

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

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

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.

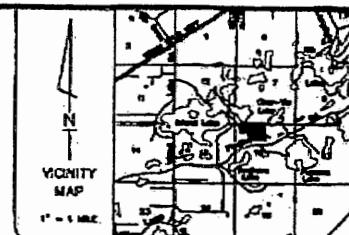
KPB 20.70.120:

- 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



CERTIFICATE OF DEGREE AND ADMISSION

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 BE USE SHOWN.

GORDON L. ALLEN EDWIN L. ALLEN

TRACT 6 & TRACT 7
34715 ROUT AVE
NORMAL AK 98051

JEFFERY D. WILLIAMS
TRACT A-1 & TRACT A-2
PO BOX 8081
MURKIN, AR 72451

APPLYING A CONCEPT

FOR EXHIBIT L PLAYS AND TONY L. PLAYS
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2003

NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES

NEEDS ASSESSMENT

FOR JEFFERY G. BRADLEY
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013

REGIARY POINTS FOR ALASKA BY COMMISSIONER BROWN

PLATE APPENDIX

THIS PLAN WAS APPROVED BY THE KODIAK PENINSULA GROUNDWATER PLANNING COMMISSION AT THE MEETING OF _____

KODIAK PENINSULA GROUNDWATER

Abstract

KPB FILE No. 2015-060

**MOOSE RUN ESTATES
2015 ADDITION**

A SUBDIVISION OF TRACT A-1 AND A-2 OF MOORE HILL ESTATES BEHINDS
ADDITION (3009-B EDC) AND TRACT B MOORE HILL ESTATES (84-36 EDC)
AND TRACT 2 BROWNSIDE, SUBDIVISION (OR 72-138)
ALSO INCLUDING THE PARTIAL VACATION OF 8TH AVE

ALSO STUDIED THE PARTIAL VINCATION OF BUT ANE

OWNER: DENNIS L. RUSS & WENDY L. RUSS JEFFERY D. WILLIAMS
TRACT 2 & TRACT 3 TRACT A-1 & TRACT A-
34718 BUY AVE PO BOX 8262

LOCATED WITHIN THE NW 1/4 SECTION 18, T7N, R11E, SEWARD MEDIANE
KOTAIK RECORDER'S DISTRICT, KOTAIK PENINSULA BOROUGH, ALASKA
CONTAINING 49.422 ACRES

INTEGRITY SURVEYS INC.

820 SIX FIFT DRIVE RURAL, AK 99511

— 100 —

DATE	DESCRIPTION	AMOUNT
1964-1965
1965-1966
1966-1967
1967-1968
1968-1969
1969-1970
1970-1971
1971-1972
1972-1973
1973-1974
1974-1975
1975-1976
1976-1977
1977-1978
1978-1979
1979-1980
1980-1981
1981-1982
1982-1983
1983-1984
1984-1985
1985-1986
1986-1987
1987-1988
1988-1989
1989-1990
1990-1991
1991-1992
1992-1993
1993-1994
1994-1995
1995-1996
1996-1997
1997-1998
1998-1999
1999-2000
2000-2001
2001-2002
2002-2003
2003-2004
2004-2005
2005-2006
2006-2007
2007-2008
2008-2009
2009-2010
2010-2011
2011-2012
2012-2013
2013-2014
2014-2015
2015-2016
2016-2017
2017-2018
2018-2019
2019-2020
2020-2021
2021-2022
2022-2023
2023-2024
2024-2025
2025-2026
2026-2027
2027-2028
2028-2029
2029-2030
2030-2031
2031-2032
2032-2033
2033-2034
2034-2035
2035-2036
2036-2037
2037-2038
2038-2039
2039-2040
2040-2041
2041-2042
2042-2043
2043-2044
2044-2045
2045-2046
2046-2047
2047-2048
2048-2049
2049-2050
2050-2051
2051-2052
2052-2053
2053-2054
2054-2055
2055-2056
2056-2057
2057-2058
2058-2059
2059-2060
2060-2061
2061-2062
2062-2063
2063-2064
2064-2065
2065-2066
2066-2067
2067-2068
2068-2069
2069-2070
2070-2071
2071-2072
2072-2073
2073-2074
2074-2075
2075-2076
2076-2077
2077-2078
2078-2079
2079-2080
2080-2081
2081-2082
2082-2083

