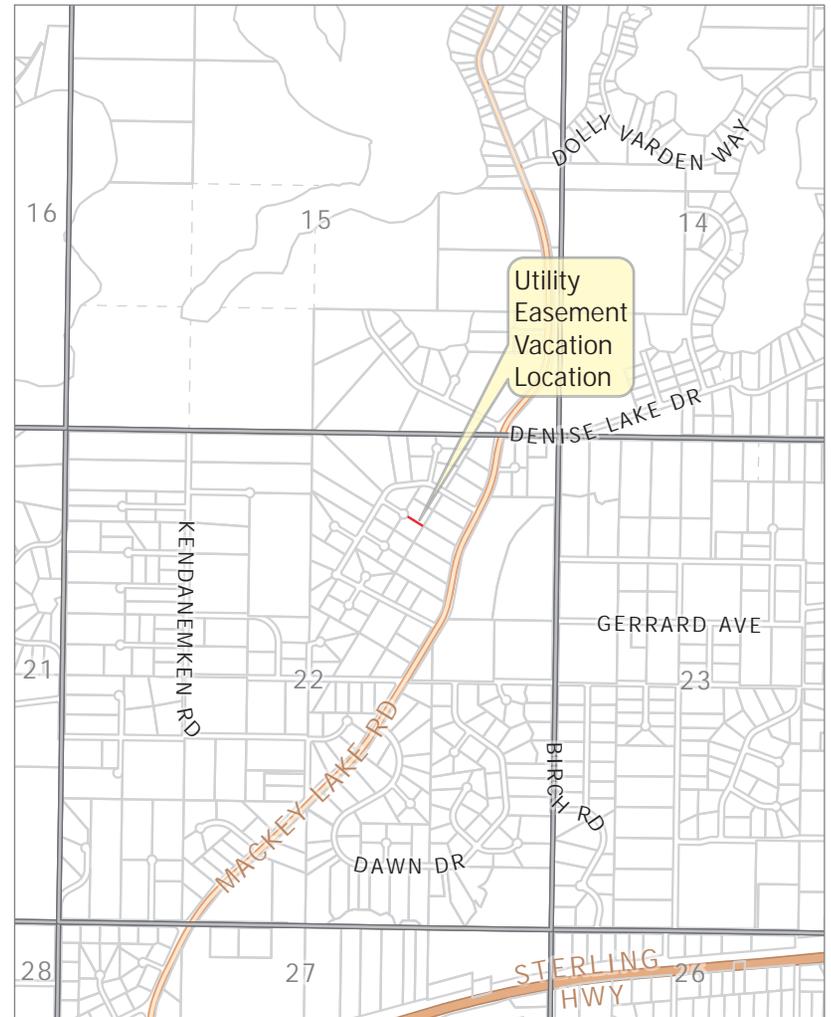
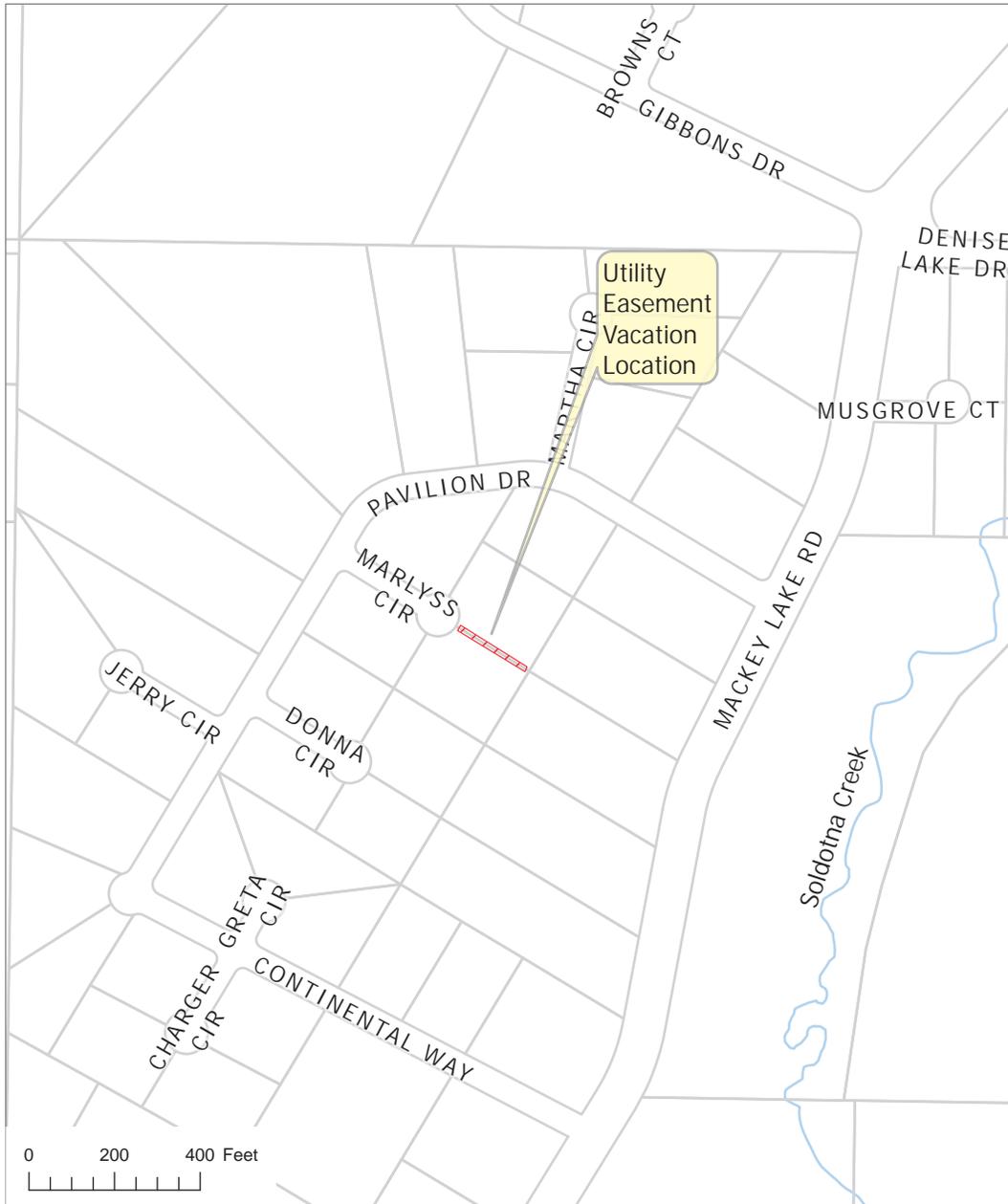


