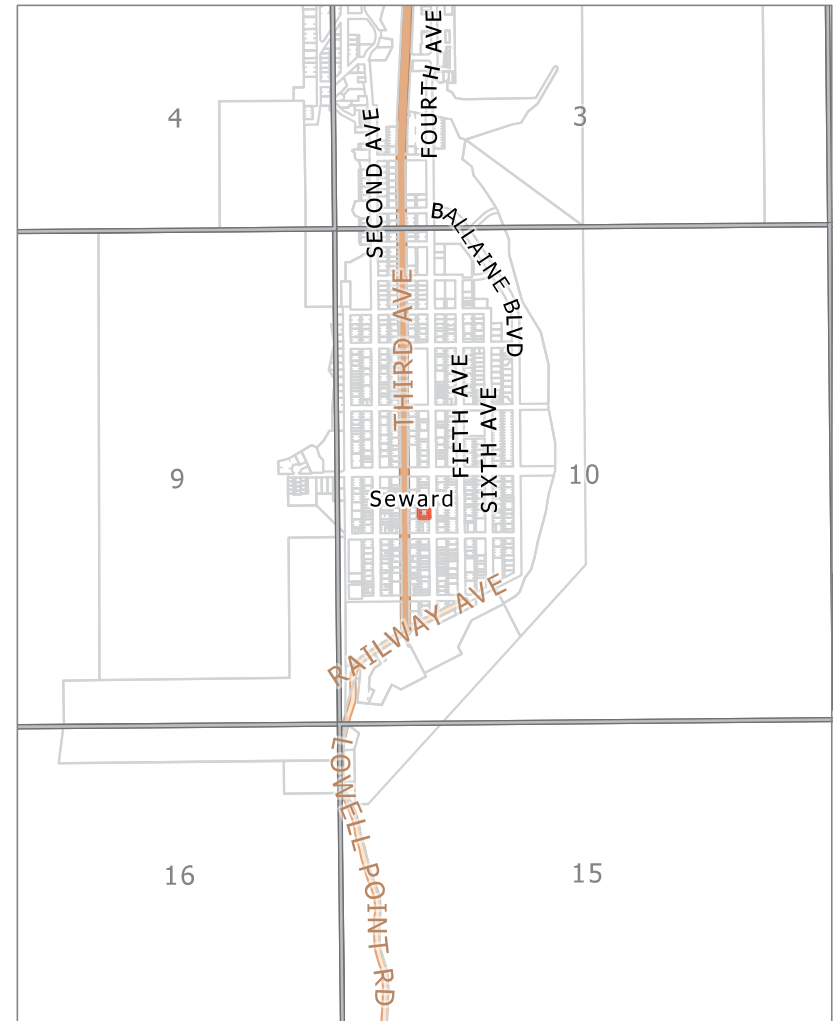
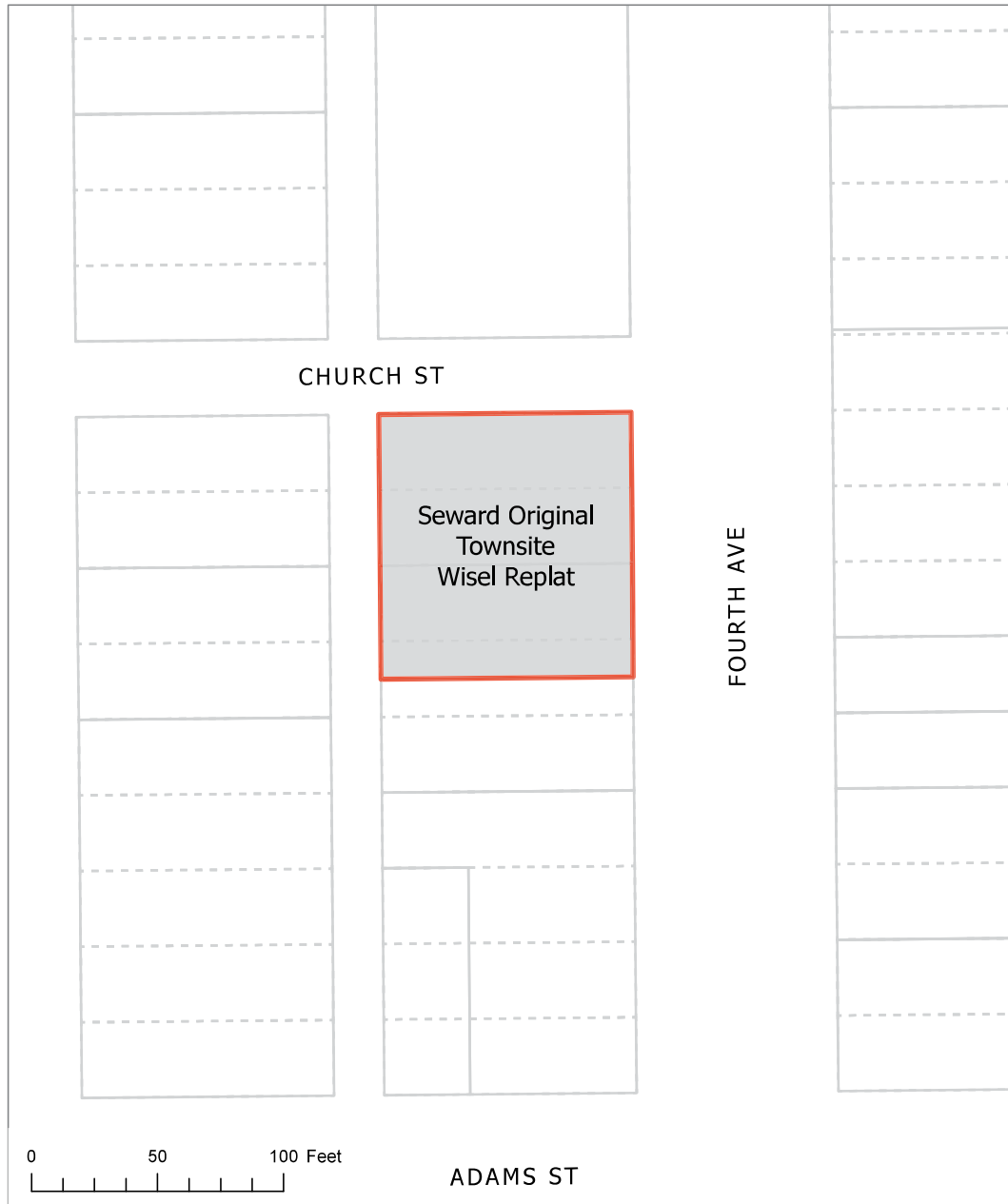


E. NEW BUSINESS

- 3. Seward Original Townsite Wisel Replat; KPB File 2025-102
Johnson Surveying / Grace Group Properties 1 LLC
Location: Church Street & Fourth Avenue
City of Seward**



KPB File 2025-102
T 1S R 1W Sec 10
Seward



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 1" = 2000' MAP

Seward Original Townsite Wisel Replat Preliminary Plat

A replat combining Lots 12, 13, 14, & N 1/2 15 Block 15 Seward Original Townsite, SWD #1. Located in USS 726, Within the SW 1/4 Section 10, T1S R1W, Seward Meridian, City of Seward, Kenai Peninsula Borough, Alaska. Seward Recording District Kenai Peninsula Borough File

Prepared for
Grace Group Properties 1, LLC
P.O. Box 3585
Seward, AK 99684

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

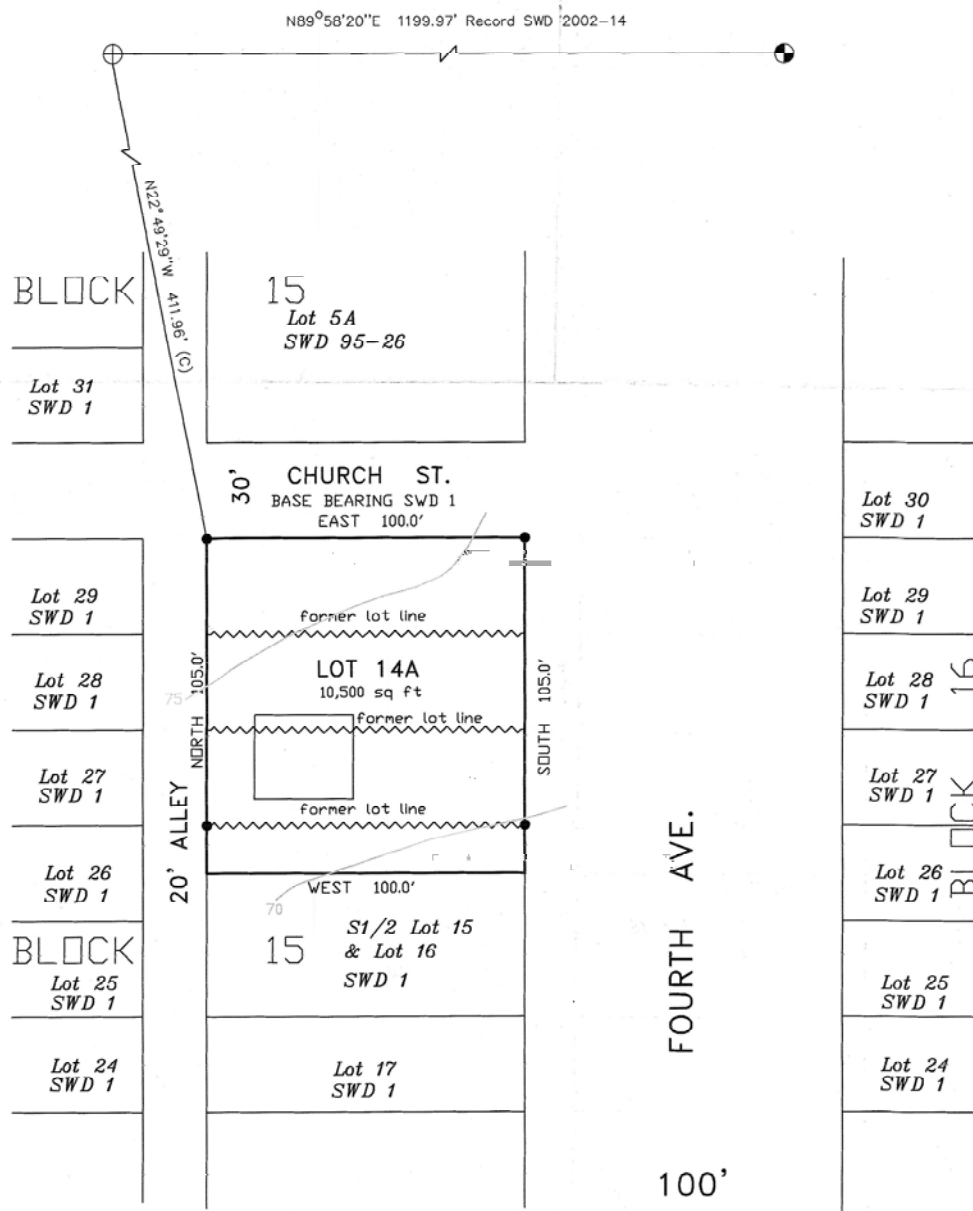
SCALE 1" = 30' AREA = 10,500 sq ft 3 July, 2025

NOTES:

1. This replat is subject to City of Seward Land Use and Zoning regulations.
2. 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. Lot is served by City water & sewer.
4. This is a paper plat, based on data from SWD plat #1 and SWD 2002-14. No field survey was performed in conjunction with preparing this plat, no corners were found or set.
5. Contour interval 5'. There are no wet areas on the property.

LEGEND

- ⊕ - AK DOT brass cap, Record SWD 2002-14
- ⊙ - Brass cap, ATS 174 RM 6, Record SWD 2002-14.
- - Lot corner set in plat SWD #1, not described.
- (C) - Calculated from record information, SWD 2002-14.