JOB NO: 230000	GRADE: NAT 13, 2013
----------------	---------------------

SURVEYED: 9	SCALE: 1" = 100'
-------------	------------------

FIELD NO: 9	FILE: 21303 PP.250
-------------	--------------------

NOTE:

- (1) EXISTING STRUCTURE IS A NETWORK OF 10 FEET OR MORE FROM ALL PUBLIC UTILITY-OF-WAY UNLESS A HIGHER STANDARD IS APPROVED BY REGULATION OF THE APPROPRIATE PLANNING COMMISSION. TRUNK A-A' AND A-B-A' ARE NOT AFFECTED.
- (2) EXISTING UTILITY EASEMENTS ARE RECORDED IN BOOK 206 PAGE 81, CROWN PLEASURE DISTRICT.
- (3) FRONT 19 FEET OF THE EXISTING NETWORK ADJACENT TO THE TRUNKS IS ALSO A UTILITY EASEMENT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHEN SUCH INTERFERES WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
- (4) NEW WASH WATER SUBSTATION MAY BE LOCATED WITHIN A CORNER PLOTTED HALF-MILE OR MORE FROM THE MAIN DEVELOPMENT MUST COMPLY WITH SCALE 21 OF THE NEPA FEDERALISM BODIFORD CODE OF ORDINANCES. A STREET TO DEFRONT THE ELEVATION OF THE PROPERTY MAY BE REQUIRED FOR ACCESS.

- 4) ROAD MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BUREAU IN ORDER TO BE CONSIDERED A MAINTENANCE ROAD AND ELIGIBLE IN THE ROAD MAINTENANCE PROGRAM.
- 5) THE NATURAL METHODS OF THE LINE OF ORDINARY WATER FORM THE BULK SOURCE OF THE SUBSIDENCE, AND THE SUBSIDENCE IS NOT CAUSED BY THE EXCESSIVE EXCAVATION OF THE ROAD, OR FOR COMPUTATIONS ONLY, THE BULK PROPERTY CORRELATES BEING ON THE EXCLUSION OF THE ROAD LINES AND THEIR INTERSECTION WITH THE MAINTENANCE PROGRAM.
- 6) PORTIONS OF ROAD BOUNDARIES ARE WITHIN THE NEARLY FORMULA BOUNDARY SO THAT MAINTENANCE STAYS WITHIN THE PROVISIONS OF THE MAINTENANCE PROGRAM, BUT THE ROAD BOUNDARY IS NOT NEARLY FORMULA BOUNDARY OF SUBSIDENCES.
- 7) SUBSIDENCE BOUNDARY: THERE LIES AT LEAST 300,000 SQUARE FEET ON A ROAD, IS BASED IN SIZE AND CONSTRUCTION OF THE ROAD, AND IS BASED IN THE DESIGN OF THE ROAD, BUT SUBSIDENCE BOUNDARY OF ORDINARY SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA

LEWIS

- 00 CLC/PLM INCREMENT RECORDED AS NOTED
 01 PRIMARY INCREMENT SET THIS SURVEY
 02 SECONDARY INCREMENT RECORDED AS NOTED
 03 SECONDARY INCREMENT SET THIS SURVEY
 04 5/8" X 3/8" NEARBY PLASTIC CAP
 05 SECONDARY INCREMENT RECORDED AS NOTED
 06 RECORD FOR SUBDIVISION
 07 PLAT NO. TTTTTT
 08 RECORD FOR SUBDIVISION
 09 PLAT NO. TTTTTT
 10 RECORD FOR SUBDIVISION
 11 PLAT NO. TTTTTT

CERTIFICATE OF SURVEY
I HEREBY CERTIFY THAT I AM PROPERLY
LICENSED 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 MEASUREMENTS SHOWN
HEREON ACTUALLY EXIST AS DESCRIBED, AND ALL
CORRECTIONS AND OTHER DETAILS ARE CORRECT TO
THE NORMAL STANDARDS OF PRACTICE OF LAND
SURVEYORS IN THE STATE OF ALASKA.



