

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate a portion of Rut Avenue, a 60-foot right-of-way. Vacate the south 30 feet of the east 660 feet (more or less) of this dedication along the north boundary of Tract 2 of Snowshoe Subdivision (Plat KN 77-136) and vacate any associated utility easements.

AND

Vacate that portion of the 10-foot utility easement along the south boundary of Tract A of Moose Run Estates (Plat KN 84-51) and as shown on Tract A-2 Moose Run Estates Williams Addition (Plat KN 2009-9). All portions of requested vacations are located within Section 18 T7N R11W, SM, AK and within the KPB. File 2015-060.

NOTES: A new 30-foot right-of-way for Rut Avenue adjoining the right-of-way proposed to be vacated will be dedicated. A new utility easement will be granted along the new road dedication.

Staff Report given by Max Best

PC Meeting: 6/22/15

Purpose as stated in petition: Rut Avenue will be adjusted 30 feet to the north. This will provide more usable space on Tract B-2 (proposed) which currently has limited usable area.

Petitioners: Jeffrey D. Williams of Nikiski, AK and Debbie Russ of Kenai, AK.

Notification:

The public hearing notice was published in the June 11 and June 18, 2015 issues of the Peninsula Clarion.

Seven certified mailings were sent to owners of property within 300 feet of the proposed vacation. Six receipts had been returned when the staff report was prepared. Six notices were mailed to owners within 600 feet by regular mail.

Two notices were sent by regular mail to agencies and interested parties. Fourteen notices were sent to agencies and interested parties by email.

Eleven notices were emailed to KPB Departments. The public hearing notices were mailed to the Nikiski Post Office and Kenai Community Library with a request to post in public locations. The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

Alaska Communications Systems: No objection

ENSTAR: No objection subject to granting a 10-foot natural gas easement centered on the existing gas main on Tract 2 of Snowshoe Subdivision.

GCI: No objection

Homer Electric Association: Reviewed/no comments

KPB Addressing Officer: No objection

River Center Planner: No objection

Staff Discussion:

The plat that will accomplish the vacation, grant new utility easements, and dedicate the alternative right-of-way for Rut Avenue is scheduled for Plat Committee review on July 13, 2015.

Comments from the KPB Roads Department had not been received when the staff report was prepared.

Findings:

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. The right-of-way proposed for vacation does not appear to be in use for utilities.
6. Comments of no objection to the proposed vacations were received from ACS, GCI, and HEA.
7. ENSTAR submitted a statement of no objection to the proposed vacation subject to granting a 10-foot natural gas easement centered on the existing gas main on Tract 2 of Snowshoe Subdivision.
8. A 30-foot alternative right-of-way for Rut Avenue will be dedicated adjoining the right-of-way proposed to be vacated.
9. The proposed vacation and alternative dedication for Rut Avenue results in no net loss of public right-of-way.
10. Per KPB GIS mapping, Rut Avenue is partially maintained by the KPB Roads Department.
11. Per the preliminary plat that will accomplish the proposed vacation, the right-of-way proposed for vacation is affected by slopes greater than 20 percent.
12. Per the preliminary plat that will accomplish the proposed vacation, the new alternative right-of-way is not affected by steep terrain.
13. Per the preliminary plat that will accomplish the proposed vacation, the new alternative right-of-way is not affected by a low wet area.

STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the vacations as petitioned, subject to:

1. Grant the utility easement centered on the existing gas main per ENSTAR's request.
2. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within one year of vacation approval.

KPB 20.70.110:

A vacation of a street right-of-way, public area, or public easement within the borough outside of the limits of cities may not be made without the consent of the borough assembly. The assembly shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the borough shall be considered to have given consent to the vacation.

KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

KPB 20.70.130:

The final plat must be recorded within one year of the vacation consent in KPB 20.70.110.

END OF STAFF REPORT

Chairman Martin read the rules by which public hearings were conducted.

Chairman Martin opened the meeting for public comment.

1. Scott Huff, Integrity Surveys
Mr. Huff is the surveyor for the project and was available for questions.

Chairman Martin asked if there were questions for Mr. Huff. Hearing none the public hearing continued.

Seeing and hearing no one else wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Foster moved, seconded by Commissioner Whitney to approve the vacations citing the 13 findings and staff recommendations.

Findings:

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. The right-of-way proposed for vacation does not appear to be in use for utilities.
6. Comments of no objection to the proposed vacations were received from ACS, GCI, and HEA.
7. ENSTAR submitted a statement of no objection to the proposed vacation subject to granting a 10-foot natural gas easement centered on the existing gas main on Tract 2 of Snowshoe Subdivision.
8. A 30-foot alternative right-of-way for Rut Avenue will be dedicated adjoining the right-of-way proposed to be vacated.
9. The proposed vacation and alternative dedication for Rut Avenue results in no net loss of public right-of-way.
10. Per KPB GIS mapping, Rut Avenue is partially maintained by the KPB Roads Department.
11. Per the preliminary plat that will accomplish the proposed vacation, the right-of-way proposed for vacation is affected by slopes greater than 20 percent.
12. Per the preliminary plat that will accomplish the proposed vacation, the new alternative right-of-way is not affected by steep terrain.
13. Per the preliminary plat that will accomplish the proposed vacation, the new alternative right-of-way is not affected by a low wet area.

VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	COLLINS YES	ECKLUND YES	ERNST YES	FOSTER YES	GLENDENING YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD ABSENT	MARTIN YES	RUFFNER YES	VENUTI YES	WHITNEY YES	11 YES 2 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

2. Ordinance 2015-14; An ordinance amending KPB Chapter 21.18 to repeal the Kenai River, Major Waters, West, South, and North Districts and add the Kenai River Watershed District and Kasilof River Watershed District.

Memorandum reviewed by Max Best

PC Meeting 6/22/15

The anadromous waters habitat protection ordinance was subject to an extensive addition of regulated waters by Ordinance 2011-12. The primary waters in need of habitat protection are within the Kenai and Kasilof watersheds. The proposal would be the deletion of the five current districts known as the Kenai River District, the Major Waters District, West District, North District, and South District. Instead the proposal would have two districts which will contain waters in the current districts that are within the Kenai River and Kasilof River watersheds. Mapping and a revised appendix reflecting these amendments are included in the packet. The changes made by the Anadromous Fish Habitat. Protection Task Force resulting in the enactment of Ordinance 2015-18 are not changed by this ordinance with the exception of regulating fewer waters. Definitions of the Kenai and Kasilof Rivers are added to aid interpretation of the area of regulation. The grandfather clause is modified to remove references of the current five districts and to cross-reference the revised appendix.



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

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

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

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

June 26, 2015

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION MEETING OF JUNE 22, 2015

RE: Vacate a portion of Rut Avenue, a 60-foot right-of-way. Vacate the south 30 feet of the east 660 feet (more or less) of this dedication along the north boundary of Tract 2 of Snowshoe Subdivision (Plat KN 77-136) and vacate any associated utility easements. **AND** Vacate that portion of the 10-foot utility easement along the south boundary of Tract A of Moose Run Estates (Plat KN 84-51) and as shown on Tract A-2 Moose Run Estates Williams Addition (Plat KN 2009-9). All portions of requested vacations are located within Section 18 T7N R11W, SM, AK and within the KPB. File 2015-060.

During their regularly scheduled meeting of June 22, 2015 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation based on the following findings of fact.

Findings:

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. The right-of-way proposed for vacation does not appear to be in use for utilities.
6. Comments of no objection to the proposed vacations were received from ACS, GCI, and HEA.
7. ENSTAR submitted a statement of no objection to the proposed vacation subject to granting a 10-foot natural gas easement centered on the existing gas main on Tract 2 of Snowshoe Subdivision.
8. A 30-foot alternative right-of-way for Rut Avenue will be dedicated adjoining the right-of-way proposed to be vacated.
9. The proposed vacation and alternative dedication for Rut Avenue results in no net loss of public right-of-way.
10. Per KPB GIS mapping, Rut Avenue is partially maintained by the KPB Roads Department.
11. Per the preliminary plat that will accomplish the proposed vacation, the right-of-way proposed for vacation is affected by slopes greater than 20 percent.
12. Per the preliminary plat that will accomplish the proposed vacation, the new alternative right-of-way is not affected by steep terrain.
13. Per the preliminary plat that will accomplish the proposed vacation, the new alternative right-of-way is not affected by a low wet area.

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly. The proposed vacation will be forwarded to the Borough Assembly. The Assembly shall have 30 calendar days from the date of approval (June 22, 2015) in which to veto the Planning Commission decision. If the Planning Director receives no veto within the specified period, the Assembly shall be considered to have given consent to the vacation.

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

This notice and unapproved minutes of the subject portion of the meeting were sent June 26, 2015 to:

Jeffrey Williams
PO Box 8262
Nikiski, AK 99635

Deborah Russ
57715 Rut Ave
Kenai, AK 99611

Integrity Surveys, Inc.
820 Set Net Dr.
Kenai, AK 99611

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AND

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NOTES: A new 30-foot right-of-way for Rut Avenue adjoining the right-of-way proposed to be vacated will be dedicated. A new utility easement will be granted along the new road dedication.

STAFF REPORT

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Notification:

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Homer Electric Association: Reviewed/no comments

KPB Addressing Officer: No objection

River Center Planner: No objection

Staff Discussion:

The plat that will accomplish the vacation, grant new utility easements, and dedicate the alternative right-of-way for Rut Avenue is scheduled for Plat Committee review on July 13, 2015.

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STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the vacations as petitioned, subject to:

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KPB 20.70.120:

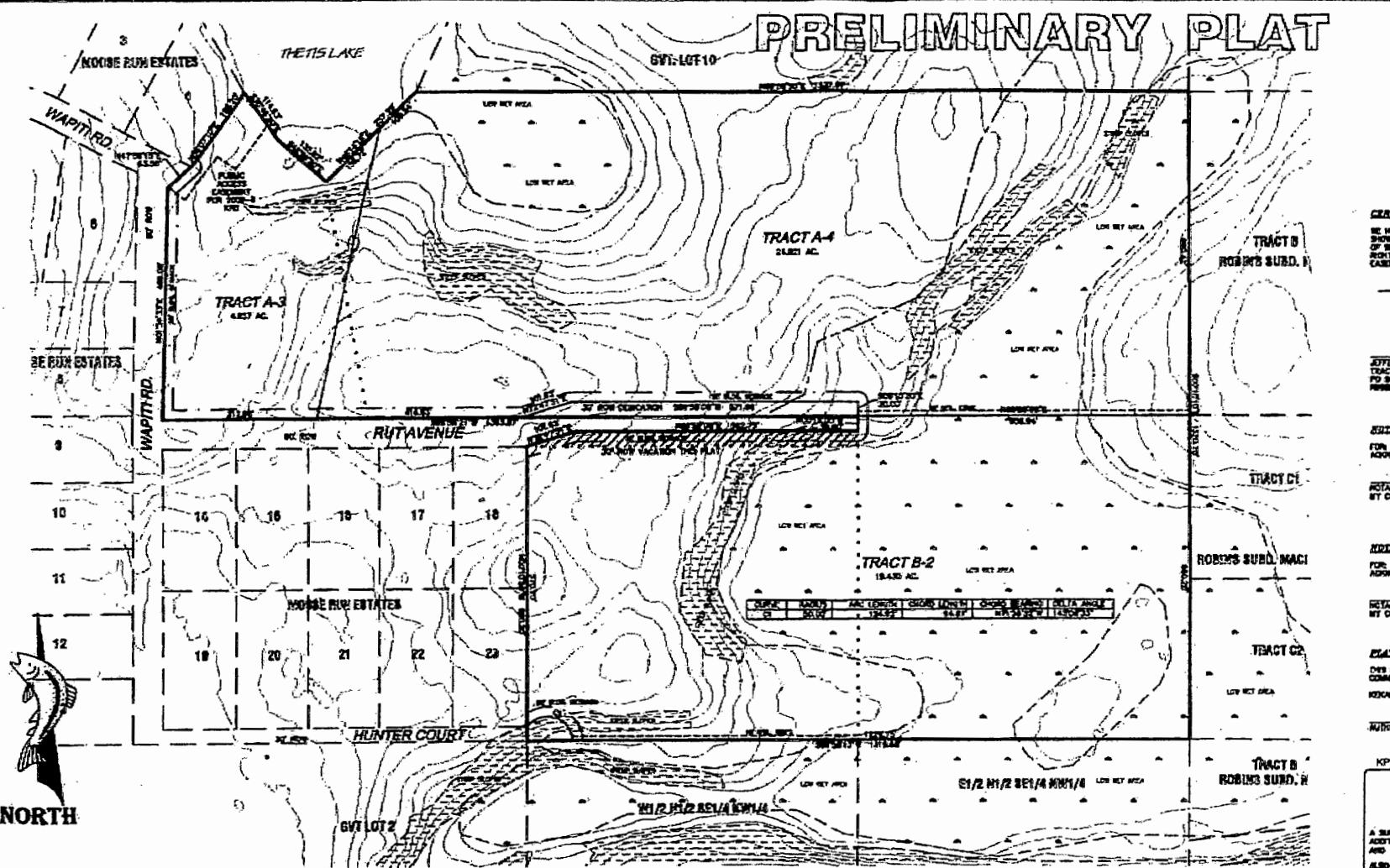
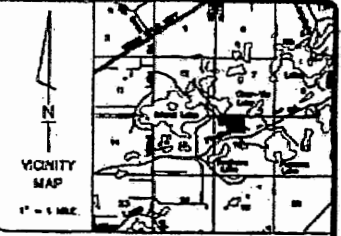
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KPB 20.70.130:

The final plat must be recorded within one year of the vacation consent in KPB 20.70.110.

END OF STAFF REPORT

PRELIMINARY PLAT



CERTIFICATE OF OWNERSHIP AND INDICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ACCEPT 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.

DOBBE L. RUSSELL TERRY L. RUSSELL
TRACT B & TRACT 2
30715 BUY AVE
KOTZALE, AK 99511

JEFFERY G. WILLIAMS
TRACT A-1 & TRACT A-2
PO BOX 8091
KOTZALE, AK 99511

NOTARY'S ACKNOWLEDGMENT
FOR DOBBE L. RUSSELL AND TERRY L. RUSSELL
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015

NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT
FOR JEFFERY G. WILLIAMS
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015

NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES _____

PLAT APPROVAL
THIS PLAT WAS APPROVED BY THE KOTZALE PENINSULA GROUND PLANNING COMMISSION AT THE MEETING OF _____
KOTZALE PENINSULA GROUND PLANNING COMMISSION

AUTHORIZED OFFICIAL

KPS FILE No. **2015-060**

**MOOSE RUN ESTATES
2015 ADDITION**

A SUBDIVISION OF TRACT A-1 AND A-2 OF MOOSE RUN ESTATES WILLIAMS ADDITION (2008-0102) AND TRACT B MOOSE RUN ESTATES (04-04-002) AND TRACT 2 BROWNSIDE SUBDIVISION (03-77-130)

ALSO FINALIZING THE PARTIAL VINCATION OF RUT AVE

OWNER: DOBBE L. RUSSELL & TERRY L. RUSSELL JEFFERY G. WILLIAMS
TRACT B & TRACT 2 TRACT A-1 & TRACT A-2
30715 BUY AVE PO BOX 8091
KOTZALE, AK 99511 KOTZALE, AK 99511

LOCATED WITHIN THE 101/4 SECTION 18, T7N, R17E, SEWARD MERIDIAN, KOTZALE ACCORDS DISTRICT, KOTZALE PENINSULA GROUND, ALASKA

CONTAINING 69.422 ACRES

INTEGRITY SURVEYS INC.