E. NEW BUSINESS

2. Utility Easement Vacation; KPB File 2026-004V

McLane Consulting Group / Heintz

Request: Vacates the 10' utility easement along the northeastern boundary of Lot 10B and associated 10' utility easement along the southwestern boundary of Lot 8B, all within Block 2, Pavilion Sub Part 2, Plat KN 83-156 Ridgeway Area

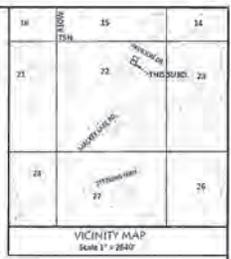
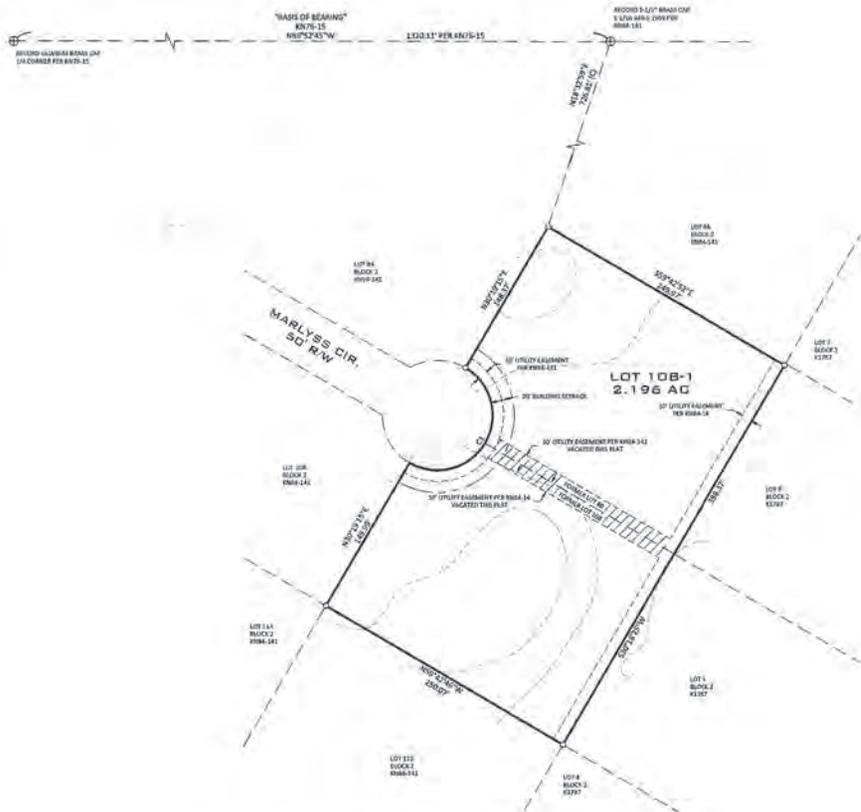


KPB File 2026-004V
T05N R10W SEC22
Ridgeway

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.