WASTEWATER DISPOSAL

20.40.070
Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation

KPB 2025-102

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 PRELIMINARY PLAT
SEWARD ORIGINAL TOWNSITE WISEL REPLAT**

KPB File No.	2025-102
Plat Committee Meeting:	October 13, 2025
Applicant / Owner:	Grace Group Properties 1 LLC of Seward, Alaska
Surveyor:	Jerry Johnson, Johnson Land Surveying
General Location:	Church Street and Fourth Ave, City of Seward

Parent Parcel No.:	149-090-11 and 149-090-12
Legal Description:	T 1S R 1W SEC 10 SEWARD MERIDIAN SW 0000001 ORIGINAL TOWNSITE OF SEWARD LOT 12, 13, 14 AND N1/2 LOT 15 BLOCK 15
Assessing Use:	149-090-11: General Commercial 149-090-12: Commercial Parking Lot
Zoning:	City of Seward
Water / Wastewater	City / City
Exception Request	None Requested

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine parcels consisting of lots 12, 13, and 14 and the north half of Lot 15, Block 15 (Plat SW-1) into one lot of 0.240 - acres (10,500 square feet).

Location and Legal Access (existing and proposed):

The proposed subdivision is accessed by Fourth Avenue to the east, Church Street on the north and an unnamed alley to the west. Church Street is a 30-foot-wide right-of-way and appears to be former Lot 11 (Plat SW-1). This street was named as referenced in the City of Seward July 6, 1914 City Council Meeting Minutes and described as a new un-named street. Fourth Avenue is an 80-foot-wide right-of-way and the alley is 20-feet wide, both dedicated by Original Townsite of Seward, Plat SW-1. All streets are maintained by the City of Seward.

No new right-of-way dedications or vacations are proposed by this platting action.

Block length is compliant due to the presence of existing roads: Church Street to the north, Fourth Avenue to the east, Adams Street to the south and Third Avenue to the west.

KPB Roads Dept RSA review	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: city of Seward jurisdiction
SOA DOT comments	No comments

Site Investigation:

According to KPB GIS Imagery and KPB Assessing records, a structure is located across the former common lot line between lots 13 and 14, being two separate parcels. Finalization of the plat will resolve the encroachment issue.

Contours have been added to the preliminary plat accurately reflecting the topography of the affected area. It is relatively flat, sloping to the south with no grades exceed 20%. Contours may be removed for the final submittal. as no extreme features are shown.

There are no wetlands on the property according to KWF Wetlands Assessment.

The floodplain program is administered and enforced by the City of Seward.

To maintain consistency with KPB 21.06.050, staff requests the surveyor ensure the proposed subdivision have adequate drainage to reduce exposure to flood damage. Seward administers their own floodplain management programs. For information on the floodplain regulations and requirements in Seward, please contact the Seward Planning and Zoning Department at 907-224-4020 or at planning@cityofseward.net to see if notes are required. Staff reminds the owner(s), that it is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission (21.06.050).

This subdivision is not within a Habitat Protection District.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Within City of Seward Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
State of Alaska Fish and Game	

Staff Analysis

Original Townsite of Seward (SW-1) initially platted this area into forty blocks creating Lots 12 through 15, Block 15. This subdivision will vacate common lots lines, resulting in Lot 14A, Block 15.

The KPB Assessing Department assigned parcel 149-090-11 with the legal description Lot 14 and N1/2 Lot 15, Block 15, Original Townsite of Seward, plat SW-1. The legal description for parcel 149-090-12 is Lot 12 and Lot 13, Block 15, Original Townsite of Seward, plat SW-1.

A soils report will not be required as the new lot is currently served by City water and sewer. The proper wastewater note per KPB 20.40.070 has been added to the plat.

The plat was approved during the October 8, 2024 City of Seward Planning and Zoning Commission by Resolution 2024-022. The subdivision is subject to the City of Seward Zoning and Subdivision Regulations as denoted as plat note number 1.

The City of Seward is considered an independent community by the National Flood Insurance Program (NFIP) and is not within the jurisdiction of the KPB Floodplain Management Program. Seward administers their own floodplain management programs under City Code 15.25 Floodplain Management.

For information on the floodplain regulations and requirements in Seward, please contact the Seward Planning and Zoning Department at 907-224-4020 or at planning@cityofseward.net

Notice of the proposed plat was mailed to the beneficial interest holder on September 11, 2025. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

Utility Easements

No utility easements are on record per the Certificate to Plat or original survey. KPB 20.30.060(D) states subdivisions within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers. No easements were recommended by the City or Utility companies; therefore, no easements are being granted by this platting action. City of Seward Planning and Zoning Commission Resolution 2024-022 states the proposed lot is currently served by City water, sewer, and electric.

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. **Staff recommends:** the surveyor work with the utility providers to accommodate their request, ensuring optimal use of the owner's land and maximum benefit for both the provider and the public.

Utility provider review:

HEA	Not located within HEA's service area, No comments
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	No comment on the platting activity

KPB department / agency review:

Addressing Review	Reviewer: Pace, Rhealyn Affected Addresses: 313 FOURTH AVE, 315 FOURTH AVE Existing Street Names are Correct: Yes List of Correct Street Names: FOURTH AVE, CHURCH ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: CITY OF SEWARD WILL ADVISE ON ADDRESSES
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
LOZMS Review Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Assessing Review	Reviewer: Windsor, Heather Comments: No comment
City of Seward Fire Dept	No comments

STAFF RECOMMENDATIONS**CORRECTIONS / EDITS**

Add a certificate of Ownership and Dedication

Add a Plat Approval with the meeting date of October 13, 2025

Add Notary Acknowledgements

Provide additional authority documentation for Grace Group Properties 1, LLC

KPB 20.25.070 – Form and contents required

Staff recommendation: *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

- Remove "Located is USS 726" from legal description for uniformity with CTP and KPB Assessing records.
- Modify KPB File Number to 2025-102

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff recommendation:

- Label the roads and alley with ROW representing right-of-way
- Correct Fourth Ave ROW width to 80-feet

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

Staff recommendation:

- Show section lines and label sections
- Numbered rights-of-way should be spelled out as shown on mapping for conformity: First Avenue, Second Avenue, Third Avenue and so-forth

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation:

- Add a label for Lot 31, Plat SW-1 in Block 16

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: *final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190. Provide additional authority documentation.

RECOMMENDATION:

STAFF RECOMMENDS:

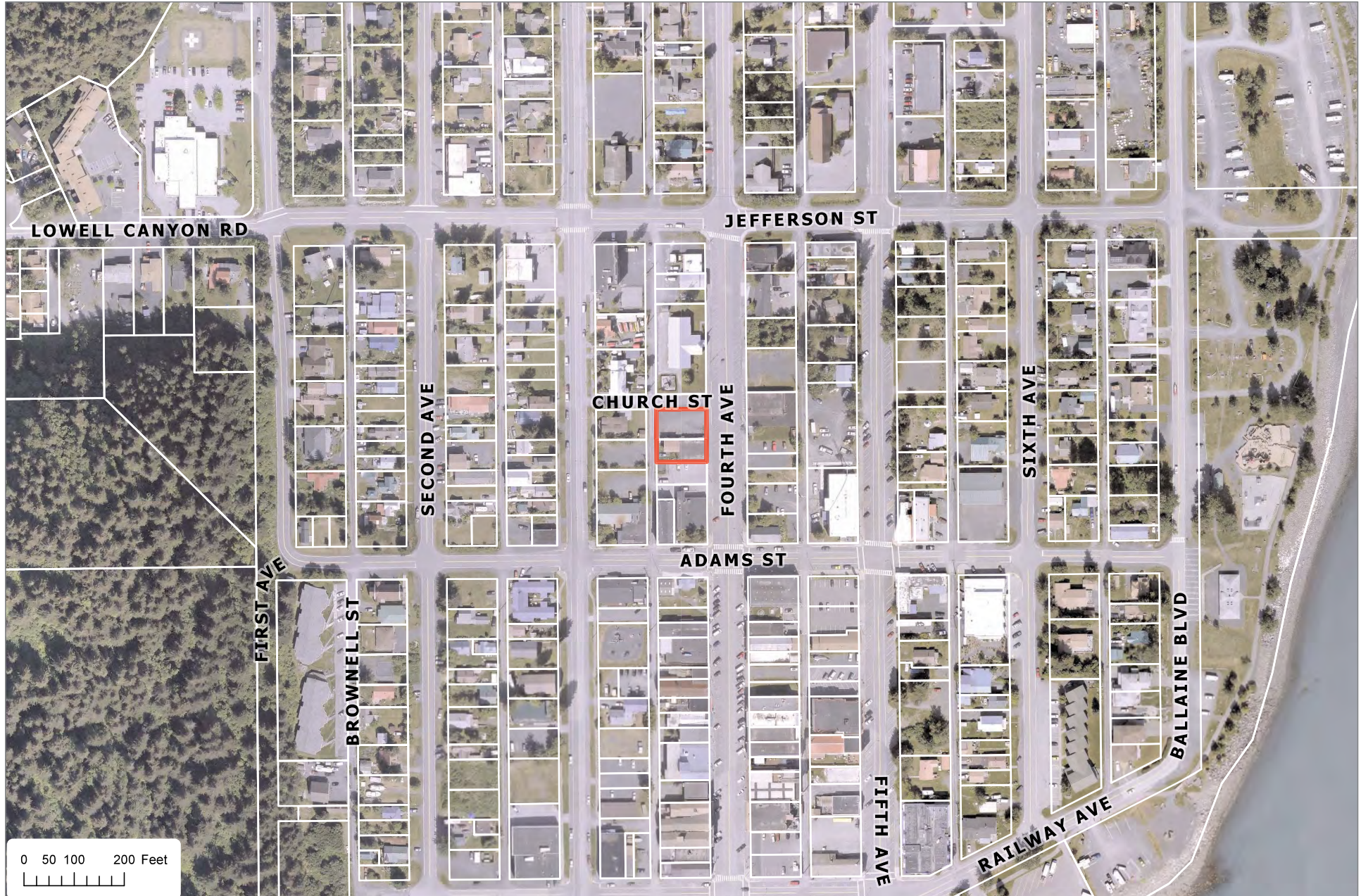
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: KPB 20.25.120. - REVIEW AND APPEAL.

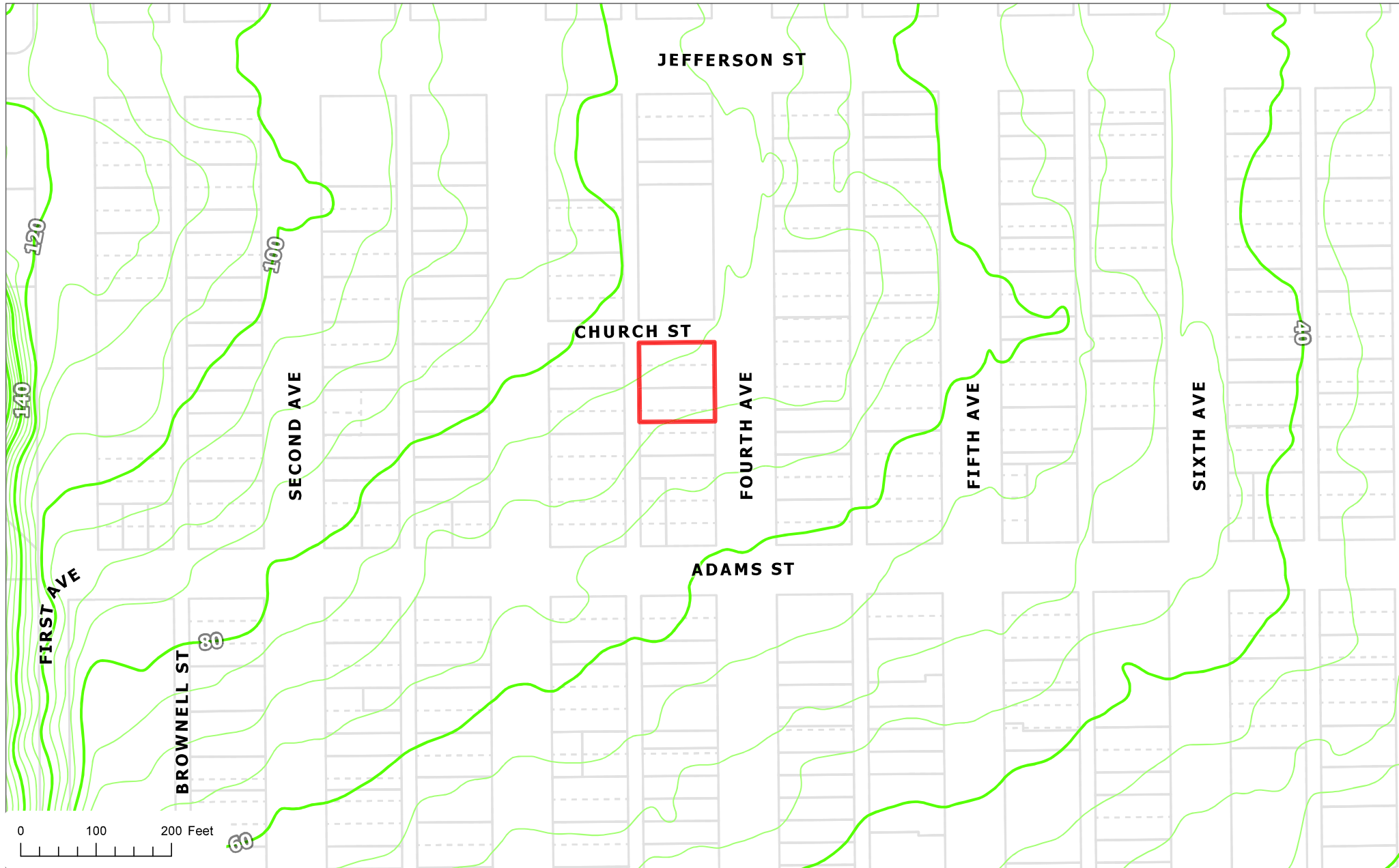
IN ACCORDANCE WITH KPB 2.40.080, ANY PERSON, AGENCY, OR CITY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING, EITHER BY WRITTEN OR ORAL PRESENTATION, MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF DATE OF DISTRIBUTION OF THE DECISION.