622 867 867 DRIVE KOTZALE, AK 99511

PHONE - 907-390-2247 JEFFERY G. WILLIAMS
FAX - 907-390-2247 TERRY L. RUSSELL

SURVEYORS PLANNERS

JOB NO.	21087	DATE:	MAY 13, 2015 09
SURVEYED:	9	SCALE:	1" = 100'
FIELD WC:	9	FILE:	21087 PP290

- NOTES:**
- 1) BUILDING SETBACK - A SETBACK OF 50 FEET IS REQUIRED FROM ALL EXISTING RIGHTS-OF-WAY UNLESS A LARGER SETBACK IS APPROVED BY RESOLUTION OF THE APPLICABLE PLANNING COMMISSION. TRACTS A-3 AND A-4 MAY BE AFFECTED BY FUTURE COVENANTS AND RESTRICTIONS AS RECORDED IN BOOK 204 PAGE 236, KOTZALE PENINSULA DISTRICT.
 - 2) FRONT 15 FEET OF THE GRADING SETBACK ADJACENT TO THE RIGHTS-OF-WAY IS USED AS 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.
 - 3) 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 STATE PENINSULA GROUND CODE OF ORDINANCES. A SURVEY TO DETERMINE THE ELEVATION OF THE PROPERTY MAY BE REQUIRED PRIOR TO CONSTRUCTION.

- 4) MOOSE RUN MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BROWNSIDE DISTRICT PROTECTION PROGRAM FOR CONSTRUCTION AND REVISIONS TO THE ROAD MAINTENANCE PROGRAM.
- 5) THE NATURAL BOUNDARIES OF THE LINE OF ORDINARY HIGH WATER FROM THE WIDE BEACHES OF THE SUBDIVISION, THE APPROXIMATE LINE OF ORDINARY HIGH WATER, AS SHOWN, IS FOR CONSTRUCTION ONLY. THE TRUE PROPERTY CORNER BEING ON THE CENTERLINE OF THE BAY LIT LINES AND THEIR INTERSECTION WITH THE NATURAL BEACHES.
- 6) PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KOTZALE PENINSULA GROUND SO FOOT JURISDICTION UNDER PARTIAL VINCINATION AREA. DEVELOPMENT MAY BE RESTRICTED UNDER CHAPTER 21.18 KOTZALE PENINSULA GROUND CODE OF ORDINANCES.
- 7) WETLANDS Delineation: THESE LOTS ARE AT LEAST 300 FEET FROM ANY WETLANDS AS SHOWN ON MAPS AND CONVEYANCES MAY NOT BE SUITABLE FOR GRADE, SUBSIDIZED DRAINAGE AND DISPOSAL. ANY SUBSIDIZED DRAINAGE OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

- LEGEND:**
- OLD/NEW MONUMENT RECORDED AS NOTED
 - PRIMARY MONUMENT SET THIS SURVEY
 - ⊙ PRIMARY MONUMENT RECORDED AS NOTED
 - ⊙ SECONDARY MONUMENT SET THIS SURVEY
 - 5/8" X 3/4" NEAR 1/4" PLASTIC CAP
 - SECONDARY MONUMENT RECORDED AS NOTED
 - () RECORD FOR _____ SUBDIVISION
 - () PLAY NO. TTTTTT
 - () RECORD FOR _____ SUBDIVISION
 - () PLAY NO. TTTTTT
 - () RECORD FOR _____ SUBDIVISION
 - () PLAY NO. TTTTTT

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 BOUNDARIES SHOWN HEREON ACCURATELY EXIST AS BOUNDARIES, AND ALL EASEMENTS AND OTHER DEEDS ARE CORRECT TO THE FORMAL EVIDENCES OF PRACTICE OF LAW SURVEYORS IN THE STATE OF ALASKA.