Plot 2

Part C

72

1

1

LEGEND:

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

APPROVAL CERTIFICATE

THE EASEMENT RELOCATION DEPICTED HEREON AS STATED IN NOTE 9 IS HEREBY APPROVED BY THE ALASKA DEPARTMENT OF NATURAL RESOURCES.

David L. Smith 12-31-2009
DIST. SURVEY SECTION DATE
FOR DIRECTOR, DIVISION OF MINING, LAND & WATER

VICINITY
MAP
1" = 1 MILE

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 OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL THE WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASES THE USE SHOWN.

Jeffrey D. Williams
JEFFREY D. WILLIAMS
P.O. BOX 9223
NOME, AK 99567

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 23 DAY OF October

FOR JEFFREY D. WILLIAMS

Young Dean
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES FEB. 25, 2010



PLAT APPROVAL

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

KENAI PENINSULA BOROUGH
Michael
AUTHORIZED OFFICIAL

KPB FILE No. 2008-298

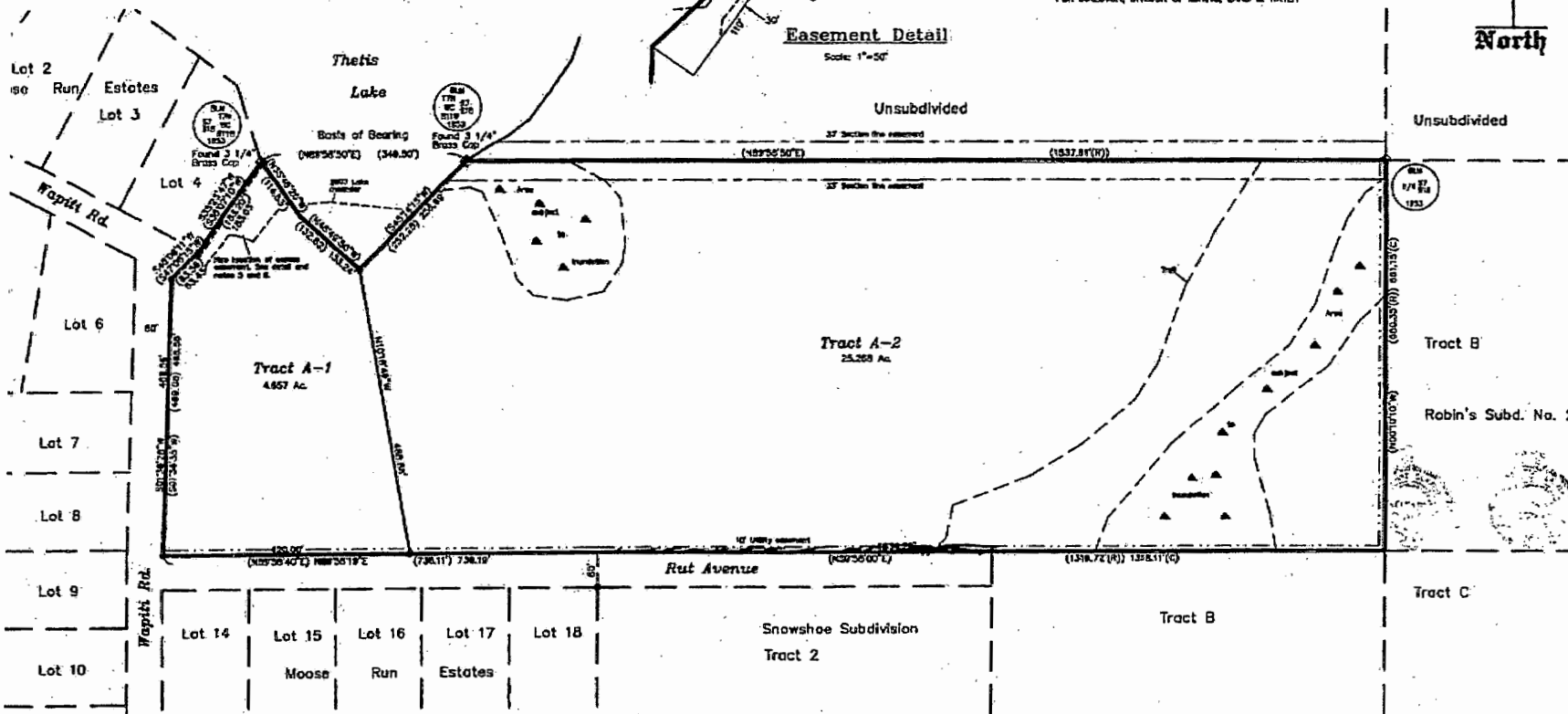
Moose Run Estates Williams Addition

A resubdivision of Tract A, Moose Run
Plat 84-51, Kenai Recording District.
Located within the N1/2 NW1/4 Section 18, 17N, 18E
Kenai Peninsula Borough, Alaska.

Containing 28.923 Ac.

SEGESSER SURVEYS
30485 Rosland St.
Soldotna, AK 99669

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



NOTES:

- 1) Bore 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 at the time of construction.
- 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 new 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 0.236 acres. The DNR, Div. of Mining, Land & Water file is LSH 578.
- 7) Private covenants and restrictions which affect this plat are recorded in Book 304 Page 233, Kenai Recording District.