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

END OF STAFF REPORT



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



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

SEWARD ALASKA

Scale 1 inch = 300 feet

C. M. Anderson
Engineer

DESCRIPTION

This plot of Seward is located upon the Frank L. Ballaine Soldiers Addition Homestead entire known as survey N 126 North and survey N 126 South located on Resurrection Bay, Alaska.

The initial point of this plot is the south-east corner of Block N 116 (S) which is 298 feet south and 312 feet west of witness corner to corner N 12 of said survey N 126 south.

Regular lots are 30 x 100 feet, lots 34 and 37 of Blocks 34 and 37 are 1536 feet wide. Jefferson Street is 100 feet wide. All other east and west streets are 66 feet wide. North and south avenues are 80 feet wide, alleys are 200 wide. Railway Avenue is 60 feet wide.

The angle point on the northwesterly line of Railway Avenue is of the west margin of Third Avenue, being 268 feet south of the south line of Adams Street. West side of lot 20 Block 1 is 404 feet long.

PT for curve in Block 6 is 134.35 feet north of the south line of Adams Street and upon the east boundary of survey N 126 South.

Radius for curve in Block 6 is 560.646 feet. Total R is a strip 13.56 feet wide, east and west, extending from the North boundary of survey N 126 North to the south boundary of survey N 126 South.

The bearings of all lines of plot, excepting the lines made on the south part by Railway Avenue are cardinal points of the compass as ascertained and determined by the United States Deputy Surveyor in the survey of said homestead entry, and designated and shown by his monuments on the east boundary thereof.

The east line of Lot 13, Block 7, is 8 feet in length.

DEDICATION

Know all men by these presents that the undersigned, Frank L. Ballaine, is the owner in fee simple of the tract of land above described and that he said Frank L. Ballaine has dedicated and donated and hereby does dedicate and donate to the public the use of all the Avenues, Streets, and Alleys shown upon the map hereto annexed and described in the description hereto annexed as public highways for passage over the same by ordinary vehicles and foot passage only, subject to the right of Frank L. Ballaine his heirs and assigns to construct and maintain and operate in, along, and through the length of any and all avenues, streets and alleys, and any portion thereof, all railways of every description, street railways, elevated railways, underground railways, telegraph lines, telephone lines, power lines, light lines, and lights, gas mains and lights, water mains and hydrants, and all excavations and embankments, tracks, poles, wires, tunnels, conduits, tubes, pipes, and mains, therefore, all of which rights are hereby expressly accepted and reserved to said Frank L. Ballaine his heirs and assigns forever as full and entire and no dedication of said lands to any public use which never had been made.

In witness whereof the said Frank L. Ballaine has hereunto set his hand and affixed his seal.

Witness my hand and seal this 21st day of May A.D. 1905.

Frank L. Ballaine

Signed and sealed in presence of

Robert J. Boyer

James A. Haight

ACKNOWLEDGMENTS

State of Washington

County of King

Be it remembered that on this 21st day of May A.D. 1905, before me the undersigned a Notary Public in and for the State of Washington, personally appeared Frank L. Ballaine to me known to be the person described in and duly executed the foregoing instrument which he acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.



James A. Haight
Notary Public in and for the State of Washington, residing at Seattle.

H. H. Hildreth
District Recorder



The within instrument was filed for record at 1 o'clock PM, June 7, 1905, and duly recorded in Book 2 of Deeds on pages 4, 5 and 6 of the records of said District.

Frank Thompson
George Turner
Frank L. Ballaine
John E. Ballaine

Recorded June 21, 1905

SEWARD ALASKA

Scale 1 inch = 300 feet

C.M. Anderson

Engineer

Scale 1" = 300 feet
C.M. Anderson, Engineer

SEWARD, ALASKA



District of Alaska
County of Barrow
and its vicinity

On this 10th day of June 1905, the duly qualified
jurors of the County of Barrow, State of Alaska, do hereby certify that the
above is a true and correct copy of the original record of the
proceedings of said District.



H. H. Hildreth
District Recorder

The land of the
District of Alaska
and its vicinity
is hereby certified
to be a true and
correct copy of the
original record of the
proceedings of said
District.

Attest
C.M. Anderson
Engineer

REMARKS

The land of the
District of Alaska
and its vicinity
is hereby certified
to be a true and
correct copy of the
original record of the
proceedings of said
District.

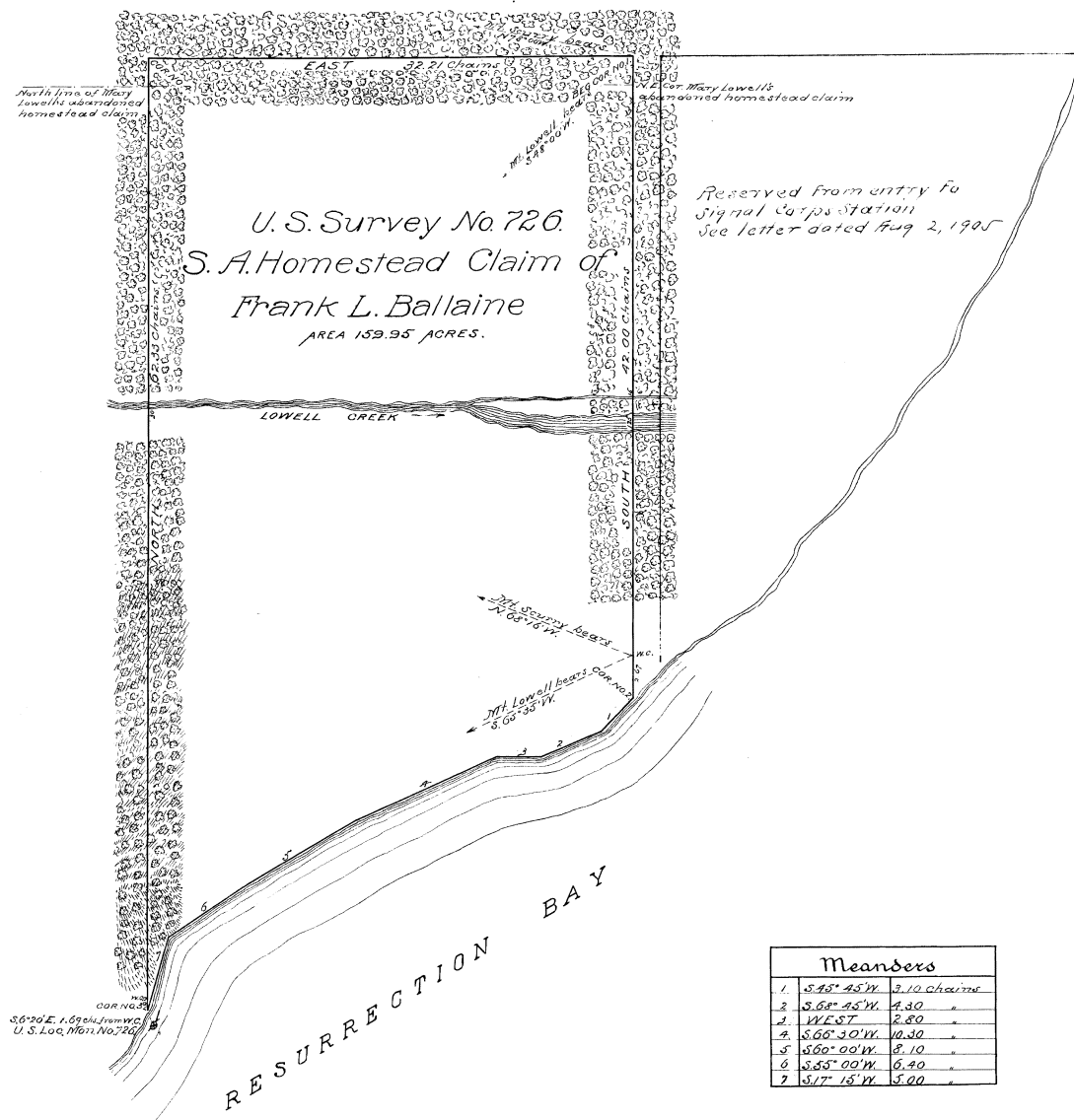
DEDICATION

Attest
C.M. Anderson
Engineer

The land of the
District of Alaska
and its vicinity
is hereby certified
to be a true and
correct copy of the
original record of the
proceedings of said
District.



H. H. Hildreth
District Recorder



PLAT
OF
U. S. SURVEY NO. 726.
OF THE
S.A. Homestead Claim
UNDER ACT OF MAY 14, 1898
as amended March 3, 1903
OF
Frank L. Ballaine

