



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

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

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

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## **M E M O R A N D U M**

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Max Best, Planning Director *MB*

**DATE:** May 24, 2017

**SUBJECT:** Vacation of the dedicated portion of Diamond M Ranch Road between Lots 3A and 5A as shown on Carrol Martin Subdivision Diamond M Resort Addition, Plat KN 2008-116; located within the N 1/2 Section 22 and SW 1/4 Section 15, T5N, R11W, Seward Meridian, Alaska, and within the Kenai Peninsula Borough; KPB File 2017-058V.

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

During their regularly scheduled meeting of May 22, 2017, the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation by unanimous consent based on the following findings of fact. This petition is being sent to you for your consideration and action.

### *Findings*

1. There is not a constructed road within the current ROW.
2. The new location of ROW will encompass the existing roadway.
3. Sufficient rights-of-way exist to serve the surrounding properties.
4. No surrounding properties will be denied access.
5. Per the submittal, the right-of-way proposed for vacation is not in use for access.
6. Homer Electric Association submitted a statement of reviewed/no comments.
7. Per the submittal, the alternative dedication will connect with the existing dedication of Diamond M Ranch Road per KPB 20.30.030.
19. Per the detailed drawing provided by the surveyor, the portion of Sports Lake Road proposed for vacation has not been constructed.

The Assembly has 30 days from May 22, 2017 in which to veto the decision of the Planning Commission. If the Commission receives no veto within the 30-day period, the decision of the Commission will stand.

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

cc: petitioners' w/minutes only

AGENDA ITEM F. PUBLIC HEARINGS

3. Vacate the dedicated portion of Diamond M Ranch Road between Lots 3A and 5A as shown on Carrol Martin Subdivision Diamond M Resort Addition, Plat KN 2008-116; located within the N 1/2 Section 22 and SW 1/4 Section 15, T5N, R11W, Seward Meridian, Alaska, and within the Kenai Peninsula Borough; KPB File 2017-058V.

STAFF REPORT

PC Meeting: 5/22/17

Purpose as stated in petition:

- 1) A roadway has not been built within Diamond M Ranch Road right of way. The new right of way dedication will be over the existing travel way; and
- 2) There is an existing well located within the ROW. The vacation of the ROW will allow the existing well to be used for a public water system.

Petitioners: Carrol Martin, Joanne Martin, Blair Martin, and Ronna Martin of Kenai, AK

Notification: Public notice appeared in the May 11, 2017 issue of the Peninsula Clarion as a separate ad. The public hearing notice was published in the May 18 issue as part of the tentative agenda.

Seven certified mailings were sent to owners of property within 300 feet of the parcels. One receipt had been returned when the staff report was prepared. Two public hearing notices were sent by regular mail to owners within 600 feet of the proposed vacation.

Eleven public hearing notices were emailed agencies and interested parties.

Pertinent KPB Departments were notified of the public hearing through an interdepartmentally shared subdivision database. The public hearing notice was emailed to Central Emergency Services.

Notices were mailed to the Kenai Post Office and Kenai Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

Homer Electric Association: reviewed/no comments.

KPB Addressing Officer: No objection to the proposed vacation.

KPB Road Maintenance: Do the new dedications cause any setback issues to existing structures?

River Center: The proposed vacation is not within a mapped flood hazard zone, and it is not within the Anadromous Habitat Protection District.

Staff Discussion:

The proposed alternative right-of-way is being dedicated atop an existing natural gas line. A 15-foot easement for the gas line underlies the proposed alternative dedication. Comments from ENSTAR were not available when the staff report was prepared. ENSTAR may not be willing to have a right-of-way dedicated atop their existing facilities.

Imagery indicates a large structure very close to the proposed alternative right-of-way dedication. The

alternative right-of-way dedication may need to be designed to avoid creating encroachments in the building setback required by KPB 20.30.240.

Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, neither the alternative right-of-way nor the existing right-of-way is affected by low wet areas.

Per KPB GIS 4-foot contours terrain within the alternative and existing right-of-way is flat.

**Surveyor's Findings**

1. There is not a constructed road within the current ROW.
2. The new location of ROW will encompass the existing roadway.

**Platting Staff Findings:**

3. Sufficient rights-of-way exist to serve the surrounding properties.
4. No surrounding properties will be denied access.
5. Per the submittal, the right-of-way proposed for vacation is not in use for access.
6. Homer Electric Association submitted a statement of reviewed/no comments.
7. Per the submittal, the alternative dedication will connect with the existing dedication of Diamond M Ranch Road per KPB 20.30.030.

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

1. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe such that the plat can be recorded within one year of vacation consent.
2. Compliance with recommendations by ENSTAR, GCI, and ACS.
3. The alternative right-of-way will create no encroachments.

**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 city or 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





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.

