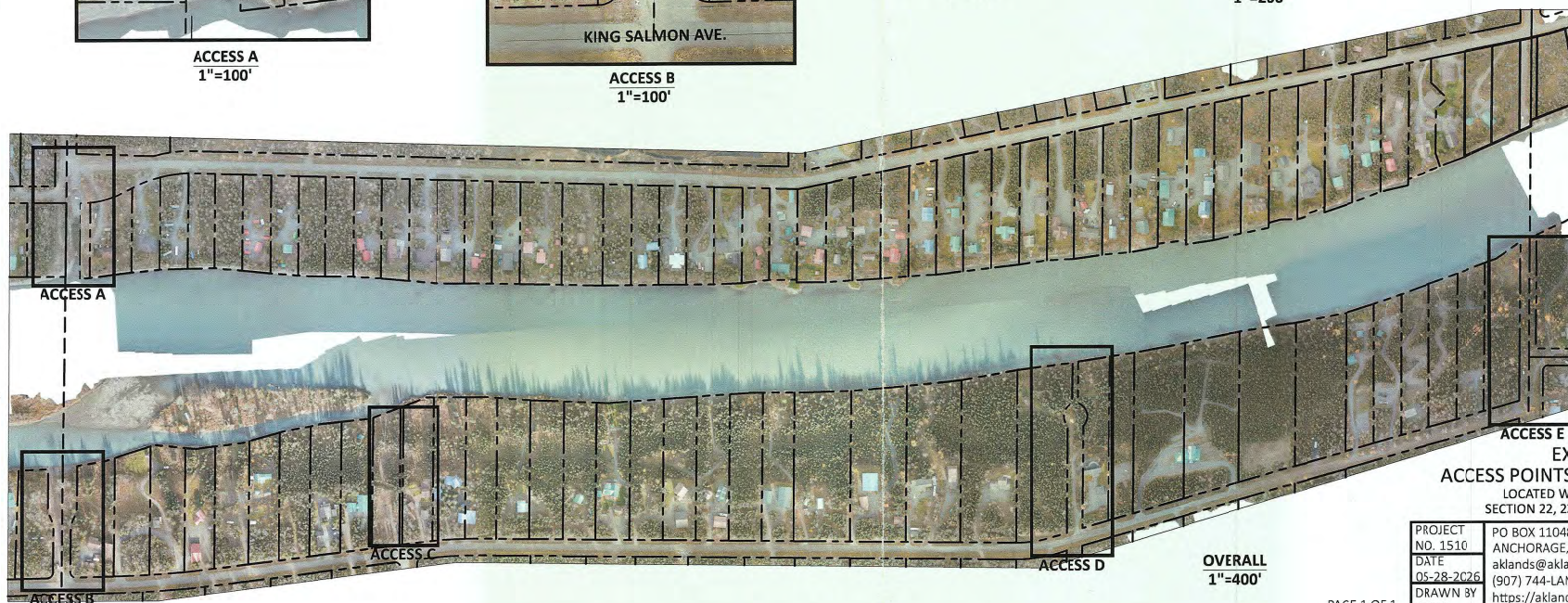
**ACCESS D**  
1"=200'



**ACCESS E**  
1"=200'

**NOTES**  
Imagery was captured on October 8-9, 2025, using a Wisp SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.



**EXHIBIT A:  
ACCESS POINTS TO THE KENAI RIVER**  
LOCATED WITHIN A PORTION OF  
SECTION 22, 23, AND 24 T5N, R9W, SM

PROJECT  
NO. 1510  
DATE  
05-28-2026  
DRAWN BY  
S/MW

PO BOX 110485  
ANCHORAGE, AK 99511  
aklands@aklands.com  
(907) 744-LAND  
https://aklands.com







Legend

Transportation

Mileposts

Roads

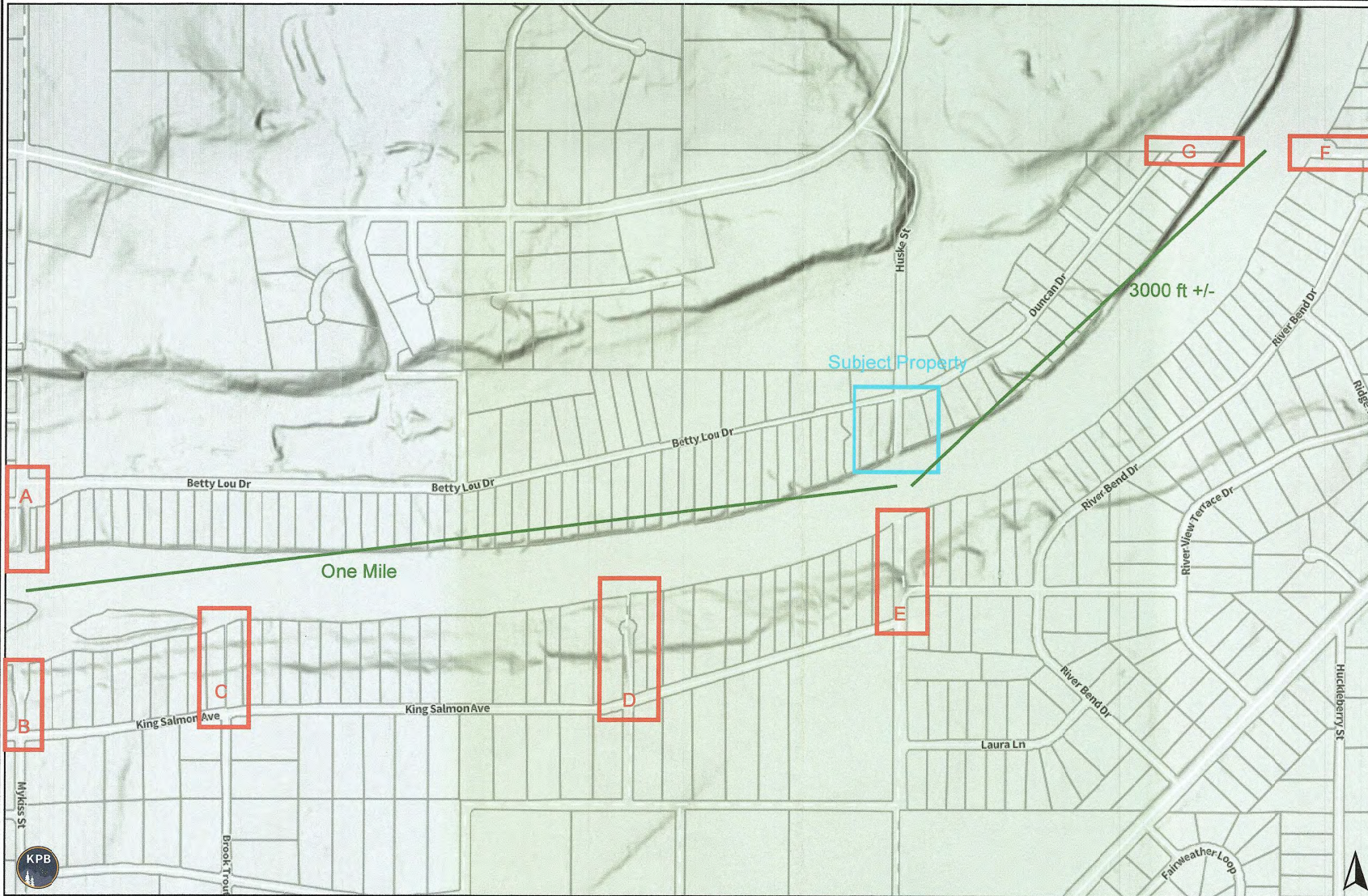
- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major Collector
- Town Medium Volume-Maintained
- Town Medium Volume-Unmaintained

Parcels and PLSS

Tax Parcels

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.





Legend

- Transportation
  - Mileposts
  - Roads
    - Legal Trail
    - Private Road
    - Proposed
    - State Highway
    - Town Low/Seasonal
    - Town Major Collector
    - Town Medium Volume-Maintained
    - Town Medium Volume-Urnmaintained
- Parcels and PLSS
  - Tax Parcels
- Terrain
  - 2008/09 LIDAR Hillshade
  - 255 - 0

0 1000 2000 ft

6/17/2026 3:14:11 PM

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## Access Point A

### Fields Road

This is a primary and substantially larger public access location. The Betty Lou Drive corridor in this area expands to approximately 178 feet in width, providing significant space for parking and maneuvering. The actual river access consists of a 50-foot dedicated right-of-way. Aerial imagery collected in October 2025 shows its developed and can accommodate river access. Google Maps imagery also depicts a slough area with boats staged along the side and a gravel area that appears to be used for parking. The configuration of the slough suggests it may provide conditions suitable for launching outside of the main river channel, which may offer a safer alternative to launching directly into the primary river flow and associated swift water conditions. The width of the corridor and available parking area allow it to accommodate multiple users without congestion, obstruction, or spillover onto adjacent properties.

Sources: Wilson-Fields Subdivision Plat 2020-10, Royal Acres Subdivision Plat 73-42, Public Road Easement recorded September 11, 2017, Serial No. 2017-007009-0, and google maps.



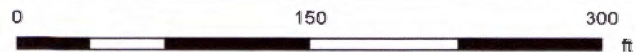
ACCESS A  
1"=100'











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## Legend

### Transportation

#### Mileposts



#### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

### Parcels and PLSS

#### Tax Parcels





# CERTIFICATE OF OWNERSHIP & DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE TO PUBLIC USE THE ROADWAYS AND UTILITY EASEMENTS SHOWN.

Lewis K. Fields OWNER OWNER

## NOTARY'S ACKNOWLEDGMENT

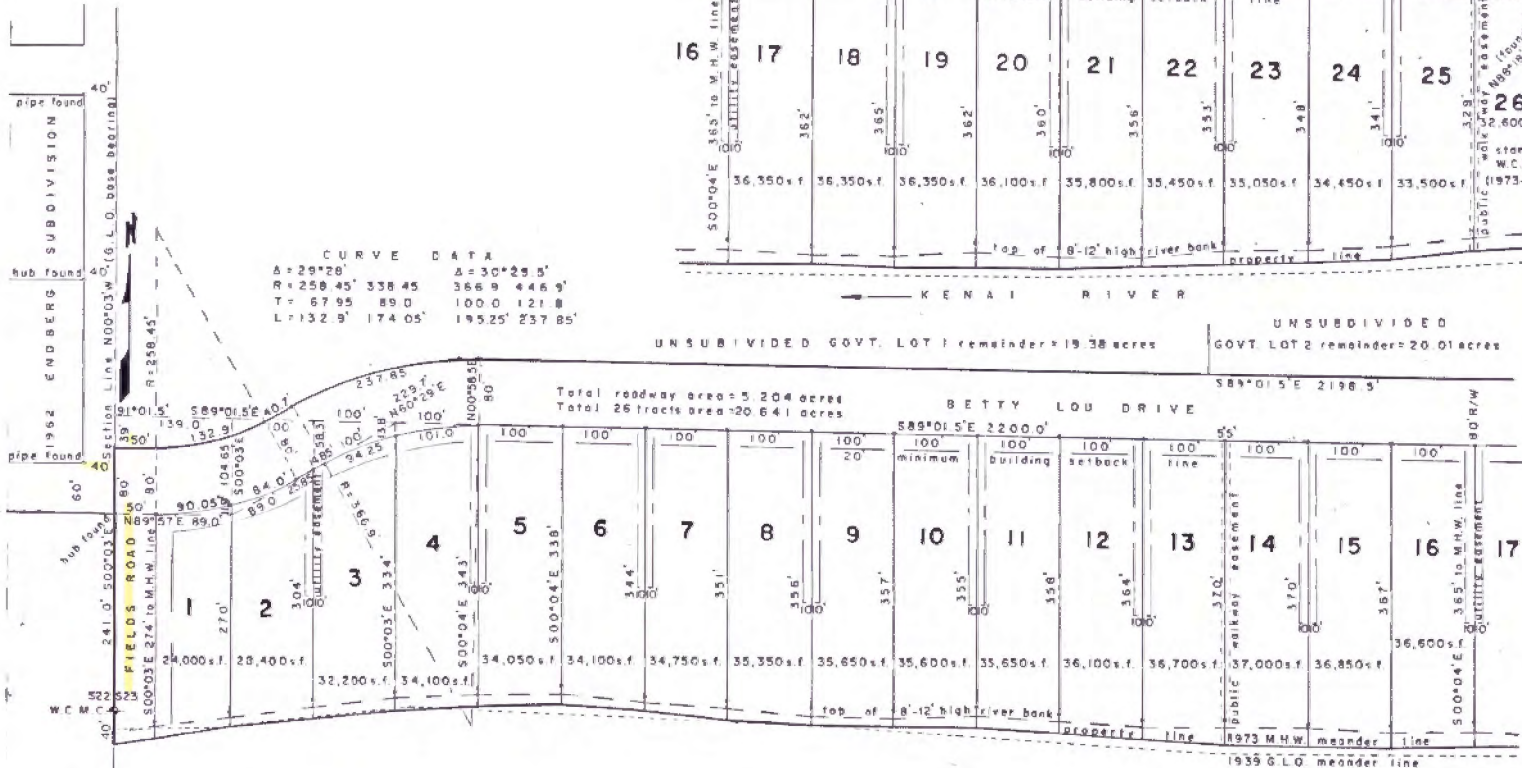
SUBSCRIBED AND SIGNED BEFORE ME THIS 30th DAY OF May, 1973

W. H. Best  
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES July 1, 1974

PLAN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION  
THIS 21st DAY OF May, 1973.

Heidi F. Thompson  
Mayor

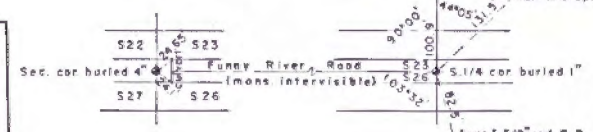


pipe found  
hub found  
1962 END BERG SUBDIVISION

W.C.M.C.  
40'  
60'  
hub found  
1962 END BERG SUBDIVISION

RESTRICTIONS:  
1. NO SEWAGE OR GARBAGE DISPOSAL ALLOWED WITHIN 150 FEET OF RIVER HIGH WATER LINE.