SITUATE
On Resurrection Bay

DISTRICT OF ALASKA

SCALE OF 600 CHS. TO INCH
VARIATION 27° 05' EAST
AREA 159.95 ACRES

AS
SURVEYED BY

Charles M. Anderson

U. S. DEPUTY SURVEYOR

August 12-15, 1902

U. S. SURVEYOR GENERAL'S CERTIFICATE

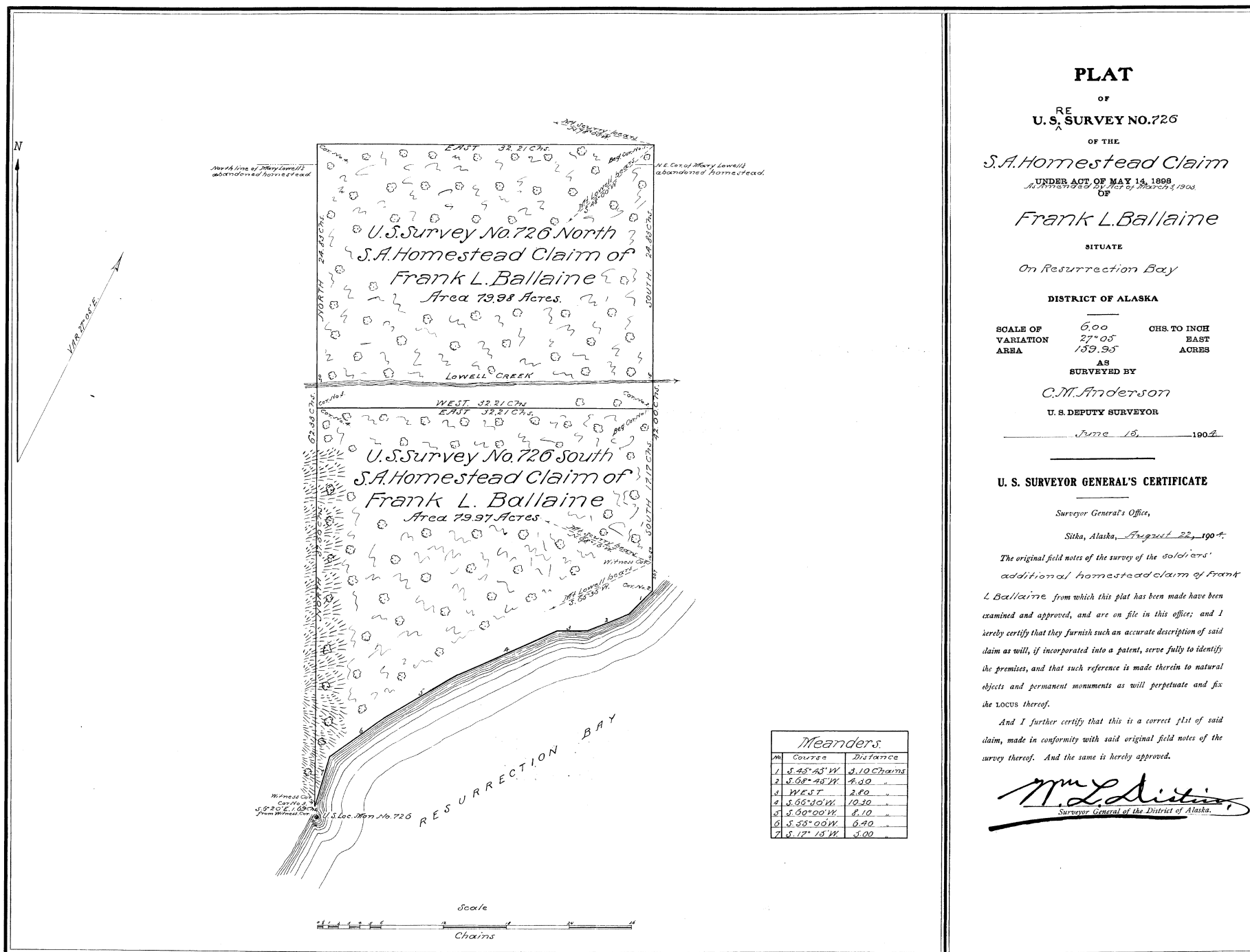
Surveyor General's Office,

Sitka, Alaska, October 26, 1903.

The original field notes of the survey of the soldiers' additional homestead claim of Frank L. Ballaine from which this plat has been made have been examined and approved, and are on file in this office; and I hereby certify that they furnish such an accurate description of said claim as will, if incorporated into a patent, serve fully to identify the premises, and that such reference is made therein to natural objects and permanent monuments as will perpetuate and fix the locus thereof.

And I further certify that this is a correct plat of said claim, made in conformity with said original field notes of the survey thereof. And the same is hereby approved.

W. L. Sullivan
Surveyor General of the District of Alaska.



S. G. O.
AUG 28 1903
ANSWERED

RECEIVED
S. G. O. 216
AUG 28 1903

FIELD NOTES

OF

U. S. SURVEY NO. 726

OF THE

TRACT OF PUBLIC LAND

CLAIMED BY

FRANK J. BATTAIN

UNDER SECTION 1, OF ACT APPROVED MAY 14, 1898
as amended by Act approved March 3, 1903.

SITUATE

ON

RESURRECTION BAY

DISTRICT OF ALASKA

LATITUDE 60° 00' N.

LONGITUDE 149° 00' W.

AS SURVEYED BY

C. M. ANDERSON

U. S. DEPUTY SURVEYOR.

SURVEY COMMENCED AUGUST 12, 1903

SURVEY COMPLETED AUGUST 15, 1903.

ADDRESS OF CLAIMANT:

216 DENNY BUILDING,

SEATTLE, WASH.

Names and duties of assistants

<i>J. W. Brisby</i>	<i>Chairman</i>
<i>Fred Laubney</i>	<i>Chairman</i>
<i>Alfred Lowell</i>	<i>Axeman</i>
<i>William Lowell</i>	<i>Flagman</i>

PRELIMINARY OATHS OF ASSISTANTS.

218

We do solemnly swear that we will well and faithfully execute the duties of chain carriers; that we will level the chain upon even and uneven ground, and plumb the tally pins, either by sticking or dropping the same, that we will report the true distance to all notable objects, and the true length of all lines that we assist in measuring, to the best of our skill and ability, and in accordance with instructions given us, in the survey of the tract of public land claimed by Frank L. Ballaine, under the Act of May 14, 1898, ^{as amended by Act} situate on Resurrection Bay, Sunrise Commissioner's District, in the District of Alaska.

J. N. Birby Chairman
Fred Kaehler Chairman

Subscribed and sworn to by the above named persons,
before me this 12th day of August A.D., 1903.

J. H. Blackley
Notary Public in and
for the District of Alaska
residing at Sheward

I do solemnly swear that I will well and truly perform the duties of axeman, in the establishment of corners and other duties, according to instructions given me, and to the best of my skill and ability, in the survey of the tract of public land claimed by Frank L. Ballaine, under the Act approved May 14, 1898, ^{as amended by Act} situate on Resurrection Bay, Sunrise Commissioner's District, in the District of Alaska.

Alfred T. Hill
Axeman

Subscribed and sworn to by the above named person,
before me this 12th day of August A.D. 1903.

J. H. Blackley
Notary Public in and
for the District of Alaska
residing at Sheward

I do solemnly swear that I will well and truly perform the duties of flagman, according to instructions given me, and to the best of my skill and ability, in the survey of the tract of public land claimed by Frank L. Ballaine under the Act approved May 14, 1898 ^{as amended by Act} situate on Resurrection Bay, Sunrise Commissioner's District in the District of Alaska.

William L. Small
his + mark
Flagman

Subscribed and sworn to before me
this 12th day of August 1903.

J. H. Blackley
Notary Public in and for the
District of Alaska residing
at Sheward

FIELD NOTES OF U.S. SURVEY NO. 726.

CHAINS. Survey commenced August 12, 1903, and executed with Keuffel & Esser light mountain transit No. 4515, the horizontal limb having two double verniers placed opposite to each other and reading to 30" of arc: Telescope fitted with prismatic eye piece.

The instrument was examined, tested on the true meridian at Seattle and found correct, and was approved by the U. S. Surveyor General for Alaska, August 8, 1903.

I begin at the northeast corner of the Frank L. Ballaine 160 acre S.A. Homestead entry, said point being 1.95 chains north of the ^{abandoned} W.E. cor. of the Mary Lowell Homestead filing, on Resurrection Bay, Alaska:

I set a granite stone 24 X 8 X 8 inches, 15 inches in the ground, marked deeply on the side facing the claim S 726 Cor 1, dig pits 24 X 15 X 12 on the lines closing and starting on the corner and 6 feet distant, raise mound of earth four feet base, two feet high, north of corner from which

A spruce 12 inches inside diameter bears S. $43^{\circ} 15'$, W. 78 links distant, marked S 726 Cor 1 E T

A spruce 24 inches diameter bears S. $52^{\circ} 30'$, W. 1.06 chains distant, marked S 726 Cor 1 E T

The summit of Mt. Scurry bears N. 78° W.

The summit of Mt. Lowell bears S. 46° W.

At this corner in latitude 60° N. longitude 149° W. at 10.00 p.m. by correct local mean time I observe Polaris at eastern elongation, in accordance with instructions in the manual, and mark the line thus determined by a tack in a hub five chains north of my Station.

August 13, 1903, at 7 hours 30 minutes, a.m., I lay off the azimuth of Polaris $2^{\circ} 25'$ to the west, and mark

CHAINS. the true meridian thus determined by cutting a mark on a stone firmly set in the ground west of the point established last night, the magnetic bearing of said true meridian is N. $27^{\circ} 05'$ W., which gives the magnetic declination $27^{\circ} 05'$ E.

Thence south over level land covered with spruce and undergrowth of alder bush

- 1.95 N.E. cor. of Mary Lowell's abandoned homestead, to
- 22.20 North bank of north channel of Lowell Creek 15 links wide, course east.
- 22.35 South bank of north channel of Lowell Creek
- 23.40 North bank of south channel of Lowell Creek 1.25 chains wide, course east.
- 25.15 South bank of south channel of Lowell Creek: enter timber.
- 36.00 Leave timber.
- 42.00 To cor. No. 2 on the line of ordinary high tide on Resurrection Bay. Not being a suitable place to establish a corner owing to liability of destruction by extreme high tides, I set W. C. north 2.67 chains distant, a granite stone 24 X 8 X 8 inches, set 18 inches in the ground and marked deeply on side facing the claim S 726 Cor No 2 W C : Raise mound of stone 4 feet base, 2 feet high, 6 feet north of corner (pits impracticable) from which
 - A cottonwood 10 inches in diameter bears N. 50° W. 71 links distant, marked S 726 Cor 2 W C B T
 - A cottonwood 6 inches in diameter bears S. $85^{\circ} 30'$ W. 1.09 chains distant, marked S 726 Cor 2 W C B T
 - The summit of Mt. Scurry bears N. $68^{\circ} 16'$ W.
 - The summit of Mt. Lowell bears S. $85^{\circ} 55'$ W.
- Land level, soil second rate, timber, spruce with alder undergrowth and slight scattering of cottonwood

FIELD NOTES OF U.S. SURVEY NO. 726.

CHAINS

Thence from true corner No. 2, meander on the line
of ordinary high tide of Resurrection Bay

1. S. 45° 00' W. 3.10 chains
2. S. 68° 45' W. 4.30 chains
3. West 2.80 chains
4. S. 66° 30' W. 10.30 chains
5. S. 60° 00' W. 8.10 chains
6. S. 55° 00' W. 6.40 chains
7. S. 17° 15' W. 5.00 chains

Total 40.00 chains to cor. No. 3

on line of ordinary high tide. Not being a suitable
place to set corner, owing to liability of destruction
by extreme high tides, I set W.C. north 1.00 chain
distant, a granite stone 18 X 8 X 8 inches, set 12
inches in the ground, marked deeply on side facing
claim S 726 cor 3 W C. Raise mound of stone, 4 feet
base, 2 feet high, N. of corner (pits impracticable)
from which

A spruce 10 inches in diameter bears N. 5° 30' E.

44 links distant, marked S 726 cor 3 W C B T

A spruce 12 inches diameter, bears N. 15° 30' E

90 links distant marked S 726 cor 3 W C B T

U.S.L.M. 726 bears S. 6° 20' E. 1.69 chains distant.

Meander line passes over sandy beach.

August 13, 1903.

Thence north from true corner, ascending abruptly
along face of timber covered mountain, sloping about
35° to the east.

7.00 W.C. to corner No. 3 previously described.

10.60 Summit of point: Elevation 150 feet: Descend gradually

33.50 Foot of mountain: Elevation 110 feet

37.30 Leave timber: Elevation 100 feet

39.45 Lowell Creek 30 links wide, course east

FIELD NOTES OF U. S. SURVEY NO. 726

CHAINS.

- 40.00 Reenter timber, descend gently
60.35 Intersect north line Mary Lowell's ^{abandoned} Homestead claim
62.33 To corner No. 4.

Set a granite stone 18 X 6 X 6, 12 inches in the ground, marked deeply on side facing the claim
S 726 cor 4 Dig pit 24 X 18 X 12 inches on the lines, closing and starting on the corner and 6 feet distant. Raise mound of earth 4 feet base, 2 feet high north of corner from which

A spruce 28 inches in diameter bears S. $14^{\circ} 45'$ E.
29 links distant, marked S 726 cor 4 R T

A spruce 28 inches in diameter bears S. $36^{\circ} 30'$ E.
71 links distant, marked S 726 cor 4 R T

Land rocky mountain side; soil north of creek second rate; timber spruce

August 14, 1903.

Thence East

Slightly descending *through spruce timber*

- 32.21 To cor No. 1, and place of beginning
Containing 159.95 acres.

Land slightly rolling: soil second rate: timber spruce.

August 15, 1903.

GENERAL DESCRIPTION

The most of the land embraced in this survey was formerly a part of Mary Lowell's homestead claim, but was abandoned by her. The land slopes gently to the water, excepting the western 200 feet, which is quite steep, being the foot of an abrupt mountain side. The soil is a dark sandy loam running from first to third rate. The claim is a glacial deposit formed by Lowell Creek and is covered with timber of no commercial value.