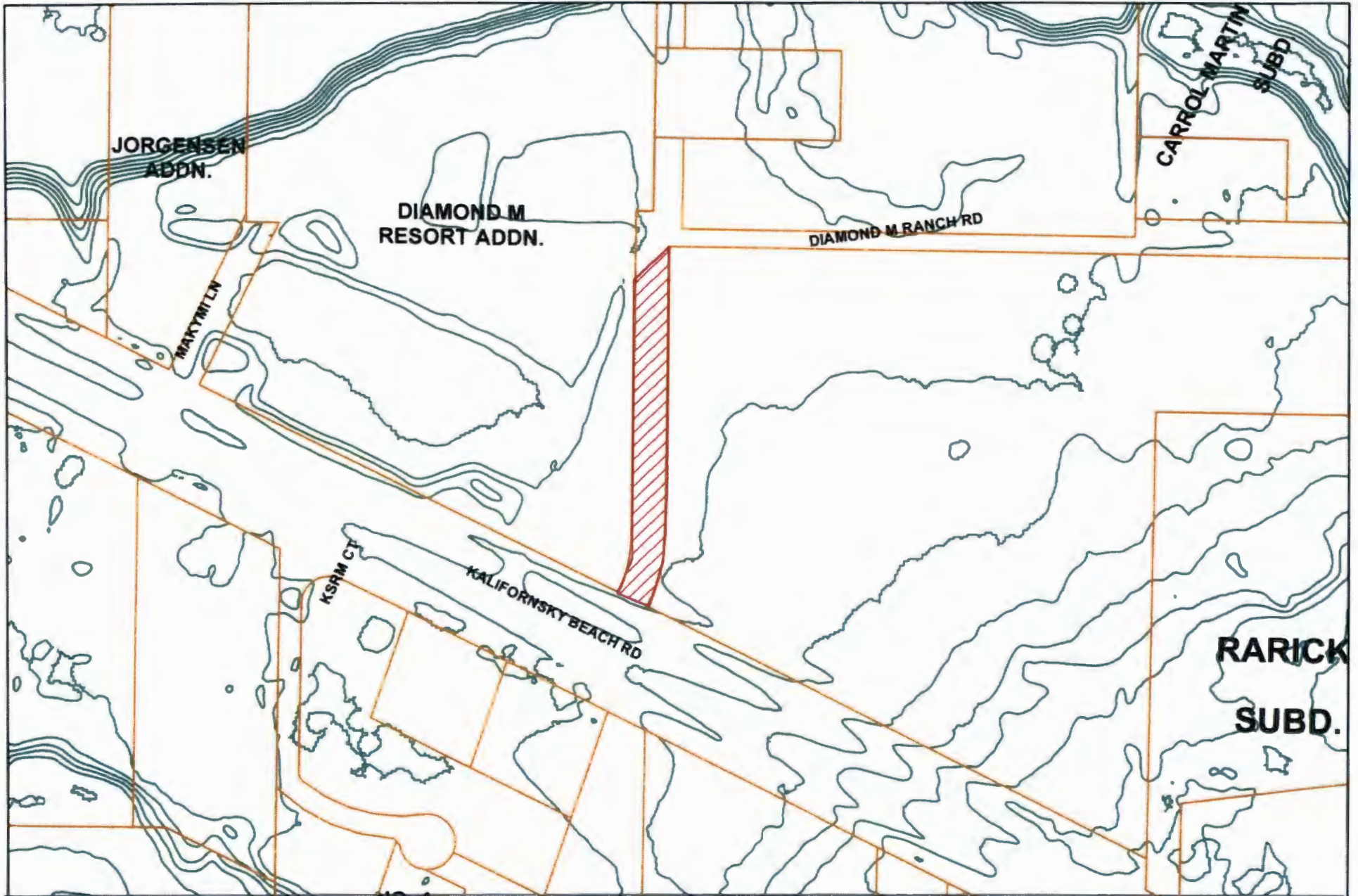
**Aerial View**



 PRELIMINARY PLAT

ESolomon, KPB  
Date: 4/23/2017



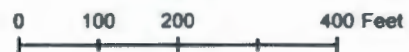


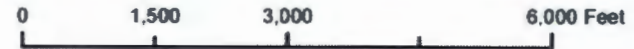
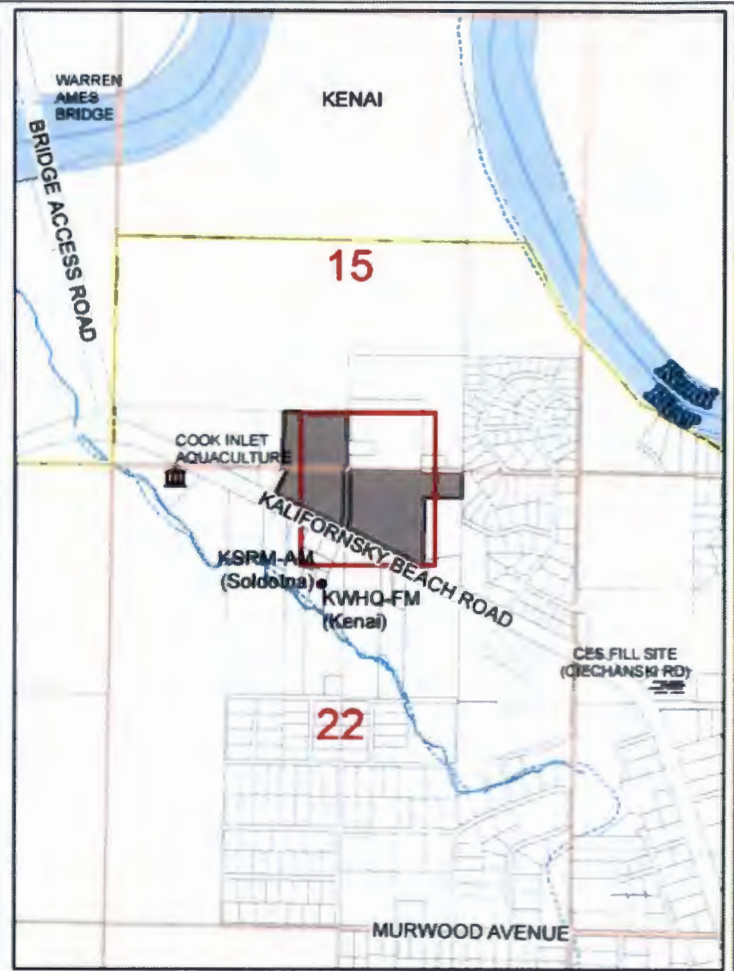
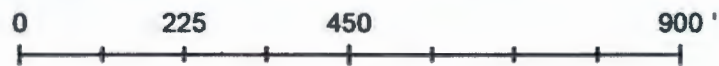
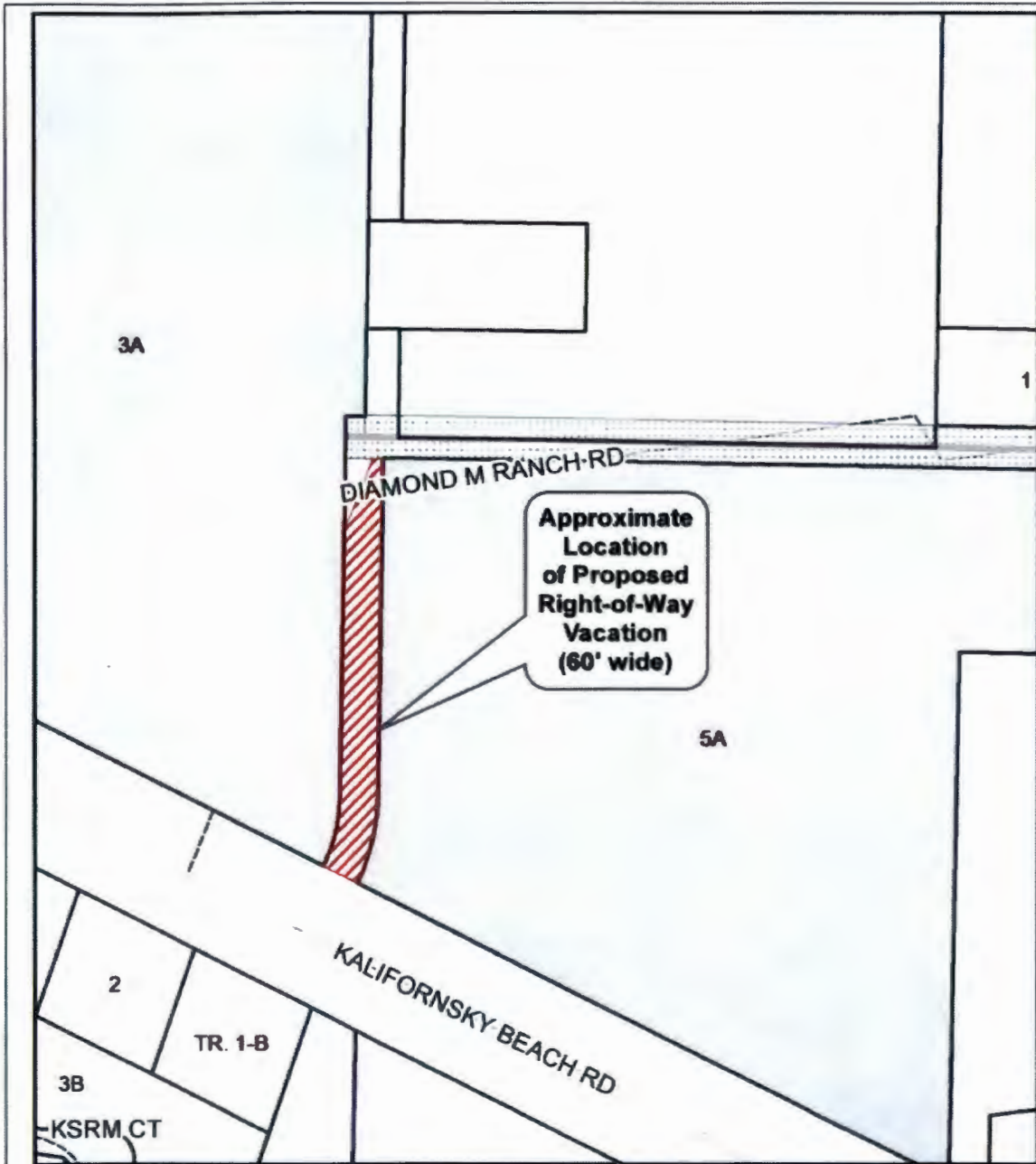
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Date: 5/10/2017

Kenai Peninsula Borough Planning Department

Four-foot Contours





**KPB 2017-058V**  
**T05N R11W S15 & S22**  
**KALIFORNKY**



ESolomon, KPB  
 Date: 4/27/2017



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.