Plat #

DATE: _____

BY: _____

FOR: _____

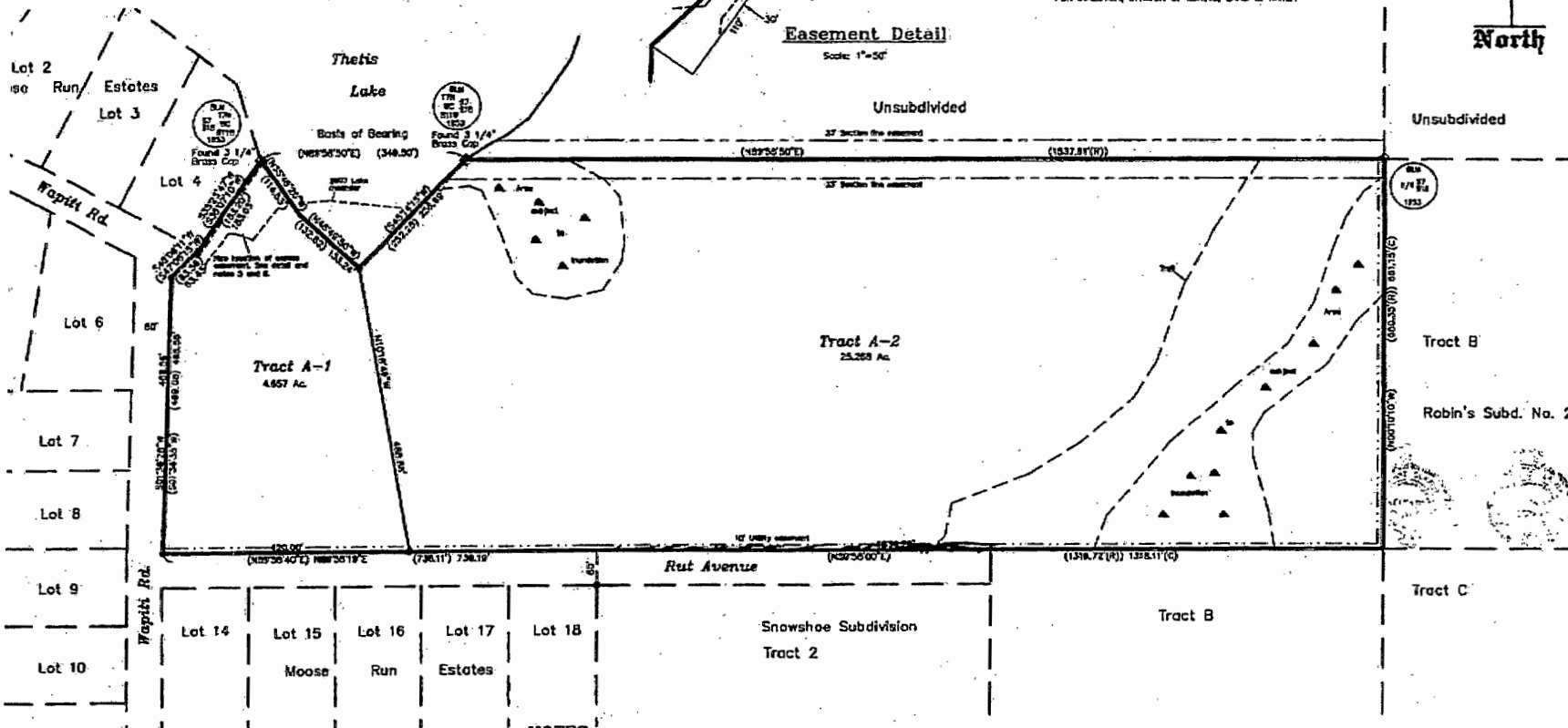
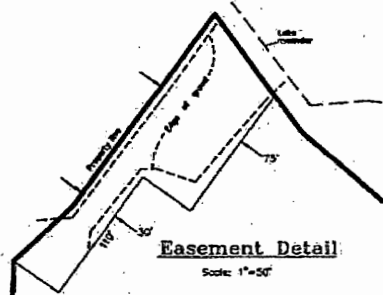
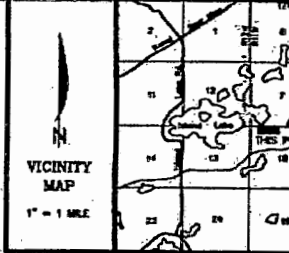
LEGEND:

- ⊙ MONUMENT (found this survey)
- ⊕ MONUMENT OF RECORD
- ⊙ 3/4" REBAR (found this survey)
- 5/8" REBAR (not this survey)
- (-.) RECORD DATUM PLAT 84-51 KPD
- (*) RECORD DISTANCE
- (C) COMPUTED DISTANCE

APPROVAL CERTIFICATE

THE EASEMENT RELOCATION DEPICTED HEREON AS STATED IN NOTE 8 IS HEREBY APPROVED BY THE ALASKA DEPARTMENT OF NATURAL RESOURCES.

Scott Harris 12-31-2009
 DIST. SURVEY SECTION DATE
 FOR DIRECTOR, DIVISION OF MINING, LAND & WATER



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 1/4 SECTION AND BY FREE CONSENT DEDICATE ALL THE WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASES THE USE SHOWN.

Jeffrey P. Williams
 JEFFREY P. WILLIAMS
 P.O. BOX 10225
 MOOSE, AK 99667

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 23 DAY OF October 2009

Thomas Blair
 THOMAS BLAIR
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES FEB. 25, 2013



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOUGH PLANNING COMMISSION AT THE MEETING OF May 12, 2009

KENAI PENINSULA BOROUGH
Michael
 AUTHORIZED OFFICIAL

NOTES:

- 1) Beas of bearing taken from the plot of Moose Run Estates, Plat 84-51, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws of the State of Alaska.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) The access easement shown on Moose Run Estates (DN 84-51) was recorded and a care easement granted by Planning Commission Resolution 2007-03, adopted on 12 March, 2007, and recorded on document 2007-005925-0 Kenai Recording District.
- 6) A public access easement initially granted by prescriptive right of constructed roadway and landing to the State of Alaska, relocated and dedicated in the location shown, at the widths indicated, for the purpose of fish and game management and the recreational public uses associated with this resource right, and as otherwise permitted by the owner. Additional rights granted by the owner shall not conflict with or negatively impact the state's existing fishery management or the public's right to enjoy the same. Easement area encompasses approximately 8.296 acres. The DMS, Div. of Mining, Land & Water file is LSH 579.
- 7) Private covenants and restrictions which affect this plot are recorded in Book 304 Page 232, Kenai Recording District.
- 8) Exceptions to KPS 20.20.030 and KPS 20.20.150 were granted by the Plat Committee at the meeting of 12 May, 2009.
- 9) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot line 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.
- 10) **WASTEWATER DISPOSAL:** These lots are at least 200,000 square feet or more and 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system shall 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 comments shown herein accurately and as described, and all dimensions and other details are correct.