**ROYAL ACRES SUBDIVISION**  
25.845 ACRES OF GOVT. LOTS 1 and 2 in SECTION 23, T5N, R9W, S4M  
OWNER: LEWIS K. FIELDS, BOX 18, STERLING, ALASKA  
SURVEYOR: C. L. PARKER, R. L. S. 237, SOLDOTNA, AK.  
APRIL, 1973  
SCALE: 1" = 100'

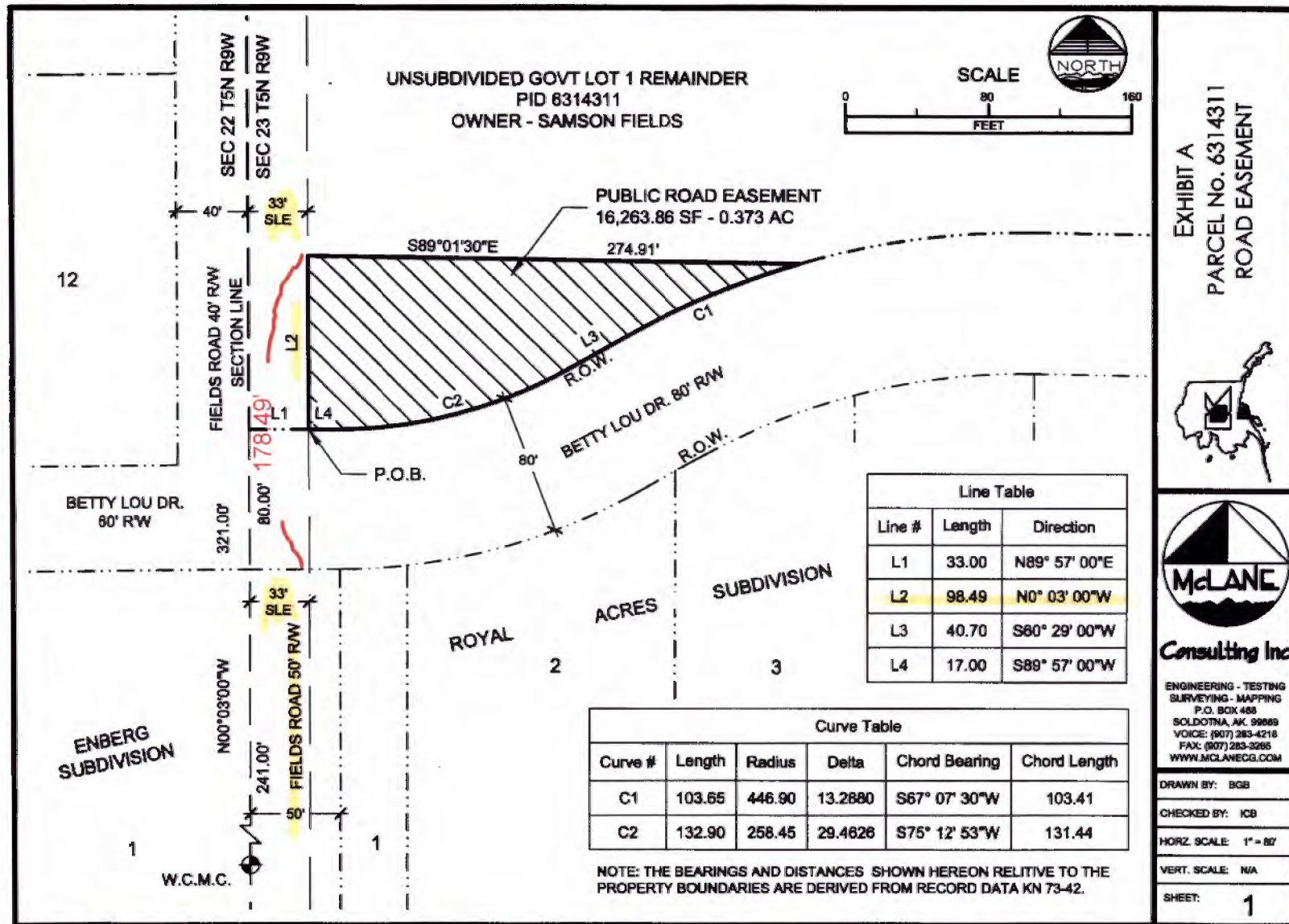


13-42  
RECORDED - FIELD  
Kenai  
DATE: 8-7-73  
BY: 3:14 P.  
KAB

Royal Acres Subd.

2020-10  
Keran  
3 4 2020  
1-40 PM  
TAM





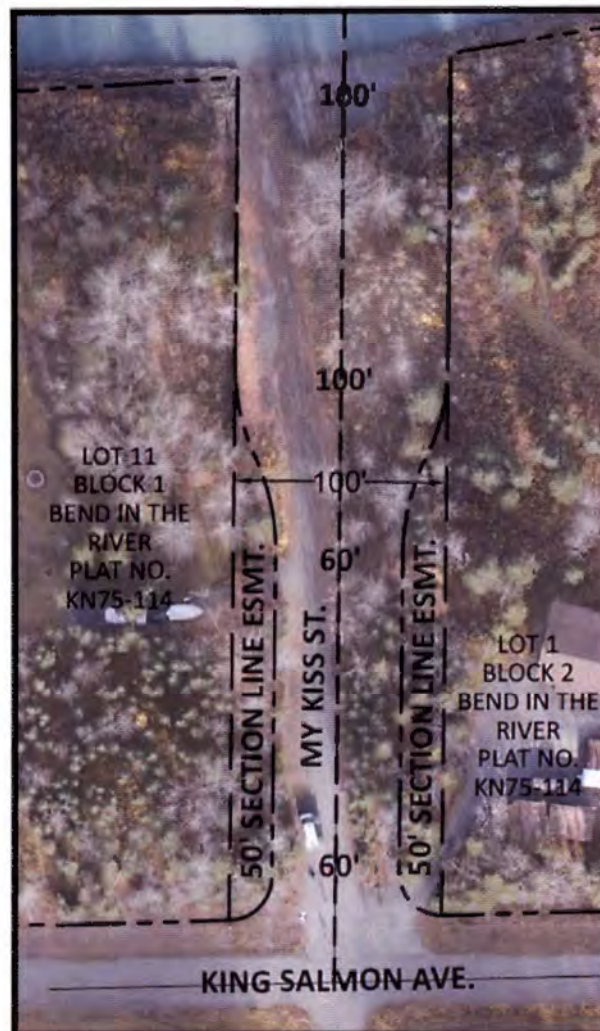
5 of 6  
2017-007009-0

## Access Point B

### Mykiss St.

This is another large, developed access point. The right-of-way begins at approximately 60 feet in width and expands to 100 feet and is further supported by a 100-foot section line easement. This wide and established corridor is capable of accommodating significantly higher volumes of public use than the Husker Street location and functions as a stable and protected access point to the river. Its size and configuration allow for circulation, staging, and sustained use without the constraints associated with smaller corridors.

Sources: Bend in the River Subdivision Plat 75-114



ACCESS B  
1"=100'





### Legend

#### Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

#### Parcels and PLSS

Tax Parcels



0 150 300  
ft

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- 1 THE NATURAL WINDS FROM THE NEAR RIVER TO THE SOUTHWEST OF ALL LOTTS BOUNDING THE WATER AND THE TRANSVERSE LINE AS IDENTIFIED BY THE SURVEY COMPARISONS AND DATA ONLY.
- 2 ALL OTHER LOTS SET ON THE EAST SIDE OF THE TRANSVERSE LINE ARE FINISHED CORNERS WITH THE CORNERS BEING ON THE EXTENSION OF LOT LINES TO THE HIGHER HIGH WATER LINE.
- 3 ALL WEATHERED ARE BASED IN THE 1930 DATUM OF THE GENERAL SURVEY FOR THE TOWN OF WESTPORT TO SECTIONS 23 AND 24; FILE NO. 38-136-3.
- 4 ANY DESTRUCTIVE DITCH SYSTEM SHALL BE A MINIMUM OF 10' WIDE FROM THE WESTERN ADJACENT WATER LINE - OF THE RIVER REVER.
- 5 THE LAND IS THE WEST PORTION OF A LOT AND LOT OF 10.000 P. IS ADJOINING TO HIGH GROUND WATER
- 6 THERE SHALL BE TWENTY FOOT BUILDING SET BACK FROM ALL FRONT LOT LINES.
- 7 THE PROPOSED USE OF THIS SUBDIVISION IS RESIDENTIAL AND RECREATIONAL.
- 8 THE FLOOR OF THE STRUCTURE LOCATED ON THIS SUBDIVISION SHALL BE AT LEAST ONE FEET ABOVE THE 1930 FLOOD LINE.

CURVE DATA					
NO.	WAVELENGTH	WAVELENGTH	TRANSMITTANCE	CONCENTRATION	ABSORPTIVITY
1	348.5 NM	54.50%	1.00 ± 0.01	0.15 ± 0.01	293.8
2	310.5 NM	40.50%	0.92 ± 0.01	0.15 ± 0.01	196.8
3	290.5 NM	36.50%	0.80 ± 0.01	0.15 ± 0.01	166.7
4	270.5 NM	32.50%	0.65 ± 0.01	0.15 ± 0.01	116.67
5	250.5 NM	28.50%	0.50 ± 0.01	0.15 ± 0.01	83.33
6	232.5 NM	24.50%	0.35 ± 0.01	0.15 ± 0.01	55.56
7	217.5 NM	20.50%	0.18 ± 0.01	0.15 ± 0.01	27.78
8	202.5 NM	16.50%	0.10 ± 0.01	0.15 ± 0.01	16.67
9	187.5 NM	12.50%	0.05 ± 0.01	0.15 ± 0.01	8.33
10	173.5 NM	8.50%	0.03 ± 0.01	0.15 ± 0.01	4.17
11	159.5 NM	4.50%	0.01 ± 0.01	0.15 ± 0.01	0.83
12	145.5 NM	0.50%	0.00 ± 0.01	0.15 ± 0.01	0.00
13	131.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
14	117.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
15	103.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
16	89.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
17	75.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
18	61.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
19	47.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00
20	33.5 NM	0.00%	0.00 ± 0.01	0.15 ± 0.01	0.00



78-118  
44-38860 - FILED  
Alameda, CALIF. 1964  
DATE 10-22-72  
TIME 4:29 P  
RECORDED BY LFB  
*INDEXED

PLAT OF  
**BENDIN THE RIVER SUBDIVISION**  
A SUBDIVISION OF GOVERNMENT LOT 1 & SEC 22,  
AND GOVERNMENT LOTS 1 & 2, SEC 22, AND 51/2 SW 1/4,  
SEC 22, ALL LOCATED WITHIN T35N, 90W, S14, CONTAINING 766 ACRES MORE OR LESS

**SEARS, SCHWEITZER AND ASSOCIATES**  
REGISTERED LAND SURVEYORS  
2311 EAST 20TH AVENUE  
ANCHORAGE, ALASKA 99504

DATE JULY 14/2019	SCALE 1"=40'	GRID NAD 83	DRAWN BY J. LINDA	REC. 73-5
			CHECKED BY S. J. LINDA	S.E. 96 32



## Access Point C

### 10' Walkway

Off Kings Salmon Dr there is a 10-foot-wide dedicated walkway easement that provides direct access to the Kenai River between Lot 10 and Lot 11, Block 2 of the Bend in the River Subdivision (Plat 75-114). While this access point is not currently developed, it represents an additional legally dedicated public access corridor to the river and contributes to the overall access network in the area.

Sources: Bend in the River Subdivision Plat 75-114



ACCESS C  
1"=200'





### Legend

#### Transportation

##### Mileposts

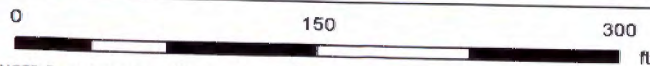


##### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

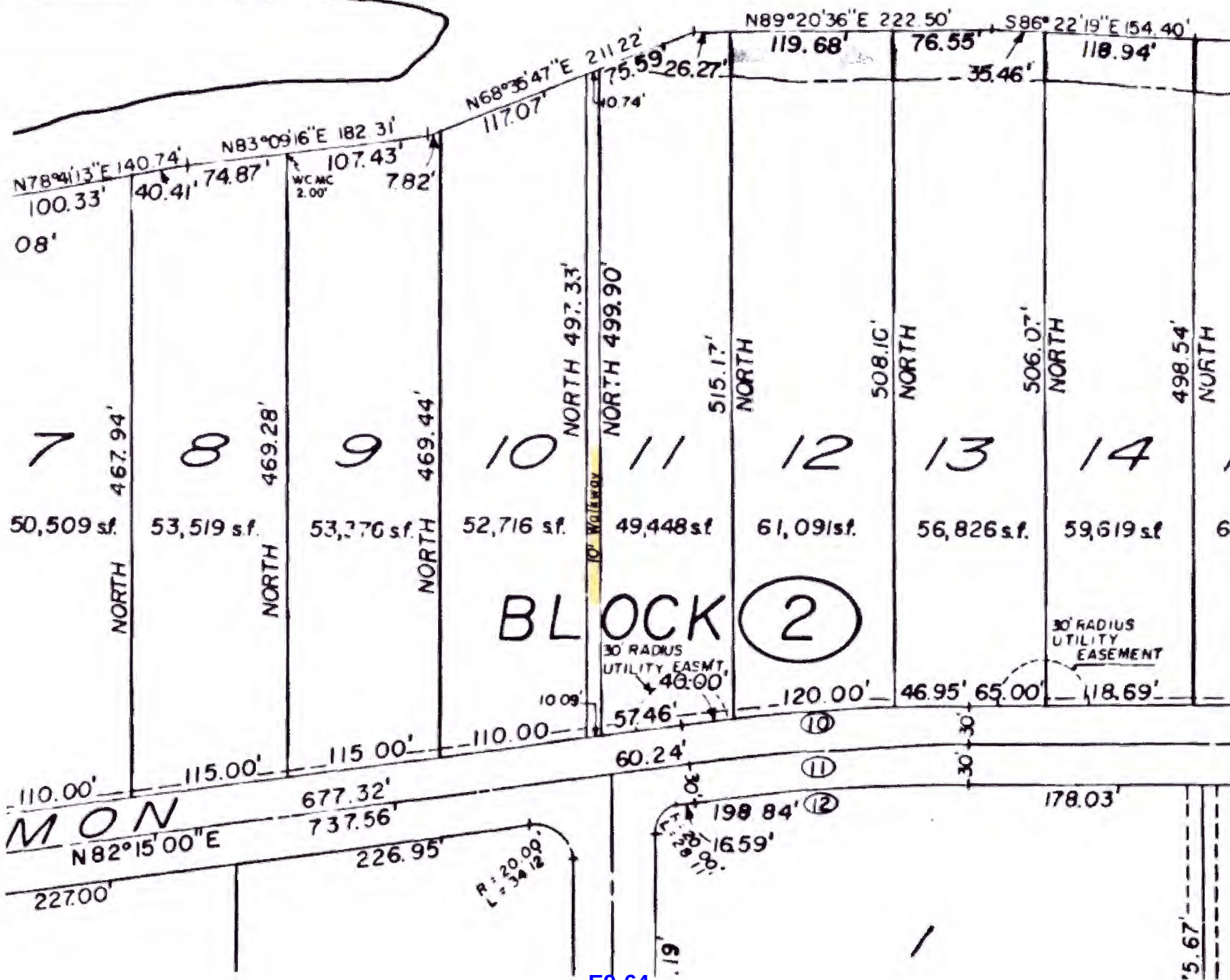
#### Parcels and PLSS

##### Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.