- NOTES**
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 60.
 2. BUILDING SETBACK: A BUILDING SETBACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 3. THE FRONT 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT PER KRSB-443.
 4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 5. THIS PLAT WAS PREPARED FROM DATA OF RECORDED KRSB-1413. NO ADDITIONAL FIELD SURVEY WAS REQUIRED PER KPB 20-00-2000A.
 6. UTILITY VACATION SHOWS HEREON WERE APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING ON _____, 2024.

WASTEWATER DISPOSAL
 THIS PLAT INCREASES LOT SIZES BY 1,000 SQUARE FEET OR MORE OF AREA SUITABLE FOR CONVENTIONAL DEVELOPMENT AS DESCRIBED IN KPB 20-00-2000. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

- LEGEND**
- ⊕ RECORD PRIMARY ALIGNMENT AS DESCRIBED
 - RECORD 5/8" FB&B w/ 1-1/2" A/C&P PER KRSB-381
 - - - CONTOUR INTERVAL = 5'
 - ▨ UTILITY EASEMENT VACATED THIS PLAT

CURVE TABLE						
CHORD	DELTA	ANGLE	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	170°54'53"	56.87'	151.02'	47222.80'	N 89° 17' 58" E	800.00'

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

JASON M. HEINTZ, OWNER
 PO BOX 3323, SOLDOTNA, AK 99689

JULIE L. HEINTZ, OWNER
 PO BOX 3323, SOLDOTNA, AK 99689

NOTARY'S ACKNOWLEDGEMENT
 FOR: JASON M. HEINTZ
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

NOTARY'S ACKNOWLEDGEMENT
 FOR: JULIE L. HEINTZ
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

Plat # _____
 Rec. Date: _____
 Date: _____
 Time: _____



PLAT APPROVAL
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2026.
 AUTHORIZED OFFICIAL _____

PAVILION SUBDIVISION PART 2 AMENDED 2026 REPLAT
 REPLAT OF LOT 88 AND 808 PAVILION SUBDIVISION PART 2 AMENDED KRSB-1413

OWNERS:
 JASON M. HEINTZ
 JULIE L. HEINTZ
 PO BOX 3323, SOLDOTNA, AK 99689

3.196 AC. M/L SITUATED IN THE NE1/4 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 10 WEST, Seward Meridian, Kenai Peninsula Borough and the Kenai Recording District, Alaska.

Consulting by: M&A INC. ENGINEERING - 1122 PAVILION DRIVE, SELLERSVILLE, PA 17370-1600
 717-240-2026
 WWW.M&AENGINEERING.COM

KPB File No.: 2025-XXX
Project No.: 252045

Scale 1" = 50'
 Date: NOVEMBER 2025
 Drawn by: AMH

KPB 2026-004V

ITEM #2 - UTILITY EASEMENT ALTERATION

VACATE THE 10-FOOT-WIDE UTILITY EASEMENTS LOCATED ALONG THE EAST BOUNDARY OF LOT 10B AND ALONG THE WEST BOUNDARY OF LOT 8B, BLOCK 2, GRANTED BY PAVILION SUBDIVISION PART 2 PAVILION PARK ESTATES ADDITION AMENDED, PLAT KN 84-141

KPB File No.	2026-004V
Planning Commission Meeting:	February 9, 2026
Applicant / Owner:	Julie L. Heintz and Jason M. Heintz of Soldotna, Alaska
Surveyor:	Andrew Hamilton, McLane Consulting Inc.
General Location:	Marlyss Circle off Pavilion Drive, located off Mackey Lake Road in Sterling

STAFF REPORT

Specific Request / Purpose as stated in the petition:

Utility Vacation: A 20-foot-wide utility easement centered on the common lot line of Lot 8B and Lot 10B - 10 feet each side of said common lot line. Proposed vacation is approximately 3,600 +/- square feet.

Notification: Notice of vacation mailings were sent by regular mail to ___ owners of property within 600 feet. Notice of the proposed vacation was emailed to ___ agencies and interested parties.

The public notice was posted on the Planning Department’s bulletin board at the KPB Administration Building.

Staff Analysis:

In 1976, Pavilion Subdivision, Part 2 (KN 76-15) originally subdivided the area and granted a 10-foot utility easement along each side of the common lot line of Lot 10 to both Lots 8 & 9, Block 2, as well as along the rear boundaries of Lots 8 and 10.