- 8) Exceptions to KPB 20.20.030 and KPB 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) **WATERWATER SPECIAL:** These lots are at least 200,000 square feet or more and 5 acres in size and therefore may not be suitable for crafts waterwater treatment and disposal. Any waterwater 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 hereon accurately state as described, and all dimensions and other details are correct.

Date 12/31/09

LIST HOLDERS:

George Reynolds Root
George Reynolds Root, S.T.R. 6, Box 73, Orofino, Idaho.

With List
Ruth Root, S.T.R. 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

2-2-77 My commission expires

UNSUBDIVIDED

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

UNSUBDIVIDED

section line EAST ± 2640'

unsubdivided remainder
± 60 acres

WEST - ± 1320'

RUT AVENUE

TRACT-1
± 9.09 AC.

TRACT-2
± 9.09 AC.

NORTH ± 660'

NORTH ± 660'

± 660'

± 660'

± 660'

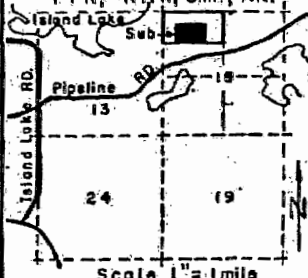
N 1/16 Cor.

WEST ± 2640'

UNSUBDIVIDED

- 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.

VICINITY MAP
T7N, R11W, S.M., AK.



SNOWSHOE SUBDIVISION

Comprised of ± 20 acres of N 1/2 NW 1/4, S18, T7N, R11W, 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.
Edward W. Martin
OWNERS: Edward W. Martin, Box 8003 N.R.B., Kenai, AK. & Mary W. Martin, Box 8003 N.R.B., Kenai, AK.

DEDICATION OF OWNERSHIP & DEDICATION

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn before me this 13th day of September 1977

George Reynolds Root Notary for Idaho
11-24-77 My commission expires

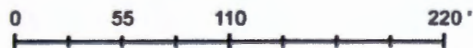
Seal

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

17-136
FILED
DATE 9-14-77
TIME 2:32 PM
BY [Signature]
Address [Blank]