## PLAT COMMENTS FROM KENAI PENINSULA BOROUGH REVIEWERS

### 2017-058V: Carrol Martin Subdivision Diamond M Resort 2017 Addition Vacation of Portion of Diamond M Ranch Rd.

Scott Huff

Monday, May 22, 2017

#### 1. LOZD and Material Site Comments

Reviewer: Wall, Bruce

NOT located within an LOZD

#### 2. Kenai River Center (Floodplain, Habitat Protection, and State Parks)

##### A. Floodplain

Reviewer: Harris, Bryr

Floodplain Status: Not within flood hazard area

Comments:

##### B. Habitat Protection

Reviewer: Carver, Nancy

Habitat Protection District Status: Is NOT within HPD

Comments:

##### C. State Parks

Reviewer: Russell, Pam

Comments:

No Comments

#### 3. Addressing and Streets

Reviewer: Henson, Carrie

Affected Addresses:

41125 KALIFORNSKY BEACH RD - WILL BE RETAINED ON LOT 5B

48500 DIMAOND M RANCH RD - WILL BE RETAINED ON LOT 3B

48512 DIAMOND M RANCH RD - WILL BE RETAINED ON LOT 3B

48522 DIAMONDM RANCH RD - WILL BE RETAINED ON LOT 3B

Existing Street Names are Correct: True

List of Correct Street Names:

DIAMOND M RANCH RD

MAKYMI LANE

KALIFORNSKY BEACH ROAD

Existing Street Name Corrections Needed:

All New Street Names are Approved: False

List of Approved Street Names:

List of Street Names Denied:

Comments:

NO OBJECTION TO THE VACATION

4. **Code Compliance**

Reviewer: Shears, Jennifer

Comments:

5. **Road Maintenance**

Roads Reviewer: Knackstedt, Henry

Out of Jurisdiction: False

Comments:

Do the new dedications cause any setback issues to existing structures?

Roads Director: Malone, Patrick

Comments:

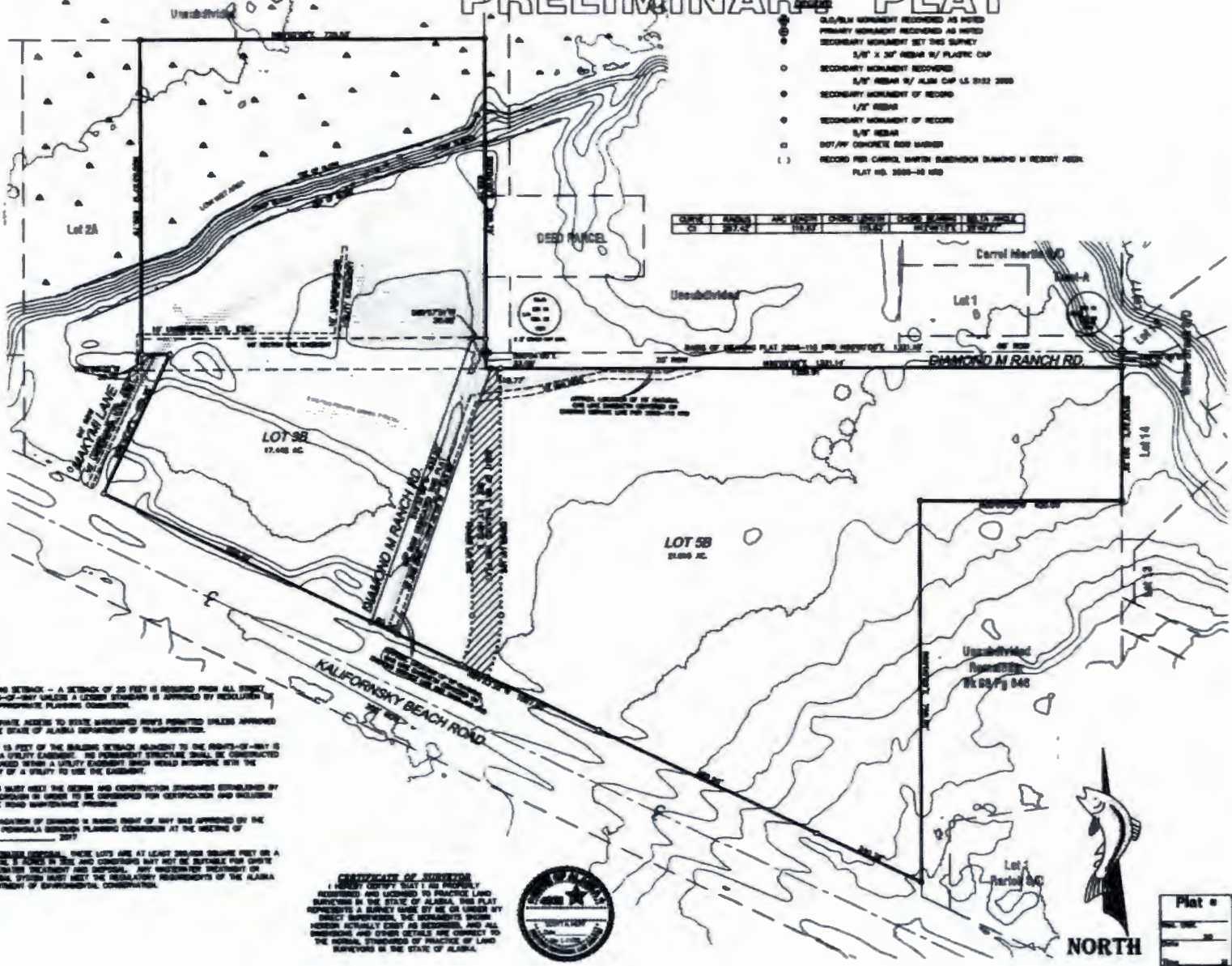
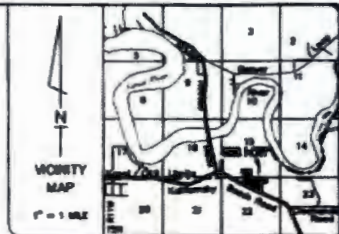
No comments