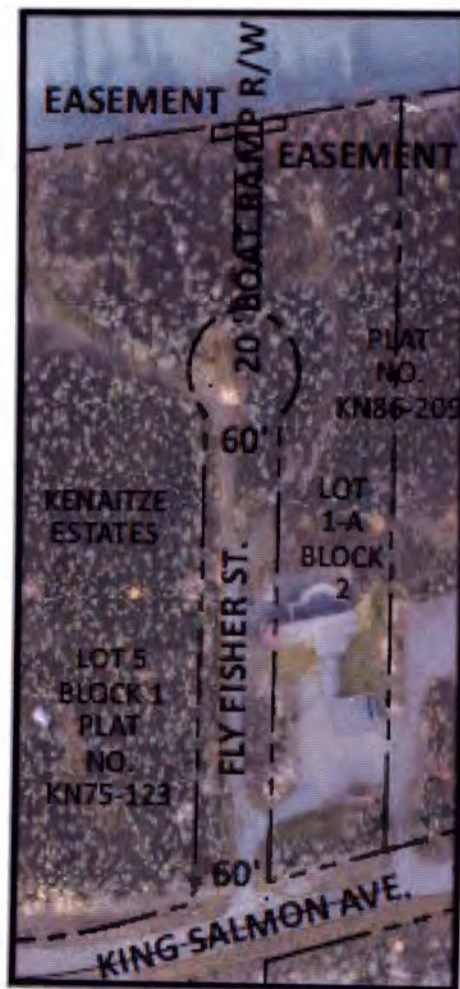


## Access Point D

### Flyfisher Street

Flyfisher Street– Access is provided by a 60-foot-wide dedicated right-of-way (Flyfisher Street) that transitions into a 50-foot cul-de-sac, continuing toward a dedicated 20-foot boat ramp right-of-way at the river, along with two associated 10-foot by 20-foot easements along the shoreline. The access road is developed to the cul-de-sac and, while not fully constructed beyond that point, the corridor is clearly designed to support boat launching and river access. This configuration provides a structured, purpose-built access point intended to accommodate recreational use in a controlled and functional manner.

Sources: Kenaitze Estates Subdivision Plat 75-123, Kenaitze Estates Subdivision Yamamoto's and Yamada's Addition Plat 86-209



**ACCESS D**  
**1"=200'**





### Legend

#### Transportation

Mileposts



Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

#### Parcels and PLSS

Tax Parcels



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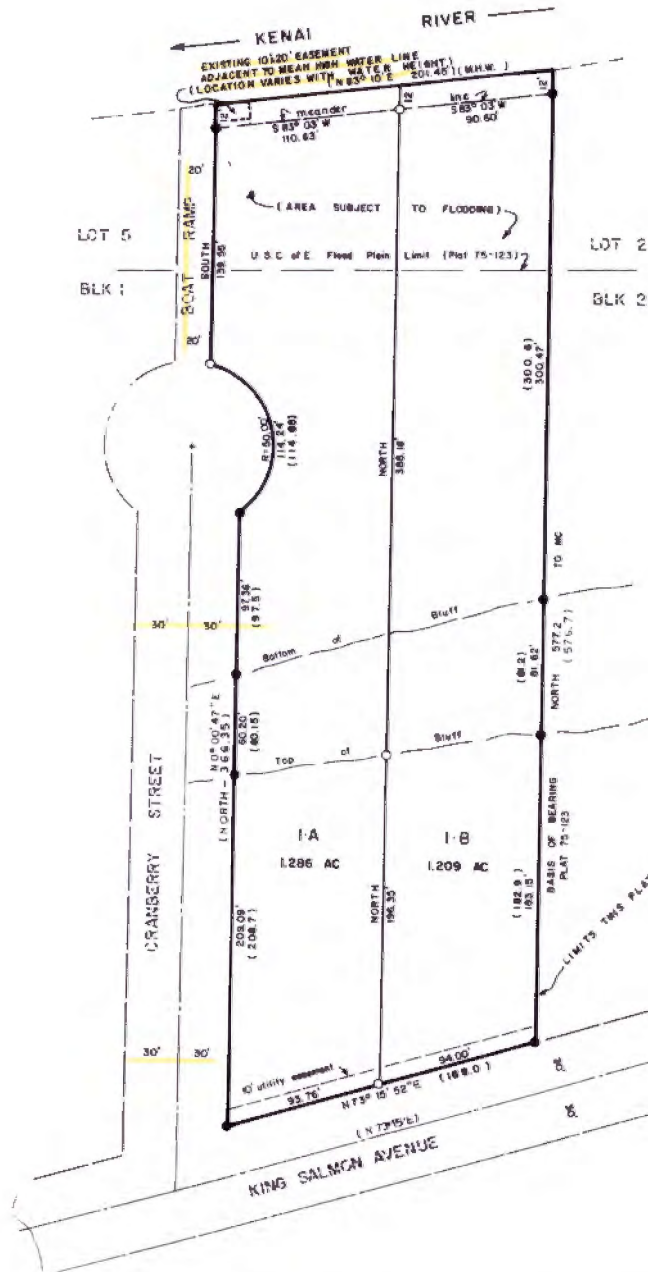




N

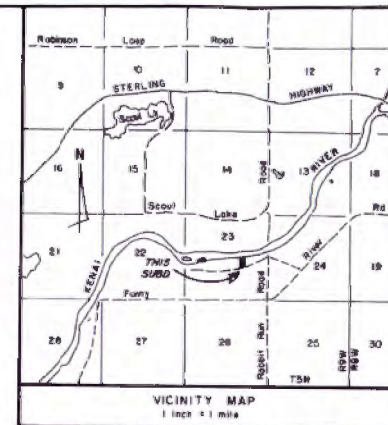
LEGEND

- 1/2" REBAR FOUND
- 5/8" x 24" REBAR SET
- ( ) RECORD DATA PLAT 75-123



NOTES

- 1) THE FIRST FLOOR OF ANY BUILDING SHALL BE CONSTRUCTED THREE (3) FEET ABOVE THE U.S. CORPS OF ENGINEERS FLOOD LEVEL.
- 2) THE ORDINARY HIGH WATER MARK OF THE KENAI RIVER (H.W.) FORMS THE NORTHERLY BOUNDARY OF THE SUBD. THE RECORD MEANDER AS SHOWN IS FOR COMPUTATIONAL PURPOSES ONLY.
- 3) 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.
- 4) 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.



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, that we adopt this plan of subdivision, and do hereby dedicate all rights of way to public use, and grant all easements to the use shown.

RONALD S. YAMAMOTO  
DRAWER 4363  
KENAI, ALASKA 99669

KERRY S. YAMADA  
DRAWER 3550  
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGMENT

For RONALD S. YAMAMOTO AND KERRY S. YAMADA  
Subscribed to and sworn before me this _____ day of _____, 19____.

My commission expires _____

Notary Public for Alaska

PLAT APPROVAL

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

MAY 12, 1986  
Kenai Peninsula Borough  
By *Richard T. Torg*  
Authorized Official

KENAITZE ESTATES SUBDIVISION  
YAMAMOTO'S and YAMADA'S ADDITION

A SUBDIVISION OF LOT 1 BLK 2 KENAITZE ESTATES SUBD.  
PLAT 75-123 K.R.D. LOCATED WITHIN THE NE 1/4 AND SE 1/4 SEC 23 T5N R9W S4M, ALASKA

CONTAINING 2.495 AC KENAI RECORDING DISTRICT

OWNERS:		MALONE SURVEYING BOX 566 KENAI, ALASKA 99611	
RON YAMAMOTO DRAWER 4363 KENAI ALASKA 99669	and KERRY YAMADA DRAWER 3550 SOLDOTNA, ALASKA 99669		
JOB NO. R6021	FB 86-09	DATE OF SURVEY 5/19/86	
DRAWN 60*	CHECKED JTB		
SCALE 1 inch = 50 feet		KPB FILE NO. 88-131	



86-209  
Kenai  
1/12/86  
1/12/86

KN 86-209

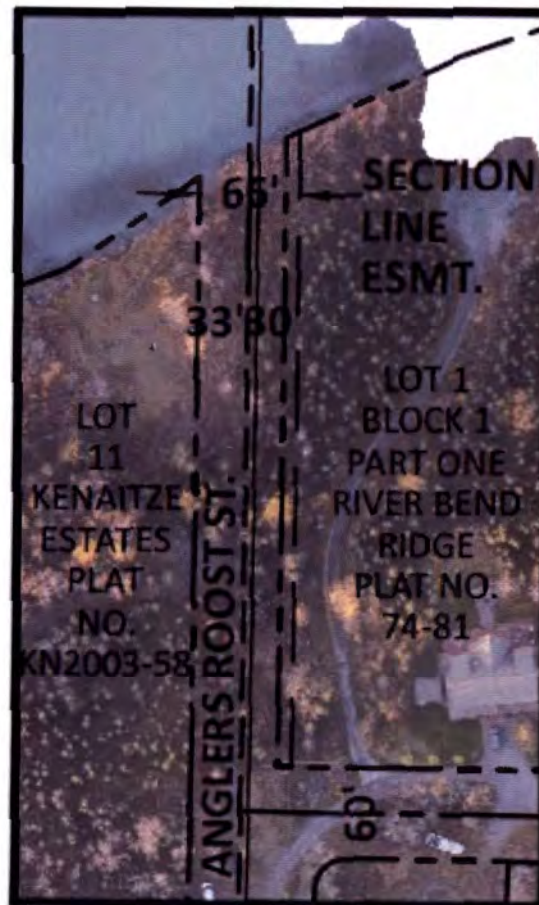


## Access Point E

### Anglers Roost Road

A 66-foot-wide dedicated right-of-way located directly across the river from Huske Street provides a substantially wider corridor than the Huske Street access. While not fully developed, it remains a legally established public access route and contributes to a distributed system of river access, providing additional capacity for future use.

Sources: Kenaitze Estates Subdivision Fall Addition Plat 2003-58, Part One River Bend Ridge Plat 74-81



**ACCESS E**  
**1"=200'**





### Legend

#### Transportation

##### Mileposts

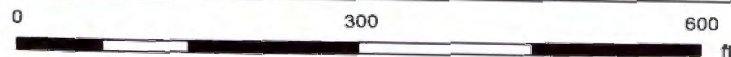


##### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

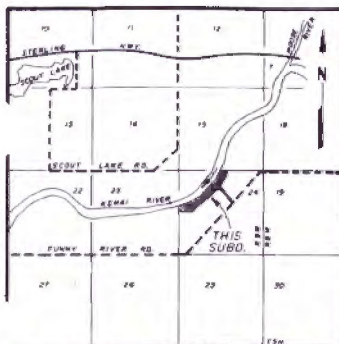
#### Parcels and PLSS

##### Tax Parcels



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VICINITY MAP  
SCALE 1" = 1 MILE

PLAT APPROVAL

Plat approved by the Commission this  
7th day of August, 1974

*Harvey L. Thompson*  
Mayor

CURVE DATA

CURVE	Δ	R	L	Ch	T
1	21° 30' 00"	300.00	112.87	111.34	36.96
2	26° 17' 10"	300.00	137.63	136.43	70.05
3	32° 36' 00"	300.00	170.69	168.40	87.73
4	20° 00' 00"	300.00	104.72	104.19	52.90
5	14° 00' 00"	300.00	73.90	73.12	36.84
6	13° 00' 00"	300.00	68.07	67.92	34.16

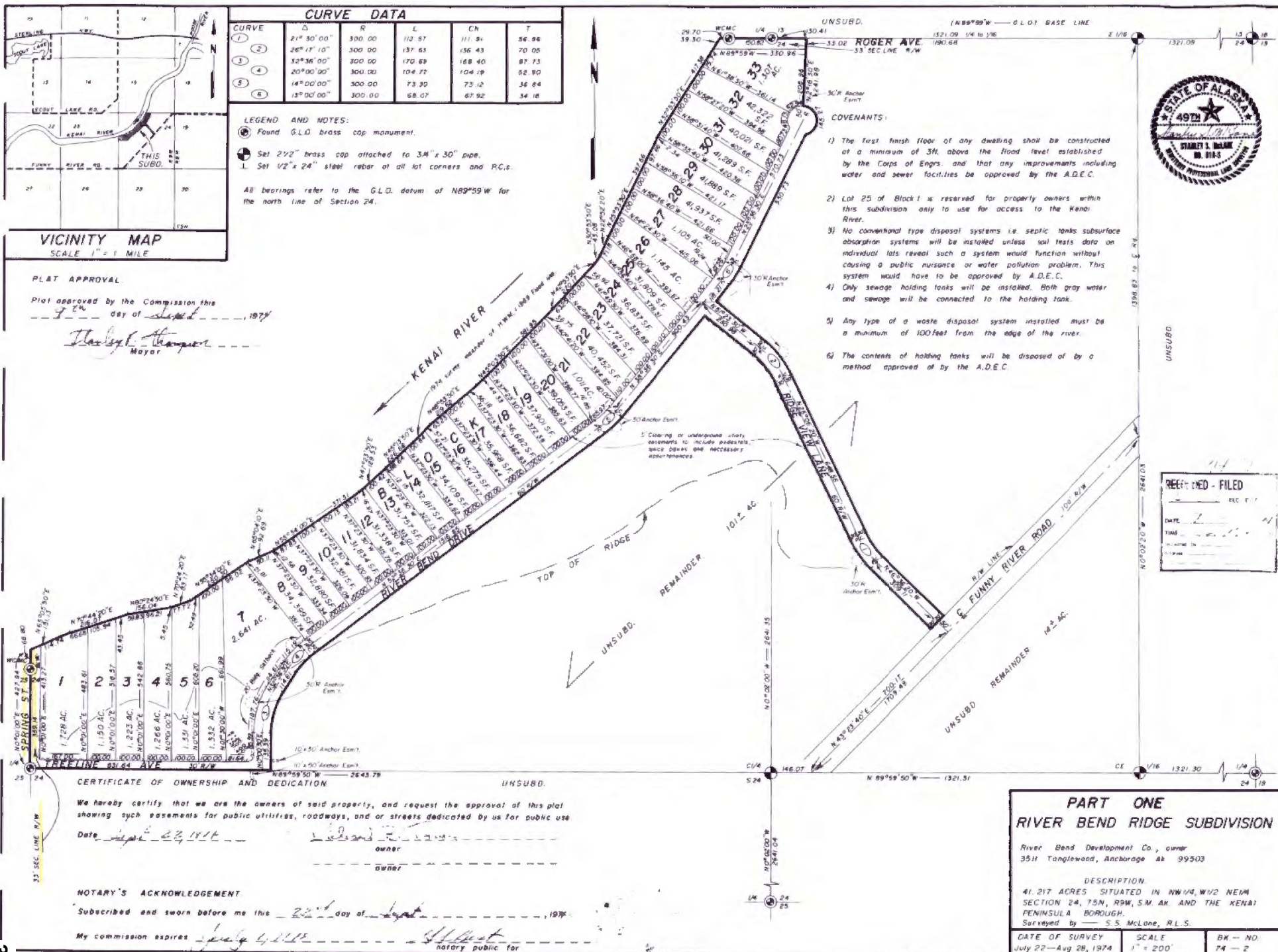
LEGEND AND NOTES:

① Found G.L.D. brass cap monument.