In 1983, Pavilion Subdivision Part 2 Pavilion Park Estates Addition (KN 83-156, later amended by plat KN 84-141) replatted multiple lots, and in the process created lots 8B and 10B, Block 2. The 10-foot-wide utility easement was carried forward along the common lot line between Lots 8B and 10B and along the rear boundaries of the lots. Additionally, a 10-foot utility easement was granted along Marlyss Circle right-of-way.

The 10-foot-wide utility easement along the west boundary of Lot 8B and along the east boundary of Lot 10B between the rear utility easement and the utility easement along the right-of-way are petitioned to be vacated, as shown by the hatched area on the submitted preliminary plat. The proposed plat also eliminates the common lot line between Lots 8B & 10B, resulting in a single lot.

The associated plat, Pavilion Subdivision Part 2 Amended 2026 Replat, is scheduled for review at the February 9, 2026, Plat Committee meeting. Upon approval, the plat will finalize the utility easement vacation.

The proposed plat will retain the 10-foot-wide utility easements adjacent to Marlyss Circle right-of-way and along the rear boundary.

A garage located on Lot 8B may be encroaching into the 10-foot utility easement at the southwest corner of the structure. The proposed plat and utility vacation, which eliminates the common lot lines and finalizes the easement vacation, resolves the encroachment concern. Because the lot lines are being removed, an as-built survey was not requested for this submittal.

Utility provider review:

HEA	HEA has no objection or concerns with the vacation of the utility easement as depicted on this drawing.
ENSTAR	Approved as shown.
ACS	No objections.
GCI	No response.
KPB Roads	No objection at this time.

Applicant Findings:

1. Lots 8B and 10B are owned by Jason and Julie Heintz. The landowners intend to consolidate these two lots into a single lot.
2. The proposed Lot 10-B1 has an existing 10-foot utility easement adjacent to Marlyss Circle right-of-way per KN 84-141 and a 10-foot utility easement along the easterly boundary per KN 84-141.
3. The utility easement is not in use by utility companies and each company has supported vacation of said easement.
4. Vacation of this utility easement will not prohibit future utility connection to surrounding properties.

Staff Findings:

5. ACS, ENSTAR, and HEA provided written non-objection to the proposed vacation. GCI did not respond after two separate contact attempts.
6. Pavilion Subdivision, Part 2 (KN 76-15) granted a 10-foot utility easement along each side of the common lot line on Lots 8 through 10, Block 2, as well as along the rear boundaries of Lots 8 and 10.
7. Pavilion Subdivision Part 2 Pavilion Park Estates Addition Amended KN 84-141 carried forward the 10-foot-wide utility easement along the common lot line between Lots 8B and 10B and along the rear boundary of the lots. Additionally, a 10-foot utility easement was granted along Marlyss Circle.
8. Pavilion Subdivision Part 2 Amended 2026 Replat, is scheduled for review at the February 9, 2026, Plat Committee meeting. Upon approval, the plat will finalize the utility easement vacation and eliminate the common lot line, resulting in a single lot. The proposed plat will retain the 10-foot-wide utility easement adjacent to Marlyss Circle and along the rear boundary.
9. No surrounding properties will be denied utilities.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- o Modify the 10-foot utility easement labels to reference the parent plat source KN 76-15
- o Comply with all recommendations outlined in the associated plat staff report.

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends **APPROVAL** of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by any utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.

- iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

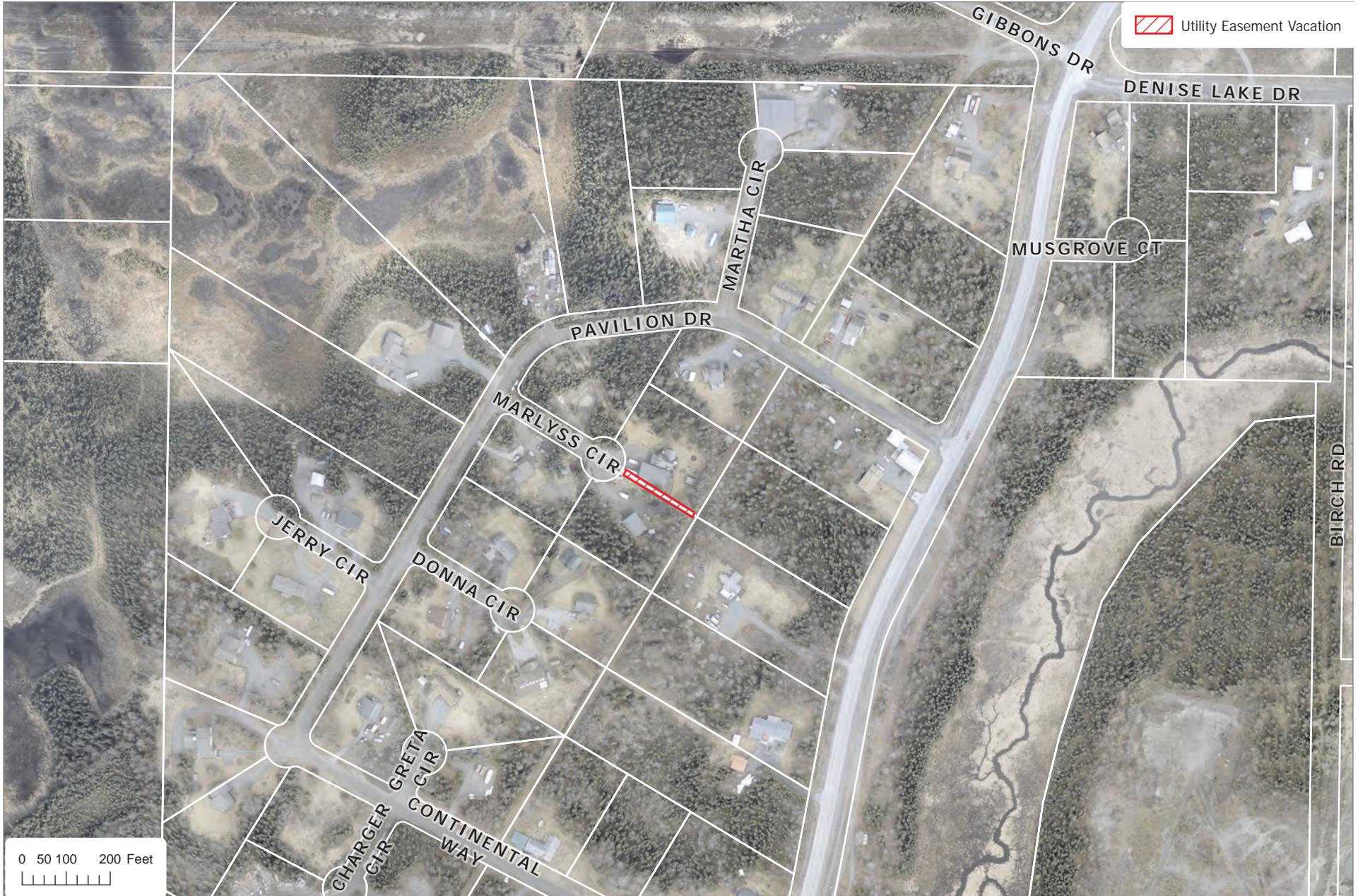
- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