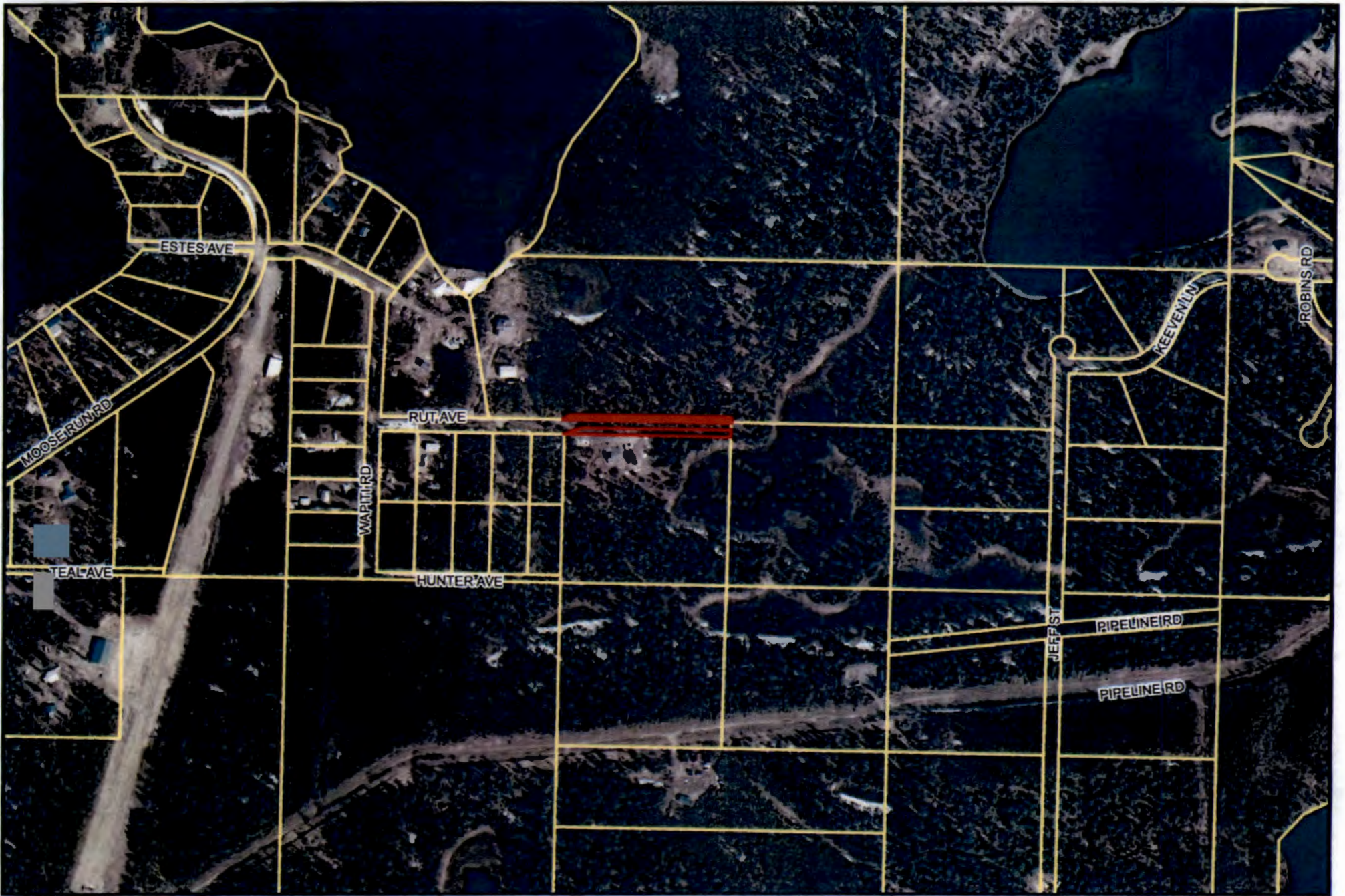
The information depicted hereon
is for a graphical representation
only of best available sources.
The Kenai Peninsula Borough
assumes no responsibility
for any errors on this map.