Date 12/31/09

2009-9
 RECORDED 20
 ALASKA REC. DIST.
 DATE 3/15 12:09
 TIME 11:58 AM
 REQUESTED BY:
 SEGESSER SURVEYS
 30485 ROSLAND ST.
 SOLDOTNA, AK 99689

KPB FILE No. 2008-298

Moose Run Estates Williams Addition

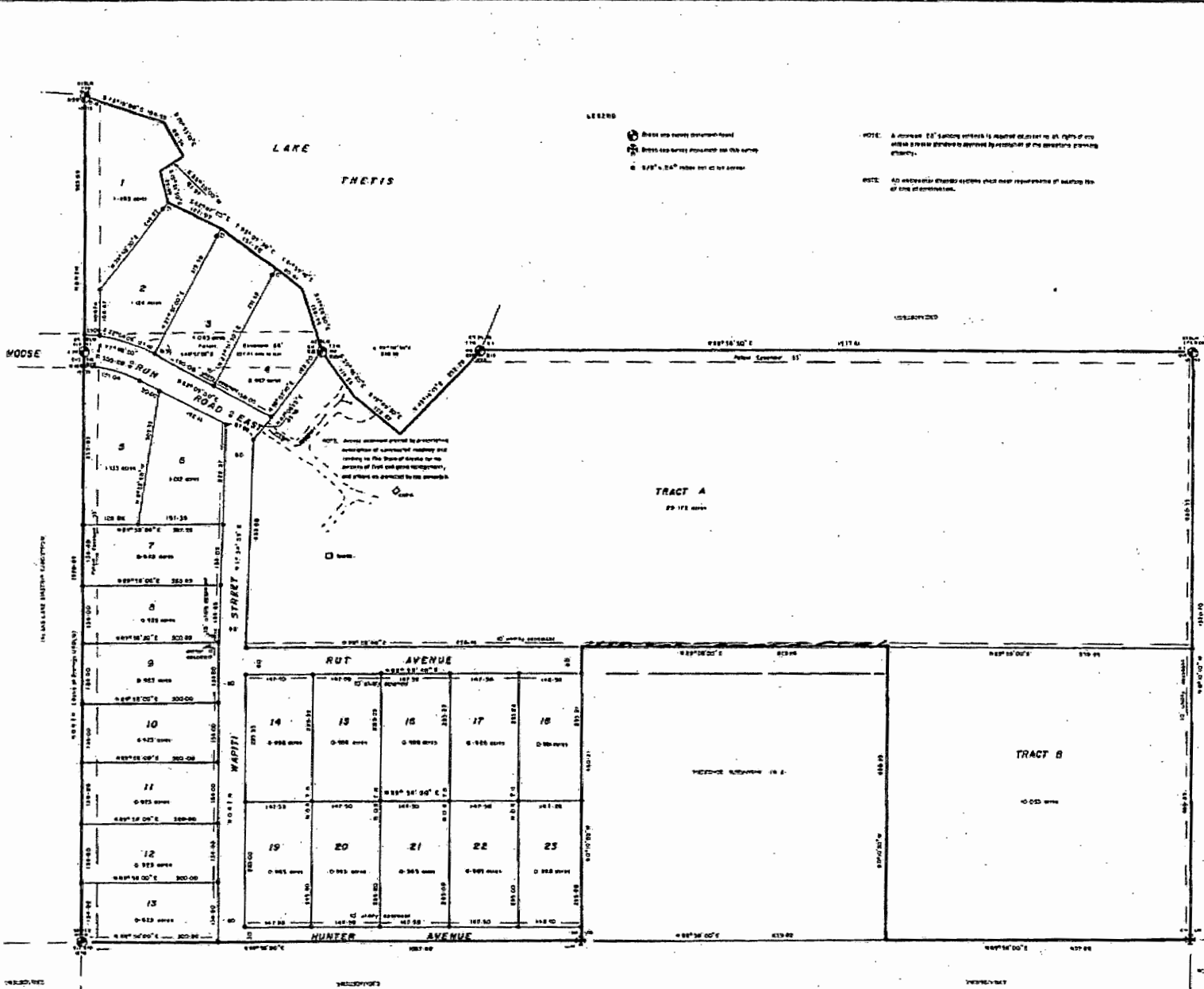
A re subdivision of Tract A, Moose Run Plat 84-51, Kenai Recording District.

Located within the N1/2 NW1/4 Section 18, 17N, 18W Kenai Peninsula Borough, Alaska.

Containing 28,923 Ac.

SEGESSER SURVEYS
 30485 Rosland St.
 Soldotna, AK 99689

JOB NO.	08107	DRAWN	12-4-1
SURVEYED	June, 2007	SCALE	1"=1/2
FIELD BOOK	07-2	SHEET	1 of 1



- ① Shows any survey monument found
- ② Shows any survey monument not found
- ③ Shows any survey monument not found

NOTE: A minimum 25' setback is required for all structures on lots in this subdivision. All setbacks are to be approved by the governing planning authority.

NOTE: All structures shall comply with the requirements of zoning for the subdivision.