② Set 2 1/2" brass cap attached to 3/4" x 30" pipe.

③ Set 1/2" x 24" steel rebar at all lot corners and P.C.s.

All bearings refer to the G.L.D. datum of N89°59'W for the north line of Section 24.



COVENANTS:

- 1) The first finish floor of any dwelling shall be constructed at a minimum of 3ft. above the flood level established by the Corps of Engrs. and that any improvements including water and sewer facilities be approved by the A.D.E.C.
- 2) Lot 25 of Block 1 is reserved for property owners within this subdivision only to use for access to the Kenai River.
- 3) No conventional type disposal systems i.e. septic tanks subsurface absorption systems will be installed unless soil tests data on individual lots reveal such a system would function without causing a public nuisance or water pollution problem. This system would have to be approved by A.D.E.C.
- 4) Only sewage holding tanks will be installed. Both gray water and sewage will be connected to the holding tank.
- 5) Any type of a waste disposal system installed must be a minimum of 100 feet from the edge of the river.
- 6) The contents of holding tanks will be disposed of by a method approved of by the A.D.E.C.

RECEIVED - FILED

DATE: 8/22/74  
TIME: 1:15 PM  
BY: [Signature]

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use

Date: 8/22/74

owner

owner

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 22nd day of August, 1974

My commission expires July 4, 1975

notary public for

PART ONE  
RIVER BEND RIDGE SUBDIVISION

River Bend Development Co., owner  
3511 Tanglewood, Anchorage Ak 99503

DESCRIPTION:  
41.217 ACRES SITUATED IN NW1/4, W1/2 NE1/4  
SECTION 24, T5N, R9W, S4M AK AND THE KENAI  
PENINSULA BOROUGH.  
Surveyed by S.S. McLane, R.L.S.

DATE OF SURVEY: July 22-Aug 26, 1974  
SCALE: 1" = 200'  
BK - NO: 74 - 2



# NOTES

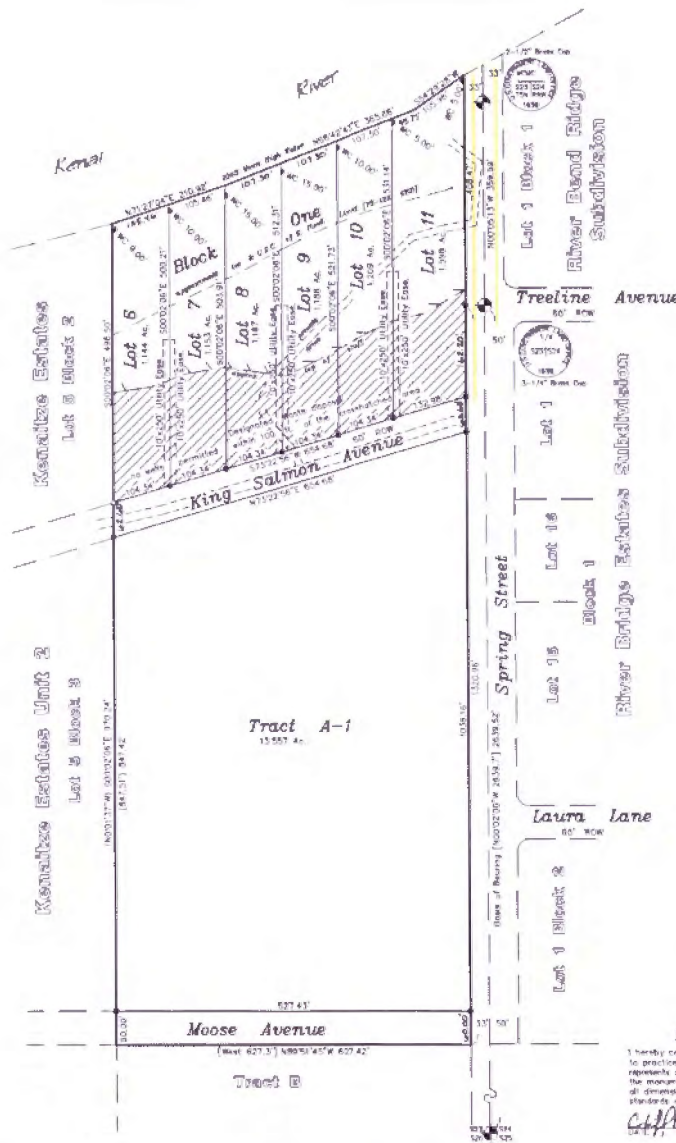
- Proposed land uses are recreational, residential, agricultural, and commercial.
- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Front 10 ft. of the building setback adjacent to rights-of-way with an additional 10 ft. within 50 ft. of the side property lines is designated as a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the utility's use of the easement.
- Lots within this subdivision may be located within a designated flood hazard area if such is the case. Development must comply with Title 21 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
- Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- The natural meanders of the line of Mean High Water or Ordinary High Water forms the true bounds of the subdivision. The approximate line of Mean High Water or Ordinary High Water, as shown in the computations only. The true property corners being on the meanders of the side lot lines and their intersection with the natural meanders.
- An exemption to KRS Subdivision Ordinance 20.20.180 (3.1 mile) was granted by the Plat Committee August 22, 2003.
- Portions of this subdivision are within the Kenai Peninsula Borough 501 In-stream Stream Habitat Protection Area. Development may be restricted under Chapter 20.18 Kenai Peninsula Borough Code of Ordinances.
- WASTEWATER DISPOSAL:** Tract A-1 is at least 200,000 square feet or more 3 acres in size 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: Soil conditions for lots 6 - 11 may be unsuitable for conventional wastewater treatment and disposal systems. Plans for a typical on-site wastewater disposal system for use on lots in this subdivision are included in the Kenai Peninsula Borough and State codes and are available from the Kenai Peninsula Borough at alternate on-site wastewater treatment and disposal systems must be designed by a professional engineer registered in practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

ALTA Survey  
3200 F  
25 SEP 03

## LEGEND

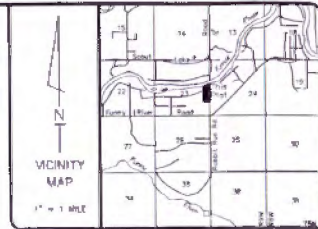
- Monument (found this survey)
- Monument (not this survey)
- 5/8" Rebar (found this survey)
- 5/8" Rebar (not this survey)
- Witness Corner Marker Corner 5/8" Rebar (not this survey)
- Record Datum - Kenaitze Estates Unit 2, Plat # 75-124-000
- Record Datum - Kenaitze Estates Subdivision, Plat # 75-123-000



## CERTIFICATE OF SURVEYOR

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 herein actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

Chad B. Doe, Surveyor  
12 SEP 03



## CERTIFICATE OF OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADVERTISE 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.

Larry R. Hu  
2802 East Bay Drive  
Ogish, Alaska 99553

## NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY OF SEPTEMBER 2003 FOR LARRY R. HU, KENAI, ALASKA, I, JILL L. TALL, a Notary Public in and for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me.

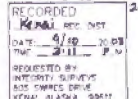


## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 12:00 PM, August 25, 2003.

WENDE RICHARDS, BOROUGH CLERK

Chad B. Doe, Surveyor



KPS FILE No. 2003-091

## Kenaitze Estates Fall Addition

A subdivision of Tract A Kenaitze Estates Subdivision, Plat No. 75-123-000

Located within the NE 1/4 & SW 1/4 of Section 22, T56N, R99E, S14W, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 22.790 Acres

## Integrity Surveys

8000 Salvo Drive  
Kenai, Alaska 99511-8363  
SURVEYORS PHONE - (907) 383-8047 FAX - (907) 383-8071 PLANNERS

JOB NO. 23085	DATE 2 September, 2003	CB
SURVEYED June - July 2003	SCALE 1" = 100'	
FIELD BY 2003-02, Pg. 33	DISK Kenaitze	





## Legend

### Transportation

#### Mileposts

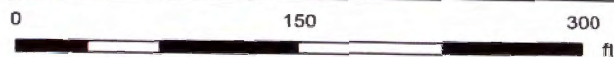


#### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

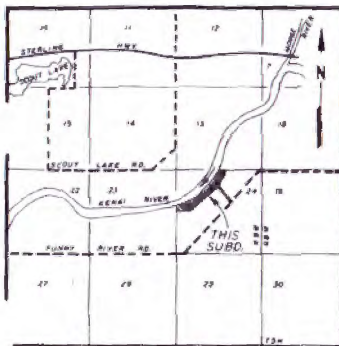
### Parcels and PLSS

#### Tax Parcels



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VICINITY MAP  
SCALE 1" = 1 MILE

PLAT APPROVAL

Plat approved by the Commission this  
24 day of August, 1974

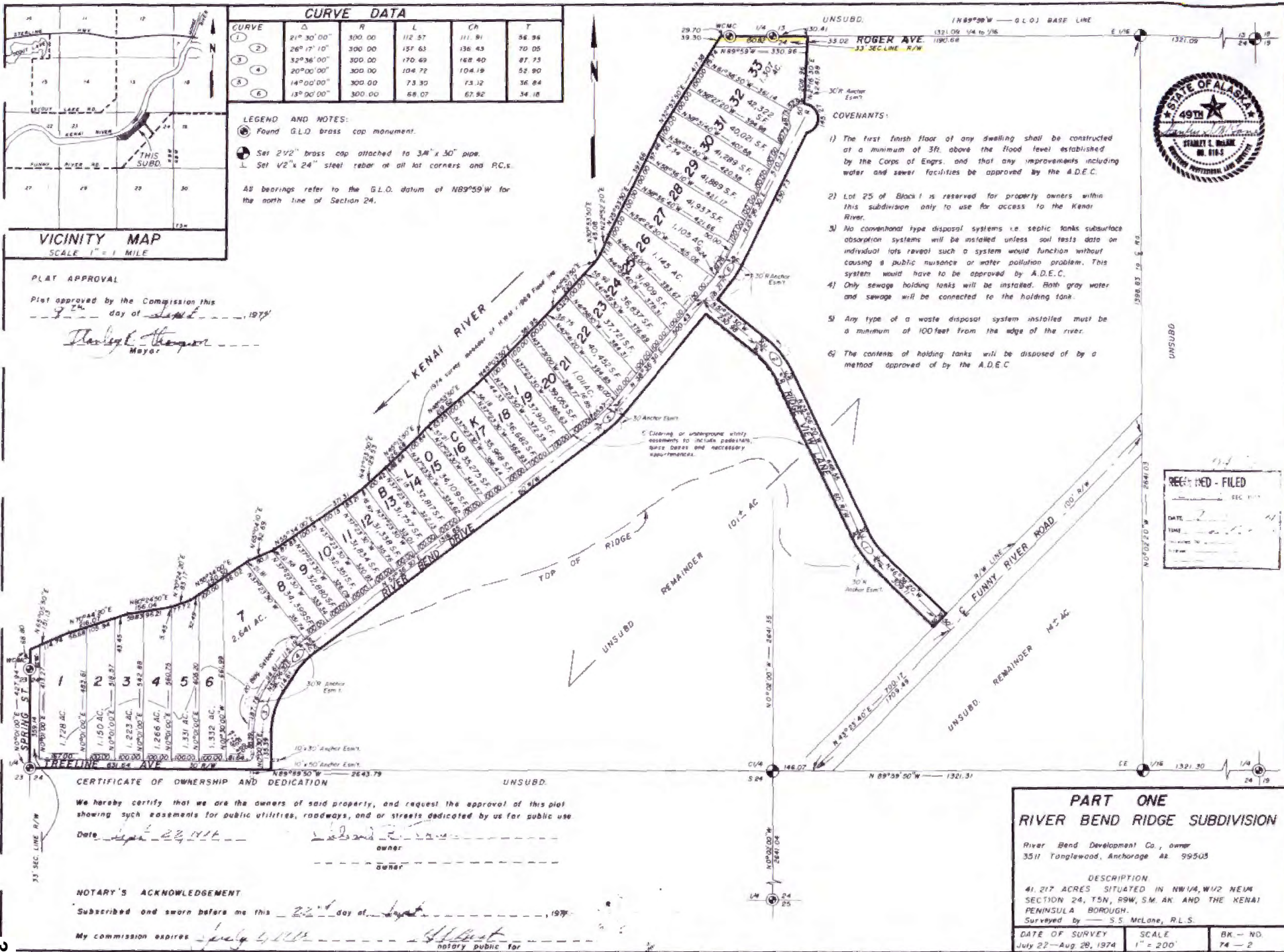
*Harold K. Thompson*  
Mayor

CURVE DATA					
CURVE	Δ	R	L	CH	T
1	21° 30' 00"	300.00	112.57	111.91	56.96
2	26° 17' 10"	300.00	157.63	136.43	70.05
3	32° 36' 00"	300.00	170.69	162.40	87.73
4	20° 00' 00"	300.00	104.72	104.19	52.90
5	14° 00' 00"	300.00	73.80	73.32	36.84
6	13° 00' 00"	300.00	68.07	67.92	34.18

LEGEND AND NOTES:

- Found G.L.D. brass cap monument.
- Set 2 1/2" brass cap attached to 3/4" x 30" pipe.
- Set 1/2" x 24" steel rebar at all lot corners and P.C.'s.