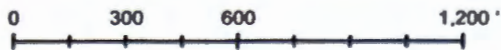
Vicinity Map



Date: 5/26/2015



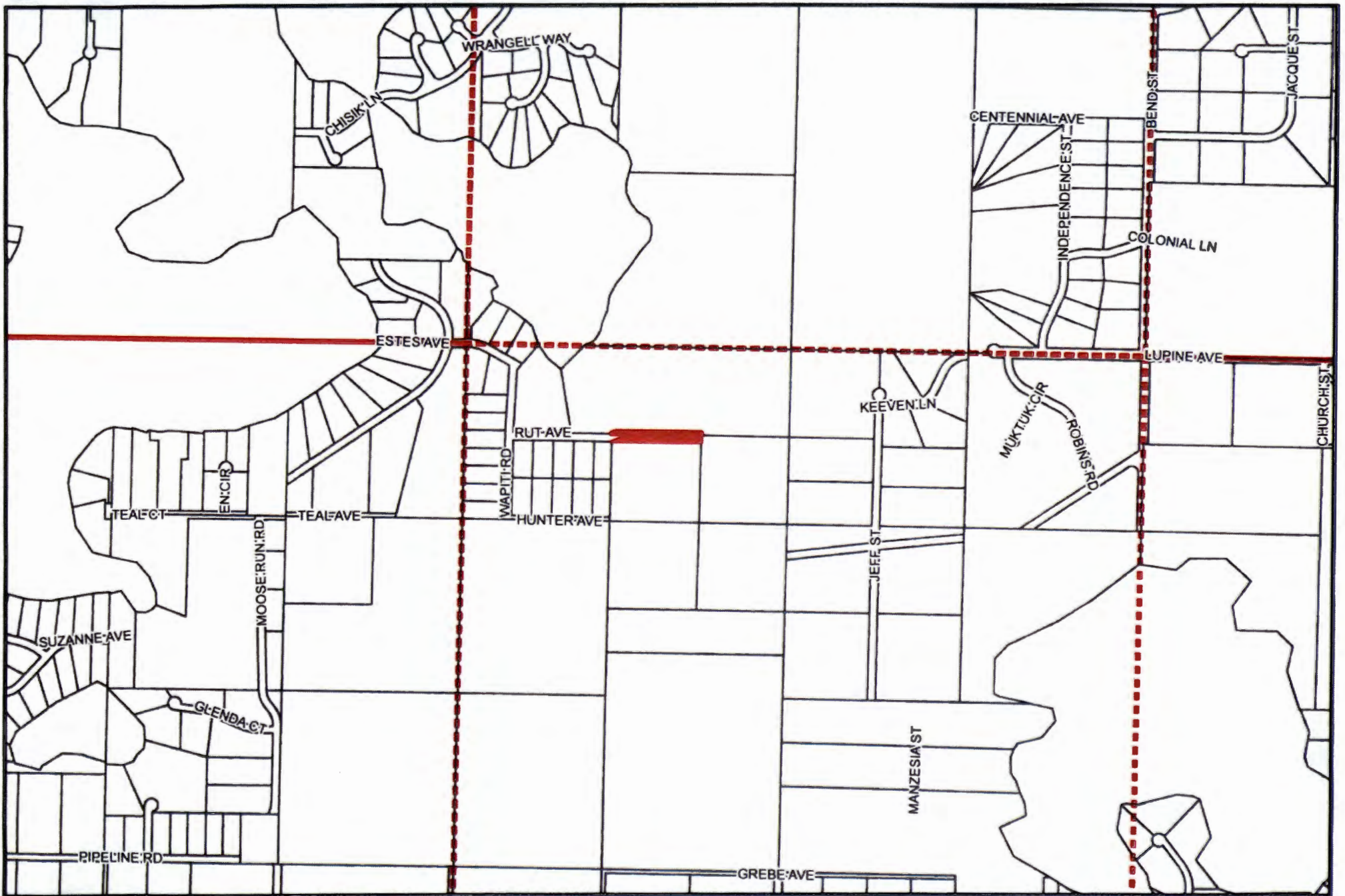
The information depicted hereon
is for a graphical representation
only of best available sources.
The Kenai Peninsula Borough
assumes no responsibility
for any errors on this map.