STATEMENT OF DEVELOPER'S DECLARATION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I HEREBY CERTIFY THAT I HAVE READ AND APPROVED ALL TERMS OF ANY AND ALL PLANS AND SPECIFICATIONS TO BE USED THEREIN.
Richard Stearns *Gene Kelly*
 Public Officer State Planner
 PO Box 531
 Moose, Alaska

STATE ACKNOWLEDGMENT
 FOR *Gene Kelly* and *Gene Kelly*
 SUBSCRIBED AND SWORN TO before me this 13th day of January, 2004

Gene Kelly
 NOTARY PUBLIC FOR ALASKA
 BY COMMISSION EXPIRES *12/31/04*

SUBMISSION
 THIS PLAN HAS APPROVED BY THE DENALI REGIONAL PLANNING COMMISSION AT THE MEETING OF MAY 8, 2003

ALASKA PROFESSIONAL RECORD
 BY *Walt*
 REGISTERED OFFICIAL

REGISTERED OFFICIAL

Gene Kelly
 REGISTERED OFFICIAL

94-51
 3-19
 7:25
 Gene Lobdell

MOOSE RUN ESTATES			
A subdivision of the 1/2 Section 26, T. 10 S., R. 10 W., S. 14th Principal Meridian 20' U.S. and 7' 1/2" U.S. Public Land Survey System, Alaska State Lands, Moose, Alaska.			
Scale	As Shown	Original and not	Date of Survey
1" = 100'	AS SHOWN	REPRODUCED	January, 2004
MOOSE HOLLOW & THERPIS ESTATES		JESSIE LOBELLI-BIGFETTER	
P.O. Box 531	PO Box 531	P.O. Box 531	
Moose, Alaska	Moose, Alaska	Moose, Alaska	
Book 8-0	Sheet No. 54	Drawn by: <i>Gene Kelly</i>	Checked by: <i>Gene Kelly</i>

LIST HOLDERS:

George Reynolds Root
George Reynolds Root, STR. Route 6, Box 73, Orofino, Idaho.

Will Root
Will Root, STR. Route 6, Box 73, Orofino, Idaho.

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn before me this 6th day of September 1977

C. L. Parker
Notary for Idaho

222-77 My commission expires

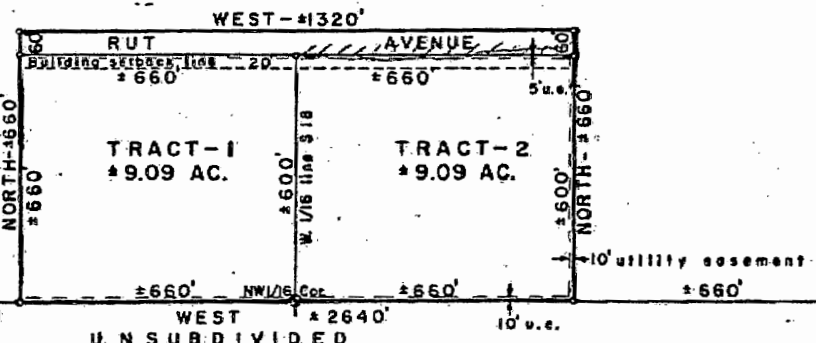
UNSUBDIVIDED

1/4 Cor. 7
18
SOUTH 1320'
C. of Section 18
NW 1/16 Cor.

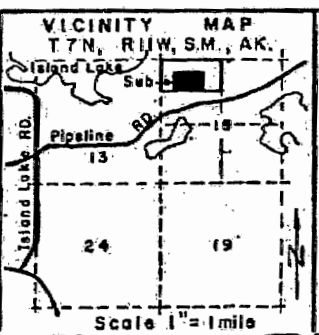
UNSUBDIVIDED

section line EAST ± 2640'

unsubdivided remainder
± 60 acres



- NOTES:
1. All waste water disposal systems shall comply with existing law at time of construction.
 2. This is an unsurveyed subdivision with no corners found or set.



SNOWSHOE SUBDIVISION

Comprised of ± 20 acres of N 1/2 NW 1/4, S 18, T 7 N, R 11 W, S. M.
Owner: Edward W. Martin, Box 8003 N.R.B., KENAI, AK.
Lein Holder: George Reynolds Root, S.T.R. 6, Box 73, Orofino, ID.
Surveyor: C.L. Parker, R.L.S., 237, Soldotna, AK.
Drawn by: T.T. Eastham
July, 1977

Scale 1" = 30'

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 to public use the roadway and utility easements shown.

OWNERS: Edward W. Martin, Box 8003 N.R.B., Kenai, AK. & Dairy W. Martin, Box 8003 N.R.B., Kenai, AK.

77-136

FILED
9-14-77
C.L. PARKER
NO. 2375

Seal

PLAT APPROVAL: This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the 1977 is hereby acknowledged and accepted as the official

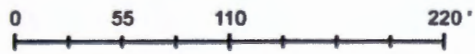
DATE 9-14-77
FILED
C.L. PARKER
NO. 2375



RUT AVE



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.

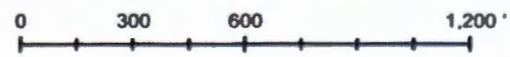


Vicinity Map





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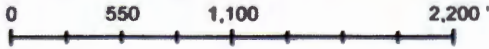
Vicinity Map