All bearings refer to the G.L.D. datum of N89°59'W for the north line of Section 24.



COVENANTS:

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- Lot 25 of Block 1 is reserved for property owners within this subdivision only to use for access to the Kenai River.
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- Only sewage holding tanks will be installed. Both gray water and sewage will be connected to the holding tank.
- Any type of a waste disposal system installed must be a minimum of 100 feet from the edge of the river.
- The contents of holding tanks will be disposed of by a method approved of by the A.D.E.C.



UNSUBD.

RECEIVED - FILED  
DATE: 2  
TIME: 11:15 AM  
JUL 27 1974

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use

Date: July 23, 1974  
owner: River Bend Development Co., Inc.  
owner: Stanley C. Hall

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 23 day of July, 1974

My commission expires July 23, 1975  
notary public for

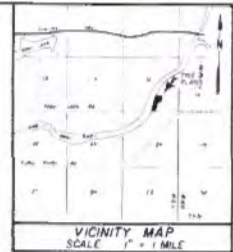
PART ONE  
RIVER BEND RIDGE SUBDIVISION

River Bend Development Co., owner  
3511 Tanglewood, Anchorage Ak. 99503

DESCRIPTION  
41.217 ACRES SITUATED IN NW 1/4, W1/2 NE 1/4  
SECTION 24, T5N, R9W, S1M. AK AND THE KENAI  
PENINSULA BOROUGH.  
Surveyed by S.S. McLane, R.L.S.

DATE OF SURVEY SCALE BK. - NO.  
July 27 - Aug 26, 1974 1" = 200' 74 - 2





TRACT - 2  
HOUSE SUBD



LEGEND AND NOTES

- 1. Found P.O. BC. (enclosure)
- 2. Found official survey BC. (enclosure) (40.5)
- 3. 1/2" x 1/2" plan view of lot at corner
- 4. Found 1/2" plan
- 5. 1/2" plan view of lot at corner
- 6. 1/2" plan view of lot at corner
- 7. 1/2" plan view of lot at corner
- 8. 1/2" plan view of lot at corner
- 9. 1/2" plan view of lot at corner
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- 11. 1/2" plan view of lot at corner
- 12. 1/2" plan view of lot at corner
- 13. 1/2" plan view of lot at corner
- 14. 1/2" plan view of lot at corner
- 15. 1/2" plan view of lot at corner

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property and we hereby dedicate the same to the public for the use and enjoyment of the public.

Subscribed and sworn before me this 12th day of 1997.

My commission expires 12-31-99.

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

PLAT APPROVAL

This plat having been approved by the State Planning Commission is recorded in the official records of the Department of Natural Resources.

RECORDED

By [Signature]

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

Notary Public for Alaska

HOUSE SUBDIVISION  
- PART ONE -

1. 1/2" plan view of lot at corner

2. 1/2" plan view of lot at corner

3. 1/2" plan view of lot at corner

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## Legend

### Transportation

#### Mileposts

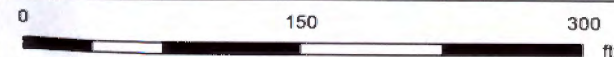


#### Roads

- Legal Trail
- Private Road
- Proposed
- State Highway
- Town Low/Seasonal
- Town Major
- Collector
- Town Medium
- Volume-Maintained
- Town Medium
- Volume-
- Unmaintained

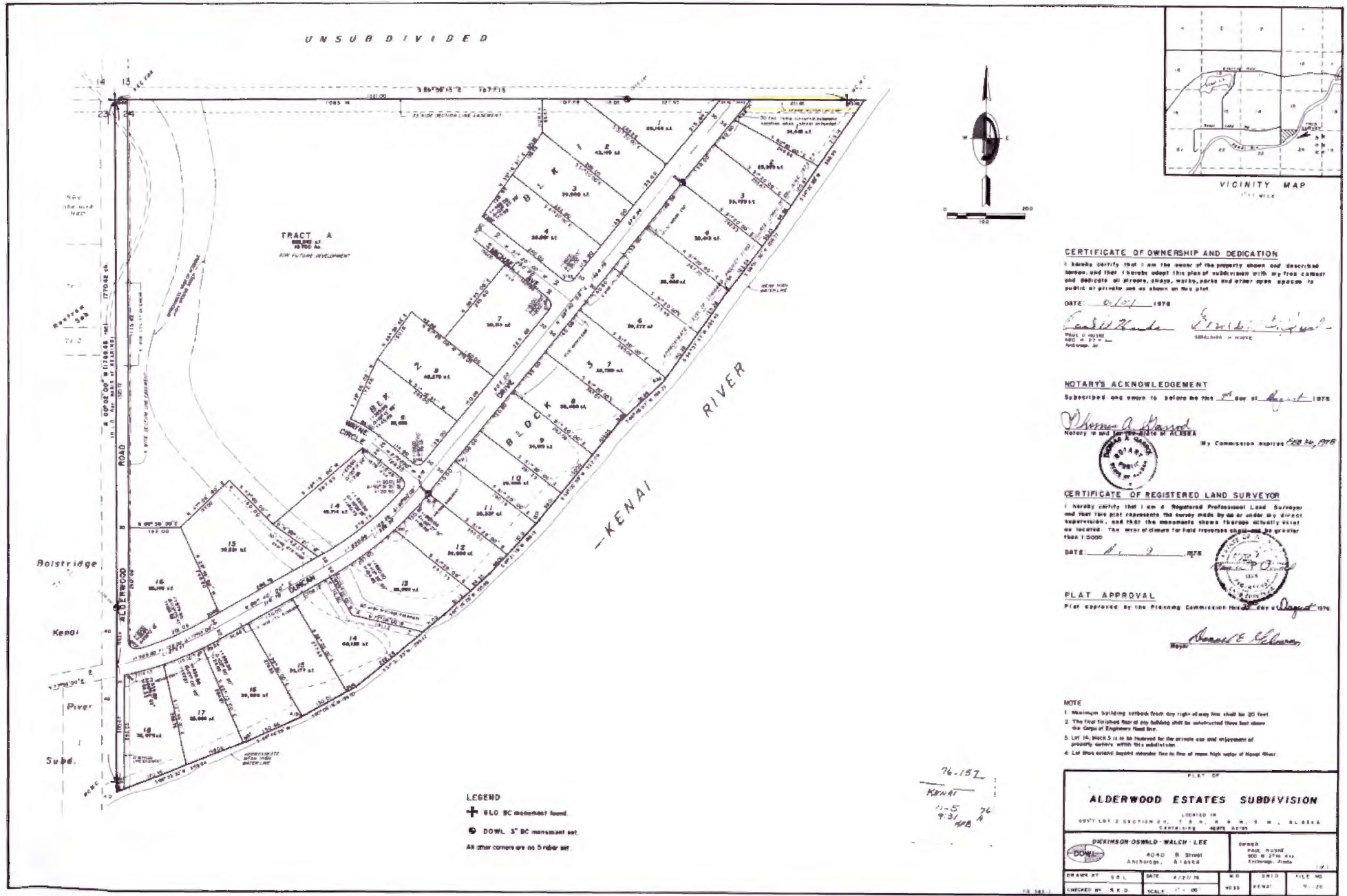
### Parcels and PLSS

#### Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.











## Appendix C

The following photographic evidence documents the long-term and ongoing conditions at the Huske Street corridor. These images demonstrate that the section-line easement and right-of-way have not functioned as a travel corridor for access to the Kenai River, but instead have been consistently used for prolonged occupation, obstruction of access, environmental degradation and unmanaged activity.

## 1. Documented Long Term Pattern Use (1999-Present)

Historic and recent photographs show that the Huske Street corridor has consistently been used for gathering, parking, and prolonged occupation rather than as a route of travel. Vehicles and individuals occupy the full width of the corridor, obstructing access to and from the river

Figures 1-4





## Blocking Access





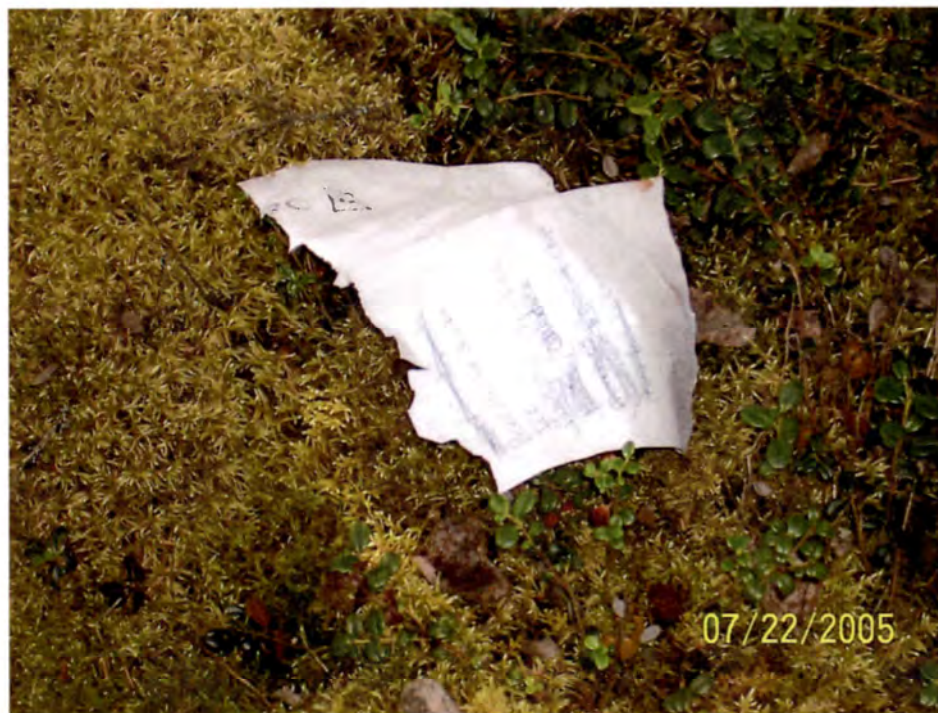




## **2. Trash and Waste Conditions (2005 to Present)**

Photographs taken in 2005 and 2024 show continued accumulation of trash, refuse, and debris within the corridor. The conditions observed are not new and have persisted over time, demonstrating a consistent pattern of unmanaged use. - **Figures 5-8**

### **Trash 2025**



### **Trash Bags Hanging from Private Property**









### 3. Human Waste and Environmental Impacts

Figure 9

**Picture taken in 2005**-Photograph document the presence of human waste and pollutants along the riverbank within the corridor. These conditions are inconsistent with the intended function of a public access easement and demonstrate ongoing environmental degradation.

#### Human Waste





#### **4. Bank Degradation and Informal Trails**

##### **Figures 10-11**

Photographs show removal of vegetation along the riverbank and the creation of informal trails leading to the river. These paths have developed through repeated use rather than design and contribute to erosion and environmental disturbance

**Photograph from 2005 showing the trail, vegetation and new fence.**





**Photo 2024 – Trail Now-** Photographs show removal of riverbank vegetation and the creation of informal access trails. These paths have developed through repeated use rather than design and contribute to erosion and environmental degradation along the riverbank





## 5. Informal Development and Private Property Damage

Images show the creation of informal or makeshift facilities within the corridor, including fish-cleaning areas and other temporary installations. These features indicate that the site is being used as a destination and activity area rather than as a point of access. In addition, photographs show repeated damage to fencing and private improvements adjacent to the corridor. This shows ongoing trespass and damage to private property. - **Figures 12-14**

This photo was taken in 2005 showing the new fence





This photo shows the damaged fence and the creation of makeshift facilities





This photo shows the ongoing use of different makeshift facilities.





# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER 6/16/26)**

- 9. Section Line Easement Vacation; KPB File 2026-069V  
AK Lands / Huske, Montgomery  
Request: Vacates a portion of a section line easement  
within Huske Street  
Sterling Area**

**From:** [Lamas, Louanne L \(DNR\)](#)  
**To:** [Carpenter, Beverly](#)  
**Cc:** [Hovancsek, Danny L \(DNR\)](#); [Braun, Victoria K \(DNR\)](#); [Brown, Stanley C \(DNR\)](#); [Donohue, Joseph M \(DNR\)](#)  
**Subject:** <EXTERNAL-SENDER>Fw: ROW VACATION REVIEW FOR JULY 20, 2026 MEETING: ROW State Review Group, HEA, ACS, ENSTAR, GCI  
**Date:** Wednesday, July 15, 2026 2:37:06 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Good afternoon, Beverly,

I am forwarding an additional comment regarding the **KPB 2026-069V Section Line Easement Vacation** from DNR's Public Access Assertion & Defense (PAAD) team.

Thanks,

Louanne

---

**From:** Hovancsek, Danny L (DNR) <danny.hovancsek@alaska.gov>  
**Sent:** Wednesday, July 15, 2026 2:10 PM  
**To:** Lamas, Louanne L (DNR) <louanne.lamas@alaska.gov>; Dodd, Evan G (DNR) <evan.dodd@alaska.gov>; Braun, Victoria K (DNR) <victoria.braun@alaska.gov>; Brown, Stanley C (DNR) <stanley.brown@alaska.gov>; Donohue, Joseph M (DNR) <joseph.donohue@alaska.gov>  
**Cc:** Walker, James H (DNR) <james.walker2@alaska.gov>; Valentine, Tisha O (DNR) <tisha.valentine@alaska.gov>; Steinberger, Wendy S (DNR) <wendy.steinberger@alaska.gov>  
**Subject:** RE: ROW VACATION REVIEW FOR JULY 20, 2026 MEETING: ROW State Review Group, HEA, ACS, ENSTAR, GCI

Hello all,

Please see the comment from the PAAD team below:

- The Kenai River is navigable per AS 38.04.062. The BLM determined Kenai River navigable on 7/12/1984. The State concurs. Kenai River is navigable or public water per AS 38.05.126 as defined in AS 38.05.965 (14) and (21). Therefore the state has an ownership interest and requests that the proposed section line easement vacation include alternative access that is equal to or greater than what is currently available.

Thank you!