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

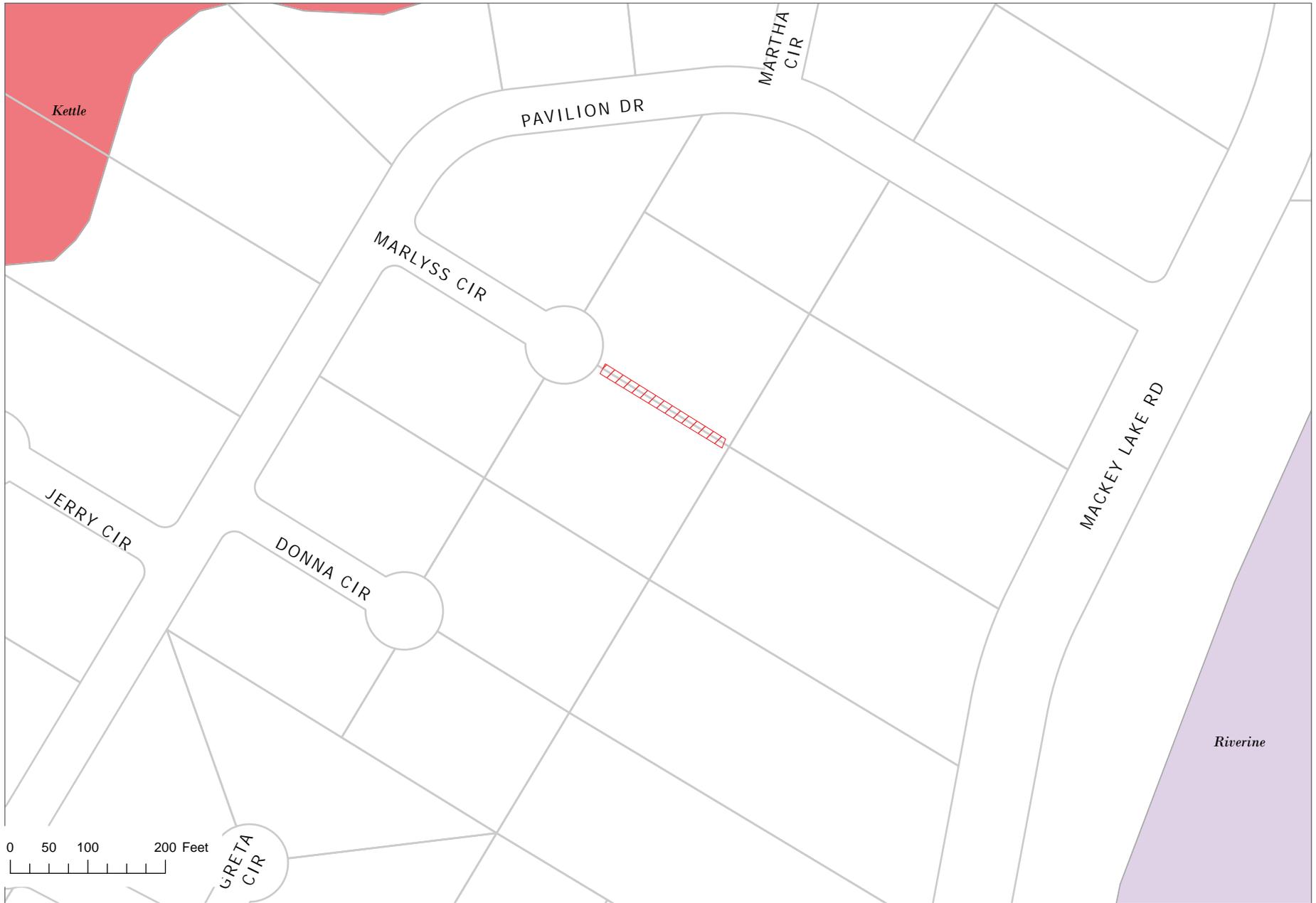
Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