Date: 5/26/2015



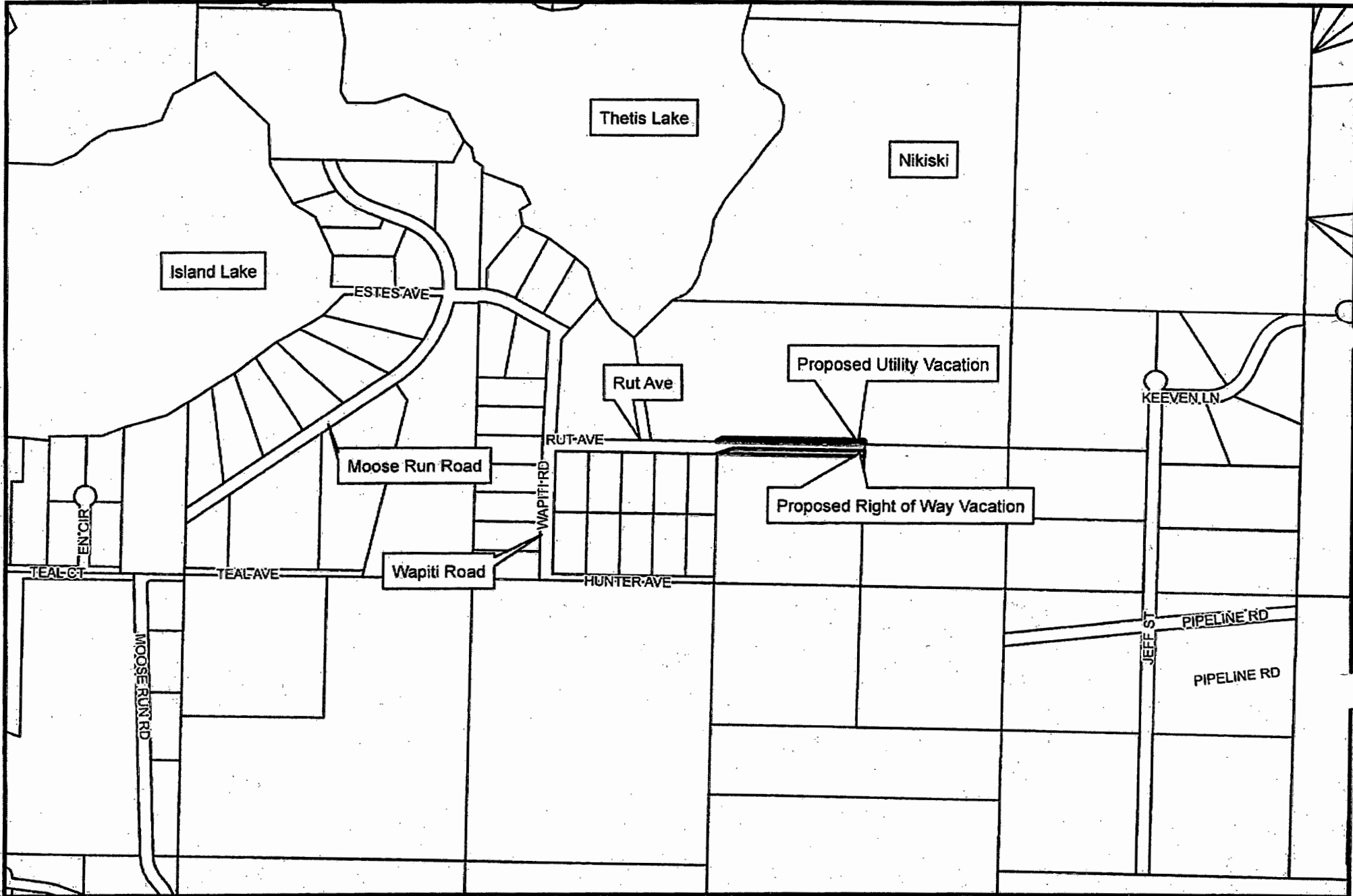
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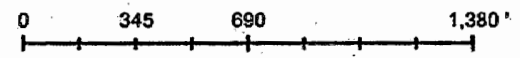
Vicinity Map



Date: 5/26/2015



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



Vicinity Map



Date: 5/26/2015



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

RECEIVED

MAY 18 2015

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

KENAI PENINSULA BOROUGH
 PLANNING DEPARTMENT

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

- \$500 non-refundable fee to help defray costs of advertising public hearing.
 - City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
 - Name of public right-of-way proposed to be vacated is dedicated by the plat of _____ Subdivision, filed as Plat No. _____ in _____ Recording District.
 - Are there associated utility easements to be vacated? Yes No
 - Are easements in use by any utility company? If so, which company None
 - Easement for public road or right-of-way as set out in (specify type of document) _____ as recorded in Book _____ Page _____ of the _____ Recording District. (Copy of recorded document must be submitted with petition.)
 - Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed? Yes No
 Is right-of-way used by vehicles / pedestrians / other? Yes No
 Is alternative right-of-way being provided? Yes No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:
Rut Ave will be adjusted 30' to the north. This will provide more usable space on Tract B-2 (proposed) which has limited usable area.

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

Submitted By: Scott Hoff Signature as: Petitioner Representative
 Name: Integrity Surveys
 Address: 820 Saint Dr. Kenai AK 99811
 Phone: 283-9047

Petitioners:

Signature <u>Jeffrey D. Williams</u>	Signature <u>Deb Bliss</u>
Name <u>Jeffrey D. Williams</u>	Name <u>Deb Bliss</u>
Address <u>5168 Rut Ave Nikiski AK 99625</u>	Address <u>5715 Rut Ave Kenai AK 99811</u>
Owner of <u>Tract A-2 Moose Run Etc & Co. Williams Addition</u>	Owner of <u>Tract A-2 Snowshoe subdivision Tract B Moose Run Etc & Co.</u>
Signature _____	Signature _____
Name _____	Name _____
Address _____	Address _____
Owner of _____	Owner of _____