Charles M. Anderson
U. S. Deputy Surveyor.

CHAINS.

Note: There being no U. S. Commissioner or other person qualified to administer oaths nearer than Valdez, Mr. Bleakley having departed since he administered the preliminary oaths, I, as U. S. Deputy Surveyor, administered the final oaths to my assistants.

Charles M. Richardson

FIELD NOTES OF THE ESTABLISHMENT OF U.S.L.M. NO. 728

A stone shaft 30 inches high, base 8x9 inches, apex 8x8 inches, firmly imbedded in a mound of stone 3 feet base, 15 inches high, on top of a flat boulder 20 feet in diameter, 30 feet above high tide from which

A spruce 17 inches in diameter bears N. 45° 00' W.

2.74 chains distant, marked U S L M 728 B T

A spruce 18 inches in diameter bears N. 48° 00' W.

2.84 chains distant, marked U S L M 728 B T

Point of East Mountain bears N. 66° 00' E.

Cain's Head bears S. 15° 40' E.

W.C. to Cor. No. 3 Survey No. 728 bears N 6° 20' W.

1.69 chains distant.

4-660.

DIRECTIONS.—1. Carry out the area in acres to three decimals, and all other calculations to two decimals only.

2. In balancing Lat. and Dep. do not obliterate or change the original figures.

Put the corrected figure or figures above in red ink. Do not change the footing of the original figures, but put below them the corrected footing in red ink.

The corrections for balancing fallings should be proportional to the lengths of the lines.

3. In calculations of fallings take result to nearest hundredth. In calculations of N. and S. areas drop all after second decimal. Deputies are cautioned not to use tables that do not give results exact to the decimal specified.

TABLING AND CALCULATIONS OF *Area*, SURVEY No. *726*

No.	COURSE.	DISTANCE.	LATITUDES.		DEPARTURES.		DOUBLE M. D.	N. AREAS.	S. AREAS.
			NORTH.	SOUTH.	EAST.	WEST.			
	<i>South</i>	<i>4200</i>		<i>4200</i>			<i>0</i>		
	<i>S 45° 45' W</i>	<i>310</i>		<i>216</i>		<i>222</i>	<i>222</i>		<i>480</i>
	<i>S 68° 45' W</i>	<i>430</i>		<i>156</i>		<i>401</i>	<i>845</i>		<i>1318</i>
	<i>West</i>	<i>280</i>				<i>280</i>	<i>1526</i>		
	<i>S 66° 30' W</i>	<i>1030</i>		<i>411</i>		<i>945</i>	<i>2751</i>		<i>11307</i>
	<i>S 60° W</i>	<i>810</i>		<i>405</i>		<i>701</i>	<i>4337</i>		<i>17808</i>
	<i>S 55° W</i>	<i>640</i>		<i>367</i>		<i>524</i>	<i>5622</i>		<i>20633</i>
	<i>S 17° 15' W</i>	<i>500</i>		<i>478</i>		<i>148</i>	<i>6294</i>		<i>30085</i>
	<i>North</i>	<i>6233</i>	<i>6233</i>				<i>6442</i>	<i>401530</i>	
	<i>East</i>	<i>3221</i>			<i>3221</i>		<i>3221</i>	<i>401530</i>	<i>81631</i>
					<i>2</i>			<i>81631</i>	

*2013198.99 (159949 acres)**Area 159.95 acres.*

FINAL OATH OF SURVEYS.

LIST OF NAMES.

A list of the names of the individuals employed by C. M. Anderson, United States Deputy Surveyor for Alaska, under Act approved May 14, 1898 to assist in running, measuring, marking and surveying the lines, corners and boundaries described in the foregoing field notes of the survey of a tract of public land claimed by Frank L. Ballaine under said Act, situate on Resurrection Bay, Sunrise Commissioner's District, in the District of Alaska, and showing the respective capacities in which they acted.

J. N. Bixby Chairman
Fred Leathman Chairman
Alfred Lowell Axeman
Wm. Lowell Flagman

FINAL OATH OF ASSISTANTS.

We solemnly swear that we assisted C. M. Anderson, United States Deputy Surveyor, under authority of the U. S. Surveyor General for Alaska, in marking the corners and surveying the boundaries of the tract of public land claimed by Frank L. Ballaine under Act approved May 14, 1898 ^{as amended by Act approved March 3, 1903} in the District of Alaska which tract is represented in the foregoing field notes as having been surveyed by said Deputy Surveyor, and under his direction; and that said survey has been in all respects, to the best of our knowledge and belief, well, faithfully and correctly executed, and the corner and boundary monuments established according to law, and the instructions furnished by the U. S. Surveyor General for Alaska.

J. N. Bixby Chairman
Fred Leathman Chairman
Alfred Lowell Axeman
Wm. Lowell Flagman
mark

Subscribed and sworn to by the above named persons,
 before me this 15th day of August 1903.

Charles M. Anderson
 U. S. Deputy Surveyor

FINAL CERTIFICATE OF U. S. DEPUTY SURVEYOR.

I, C. M. Anderson, U. S. Deputy Surveyor for Alaska, under Act approved May 14, 1898, do solemnly swear that I have well, faithfully and truly, in my own proper person and in strict conformity with the laws of the United States, the Official Regulations, the Surveying Manual and the instructions thereunder, faithfully and correctly executed the survey of the tract of public land in Alaska claimed by FRANK L. BALLAINE situate on Resurrection Bay, Sunrise Commissioner's District; that said field notes accurately show, and in a specific manner describe, the boundaries of said tract, as distinctly marked, established and perpetuated by proper monuments on the ground; that the foregoing are the true and original field notes of said survey and my report therein; and that should any fraud be detected, I will suffer the penalty of perjury under the provisions of an Act of Congress, approved August 8, 1846; that the above mentioned survey was made by me on the 12, 13, 14, & 15 days of August 1903; that said field notes and the plat of said survey thereto attached, are true and correct; and that the said tract of land is not known to contain either coal or the precious metals; that said survey includes no improvements made by or in possession of another except by a grantee prior to or since the passage of said Act; nor any land to which the natives of Alaska have prior right by virtue of actual occupation; nor any portion of a town site; nor lands occupied by a missionary station; or reserved, selected or occupied by the United States for any purpose; or the U. S. Commissioner of Fish and Fisheries; or reserved from sale under the provisions of said Act, and that said field notes, as given above, furnish such an accurate description of said surveyed tract as will, in incorporated into a patent, serve fully to identify the premises, and that such references are made therein to natural objects, permanent monuments, and initial points, as will perpetuate and fix the exact identity of the said tract so surveyed. Said survey is used, occupied and possessed under said Act.

And that the said survey does not include more than forty (40) chains ^{rods} of shore line on any navigable water, and that said tract is not within eighty (80) rods of any tract sold or entered under said Act.

Charles M. Anderson
U. S. Deputy Surveyor.

Subscribed and sworn to before me,
this 20th day of August, 1903.

Witness

Edward deGoff
U. S. Commissioner.

UNITED STATES OF AMERICA }
 District of Alaska } SS

Alfred Lowell and W. W. Scheffler being severally sworn each for himself deposes and says: I am a citizen of the United States and over the age of twenty one years. And for the one year last past have been intimately acquainted with the character of the following described tract of land, lying situate and being in the District of Alaska, to-wit: being on Resurrection Bay and claimed by Frank T. Ballaine and surveyed by U. S. Deputy Surveyor Charles M. Anderson, being Survey No. 726. The aforesaid tract of land is not known to contain either coal or precious metals and said survey includes no lands in the possession of any other person or persons, other than said Frank T. Ballaine or Mrs. Mary Lowell, neither before or since the Act of Congress under which this land is claimed, nor any land to which the natives of Alaska have prior right by virtue of actual occupation, nor any portion of a townsite nor lands occupied by a missionary station or reserved or selected or occupied by the United States for any purpose or the U. S. Commissioner of Fish and Fisheries or reserved from sale under said Act.

W. W. Scheffler

Alfred Lowell

Subscribed and sworn to before me this 13th day of August 1903.

J. F. Bleakley,

Fred. Laubner)
 J. F. Bleakley)

Notary Public in and for the
 District of Alaska, residing at
 Seward.

(SEAL)

KNOW ALL MEN BY THESE PRESENTS, That I, Mary Lowell of Seward, on Resurrection Bay, District of Alaska, being that Mary Lowell who made settlement on and location as a homestead of the tract hereinafter described, do hereby relinquish and quit claim to the United States my said homestead claim, being that tract and parcel of land situated on Resurrection Bay in the District of Alaska, at or near the head of said bay and bounded and described as follows, to-wit:

Beginning at a stake marked Cor No 1, M L Hd from which rock point in Scheffler's Cove bears about 1587 feet west and 3536 feet north; thence south 2665 feet to a stake marked Cor No 2 M L Hd set at the line of ordinary high tide on Resurrection Bay, thence southwest along the line of ordinary high tide 2640 feet to a stake marked Cor No 3 M L Hd thence west 1797 feet to a stake marked Cor No 4 M L Hd set as the southwest corner of this claim thence north 4005.9 feet to a stake marked Cor No 5 M L Hd set as the northwest corner of this claim

thence east 3923.10 feet to the place of beginning, and all my right, title, interest and claim therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this twelfth day of August A.D. 1903.

Mary (her X mark) Lowell. (SEAL)

Signed and sealed in
the presence of
J. F. Bleakley
Alfred Lowell.

DISTRICT OF ALASKA)
THIRD JUDICIAL DIVISION) SS
SUNRISE RECORDING DISTRICT)

I, J. F. Bleakley, a notary public in and for the District of Alaska, do hereby certify that on the twelfth day of August, A.D. 1903, personally came before me Mary Lowell, to me well known to be the individual described in and who executed the foregoing instrument and acknowledged that she executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year first above written.

J. F. Bleakley,

(SEAL)

Notary Public in and for District
of Alaska, residing at Seward,
Alaska.

U.S. SURVEYOR GENERAL'S CERTIFICATE OF APPROVAL
OFFICE OF U.S. SURVEYOR GENERAL.

Sitka, Alaska. *October 26, 1903*

The foregoing field notes of a survey made by
Charles M. Anderson..... U.S. Deputy Surveyor,
of a tract of public land situate.....
..... *on Resurrection Bay*
District of Alaska, claimed by.....
Frank L. Ballouin..... for entry under provi-
sions of law relating to the acquisition of title
through exercise of additional reserved rights.
have been examined, the necessary corrections and
explanations made, the said field notes and the sur-
vey they describe are hereby approved.

[Signature]
.....
U.S. Surveyor General for
Alaska.

U.S. SURVEYOR GENERAL'S CERTIFICATE OF TRANSCRIPT.
OFFICE OF U.S. SURVEYOR GENERAL.

Sitka, Alaska..... 190.

I hereby certify that the foregoing transcript of
the field notes and returns of the survey of a
tract of public land situate.....
..... claimed by
..... for entry under the
provisions of law relating to the acquisition of
title.....
as surveyed by..... U.S. Deputy Surveyor
has been correctly copied from the original on file
in this office, and the same is hereby approved.

.....
U.S. Surveyor General for
Alaska.

FIELD NOTES

OF

U.S. RE-SURVEY NO. 726.

OF THE

TRACT OF PUBLIC LAND

CLAIMED BY

FRANK L. BALLAINE

UNDER SECTION 1, OF ACT APPROVED MAY 14, 1898

AS AMENDED BY ACT APPROVED MARCH 3, 1903

SITUATE

ON

RESURRECTION BAY

DISTRICT OF ALASKA

LATITUDE 60° 00' N.

LONGITUDE 149° 00' W.

AS SURVEYED BY

C. M. ANDERSON

U.S. DEPUTY SURVEYOR

SURVEY COMMENCED JUNE 15, 1904

SURVEY COMPLETED JUNE 15, 1904

ADDRESS OF CLAIMANT:

216 DEMMY BUILDING,

SEATTLE WASH.

Names and Duties of Assistants.

S. Squire, Chairman,

H. Weiss, Chairman,

P. C. Whitcutt, Axeman,

G. P. Viall, Flagman.

234
Seattle, Washington,

June 8, 1904.