**Daniel Hovancsek**



## Piagentini, Vincent

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**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 1:04 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: Huske Street Vacation

---

**From:** Mayor Peter Micciche <pmicciche@kpb.us>  
**Sent:** Friday, July 17, 2026 12:59 PM  
**To:** Ruffner, Robert <RRuffner@kpb.us>; Planning Dept, <planning@kpb.us>  
**Subject:** Huske Street Vacation

Dear KPB Planning Commissioners,

I rarely weigh in on legislative items that are heard by the Planning Commission, but I felt this was important enough to share my opinion as both a Kenai Peninsula resident and as the Kenai Peninsula Borough Mayor. The Kenai River is a treasure that has been allowed to be largely privatized by former policy makers due to inadequate vision for access by the public as the popularity of the river grew exponentially. Very few points of public access have been preserved and all of us need to ensure that we don't get complacent about defending both access and habitat protections, especially because it is our backyard. This time of year we all experience elements of tourism that support our local economy, some of these are fantastic and some leave us with something to be desired. With respect to accessing the river, there are very limited opportunities for our own residents, as well as the average visitor as well as most of our own residents. Huske Ave, "Smiley Rock" has been one such location that has provide the public with many decades of access and we should absolutely not consider a vacation for a variety of reasons. For the sake of today's and future generations, we must be very careful and guarded in protection of the limited access points that we have in place.

At the same time, we need to do what we can within our powers as a 2nd class borough to assist landowners who struggle with the bad behavior of a few residents and non-residents alike. We recently amended code (21.18.081) to allow fences, with certain conditions, in the 50' habitat protection district when the property and fence is located adjacent to a public right-of-way. This is one new tool we have put on the books to assist with these exact situations. Me and several staff members met with the property owner last week. We explained that we do not support the vacation, but that we will continue to work with him to do what we can to protect his rights as a property owner. In addition to helping with permitting of an upgraded fence should they chose to do so, we would like to facilitate repair to habitat and bank damage that occurs as a result of trespassing on their private property. We can encourage the landowner to work with the Department of Fish and Game's "cost-share" granting program that will likely have some ideas and signage that has improved similarly-situated lands where the public has an impact. In summary vacating this access point is not the solution to the concerns.

Please do not support the vacation of Huske Street and thank you for your service on the commission.

Thank you,

Mayor Peter Micciche

**Mayor Peter A. Micciche**  
**Kenai Peninsula Borough**  
**Office:** (907) 714-2150

To Whom it May Concern:

Our family has owned the property adjoining the section line on Huske Street since 1953 when the United States government awarded the Deed to my grandfather who was one of the original Naptowne homesteaders.

This property is a Federally patented homestead land and therefore there is no riverbank easement for public use. We own to the high-water mark which the river is typically in July. As far I know, the section line was never intended to be used as a boat launch, nor as an impromptu campground. From what history I've heard, the gravel was mined out of the easement by a road builder and has slowly over the years morphed into an extremely dangerous place to launch a boat, in fact this same day of your meeting 22 years ago on 7/20/04 a young girl by the name of Kelly Williams drowned in the river from a vehicle rolling down the steep sloped bank into the fast moving water (see attached article from the Peninsula Clarion). It grew in popularity when the word spread to go and "do whatever you want for free." If its sole purpose is to access the river it should have been contained to the sixty-foot width of the easement. During the last decade or more, our property has suffered severe erosion and vegetation degradation from trespassers trampling our property regardless of numerous attempts we've implemented with posted no trespassing signs only to be torn down and destroyed. The public has left human waste, which is a biohazard, as well as garbage and fish carcasses. Landowners in both subdivisions adjoining the area have had to put up with reoccurring mayhem every summer and are also very tired of this attractive nuisance growing out of control even more.

If you were a property owner, would you expect and allow the public to overrun it? I don't think so. Most of the people objecting to this vacation of the right-of-way have no clue of the decades of problems this so called "public access" has brought. All I hear is public rights to access; what about private property rights to the use and enjoyment of something you own and pay property taxes on. How does the public have the right to destroy private property? This situation is out of control and should have been dealt with a long time ago. The easement should be vacated and the public moved to designated parks and campgrounds instead of trampling and destroying our property.

Regards, Roderick Huske

A handwritten signature in black ink, appearing to read 'R. Huske', with a long, sweeping horizontal stroke at the end.



## Soldotna teenager drowns in Kenai River

Newspaper July 20, 2004



Peninsula Clarion, The (Kenai, AK)

## Staff Report

Alaska State Troopers are trying to determine the cause of death of a teenage **girl** found **in** a partially submerged pickup **in** the **Kenai** River **in** Sterling early Monday morning.

The body of Kelly E. Williams, 17, of Soldotna, was pulled from the vehicle by river rescue medics from Central Emergency Services responding to a 911 call at 3:53 a.m. The caller said the truck rolled into the river near Scout Lake Loop and a person was trapped **in** the cab.

Responders pulled Wil-liams from the vehicle, but resuscitation efforts were unsuccessful and she was pronounced dead at Central Peninsula General Hospital.

Her body was taken to Anchorage for an autopsy by the state medical examiner.

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## Piagentini, Vincent

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**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 6:53 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB File No. 2026-069V1

---

**From:** R L <okalaska1@gmail.com>  
**Sent:** Thursday, July 16, 2026 2:22 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB File No. 2026-069V1

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To: Beverly Carpenter

Response to File No. 2026-069V1

The Petitioners state they want to vacate the Huske Street right-of-way access to the Kenai River in which has been routinely use for many years by local residents for fishing, launching a water craft or just enjoying a scenic view of the Kenai. The petitioners offer no alternative access to the Kenai River or state how local residents will have continual use of this location for public personal use. Instead wanting to divide this public "Section Line Easement" right-of-way between themselves for their own personal use thus, diminishing the value of public use property and adding value to their personal property. If the KPB Planning Department approves such action, then this action will set a precedence for all public Kenai River access locations adjacent to private property to become future private property. Thus, denying Sterling residents access to favorite locations used by them for many decades. Additionally, AS 19.30.410 addresses the vacation of section line easements (RS 2477, Rights of Way) will be approved or disapproves by DNR and not by local government. Request consideration of many local residents who has used this public access remain open for their use and not vacate the access for private interest.

Thank you

Randy Lukasik

**Subject: Strong Opposition to Vacation Requests – KPB Files 2026-069V and 2026-069V1  
(Huske Street ROW & Section Line Easement, Sterling)**

**Date: July 17, 2026**

Dear Kenai Peninsula Borough Planning Commission, I am writing as an interested property owner located within 300 feet of the site to strongly oppose the proposed vacation of the section line easement (KPB File 2026-069V) and associated right-of-way on Huske Street (KPB File 2026-069V1) at the corner of Huske Road and Betty Lou Lane, Sterling, AK 99672.

**I recommend denial.** I empathize with the petitioners' desire to protect their land from trespass and potential damage. I also acknowledge that, for a few short weeks each year during the peak of the salmon run, this access point experiences high public use, primarily for fishing. While standards of care and compliance with laws vary among users, these issues are common at many public access points along the Kenai River and across Alaska. They do not justify eliminating a longstanding public corridor.

Vacating this easement is unnecessary and not in the public interest. Targeted, less restrictive solutions can address the petitioners' concerns while preserving lawful public use and wildlife access. I would welcome the opportunity to explore alternative solutions with the Commission, the petitioners, and neighboring property owners.

**Key Considerations Supporting Denial**

**1. Legal and Historical Considerations**

Section line easements were established under federal RS 2477 and are recognized by Alaska law (AS 19.10.010) as permanent public rights-of-way. The Kenai River is a navigable waterway, and public use rights extend below the Ordinary High Water Mark (OHWM) under the public trust doctrine (AS 38.05.126 and Alaska Constitution Article VIII). Staff confirms the west 40' and east 20' of Huske Street were dedicated as public right-of-way, with the underlying 66' section line easement reserved by federal patents decades before the petitioners acquired their properties.

**2. Public Interest**

I do not believe granting this Petition serves the broader public interest or has broad support. I also do not believe any equal or superior free public replacement access has been offered.

This corridor provides important public access to the Kenai River for recreation, fishing, and traditional outdoor activities protected under state law. Local residents frequently use this easement for non-fishing purposes such as viewing the river and walking their dogs.

My own family use this location as a key point of access to the Kenai River. My own experiences and interactions with other residents and members of the public at this access point have been unanimously positive, and consistent with the goals and objectives these easements were originally created for.

Public records and nearby real estate listings routinely promote river access via Huske Street as a community benefit. My searches of public records show no documented incidents or



complaints, and much of the evidence presented by the Plaintiffs appears to relate to early 2000's and testimonials submitted by Guests who have stayed at their lodges.

My review of information submitted to the KPB email address related to this matter appear to show an equal number of local property owners supporting denial, based on the direct and ongoing impact they would experience should the petition be accepted.

Importantly, the issues noted in public comments are limited to a few weeks a year during the height of the salmon run. Throughout most of the year the easement is quiet and used primarily by local residents with no impact to the property of the Petitioners.

The record further appears to show:

- Huske Street functions as a boat ramp and angler access point that has been used for decades and has become more popular with the expansion of the sockeye salmon fishery (ADF&G comment).
- ADF&G has used it for research projects, especially late season.
- It is actively used for boat launching/retrieving, fishing, and parking (KPB Staff and Roads Director).
- Under KPB 20.65.050(D)(1), (4), and (6), the right-of-way is being used and provides valuable public access to the Kenai River — Alaska's largest freshwater sport fishery.

No equal or superior free public replacement access has been offered. The nearest same-side free access (Fields Road) is approximately 1.0 river mile downstream. Most other access points are located on the opposite side of the Kenai River, requiring a drive of roughly 25 miles / 45 minutes via Soldotna. This is not comparable for local residents of Betty Lou Lane and Huske Road, or for visitors and property owners in the Sterling area who rely on convenient, direct access. Paid access sites such as (Morgan's Landing, Izaak Walton, Bings Landing) do not qualify.

### **3. Environmental Considerations**

I have personally observed Moose and Caribou using this easement as a natural travel corridor. Vacation could disrupt wildlife movement and increase human-wildlife conflict elsewhere. The site lies within a Habitat Protection District and FEMA flood hazard area (AE/Floodway), further underscoring its environmental importance.

### **4. Private Property Protection & Reasonable Expectations**

I understand the desire to protect private property above the OHWM. However, assuming the Petitioners purchased these parcels with full knowledge of the recorded public easement and dedicated right-of-way that existed for decades prior, this situation is analogous to buying a house on a golf course and later demanding the golf course be shut down because of occasional broken windows and balls in the yard. I believe the proper response is better management — not elimination of a pre-existing public asset.

### **5. Agency and Code Support for Denial**

- KPB Roads Director Uhlin and RSA recommend denial — no equal or superior access exists.

- DNR Survey Section and Southcentral Regional Office object due to the State's obligation to preserve public access.
- ADF&G objects under KPB 20.65.050(D)(4).
- Staff analysis confirms the vacation would eliminate public river access for several miles on this side of the river and limit future bridge interconnectivity (1997 DNR Plan).
- The Commission must deem the area "of value to the public" — the record clearly shows it is.

### **Conclusion and Recommendation:**

I believe denial best balances all interests and complies with KPB 20.65.050(D). I urge the Commission to follow agency and staff recommendations and deny both applications. The bar for vacation was originally set by our lawmakers at a very high level. It has subsequently been confirmed by such decisions as the Dorothy Drive / East Skyline Drive case (Homer area, 2019), where the KPB Planning Commission voted to recommend denial of a section line easement vacation for reasons including insufficient public benefit, lack of broad support, and failure to demonstrate equal or better alternative access. I do not feel the petition submitted meets the required standard and believe better alternative solutions should be considered to address the Petitioners concerns. I believe accepting this Petition based on the information submitted would significantly lower the standard required for such a request and could open the floodgates for similar requests throughout the region and across the State.

Instead of vacation, I recommend consideration of the following targeted, seasonal solutions:

- Installation of a heavy-duty steel vehicle barrier/gate at the top of the easement (Huske Street) to block vehicular access while preserving pedestrian and wildlife passage.
- Clearer signage defining the OHWM, responsible use, "No Camping / No Overnight Parking," and "Pack It In, Pack It Out."
- Time-limited (e.g., 2-hour maximum) or 'No Parking' parking restrictions during peak season with towing enforcement along Betty Lou Lane and Huske Street.
- Increased seasonal patrols by ADF&G, Troopers, and Code Enforcement with a rapid-response protocol.

These relatively low-cost/low-impact measures could help to address seasonal issues while keeping the corridor accessible and available for all to enjoy – people and wildlife.

Finally, I only learned of this matter on July 15 via certified mail. The extremely short comment window has limited meaningful public input. I respectfully request that, if the Commission is considering approval, it extend the comment period and ensure full transparency of applicant materials.

Thank you for considering these comments. I am available for questions and plan to attend the July 20, 2026 hearing.

Sincerely, Mark Halliwell  
 35050 Betty Lou Lane, Sterling, AK 99672  
 Phone: 214-704-4660  
 Email: halliwellmark@hotmail.com

07/17/2026



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 1:03 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Planning Commission Agenda Item KPB-7863

-----Original Message-----

From: Brian bridges <harley88wi@hotmail.com>  
Sent: Friday, July 17, 2026 12:52 PM  
To: Planning Dept, <planning@kpb.us>  
Subject: <EXTERNAL-SENDER>Planning Commission Agenda Item KPB-7863

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Hello,

As a land owners in the KPB we are opposed to changing this KPB parcel into anything that changes the access for the public to the Kenai River. It is owned by the public and has been used for public access for decades. This proposed change does not benefit the public in any way and restricts Kenai River access to fishers, boaters, emergency services, and research purposes.

This proposed change does not provide for replacement equal or improved access for the public.

If the property owners are having issues with violations of law by the public coming onto their property those laws should be enforced.

Respectfully,

Brian and Jane Bridges  
Cross Plains WI/Sterling AK

Sent from my iPad

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Wednesday, July 15, 2026 6:46 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Launching boats at Huske rd, aka "smily rock"

---

**From:** fnrklouda@gci.net <fnrklouda@gci.net>  
**Sent:** Tuesday, July 14, 2026 2:30 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Cc:** Stacy@aklands.com  
**Subject:** <EXTERNAL-SENDER>Launching boats at Huske rd, aka "smily rock"

---

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Dear Stacy, I would like to bring to your attention the very dangerous situation that exists at the end of Huske drive and the Kenai river. The area is used as a makeshift boat launch, It is a dangerous situation as the river is very swift and there currently is no slack water or side channel to make a safe launch and retrieve of the boat. In addition the surrounding land is private and there is no parking or place to tie up a boat while retrieving a vehicle to either launch or pull the boat back out of the water ,or barely any room to fish from shore, there are no latrine facilities or garbage services resulting in the private surrounding area's to be trespassed on and used in a very detrimental and unsanitary manner. I'm aware of the limited public property in this section of the Kenai river and understand people's desire to access the river, but unless surrounding land can be accquired to facilitate a safe launch and sanitary situation this unsuitable area should be closed to boat launching. I believe there could be liability issues, I understand that several vehicles have ended up lost in the river while launching boats. I seem to remember a young lady that lost her life when the vehicle she was in rolled into the river several years ago, not completly sure on that. Thank you for your consideration in this delcate matter.