# PRELIMINARY PLAT

- 0.5/8" MONUMENT RECOVERED AS NOTED
- PRIMARY MONUMENT RECOVERED AS NOTED
- SECONDARY MONUMENT SET THIS SURVEY
- 1/4" X 3/8" REBAR W/ PLASTIC CAP
- SECONDARY MONUMENT RECOVERED
- 1/4" REBAR W/ ALUM CAP LS 9132 2005
- SECONDARY MONUMENT OF RECORD
- 1/2" REBAR
- SECONDARY MONUMENT OF RECORD
- 1/4" REBAR
- DOT/PV CONCRETE 600 MARKER
- RECORD FOR CARROLL MARTIN SUBDIVISION DIAMOND M RESORT ADDN
- PLAT NO. 2009-10 000

DATE	BOOK	AC. (COR.)	CONTRACT NO.	BOOK	SECTION	PLAT NO.
01/27/24	15327	15347	15347	15347	15347	15347



- NOTES:**
- 1) BALDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LARGER SETBACK IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
  - 2) NO PRIVATE ACCEDES TO STATE MAINTAINED HWYS PERMITTED UNLESS APPROVED BY THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION.
  - 3) FRONT 15 FEET OF THE BALDING SETBACK ADJACENT TO THE RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT UNLESS IT WOULD INTERFERE WITH THE HEALTH OF A UTILITY TO USE THE EASEMENT.
  - 4) ROWS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE SUBDIVISION IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
  - 5) THE VALIDITY OF ISSUING A ROAD RIGHT OF WAY HAS APPROVED BY THE NEW HAVENVILLE PLANNING COMMISSION AT THE MEETING OF THE MONTH OF \_\_\_\_\_ 2017.
  - 6) SETBACKS GENERAL: THESE LOTS ARE AT LEAST 2000 FEET OR MORE FROM A HIGHWAY OR ROAD IN THE STATE OF ALABAMA AND THEREFORE MAY NOT BE SUITABLE FOR SPARSE RESIDENTIAL TREATMENT AND SPECIAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALABAMA DEPARTMENT OF ENVIRONMENTAL CONSTRUCTION.

**CERTIFICATE OF SURVEY**  
 I HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS MADE AND ACCORDING TO THE PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THE INSTRUMENTS FROM WHICH WERE ACTUALLY EXIST AS DESCRIBED, AND ALL MEASUREMENTS AND OTHER DETAILS ARE CORRECT TO THE HIGHEST STANDARD OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALABAMA.



**CERTIFICATE OF OWNERSHIP AND RESERVATION**  
 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 DEEDICATE ALL RIGHTS-OF-WAY AND PUBLIC RIGHTS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

\_\_\_\_\_  
 OWNER OF FORMER LOT 2A  
 SELMA, AL 36580

\_\_\_\_\_  
 OWNER OF FORMER LOT 5A  
 SELMA, AL 36580-0448

**HEAVY'S ACKNOWLEDGMENT**  
 FOR CAROL A. MARTIN AND CAROL J. MARTIN  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2017

**HEAVY PUBLIC FOR ALASKA**  
 BY COMMISSION OFFICIAL

**HEAVY'S ACKNOWLEDGMENT**  
 FOR ROMA MARTIN AND BLAIR MARTIN  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2017

**HEAVY PUBLIC FOR ALASKA**  
 BY COMMISSION OFFICIAL

**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE NEW HAVENVILLE BROADWAY PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_  
 NEW HAVENVILLE BROADWAY

ADDRESS OFFICIAL

KPB FILE No

**CARROL MARTIN SUBDIVISION  
 DIAMOND M RESORT 2017 ADDITION**

A SUBDIVISION OF LOT 2A AND LOT 5A CARROL MARTIN SUBDIVISION  
 DIAMOND M RESORT ADDITION PLAT 2009-10 000

OWNER: CAROL A. MARTIN AND CAROL J. MARTIN  
 PO BOX 1790  
 SELMA, AL 36580

ROMA MARTIN AND BLAIR MARTIN  
 1000 DIAMOND M RANCH RD  
 SELMA, AL 36581-0448

LOCATED WITHIN THE SW/4 SECTION 10 AND THE N/2 SECTION 22,  
 T2N, R17E, SEWARD MERIDIAN, NEW HAVEN DISTRICT, NEW HAVENVILLE  
 BROADWAY, ALABAMA