TO HON. Wm. L. DISTIN, UNITED STATES SURVEYOR GENERAL, DISTRICT OF
ALASKA, and CHARLES M. ANDERSON, UNITED STATES DEPUTY SURVEYOR,
DISTRICT OF ALASKA:

I hereby apply that United States Survey No. 726, District of Alaska,
be amended so as to be also a survey of the North one-half of the tract
embraced in said Survey No. 726, and that the monuments, plats and
field notes and other documents relating to said Survey No. 726 show
said North one-half of said tract embraced in said Survey No. 726.

Frank L. Buehler

233A

Seattle, Washington,

June 8, 1904.

TO HON. WM. L. DISTIN, UNITED STATES SURVEYOR GENERAL, DISTRICT OF
ALASKA and CHARLES W. ANDERSON, UNITED STATES DEPUTY SURVEYOR,

DISTRICT OF ALASKA:

I hereby apply that United States Survey No. 726, District
of Alaska, be amended so as to be ^{also} a survey of the South one-half of
the tract embraced in said Survey No. 726, and that the monuments,
plats and field notes and other documents relating to said Survey No.
726 show South one-half of said tract embraced in said Survey No. 726.

Samuel B. Baker

PRELIMINARY OATHS OF ASSISTANTS.

We do solemnly swear that we will well and faithfully execute the duties of chain carriers; that we will level the chain upon even and un-even ground, and plumb the tally pins, either by sticking or dropping the same; that we will report the true distance to all notable objects, and the true length of all lines that we assist in measuring, to the best of our skill and ability, and in accordance with instructions given us in the resurvey of the tract of public land claimed by Frank L. Ballaine under the Act of May 14, 1898, as amended March 3, 1904, situate on Resurrection Bay in the District of Alaska.

J. D. Squire

Chairman

H. M. Squire

Chairman

Subscribed and sworn to by the above named persons,
before me this 15th day of June, A. D. 1904

C. K. Patton

Notary Public.

I do solemnly swear that I will well and truly perform the duties of axeman, in the establishment of corners and other duties, according to instructions given me, and to the best of my skill and ability, in the resurvey of the tract of public land claimed by Frank L. Ballaine under the Act of May 14, 1898, as amended March 3, 1904, situate on Resurrection Bay in the District of Alaska.

F. E. Whitcomb

Axeman

Subscribed and sworn to before me
by the above named person, this 15th day of June, A. D. 1904.

C. K. Patton

Notary Public.

I do solemnly swear that I will well and truly perform the duties of flagman, according to instructions given me, and to the best of my skill and ability, in the resurvey of the tract of public land claimed by Frank L. Ballaine under the Act of May 14, 1898, as amended March 3, 1904, situate on Resurrection Bay in the District of Alaska.

A. T. S. Hall

Flagman

Subscribed and sworn to before me this
15th day of June, A. D. 1904.

C. K. Patton

Notary Public.

Field Notes of Re-Survey No. 726

Survey commenced and completed June 15, 1904, and executed with a Keuffel and Esser light mountain transit, having two double verniers placed opposite each other and reading to 30" of arc, and telescope fitted with prismatic eye piece.

The instrument was examined, and tested on the true meridian at Seattle, and certificate filed with the U. S. Surveyor General for Alaska.

The weather since I have been here will not permit of an observation on Polaris or the Sun, but the lines of Survey No. 726 being carefully deflected from the true meridian as determined by an observation on Polaris, and which I know is correct, I determine the magnetic declination to be 27° 05' E.

Survey No. 726, North.

I begin at corner 1 of survey No. 726, a granite stone 8 x 8 x 6 ins. above ground, marked deeply on the side facing claim S-726 Cor. 1, which I mark in addition N (for North). This corner is witnessed by pits 24 x 18 x 12 ins., dug West and South of the corner and 6 ft. distant, and a mound of earth 4 ft. base, 2 ft. high North of Corner.

A spruce 18 ins. diam. bears S 43° 15' W., 78 lks. dist., marked S-726 Cor. 1, B.T.

A spruce 24 ins. diam. bears S. 52° 30' W., 1.06 chs. dist., marked S-726, Cor. 1, B.T.

I mark each tree with N.

The summit of Mt. Sourry bears N. 78° W.

The summit of Mt. Lowell bears S. 48° W.

Thence South

Chains over level land, covered with spruce and undergrowth of alder brush,

Field Notes of Re-Survey No. 726.

Chains

- 1.95 N. E. Corner Mary Lowell's abandoned homestead,
 22.20 North bank of North channel of Lowell Creek, 15 lks.
 wide, course east,
 22.35 South bank of north channel of Lowell Creek
 24.85 To corner 2.
 A granite stone 24 x 6 x 6 ins., set 18 ins. the ground,
 marked on the side facing claim S-726 N. Cor. 2.
 Dig pits 24 x 18 x 12 ins. North and West of corner
 and 4 ft. distant raise mound of earth, 4 ft. base,
 2 ft. high, East of corner, from which
 A cottonwood 28 ins. diam. bears N. 37° 15' W.
 51 lks. dist., marked S-726-N. Cor. 2 B.T.
 A cottonwood 20 ins. diam. bears S. 30° W. 1.09 chains
 dist., marked S-726 N. Cor. 2 B.T.
 Note-- This corner comes within what was formerly
 the South channel of Lowell Creek, but which is
 now thoroughly and permanently dammed up, and the
 entire flow being through the North channel.
 Land level, soil second rate, timber spruce with
 scattering cottonwood and alder undergrowth.

Thence West

- over level land covered with spruce, and undergrowth
 of alder bush
 13.50 Leave timber and enter opening, timber 20 lks. south
 of line
 32.21 To corner 3.
 A granite stone 18 x 6 x 6 ins. set 12 ins. in the
 ground, marked on side facing claim S-726-N. Cor. 3
 dig pits 24 x 18 x 12 ins. North and East of corner
 and 6 ft. dist. and raise mound of earth 4 ft.
 base, 2 ft. high West of corner, from which
 A spruce 36" diam. bears N. 13° 15' E. 74 lks. dist.
 marked S-726 N. Cor. 3 B.T.

Field Notes of Re-Survey No. 726

Chains

A spruce 30 ins. diam. bears S 72° 30' E. , 41 lks.
dist., marked S. 726 N. Cor. 3 B.T.
Land level, soil 3d rate.
Timber small spruces and alder brush.

Thence North
over rolling land

- 1.95 Lowell Creek 30 lks. wide course East
- 2.50 Enter timber.
- 22.85 Intersect North line of Mary Lowell's abandoned
homestead.
- 24.83 To corner 4.

A granite stone 6 x 6 x 6 ins. above ground, marked
deeply S-726 Cor. 4, which I mark in addition N.
This corner is witnessed by pits 24 x 18 x 12 ins.
dug East and South of corner and 6 ft. dist., and
a mound of earth 4 ft. base, 2 ft. high, North of
corner.

A spruce tree 28 ins. diam. bears S. 36° 30' E. 71 lks. dist. marked S-726 Cor. 4 B.T.

A spruce tree 28 ins. diam. bears S. 36° 30' E. 71
lks. dist., marked S-726 Cor. 4 B.T.

I mark each tree with N.

Land rolling, soil 2nd rate North of Creek, timber
spruce.

Thence East

Slightly descending through spruce timber.

- 32.21 To corner 1 the place of beginning,
Containing 79.98 acres.

Land slightly rolling; soil second rate; timber
spruce.

Survey No. 726 South.

Beginning at corner 2 survey No. 726 North, a granite

Field Notes of Re-Survey No. 726.

Chains

stone 6 x 6 x 6 ins. above ground, marked and witnessed as previously described. I mark the stone on the side facing the claim S. 726, S. Cor. 1, dig pit ^(for south) 24 x 18 x 12 ins., 6 ft. South of corner, and mark each bearing tree S. 726 S. Cor. 1 B.T.

Thence South

over level land through spruce timber and undergrowth of alder bush.

11.17 Leave timber

14.50 W.C. to Cor. 2.

A granite stone 8 x 8 x 6 ins. above ground marked deeply on the side facing claim S-726 Cor. 2 W.C., which I mark in addition S. This corner is witnessed by a mound of stone 4 ft. base, 2 ft. high, 6 ft. North of corner.

A cottonwood 10 ins. diam. bears N. 50° W. 71 lks. dist., marked S-726 Cor. 2 W.C.B.T.

A cottonwood 6 ins. diam. bears S. 85° 30' W. 1.09 chains dist. marked S-726 Cor 2 W.C.B.T.

I mark each tree with S.

The summit of Mt. Sourry bears N. 68° 16' W.

The summit of Mt. Lowell bears S. 65° 35' W.

17.17 To corner 2. This not being a suitable place to establish a corner, owing to danger from destruction from extreme high tide, was not set. W.C. to cor. 2 *previously described* bears North 2.67 chs.

Land level, soil second rate, timber spruce with scattering cottonwood and undergrowth of alder bush.

Thence from true corner No. 2 meander on the line of ordinary high tide of Resurrection Bay

No. 1	345° 35' W	3.10 chains
" 2	368° 45' W	4.30 "

Field Notes of Re-Survey No. 726.

Chains

No. 3	West	2.80 chains	✓
" 4	S66° 30' W.	10.30	" ✓
" 5	S60° 00' W	8.10	" ✓
" 6	S55° 00' W	6.40	" ✓
" 7	S17° 15' W	5.00	" ✓
Total		40.00 chains	to Cor. 3.

On line of ordinary high tide, not being a suitable place to set a corner, owing to liability to destruction by extreme high tides, the corner was not set. W.C. to corner 3 bears North 0.67 chs. distant. Meander line passes over sandy beach.

Traverse North

from true corner, ascending abruptly along face of timber covered mountain, sloping about 35° to the East.

0.67 W.C. to Cor. 3.

A granite stone 8 x 8 x 6 ins. above ground, marked deeply on the side facing the claim S. 726 Cor. 3 W.C. which I mark in addition S. This corner is witnessed by a mound of stone 4 ft. base, 2 ft. high, 6 ft. North of corner.

A spruce 10 ins. diameter bears N. 5° 30' E 44 lks. dist. marked S. 726 Cor. 3 W.C.B.T.

A spruce 12 ins. diam. bears E. 15° 30' E. 90 lks. dist. marked S. 726 Cor. 3 W.C.B.T.

I mark each tree with S.

U. S. Loc Mon No. 726 bears S. 6° 20' E 1.69 chs. distant.

Note. Owing to a clerical error of the stenographer, the distance from true corner 3 to the W.C. was given as 100 chains in survey No. 726.

10.60 Summit of point; elevation 150 ft; descending gradually.

Field Notes of Re-Survey No. 726.

Chains

33.50 Foot of mountain. Elevation 110 ft.
 37.30 Leave timber; elevation 100 ft
 37.50 To corner 4 identical with corner No. 3 survey No.

726 N.

A granite stone 6 x 6 x 6 ins. above ground, marked and witnessed as previously described. I mark the stone on the side facing the claim S. 726 S. Cor. 4 dig pit 24 x 18 x 12 ins. 6 ft. South of corner, and mark each bearing tree S. 726 S. Cor. 4 B.T. Land mountain side, soil rocky, timber spruce.

Thence East

Descend slightly, timber 20 links south of line

18.71- Enter timber
 32.21 To corner 1, the place of beginning.
 Containing 79.97 acres
 Land level, soil 3rd rate.
 Timber small spruce and alder brush.

General Description.

The re-survey of survey No. 726 is identical with and covers the same land as the original survey. Most of the land was formerly a part of Mary Lowell's homestead claim, but was abandoned by her. The land slopes gently to the water excepting the western 200 feet, which is quite steep, being the foot of an abrupt mountainside. The soil is a dark sandy loam running from first to third rate. The whole claim is a glacial deposit formed by Lowel Creek, and is covered with timber of no commercial value.

Charles M. Anderson, here
 U. S. Dep. Surveyor.

FINAL OATHS FOR SURVEYS.

LIST OF NAMES.

A list of the names of the individuals employed by C. M. Anderson, United States Deputy Surveyor for Alaska, under Act approved May 14, 1898, as amended March 3, 1904, to assist in running, measuring, marking and surveying the lines, corners and boundaries described in the foregoing field notes of the resurvey of the tract of public land claimed by Frank L. Ballaine under the Act of May 14, 1898, as amended March 3, 1904, situate on Resurrection Bay in the District of Alaska, and showing the respective capacities in which they acted.