Vicinity Map



Date: 5/26/2015



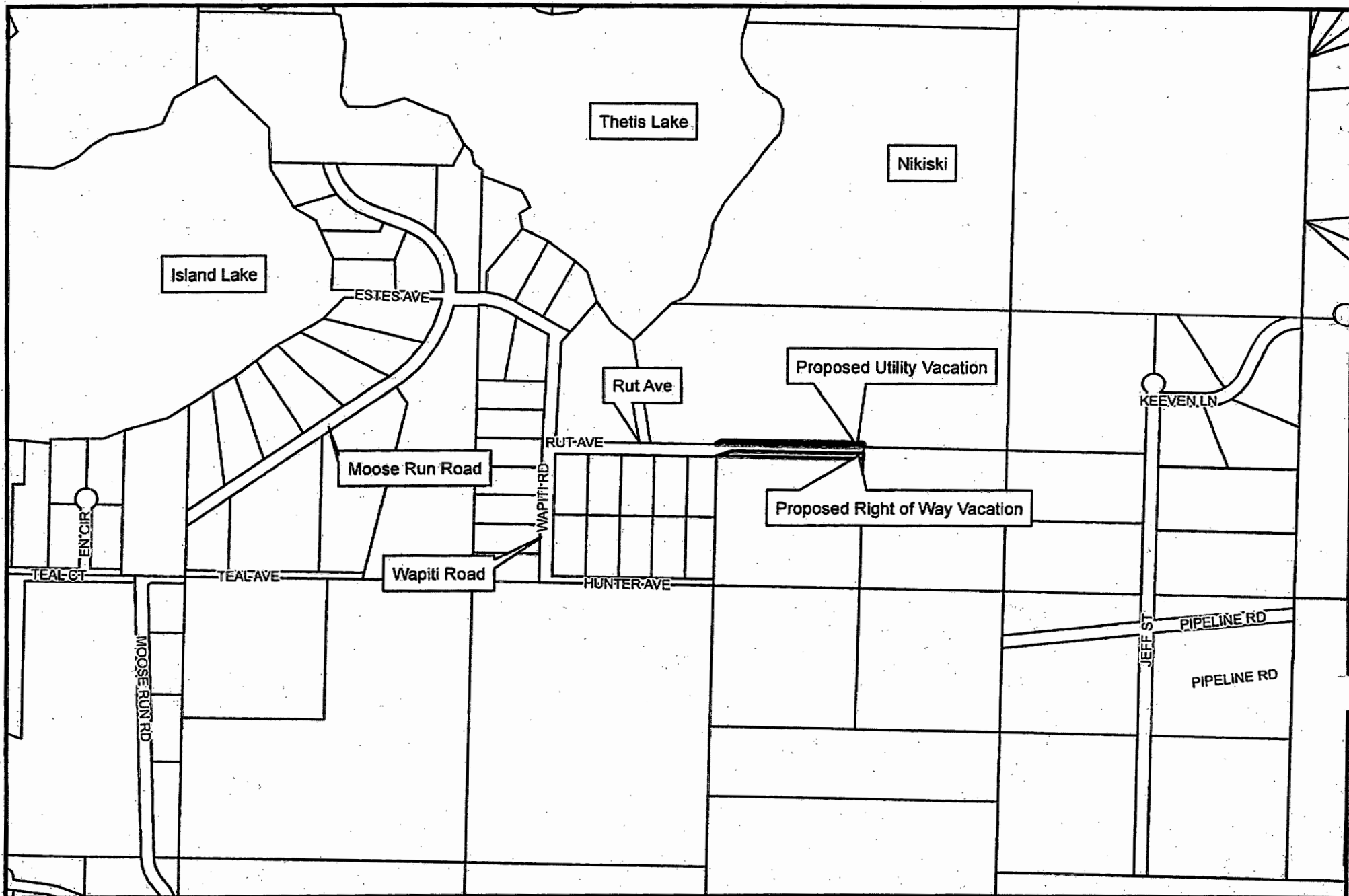
The information depicted hereon
is for a graphical representation
only of best available sources.
The Kenai Peninsula Borough
assumes no responsibility
for any errors on this map.

0 550 1,100 2,200'

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.

0 345 690 1,380'

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 99611
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>51768 Rut Ave</u>	Address <u>57715 Rut Ave</u>
<u>Nikiski AK 99623</u>	<u>Kenai AK 99611</u>
Owner of <u>Tract A-2 Moose Run Estate</u>	Owner of <u>Tract 2 Snowshoe Subdivision</u>
<u>Williams Addition</u>	<u>Tract 6 Moose Run Estate</u>
Signature _____	Signature _____
Name _____	Name _____
Address _____	Address _____
Owner of _____	Owner of _____