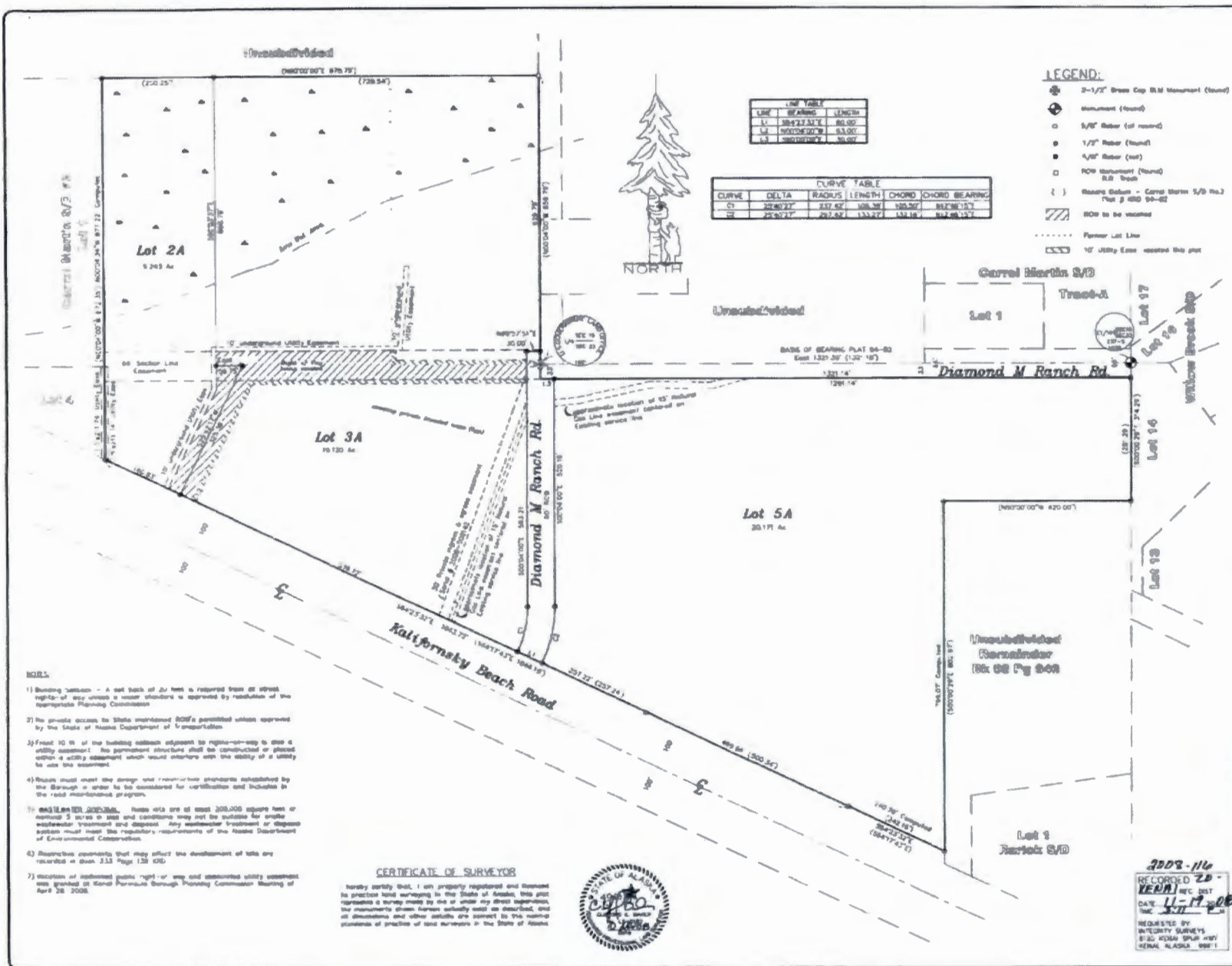
CONTAINING 42.26 ACRES

**INTEGRITY SURVEYS INC.**  
 820 NET NET DRIVE SELMA, AL 36581

DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_

JOB NO. 21702 DRAWN: APRIL 17, 2017 BY  
 APPROVED: \_\_\_\_\_ SCALE: 1" = 100'

KPB 2017-058V



**CERTIFICATE of OWNERSHIP and DEDICATION**

WE HEREBY CERTIFY THAT WE AND THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT RESOLVE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*[Signatures]*  
PO Box 1033  
Kenai AK, 99581

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SHOWN BEFORE ME THIS 28<sup>th</sup> DAY of October 2008 FOR Carol M. and Rebecca J. Martin

*[Signatures]*  
BY **CHARLENE FISHER** Notary Public  
My Comm. Expires 5-11-11

*[Signatures]*  
(All remaining property)  
PO Box 1778  
Kenai, AK 99588

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SHOWN BEFORE ME THIS 2<sup>nd</sup> DAY of October 2008 FOR Carol M. Martin & Rebecca J. Martin

*[Signatures]*  
BY **CHARLENE FISHER** Notary Public  
My Comm. Expires 5-11-11

**PLAT APPROVAL**

THIS PLAT HAS BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF September 11, 2008

*[Signature]*  
KIMBERLY BROADBENT

KPB FILE No 2008-036

**Carol Martin Subdivision  
Diamond M Resort Addition**

A portion of Lots 2, 3, & 5 of Carol Martin Subd. Plat 004-001, a portion of 2E 1/4, 200/4 200 and a portion of a portion of Diamond M Ranch Plat Located within the SW 1/4 of Section 15, and the SW 1/2 of Section 32, T4N, 20W S.4., Kenai Borough District, Kenai Peninsula Borough, Alaska.