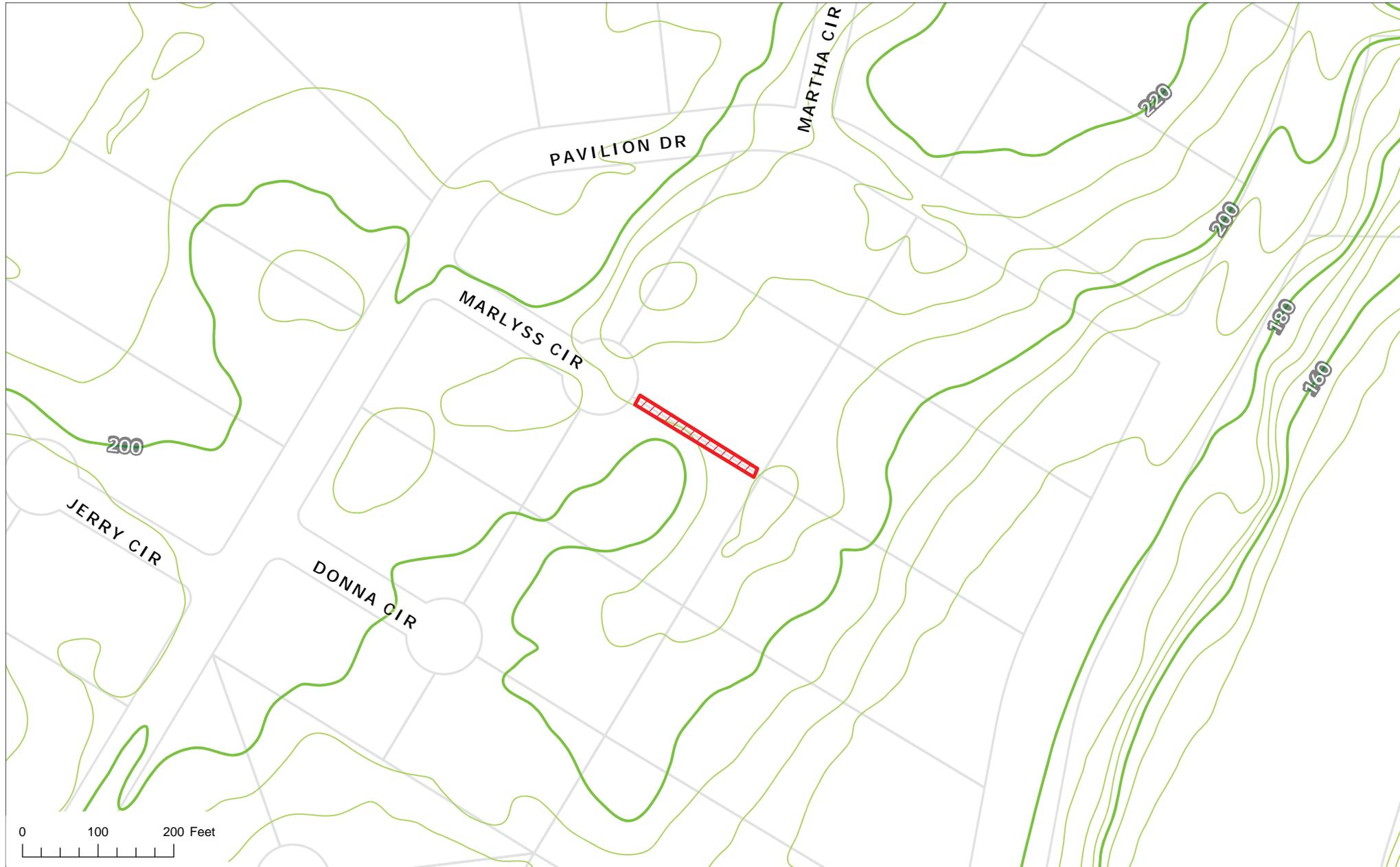
END OF STAFF REPORT



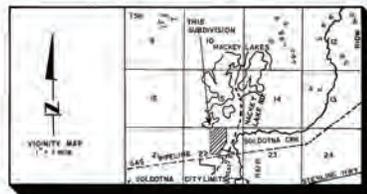
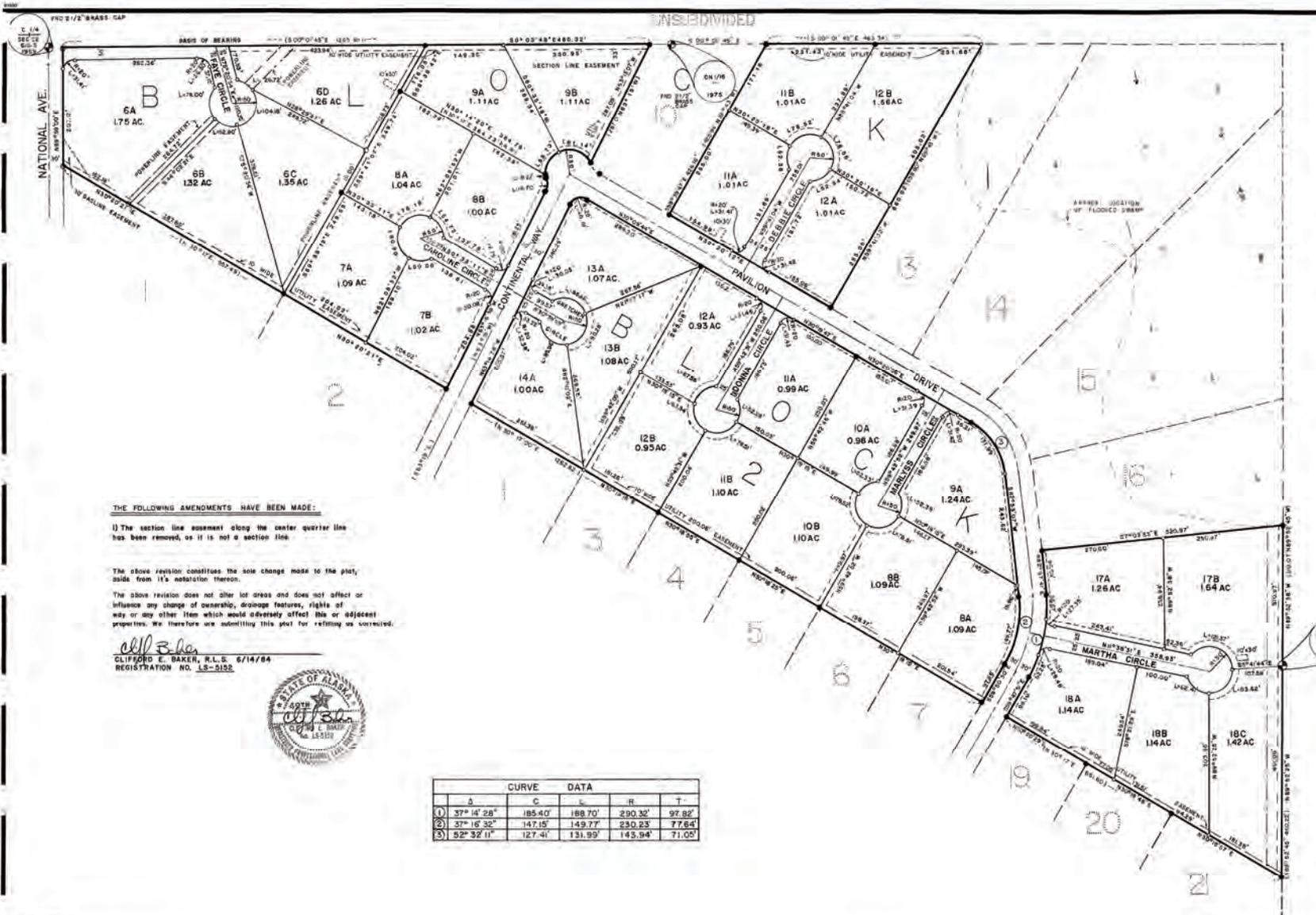
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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CERTIFICATE OF OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON & THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION & DEDICATE ALL RIGHTS-OF-WAYS & PUBLIC AREAS TO PUBLIC USE & GRANT ALL EASEMENTS TO THE USE SHOWN.