S. Squire, Chairman,

H. Weiss, Chainman,

F. C. Whitcutt, Axeman,

G. F. Viall, Flagman,

FINAL OATHS OF ASSISTANTS.

We solemnly swear that we assisted C. M. Anderson, United States Deputy Surveyor, under authority of the U. S. Surveyor General for Alaska, in marking the corners and surveying the boundaries of the tract of public land claimed by Frank L. Ballaine under the Act of May 14, 1898, as amended March 3, 1904, situate on Resurrection Bay in the District of Alaska, which tract is represented in the foregoing field notes as having been surveyed by said Deputy Surveyor and under his direction; and that said survey has been in all respects, to the best of our knowledge and belief, well, faithfully and correctly executed, and the corner and boundary monuments established according to law and the instructions furnished by the U. S. Surveyor General for Alaska.

S. Squire

Chairman.

H. Weiss

Chainman.

F. C. Whitcutt

Axeman.

G. F. Viall

Flagman.

Subscribed and sworn to, by the above named persons, before me, this 15th day of June, A. D. 1904.

C. K. Bettingill

Notary Public.

FINAL CERTIFICATE OF U.S. DEPUTY SURVEYOR.

242

I, Charles M. Andersen, U.S. Deputy Surveyor for Alaska, under Act approved May 14, 1898, do solemnly swear that I have well, faithfully and truly, in my own proper person and in strict conformity with the laws of the United States, the Official Regulations, the Surveying Manual and the instructions thereunder, faithfully and correctly executed the resurvey of the tract of public land in Alaska claimed by Frank L. Ballaine and designated survey No. 726, situate on Resurrection Bay, Alaska; that said field notes accurately show, and in a specific manner describe, the boundaries of said tract, as distinctly marked, established and perpetuated by proper monuments on the ground; that the foregoing are the true and original field notes of said resurvey and my report therein; that said resurvey is identical with and covers the same land as survey No. 726; and that, should any fraud be detected, I will suffer the penalty of perjury under the provisions of an Act of Congress approved August 8, 1846; that the above mentioned resurvey was made by me on the 15th day of June, A.D. 1904; that said field notes and the plat of said resurvey thereto attached are true and correct; and that the said tract of land is not known to contain either coal or the precious metals; that said resurvey includes no improvements made by or in possession of another, except by a grantee prior to or since the passage of said Act; nor any land to which the natives of Alaska have prior right by virtue of actual possession; nor any portion of a townsite, nor lands occupied by a missionary station; or reserved, selected or occupied by the United States for any purpose; or the U.S. Commissioner of Fish and Fisheries; or reserved from sale under the provisions of said Act, and that said field notes, as given above, furnish such an accurate description of said surveyed tract as will, if incorporated into a patent, serve fully to identify the premises, and that such references are made therein to natural objects, permanent monuments, and initial points as will perpetuate and fix the exact identity of the said tract so surveyed. Said resurvey is used, occupied and possessed under said Act.

And that the said resurvey does not include more than forty (40) rods of shore line on any navigable water, and that said tract is not within eighty (80) rods of any tract sold or entered under said Act.

Charles M. Andersen
U.S. Deputy Surveyor

Subscribed and sworn to before me this 12 day of July, 1904.

James Kifer
UNITED STATES COMMISSIONER

2. In balancing the North and Dep. do not concentrate or change the original figures.

Put the corrected figure or figures above in red ink. Do not change the footing of the original figures, but put below them the corrected footing in red ink. The corrections for balancing fallings should be proportional to the lengths of the lines.

3. In calculations of fallings take result to nearest hundredth. In calculations of N. and S. areas drop all after second decimal. Deputies are cautioned not to use tables that do not give results exact to the decimal specified.

TABLING AND CALCULATIONS OF

Area

, SURVEY No. *126 South*

No.	COURSE.	DISTANCE.	LATITUDES.		DEPARTURES.		DOUBLE M. D.	N. AREAS.	S. AREAS.
			NORTH.	SOUTH.	EAST.	WEST.			
1	<i>South</i>	<i>Chairs</i> 1717		1717			00		
2	<i>S. 45° 45' W.</i>	310		216	222	222		480	
3	<i>S. 68° 45' W.</i>	430		156	401	845		1318	
4	<i>West</i>	280			280	1526			
5	<i>S. 66° 30' W.</i>	1030		411	945	2751		11307	
6	<i>S. 60° 00' W.</i>	810		405	701	4397		17805	
7	<i>S. 55° 00' W.</i>	648		367	524	5622		20633	
8	<i>S. 17° 15' W.</i>	500		478	148	6294		30065	
9	<i>North</i>	3750	3750			6442	241575		
10	<i>East</i>	3221			3221	3221			
			3750	3750	3221	3221		241575	81631
								81631	
								159944	
								79972	

Area 79.97 Acres.

2. In balancing " and Dep. do not obliterate or change the original figures:

Put the corrected figure or figures above in red ink. Do not change the footing of the original figures, but put below them the corrected footing in red ink.
The corrections for balancing fallings should be proportional to the lengths of the lines.

3. In calculations of fallings take result to nearest hundredth. In calculations of N. and S. areas drop all after second decimal. Deputies are cautioned not to use tables that do not give results exact to the decimal specified.

TABLING AND CALCULATIONS OF

Area

, SURVEY No. *726 North*

No.	COURSE	DISTANCE	LATITUDES		DEPARTURES		DOUBLE M. D.	N. AREAS	S. AREAS
			NORTH	SOUTH	EAST	WEST			
1	<i>South</i>	<i>Chains</i> 2463		2463					
2	<i>West</i>	3221				3221			
3	<i>North</i>	2463	2463						
4	<i>East</i>	3221			3221				
			2463	2463	3221	3221			

$$\frac{2463 \times 32.21}{10} = 79.98 \text{ acres!}$$

U.S. SURVEYOR GENERAL'S CERTIFICATE OF APPROVAL

OFFICE OF U.S. SURVEYOR GENERAL

=====0=====

Sitka, Alaska *August 22, 1904.*

The foregoing field notes of resurvey of Survey No. 726, which is of a tract of public land situated on Resurrection Bay, Alaska, claimed by Frank I. Ballaine, for entry under the provision of law relating to the acquisition of title through exercise of Soldiers Additional Homestead Rights (the original survey whereof was approved Oct. 26, 1903) dividing said tract into two equal parts, designated Survey No. 726 North, and Survey No. 726 South, respectively, have been examined, the necessary corrections and explanations made, the said field notes and the surveys they describe are hereby approved.

W. L. Dietrich
U.S. Surveyor General for
Alaska.

Planning and Zoning Agenda Statement



Meeting Date: October 8, 2024

To: Planning and Zoning Commission

Through: Daniel Meuninck, Community Development Director

From: Applicant

Agenda Item: Resolution 2024-022: Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of the Original Townsite of Seward, Lots 12, 13, 14 & North ½ of Lot 15, Block 15; Located at 313 & 315 Fourth Ave; Creating Lot 14A, Seward Original Townsite Wisel Replat

Background and justification:

Attached for the Commission's review and recommendation to the Kenai Peninsula Borough Planning Commission is a preliminary replat submitted by John Wisel.

This plat will vacate the interior lot lines that formerly separated Lots 12, 13, 14, & 15 of Block 15, Original Townsite of Seward, and create one, single lot which will be known as Lot 14A, Seward Original Townsite Wisel Replat.

The applicant has plans to develop the property, and Seward City Code §12.01.030 states that "no building, except a single-family residence, may be constructed across platted property lines."

A public hearing is not required for this plat as Seward City Code §16.01.015(F) states that a plat submitted to create a single parcel through the vacation of interior lot lines shall be exempt from the requirements of a public hearing.

In accordance with Borough requirements, the city must review and comment on a plat before submittal to the Borough for approval.

Subdivision Review:

Zoning: The property is currently zoned Central Business (CB).

Size: The parcel will be 10,500 square feet.

Utilities: The parcel has access to all city utilities (water, sewer, and electric).

Existing Use: There is an abandoned building on the southern portion of the parcel, and the northern portion is vacant.

Access: The parcel has access to Fourth Ave on the east, a one-way street on the north, Church Street, and an alley on the west.

Flood Zone: According to the Kenai Peninsula Borough Floodplain map the parcel is not within a FEMA mapped flood zone.

Comprehensive and Strategic Plan Consistency Information

This legislation is consistent with (citation listed):

Comprehensive Plan: N/A

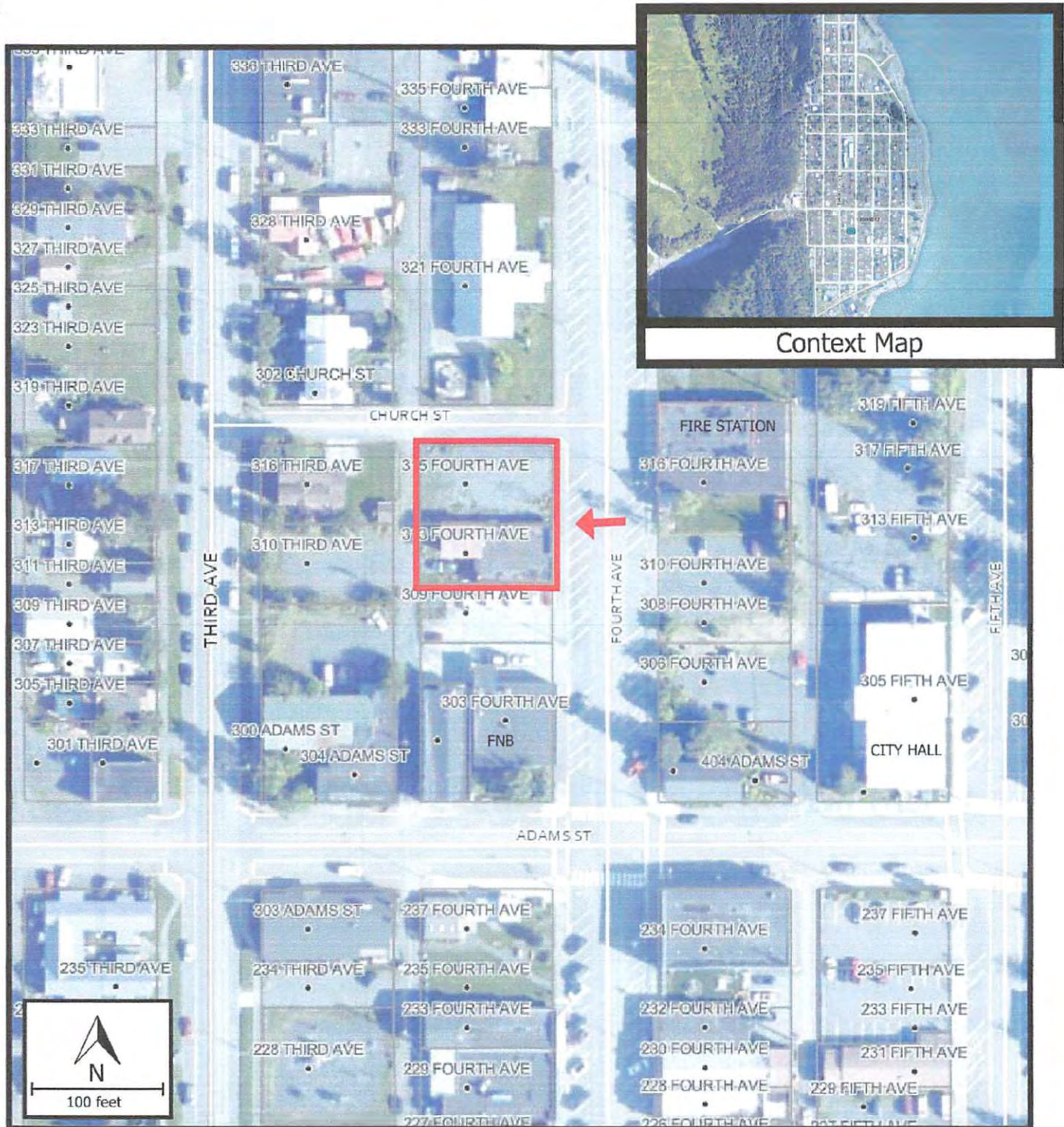
Strategic Plan: N/A

Staff Comments

Department	Comments	No Comment	N/A
Building Department		X	
Fire Department		X	
Public Works Department		X	
Harbor Department		X	
Police Department		X	
Electric Department		X	
Telecommunications		X	

Recommendation

It is the Commission's responsibility to provide a recommendation to the Kenai Peninsula Borough to approve this plat if the Commission feels that it meets the requirements outlined in Title 16 of Seward City Code.