Containing 60,000 Acres

**Integrity Surveys, Inc.**

2008-116  
RECORDED 20-  
YERL REC DIST  
DATE 11-19-08  
SHEET 11

REQUESTED BY  
INTEGRITY SURVEYS  
8122 HISSAN SPUR HWY  
KENAI, ALASKA 99541

JOB NO	27227	DRAWN	02 October, 2008 CD
SURVEYED	Aug. 07 - May 08	SCALE	1" = 100'
FILE NO	2007-34 PG 40-65	DWG FILE	Carol Martin



**CERTIFICATE of OWNERSHIP and DEDICATION**

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 dedicate all rights-of-way to public use and grant of easements to the use shown.

*Richard E. King* Notary Public  
*Marlene F. King* Notary Public

We further certify that Deeds of trust affecting this property do not contain restrictions which would prohibit this replat, or require signature and approval of beneficiaries.

**Notary's Acknowledgement**

Subscribed and sworn before me on this 21st day of February 1998, for *Carroll J. Martin*

*Joan Martin*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 12/31/99

**WASTEWATER DISPOSAL (Lots 1 and 4)**

Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

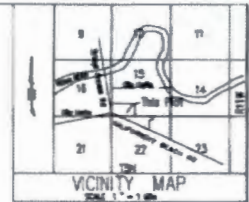
**WASTEWATER DISPOSAL (Lots 2,3 and 5)**

Conditions may not be suitable for on-site wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

Subject to any local restrictions, the Alaska Department of Environmental Conservation approves this subdivision for platting.

**LEGEND**

- SET 5/8" REBAR
- FOUND 12"x12" Cast Post

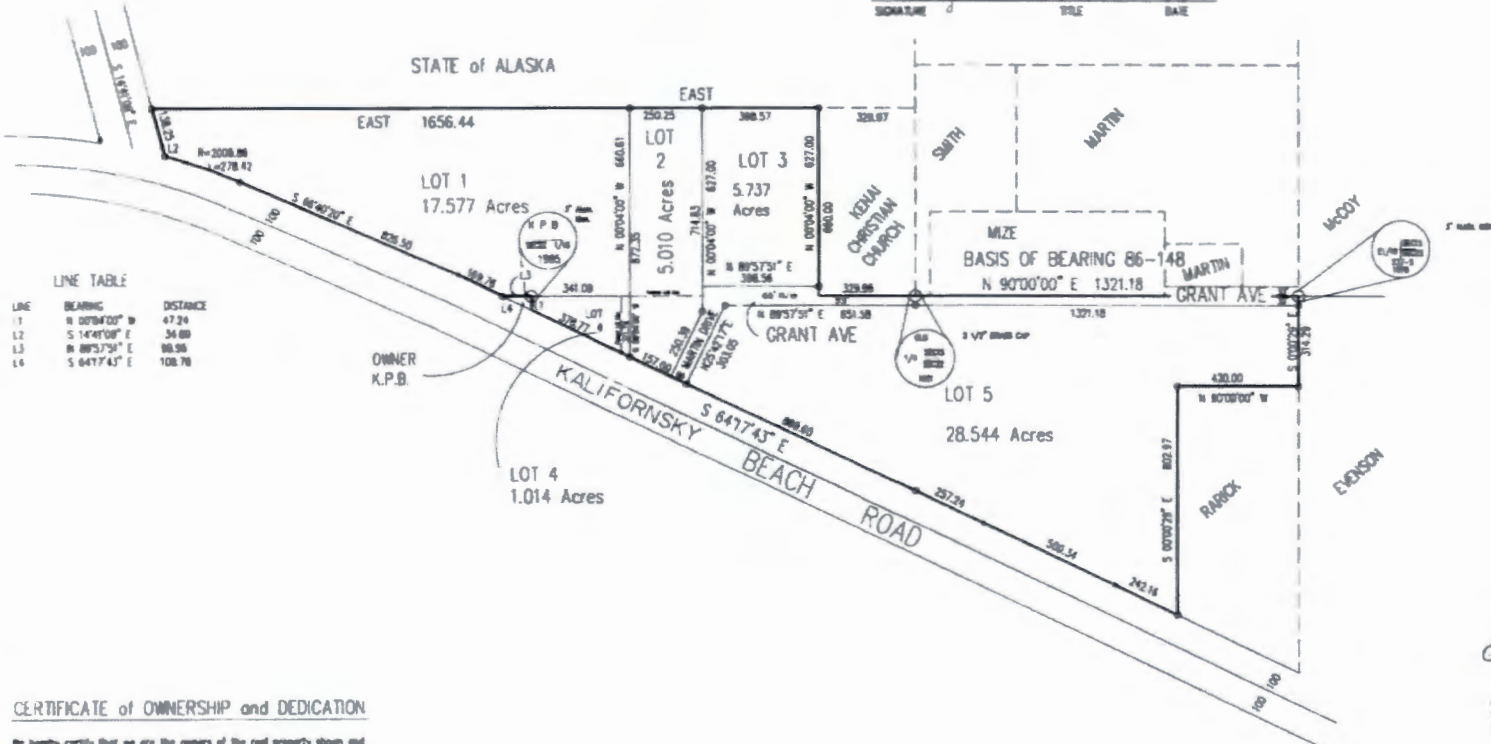


**NOTES**

1. An deed owner to state restricted R.L.R. is certified owner approved by State of Alaska Department of Transportation.
2. Building Setback—A setback of 33 feet to include front all other rights-of-way shall be shown. A minor deviation is approved by resolution of the appropriate Planning Commission.
3. No permanent structures shall be constructed or placed within or adjacent to any road easement with the ability of a utility to use the easement.
4. Front 33 feet of building setback to show a utility easement and the entire setback to utility 3 feet of side set back.
5. A utility easement of 10' x 20.75' contained in the 1/2 lot between Lots 2 & 4 and containing the Right-of-Way of Kalfornsky Beach Road.
6. Within the easement area Lots 1,2 and 4, we approved for platting and will be treated as one plat of a common plat.