Please feel free to contact me if you have any questions thank you. Fred Klouda, 907-242-4471



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Monday, July 13, 2026 7:06 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB File No. 2026-069V1 Husky St Vacation

---

**From:** ROY WHITFORD <whitsurv@hotmail.com>  
**Sent:** Sunday, July 12, 2026 8:58 AM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB File No. 2026-069V1 Husky St Vacation

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---

I am adamantly opposed to the vacation of this Kenai River access. We have used this access for 40yrs to put in and retrieve drift boats. Husky St is used by many locals to fill their freezers with sockeye salmon. The adjoining landowners have tried to prevent use of the access for many years. Chain link fencing downstream and multiple no parking signs upstream. The only other river access in this area is 1mile downstream; Mosquito Flats. Mosquito Flats is unusable for launching when the river is low. Perhaps the Borough should be a better steward in managing this public access.

Roy Whitford  
Sterling, AK

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## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Monday, July 13, 2026 7:06 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Fw: Smiley Rock Access

---

**From:** RONALD J WILLIAMS <williams0809@msn.com>  
**Sent:** Sunday, July 12, 2026 12:44 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Fw: Smiley Rock Access

---

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**From:** RONALD J WILLIAMS <[williams0809@msn.com](mailto:williams0809@msn.com)>  
**Sent:** Sunday, July 12, 2026 11:44 AM  
**Subject:** Smiley Rock Access

Dear Members of the Borough Assembly,

We are writing to ask you to protect and preserve public access to the Kenai River, including access at Smiley Rock. These access points are not only important for recreation, but they are also vital for public safety.

Our family experienced this firsthand. While we were returning from a day of fishing on the Kenai River, we had a serious medical emergency. We were able to get off the river at the Isaak Walton State Recreation Site, where an ambulance met us and transported our family member for emergency medical care. Without that public access, getting help would have taken much longer. That experience showed us that river access points can be lifesaving when emergencies happen.

At the same time, we understand the concerns of the property owners near Smiley Rock. Unfortunately, some people misuse the area by trespassing, leaving trash, making excessive noise, or failing to respect private property. Those concerns are valid, and no landowner should have to deal with that kind of behavior.

We believe there is a solution that benefits everyone. The borough could install fencing or clearly mark property boundaries so visitors know where public access begins and ends. Signs could remind users to respect private property, pack out their trash, and practice responsible sportsmanship. A simple message such as, "Respect the land, respect our neighbors, and help keep public access open for future generations," could encourage responsible use.

Most people who use the Kenai River are responsible outdoorsmen and women who value the resource and want to preserve it for future generations. By improving education and clearly defining the public



access area, we believe the borough can reduce conflicts while maintaining an important access point for recreation and emergency response.

We respectfully ask you to work toward a solution that protects both private property rights and continued public access to the Kenai River. Smiley Rock is an important community resource, and with thoughtful planning, we believe it is possible to preserve this valuable access while addressing the concerns of nearby landowners.

Thank you for your time, your service, and your thoughtful consideration.

Sincerely,

Ron and Robyn Williams

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## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 11:54 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Huske ROW vacation (20 July planning meeting)

---

**From:** NICHOLAS WOOD <nswood923@gmail.com>  
**Sent:** Friday, July 17, 2026 11:45 AM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Huske ROW vacation (20 July planning meeting)

---

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To whom it may concern,

I am writing to the planning commission in regards to the proposed vacation of the Huske ROW which provides access to the Kenai River at Smiley Rock.

I strongly encourage the commission to deny this proposal. Any action that further limits the public access of a public resource such as the Kenai River needs to be given the highest level of scrutiny. The River is a shared resource that should benefit all, not just a few landowners who happen to have riverfront properties.

The only reason that I believe this proposal is being made is so a few landowners can have their own private access to the Kenai. Landowners who do not appear to even live on the Kenai Peninsula or even Alaska.

The argument can be made that other access points are available. Maybe that is the case, but if the Huske ROW is removed what is to stop other public access points also being removed? What about the kid who lives down the road who wants to ride his bike to the river to flip for reds? What about the average working Alaskan who wants to hit the river for a couple hours after work? These are the people we should be preserving access for. Not a handful of landowners who already have their own access to the river.

If anything the borough should be making more access points for the public not less. More access would also eliminate some of the issues that landowners complain about on the river such as trash and legitimate trespass issues.

Thank you  
Nicholas Wood  
Saint Theresa Road, Soldotna



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Tuesday, July 14, 2026 7:04 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB File No. 2026-069V Huske Street Right-of-Way

---

**From:** Joseph J. Zych <JZych@HDLAlaska.com>  
**Sent:** Monday, July 13, 2026 9:21 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB File No. 2026-069V Huske Street Right-of-Way

---

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Hello, I would like to express my concerns about the Huske Street Right-of-Way and section line easement vacations.

To vacate any section line easements there needs to be equal or better access provided according to the AK DNR. From looking at page E9-50, it appears that A-F are different ways to access the river. Access points B-F are over a 40 minute drive from Huske Street and that doesn't seem like equal or better access for the land owners around the Scout Lake Loop road, therefore I do not believe B-F are applicable when identifying other public access points.

Letter G, which is a section line easement and does allow public access to the river, but since it is not improved and the section line easement is not staked, it would be difficult for the public to ensure they stay within the section line easement when accessing the river.

Letter A (fields road) is very similar to the Huske Street Right-of-Way and if the Huske Street section line easements and Right-of-Way is vacated it could force the local residents to be further condensed into 1 area, which would/could cause further congestion.

After visiting the Huske Street sight this weekend, and viewing the KPB Parcel Viewer as well as other online resources, it appears that the fence on the West Right-of-Way line of Huske Street is right on the Right-of-Way line. The gravel road is ~25' wide, that leaves an extra 35' of Right-of-Way that the owner to the East of Huske has basically cut off usage by putting up no trespassing signs as well as barbed wire fence near the Kenai River. Not only does the owner have barbed wire fencing that encroaches into the Right-of-Way, they are also cutting off the publics use of the Section Line Easement. The barbed wire fence creates a public safety hazard when trying to use the Section Line Easement for public access to the river.

The Huske Street Kenai River access is a great spot to for families to fish. It allows easy walking access into the river, especially for kids who are learning how to floss with their families. Other access points are much steeper and can be harder for families to access.

According to KPB Code 20.65.050 “ A platted dedication to public use of land or interest in land may be vacated if the dedication is no longer necessary for present or future public use and in all cases the planning commission shall deem the area being vacated to be of value to the public.”. The Huske street Right-of-Way is still very much in public use and is necessary for the greater good of the public who utilize this public access for recreation with their families on the Kenai River. Vacating this Right-of-Way would be a disservice to the local area families that do not live on the Kenai River. I OPPOSE the vacation of the Right-of-Way and Section Line Easements that the local families and general public currently use to create long lasting memories and provide fish for their family.

Thank you for your time and consideration of public testimony.

Joe Zych



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Thursday, July 9, 2026 2:14 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

---

**From:** Kelly Demarsh <ksdemarsh@gmail.com>  
**Sent:** Thursday, July 9, 2026 1:20 PM  
**To:** Simons, Sandee <:ssimons@kpb.us>; Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Boat Launch on Betty Lou Dr in Sterling

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I live on Betty Lou Drive and I have heard a rumor that the boat launch is going to be shut down to the public.

There are two boat launches one at each end but if this is concerning the one at the end of Husky Rd I would have to strongly object.

Being a resident on this road I access this area to fish and would be pretty upset if all the sudden my ability to access the river was shut down. This would drastically affect my property value as the river access is one of the main reasons I purchased my house/property.

Why would this get shut down to area residents?

Sincerely,  
Kelly and Joe DeMarsh  
35152 Betty Lou Dr.  
907-322-2774

**From:** [Planning Dept.](#)  
**To:** [Piagentini, Vincent](#); [Carpenter, Beverly](#)  
**Subject:** FW: <EXTERNAL-SENDER>Betty Lou boat dock vacation  
**Date:** Thursday, July 9, 2026 11:26:16 AM

---

-----Original Message-----

From: Grace Merkes <grace.merkes@gmail.com>  
Sent: Thursday, July 9, 2026 10:46 AM  
To: Planning Dept, <planning@kpb.us>  
Subject: <EXTERNAL-SENDER>Betty Lou boat dock vacation

---

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Wed, Jul 8, 7:43 PM (14 hours ago)

Please accept this email as my opposition to vacating the section line that is commonly known as the public boat launch on Betty Lou Drive in Sterling. it is my understanding that two property owners that are adjacent to this public access boat launch are requesting the vacation and adding that vacated property to their own private property. This boat access has been available to the local public for over 50 years and I strongly object to the vacation of this section line.

Could you please forward my objection to all Planning Commission Members & Assembly Members

Thank you.  
Signed: Grace Merkes



## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Friday, July 17, 2026 8:05 AM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>Against closure of public easement

---

**From:** Bethany Swanson <bethanyswanson95@gmail.com>  
**Sent:** Friday, July 17, 2026 8:04 AM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Against closure of public easement

---

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Hello, I have copied the post I saw on FB in this email and wanted to give my opinion. I live in Sterling year round and the Huske st smiley rock is the easiest way to access the river and its where a lot of the old timers go to fish as you often dont need full chest waders and has some calmer waters. Its a safe place and yeah it could use some more trash cans but people usually are respectful and dont go up the surrounding areas and every time I have gone we all wade through the easy going water to get to a good spot. My question is if this closes where are we supposed to fish? Are the old timers going to have to battle it out elsewhere? Just down the road there is the open public boat launch and parking but the HOA there is AWEFUL about letting people access the river there and I have been harrassed by their members many times when I have gone because they think its all theirs even when we are in our legal right for fishing and follow the high tide marks making sure not to tresspass.

These are my opions, thoughts and questions as I will not be able to attend the meeting.

Thank you.

Bethany S.

FYI if you use Huske off Scout Lake Loop to fish or access the Kenai near Smiley Rock (or just have strong opinions regarding public access to public lands and water). There is currently a proposal by adjacent land owners to vacate the easement effectively blocking off access to the river at that location.

The KPB planning meeting discussing this is on 7/20 at 7:30pm. You can attend in person or by zoom. You can also submit written comments by email to [planning@kpb.us](mailto:planning@kpb.us), mail, or in person at the borough building.

Written comments need to be submitted by 7/17 at 1pm.

## Piagentini, Vincent

---

**From:** Planning Dept,  
**Sent:** Wednesday, July 15, 2026 12:57 PM  
**To:** Piagentini, Vincent; Carpenter, Beverly  
**Subject:** FW: <EXTERNAL-SENDER>KPB file no. 2026-069v, vacate of 66 foot section line easement...public hearing on July 20,2026

-----Original Message-----

From: Jim Weber <reischl1950@hotmail.com>  
Sent: Wednesday, July 15, 2026 12:24 PM  
To: Planning Dept, <planning@kpb.us>  
Cc: Jim Weber <Resichl1950@hotmail.com>  
Subject: <EXTERNAL-SENDER>KPB file no. 2026-069v, vacate of 66 foot section line easement...public hearing on July 20,2026

---

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Sent from my iPad

From Patricia L. Weber and James S. Weber, owners of lot A 1 bolstridge , kenai river subdivision, Maddox addition

According to our sale documents for our property , kenai river access was noted in the sales document as the existing section line easement. It was a big selling feature for us and for future buyers of our property. We have had the enjoyment of having the easement available.

We therefore request that the current easement be left alone and the easement be continued.

We do not support any change in any manner or removal of the easement as it currently stands.

Sincerely,  
Patricia L. Weber  
James s. Weber  
35080 Betty Lou Drive  
Sterling, Ak. 99672  
Reischl1950@hotmail.com.

ail



**From:** [Planning Dept.](#)  
**To:** [Piagentini, Vincent](#); [Carpenter, Beverly](#)  
**Subject:** FW: <EXTERNAL-SENDER>KPB-7863  
**Date:** Friday, July 17, 2026 1:03:40 PM

---

**From:** Kenneth Kerl <kgkerl1@gmail.com>  
**Sent:** Friday, July 17, 2026 12:54 PM  
**To:** Planning Dept, <planning@kpb.us>  
**Subject:** <EXTERNAL-SENDER>KPB-7863

---

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---

Request to vacate Huske right of way.

As a property owner in Sterling, I am against vacating the Huske Right away as requested by Montgomery & Huske. Although I understand the impact this right of way has on Montgomery and Huske during a 2-3 month period of high use, it is of greater benefit to the larger population for access to the Kenai River. As outlined in the use report it also serves as an access point to the river for other agencies year around.

To address the concerns of Montgomery and Huske, signage and enforcement could help with these concerns.

The benefit to many is greater than the request by two property owners.

Respectfully,

Kenneth G. Kerl  
37392 Arabian Lane  
Sterling, AK 99672  
and  
W13569 Burr Oak Ct.  
Coloma, WI 54930



## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/18/2026 to vacate a Section Line easement in the Sterling area. Area under consideration is described as follows:

Request / Affected Property: Vacate a 66-foot section line easement within Huske Street, located between Lot 1, Plat KN 1129 RS, and Lot 18, Block 3, Plat KN 76-157

KPB File No. 2026-069V.

Petitioner(s) / Land Owner(s): Marvin Huske and Gene Montgomery of Anchorage, AK.