Context Map

Preliminary Plat Application Property Map

RES 2024-022 - Vacating the interior lot lines separating Lots 12, 13, 14, & North 1/2 of Lot 15, Block 15, Original Townsite of Seward; Creating Lot 14A, Seward Original Townsite Wisel Replat

Location: 313 & 315 Fourth Ave
Parcel #: 14909011 & 14909012







PRELIMINARY PLAT SUBMITTAL FORM

- ☒ PRELIMINARY PLAT ☐ REVISED PRELIMINARY PLAT (no fee required)
- ☐ PHASED PRELIMINARY PLAT ☐ PRELIMINARY PLAT FOR PRIVATE STREETS / GATED SUBDIVISION

All requirements of Seward Code Title 16 apply and must be met.

SUBDIVISION PLAT NAME: must not include business names, contact staff for assistance if needed.

Seward Original Townsite Wisel Replat, Lot 14A

PROPERTY INFORMATION:

Legal description	Lots 12, 13, 14 and north 1/2 of 15, Block 15 Seward Original Townsite		
Section, Township, Range	T 15 R 14W Sec 10		
General area description			
City	Seward	Total Acreage	10,500 square feet

SURVEYOR

Company:	Johnson Surveying	Contact Person:	
Mailing Address:	PO Box 27	City, State, Zip	Clam Gulch, AK 99568
Phone:	907-262-5772	e-mail:	

PROPOSED WASTEWATER AND WATER SUPPLY

WASTEWATER ☐ on site ☒ City WATER ☐ on site ☒ City

SUBMITTAL REQUIREMENTS

A preliminary plat application will be scheduled for the next available Planning and Zoning meeting after a complete application has been received.

- ☒ Electronic file of Plat and
- ☒ Preliminary plat **NON-REFUNDABLE** submittal fee \$200.00.
- ☐ Certificate to plat for ALL parcels included in the subdivision
- ☐ Documentation showing proof of signatory authority (partnerships, corporations, estates, trusts, etc.)
- ☐ Public Notice Sign(s) Posted on property - City staff will contact you to pick up sign

EXCEPTIONS REQUESTED TO PLATTING CODE: A letter, to be presented to the Planning and Zoning commission, with substantial evidence justifying the requested exception and fully stating the grounds for the exception request, and the facts relied upon, **MUST** be attached to this submittal.

1. 2. 3.

APPLICANT: **SIGNATURES OF ALL LEGAL PROPERTY OWNERS ARE REQUIRED.** Additional signature sheets can be attached. When signing on behalf of another individual, estate, corporation, LLC, partnership, etc., documentation is required to show authority of the individual(s) signing. Contact KPB staff for clarification if needed.

OWNER(s)

Name (printed):	Signature:
<u>Bethany Wisel</u>	<u>Bethany Wisel</u>
Phone:	e-mail:
Name (printed):	Signature:
Phone:	e-mail:
Name (printed):	Signature:
Phone:	e-mail:

FOR OFFICE USE ONLY

RECEIVED BY _____ DATE SUBMITTED _____ Receipt # _____

CALL TO ORDER

The October 8, 2024, regular meeting of the Planning & Zoning Commission was called to order at 7:07 p.m. by Chair Carol Griswold.

OPENING CEREMONY

Commissioner Hubbard led the Pledge of Allegiance to the flag.

ROLL CALL

There were present:

Carol Griswold, presiding, and
~~Brenan Hornseth~~
~~Nathaniel Charbonneau~~
Vanessa Verhey
Sean Ulman
Rhonda Hubbard
Clare Sullivan

comprising a quorum of the Commission; and

Daniel Meuninck, Community Development Director
Courtney Bringham, City Planner
Clara Brown, Executive Assistant
Kris Peck, City Clerk
Jodi Kurtz, Deputy City Clerk

Excused – Charbonneau, Hornseth
Absent – None
Vacant – None

CITIZEN COMMENTS ON ANY SUBJECT- None

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion (Sullivan/Verhey)

Approval of Agenda and Consent Agenda

Motion Passed

Unanimous

The clerk read the following approved consent agenda items:

Approval of the September 3, 2024, Planning & Zoning Commission Meeting Minutes

Approval of the September 11, 2024, Planning & Zoning Commission Special Meeting Minutes

SPECIAL ORDERS, PRESENTATION, AND REPORTS

City Administration Report

Community Development Director Daniel Meuninck provided an update on city business license renewals. He spoke about the Trout Unlimited Grant that was sponsoring organizations through the Alaska Fish and Wildlife Foundation. Meuninck also updated the commission on the Comprehensive Plan and details about the public engagement survey. Lastly, Meuninck provided details of commissioner training available through the American Planning Association.

PUBLIC HEARINGS

Resolutions Requiring Public Hearing

Resolution 2024-020, of the Planning and Zoning Commission of the City of Seward, Alaska, Granting a Conditional Use Permit to Robert Williams to use the Unsubdivided Portion of Survey No. 149, Located at 2405 Seward Hwy; and Lot B1, Forest Acres Subdivision Levee Replat, Located at 2413 Seward Hwy for Commercial Outdoor Storage; Within an Auto Commercial (AC) Zoning District

[This is a quasi-judicial item. Commissioners may not discuss any items pertaining to this Resolution with the applicant, other commissioners, or the public.]

Motion (Sullivan/Verhey)

Approve Resolution 2024-020

Bringhurst referred to packet for the location of the project and surrounding properties. She explained the zoned areas on the map of all properties around this location. She mentioned that this property has been discussed previously for a proposed land swap.

Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened. No one appeared and the public hearing was closed.

The applicant Robert Williams (telephonically) was available to answer questions from the commission. William described his plan to move the entrance back to make it easier for trailers to enter and exit the premises. Williams addressed the proposed land swap.

Resolution 2024-020 was amended on Condition #14 to add: that will be completed within 1 year of the start of the business."

Resolution 2024-020 was amended to strike Condition #4 in its entirety.

Resolution 2024-020 was amended to add new Condition #4: The driveway on the main security gate on east side of property along Seward Hwy will be moved back by at least 26 feet.

Resolution 2024-020 was amended to delete Condition #5 in its entirety.

Main Motion as Amended Passed

Unanimous

NEW BUSINESS

Resolutions

Resolution 2024-021, of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council Support the Kenai Peninsula Borough Assembly Approval of the 024 Kenai Peninsula Borough Hazard Mitigation Plan Update, which will include the City of Seward and the City of Seldovia.

Motion (Sullivan/Verhey)

Approve Resolution 2024-021

Bringhurst recalled a previous work session regarding the Hazard Mitigation Plan. She provided an update the status of the KPB plan, the city's plan, and the Bear Creek Flood Board plan.

Griswold noted the plan had not yet been updated with the comments she had made for the August draft.

Motion Passed

Unanimous

Resolution 2024-022, of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of the Original Townsite of Seward, Lots 12, 13, 14 & North ½ of Lot 15, Block 15; Located at 313 & 315 Fourth Ave; Creating Lot 14A, Seward Original Townsite Wisel Replat

Motion (Sullivan/Verhey)

Approve Resolution 2024-022

Bringhurst spoke on the location of the replat and noted it was same location as the recently failed CUP for the hotel. Bringhurst spoke about the future development of this property. She said the applicant John Wisel has started the replat process that required him to vacate the interior lot line and create one parcel.

Motion Passed

Unanimous

Other New Business

City Attorney discussion and Q&A with Commissioners regarding quasi-judicial proceedings (telephonically)

City Attorney Robert Palmer discussed quasi-judicial proceedings with the commission and answered questions.

Discuss work session topic for Wednesday, October 23, 2024

After discussion the commission chose to discuss Marijuana Regulations, Building Height and Parking requirements on the October 23, 2024 Work Session.

INFORMATIONAL ITEMS AND REPORTS

Reminder of Meetings

Work session on Wednesday, October 23, 2024, at 6:00 p.m. in Council Chambers at City Hall

November 5, 2024, meeting has been rescheduled due to the election

Two meetings on Tuesday, November 19, 2024, in Council Chambers

Work Session at 5:30 p.m.

Regular meeting at 7:00 p.m.

CITIZEN COMMENTS – None

BOARD AND ADMINISTRATION COMMENTS & RESPONSE TO CITIZEN COMMENTS

Hubbard appreciated the city staff for all the information at the meeting tonight and looked forward to the upcoming work session.

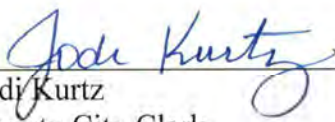
Ulman appreciated the variety of topics. He appreciated everyone's hard work.

Sullivan thought it was a great work session about the Seward Police Station. She thanked the city attorney for the information on ex parte contact. She appreciated the staff on how hard they work to move the agenda along and move the city forward.

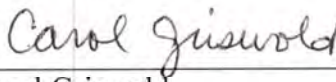
Griswold appreciated the city staff, the CUP applicant, and the City Attorney for their participation tonight.

ADJOURNMENT

The meeting was adjourned at 8:54 p.m.



Jodi Kurtz
Deputy City Clerk



Carol Griswold
Chair



Sponsored by: Applicant

**CITY OF SEWARD, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION 2024-022**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SEWARD, ALASKA, RECOMMENDING KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY PLAT OF THE ORIGINAL TOWNSITE OF SEWARD, LOTS 12, 13, 14 & NORTH ½ OF LOT 15, BLOCK 15; LOCATED AT 313 & 315 FOURTH AVE; CREATING LOT 14A, SEWARD ORIGINAL TOWNSITE WISEL REPLAT.

WHEREAS, John Wisel has submitted a preliminary plat for review and recommendation to the Kenai Peninsula Borough; and

WHEREAS, the proposed plat is vacating three interior lot lines, formerly separating Lots 12, 13, 14 and 15 on Block 15 in the Original Townsite of Seward, creating one parcel which will be called Lot 14A; and

WHEREAS, the applicant plans to develop the property and Seward City Code §12.01.030 prohibits any building except for a single-family home to be constructed across platted property lines; and

WHEREAS, the existing use of the property is an abandoned building on the southern portion and vacant land on the northern portion; and

WHEREAS, the parcels are currently zoned Central Business (CB); and

WHEREAS, none of the parcels are located within a mapped FEMA flood zone; and

WHEREAS, the proposed single parcel is 10,500 square feet; and

WHEREAS, the parcel has access to Fourth Ave on the east, a one-way street on the north, Church Street, and an alley on the west; and

WHEREAS, the lot is currently served by City water, sewer, and electric; and

WHEREAS, Seward City Code §16.01.015(F), states that a plat submitted to create a single parcel through the vacation of interior lot lines shall be exempt from the requirements of a public hearing; and

WHEREAS, it is the Planning and Zoning Commission's responsibility to act in an advisory capacity to the Kenai Peninsula Borough regarding plat proposals within the City of Seward.

NOW, THEREFORE, BE IT RESOLVED by the Seward Planning and Zoning Commission, that:

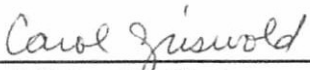
**CITY OF SEWARD, ALASKA
RESOLUTION 2024-022**

Section 1. The Commission hereby recommends that, in accordance with Seward City Code Section 16.01.015 (B), the Kenai Peninsula Borough approve the submittal of the preliminary plat of Original Townsite of Seward, Lots 12, 13, 14 & North ½ of Lot 15, Block 15; Located at 313 & 315 Fourth Ave; Creating Lot 14A, Seward Original Townsite Wisel Replat.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED by the Seward Planning and Zoning Commission this 8th day of October, 2024.

THE CITY OF SEWARD, ALASKA



Carol Griswold, Chair

AYES: Sullivan, Ulman, Verhey, Hubbard, Griswold
NOES: None
ABSENT: Charbonneau, Hornseth
ABSTAIN: None

ATTEST:



Kris Peck
City Clerk

(City Seal)