MICHAEL A. SWAN  
 REGISTRATION NO. LS-6940



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 00°04'00" W	47.24
L2	S 14°01'00" E	36.60
L3	N 89°57'50" E	86.98
L4	S 04°17'43" E	108.70

**CERTIFICATE of OWNERSHIP and DEDICATION**

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 dedicate all rights-of-way to public use and grant of easements to the use shown.

We further certify that Deeds of trust affecting this property do not contain restrictions which would prohibit this replat, or require signature and approval of beneficiaries.

**Notary's Acknowledgement**

Subscribed and sworn before me on this 21st day of February 1998, for *Carroll J. Martin*

*Joan Martin*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 12/31/99

**Notary's Acknowledgement**

Subscribed and sworn before me on this 21st day of February 1998, for *Richard E. King*

*Richard E. King*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 12/31/99

**PLAT APPROVAL**

This plat was approved by the ALASKA PENINSULA BOROUGH Planning Commission on the meeting of February 11, 1998.

*Richard E. King*  
 Notary Public

94-82  
 21 FEB 20 1998  
 12/18 1:57  
 1998

**CARROL MARTIN SUBDIVISION No. 2**

Owners:  
 Carroll J. & Joanne Martin P.O. Box 1776 Seldovia, AK 99889  
 Richard & Marlene King P.O. Box 700 Hanalei, HI 96714

Location:  
 66.54 acres +/- Located in the SW 1/4 of section 15 and the W 1/2 of section 22, T24N, R17W, S4E, AK and in the Kenai Peninsula Borough and the Kenai Recording District.

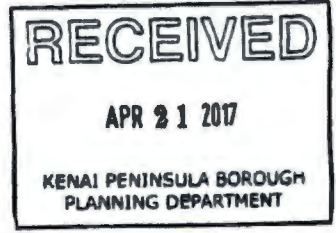
**SWAN SURVEYING**  
 P.O. Box 987  
 SOLDOTNA, AK 99809  
 PHONE 907-282-1814

DATE DEPOSED	SCALE	PLATTED	INDEXED
10/1/98	1"=100'		
RECORDED	INDEXED	FILED	INDEXED





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



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

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 Carol Martin Sub. Diamond M Resort Addn. Subdivision, filed as Plat No. 2008-116 in Kenai Recording District.
  - Are there associated utility easements to be vacated?  Yes  No
  - Are easements in use by any utility company? If so, which company \_\_\_\_\_
  - 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:  
 please see attached submittal letter

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

Submitted By: Name: Scott Huff - Integrity Surveys Signature as:  Petitioner  Representative  
 Address 920 Set Net Dr.  
Kenai, AK 99611  
 Phone 283-9047

Petitioners:  
 Signature [Signature]  
 Name Carol J. Martin  
 Address PO Box 1778  
Kenai, AK 99669

Signature [Signature]  
 Name Blair Martin  
 Address 48500 Diamond M Ranch Rd.  
Kenai, AK 99611

Owner of Lot 5A  
 Signature [Signature]  
 Name John B. Martin  
 Address PO Box 1778  
Kenai, AK 99669

Owner of Lot 3A  
 Signature [Signature]  
 Name Ronna Martin  
 Address 48500 Diamond M Ranch Rd.  
Kenai, AK 99611

Owner of Lot 5A \_\_\_\_\_

Owner of Lot 3A \_\_\_\_\_



Phone (907)283-9047 ♦ integritysurveys@alaska.net ♦ 820 Set Net Drive, Kenai, AK 99611

21 April 2017

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

Re: Carrol Martin Subdivision Diamond M Resort 2017 Addition showing the vacation of Diamond M Ranch Road.

Mr. Paul Voeller,

Please find attached the preliminary plat submittal for Carrol Martin Subdivision Diamond M Resort 2017 Addition. This subdivision will be vacating Diamond M Ranch Road and then dedicating it in a different location. A roadway has not been built within Diamond M Ranch Road right of way. The new right of way dedication will be over the existing traveled way.

There is an existing well located within the ROW. The vacation of the ROW will allow the existing well to be used for a public water system.

The following findings support the ROW vacation

1. There is not a constructed road within the current ROW.
2. The new location of ROW will encompass the existing roadway.

The following exceptions are being requested for the subdivision plat.

KPB 20.30.170 – Block Length

The following findings support the exception request.

- Diamond Ranch Road has been dedicated to the eastern boundary.
- There is no ROW to the east (within Willow Brook Subdivision) for a ROW to connect to.
- Lot 5B is a large field. If it is subdivided in the future then a ROW dedication can occur at that time to provide a connection from the east end of Diamond M Ranch Road back to Kalifornsky Beach Road.
- All lots front on a dedicated ROW

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

Sincerely,

Scott Huff, RLS  
Integrity Surveys