Purpose as stated in petition: The surrounding property owners are pursuing coordinated platting actions with the Kenai Peninsula Borough and the State of Alaska to vacate the Huske Street right-of-way and the associated 66-foot section line easement located on the east and west sides of the section lines. As part of the same platting process, Lot 1 and Lot 2 of the Bolstridge Kenai River Subdivision, Plat K-1129, will be combined and Lot 18, Block 3, of the Alderwood Estates Subdivision, Plat KN 76-157, will be replatted.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 20, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [planning@kpb.us](mailto:planning@kpb.us), or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 17, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

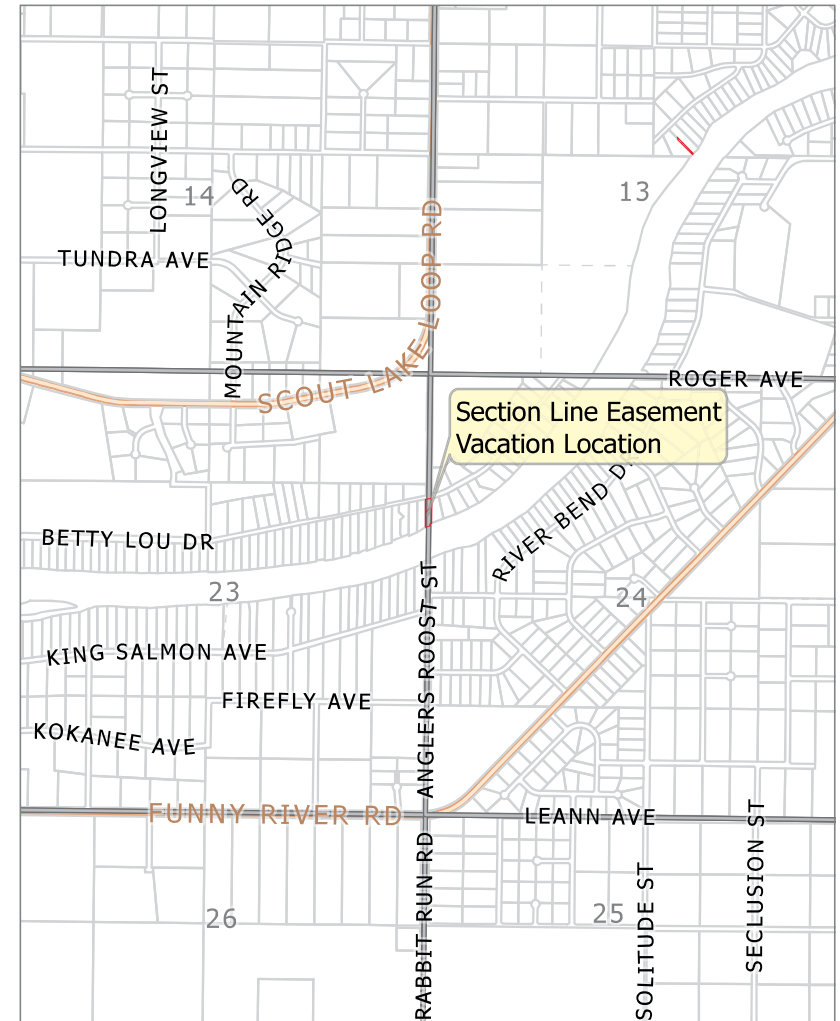
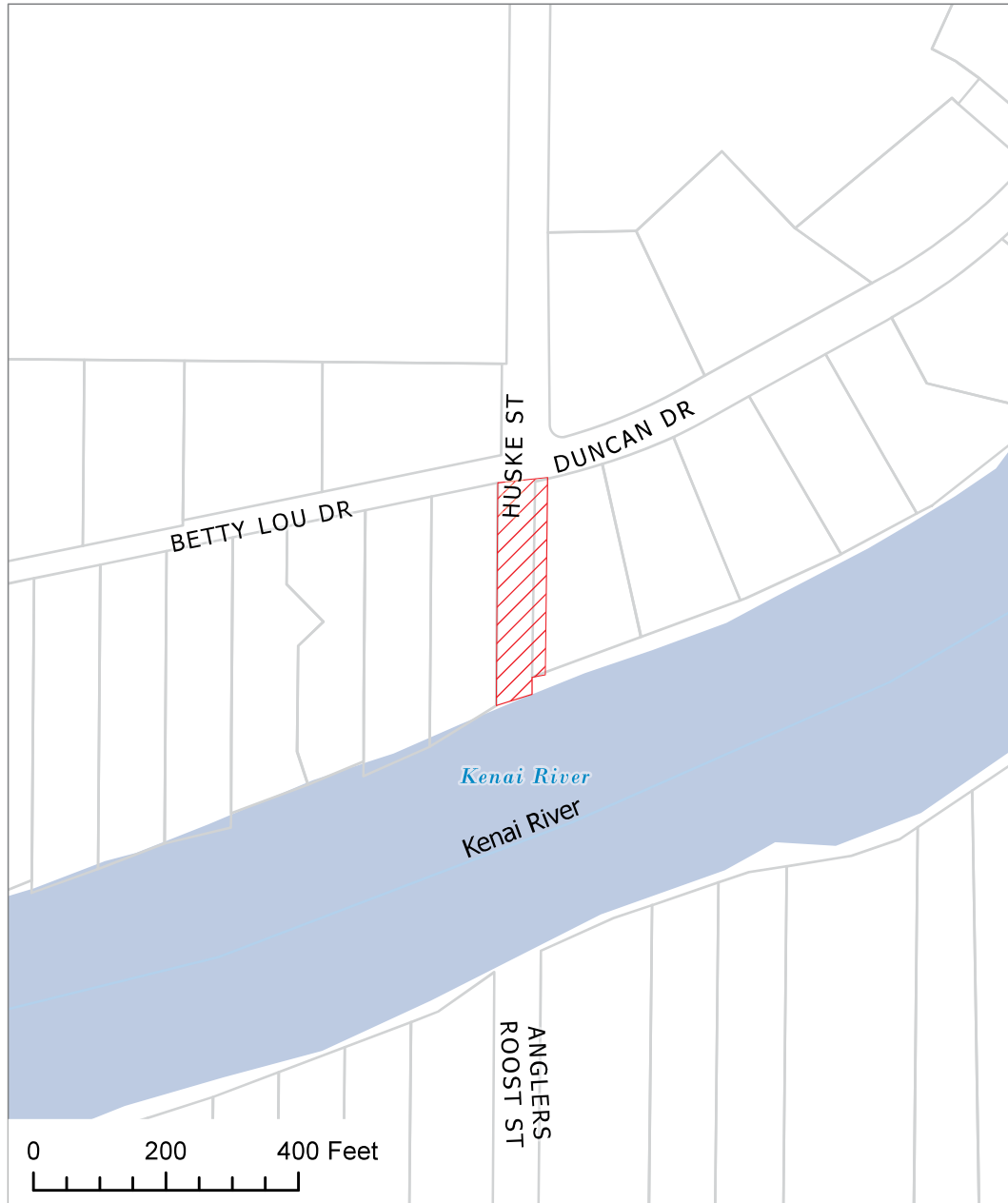
Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the



search options to find the correct timeframe and committee.

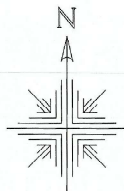
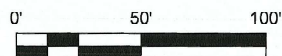
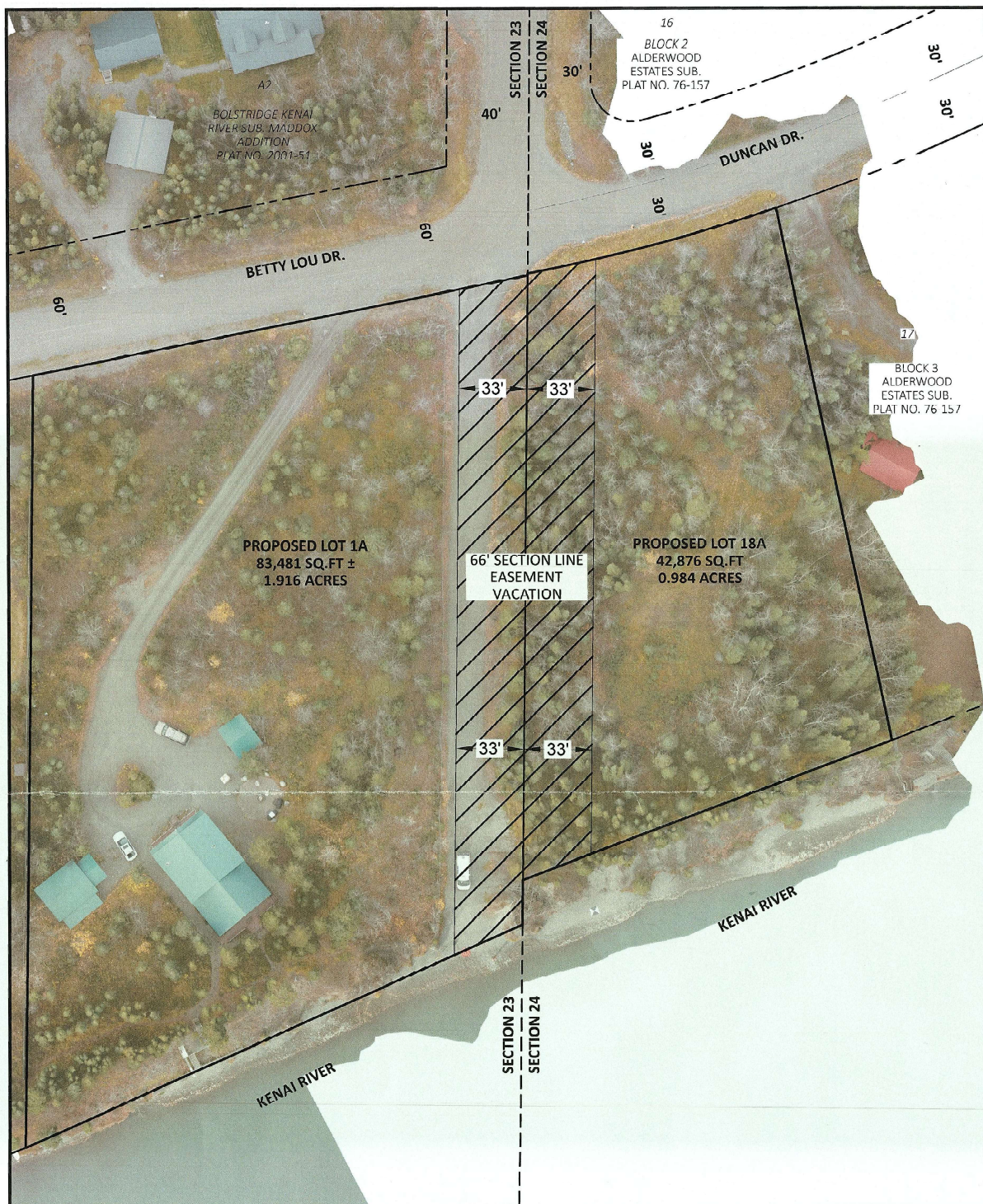
For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email [planning@kpb.us](mailto:planning@kpb.us).

Mailed 7/2/2026



KPB File 2026-069V  
T 05N R09W SEC 23 AND SEC 24  
Sterling





**KPB 2026-069V**

**NOTES**

Imagery was captured on October 8-9, 2025, using a Wispr SkyScout Pro UAS equipped with a 61 MP Sony camera. Processing was completed in Pix4D to produce a georeferenced orthophoto aligned with surveyed ground control points. This orthophoto is intended for visual reference and general mapping purposes only. While orthorectified to improve scale and accuracy, variations inherent in aerial photogrammetry may result in minor positional deviations.

AK Lands makes no warranty, representation, or guarantee as to the positional accuracy or alignment between the orthophoto imagery, property lines and easements shown.

EXHIBIT OF:  
PROPOSED LOT 1A AND 18A  
AND  
SECTION LINE EASEMENT VACATION  
LOCATED SOUTH OF BETTY LOU DR. AND  
NORTH OF KENAI RIVER  
AND WITHIN A PORTION OF  
SECTION 23 AND SECTION 24 T5N, R9W, SM

PROJECT NO. 1510	PO BOX 110485 ANCHORAGE, AK 99511
DATE 05-09-2026	aklands@aklands.com (907) 744-LAND
DRAWN BY SMW	https://aklands.com



# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER 6/16/26)**

## **MISC. INFORMATION**

- **July 16, 2026 Nikiski APC Meeting Minutes**



## NIKISKI ADVISORY PLANNING COMMISSION

Regular Meeting Minutes  
**July 16, 2026 at 6:30 pm**  
**Location: North Peninsula Rec Center**

1. **CALL TO ORDER- 6:24 pm**
2. **ROLL CALL : Stacy Olivia, Jason Ross, Kelly Brewer, Tim Scher, Kaitlyn Jackson (new Nikiski APC officer) Nikiski Assembly Member Len Neisen, Kenai Peninsula Borough Planning Ryan Raidmae**
3. **APPROVAL OF AGENDA: Jason Ross Approved, Tim Scher 2nd-All Approved**
4. **Approval of Minutes**
  - a. Special Meeting Minutes, May 28, 2026: **Jason Ross Approved, Tim Scher 2nd-All Approved**
  - b. Regular Meeting Minutes, June 4, 2026: **Jason Ross Approved, Tim Scher 2nd-All Approved**
5. **Borough Business**
  - a. Planner Report: none
  - b. Presentation
    - None
  - c. Platting
    - Garnet Subdivision 2026 Addition (KPB 2026-070): This subdivision will subdivide one parcel into two parcels. **Jon approved, Tom 2nd-All in Favor; Motion passed**
    - Kenai LNG Subdivision (KPB 2026-071): This subdivision will subdivide three unsubdivided parcels into two parcels. **Jon Approved-open for discussion. There is some concern about the meaning in Note 8: Salamatof Beach Road is a State Road that Nikiski residents use to access the beach in Nikiski. The LNG Subdivision Plat indicates that public road access could change questioning public access to the beach. Note 8 in the says: No direct access to State maintained rights-of-way permitted unless approved by Department of Transportation and Public Facilities. Because of not being able to clearly interpretant the meaning of note 8, the approval of the Motion failed. 1 vote for the approval-5 opposed.**
    - Plat Waiver, T07NR11WSEC28 (KPB 2025-142): This plat waiver will create two parcels from one unsubdivided parcel. **Jason approved, Kelly 2nd, All in Favor; Motion passed**
6. **Old Business**

- a. Nikiski Comprehensive Plan: **Tim Scher is in the process of uploading Comprehensive Plan information in to Google Docs. We are working toward a October complete date.**
- 7. **New Business**
  - a. KPB 2026 General Land Sale: This is a Non-Actionable item that is informational only.
    - General Land Sale Notice was given to the Commissioners
- 8. **PUBLIC COMMENT/PRESENTATION: none**
- 9. **COMMISSIONER COMMENTS: none**
- 10. **ADJOURNMENT 7:50pm**

**Next Regular Meeting:** Thursday, August 06, 2026, at 6:30 PM