Kenneth W. Rice, Jr. & Fred Alexander B. Rice
 KENNETH W. RICE, JR. PRES. ALEXANDER B. RICE, VICE-PRES.
 P.O. BOX 1990
 SELDOVIA, ALASKA 99581

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 1 DAY OF June 1983 FOR KENNETH W. RICE JR. ALEXANDER B. RICE

James S. Jones
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 2/24/86

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 3, 1983

KENAI PENINSULA BOROUGH
Robert
 AUTHORIZED OFFICIAL

CERTIFICATE OF APPROVAL BY THE
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 This subdivision has been reviewed by the department and IS CONSIDERED TO BE APPROVED SUBJECT TO ANY LOCAL REGULATIONS

William R. E. 7/28/83
 DIVISION CHIEF TITLE



Clifford E. Baker
 CLIFFORD E. BAKER, R.L.S.
 REGISTRATION NO. LS-5182

THE FOLLOWING AMENDMENTS HAVE BEEN MADE:

1) The section line easement along the center quarter line has been removed, as it is not a section line.

The above revision constitutes the sole change made to the plat, aside from it's notation thereon.

The above revision does not alter lot areas and does not affect or influence any change of ownership, drainage features, rights of way or any other item which would adversely affect this or adjacent properties. We therefore are submitting this plat for recording as corrected.

Clifford E. Baker
 CLIFFORD E. BAKER, R.L.S. 6/14/84
 REGISTRATION NO. LS-5182



CURVE DATA				
Δ	C	L	R	T
① 37° 14' 28"	185.40'	188.70'	290.32'	97.82'
② 37° 16' 32"	147.15'	149.77'	230.23'	77.64'
③ 52° 32' 11"	127.41'	131.99'	145.94'	71.02'

- LEGEND**
- ⊙ MONUMENT (Found this survey)
 - ⊕ MONUMENT (Set this survey)
 - 1/2" REBAR (Found this survey)
 - 5/8" x 30" REBAR W/ 1/2" AL SERV CAP (Set this survey)
 - () RECORD DATUM K.R.D. 75-15

- NOTES:**
- 1) PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
 - 2) A SETBACK OF 20 FEET IS REQ'D FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 - 3) ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.
 - 4) AS PER STAFF RECOMMENDATION 3 RESTRICT LOTS TO INTERIOR ACCESS ONLY ALONG CONTINENTAL AND PAVILION DRIVE.

AMENDED

PAVILION SUBDIVISION, PART 2
 PAVILION PARK ESTATES ADDITION
 REFLECT OF LOTS
 6,7,8,9,10,11,12,13,14 BLOCK 2

LOCATED WITHIN
 1/4 SEC 22, T44N, R10W, S4W ALASKA
 CONTAINS 34.5 ACRES

DOWLING-RICE and ASSOCIATES
 P.O. BOX 1974 SELDOVIA, ALASKA 99669

ENGINEERS	262-5011	SURVEYORS	
DATE	4/23/83	SCALE	1"=100'
DRAWN BY	BRZ	SHEET	1
CHECKED BY	CR	SURVEYED	6/7/83



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON & THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION & DEDICATE ALL RIGHTS-OF-WAYS & PUBLIC AREAS TO PUBLIC USE & GRANT ALL EASEMENTS TO THE USE SHOWN.

Clifford E. Baker, R.L.S.
Richard E. Baker, R.L.S.

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 1 DAY OF June 1983 FOR CLIFFORD E. BAKER, R.L.S. & RICHARD E. BAKER, R.L.S.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 2/21/84

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 2, 1983

KENAI PENINSULA BOROUGH

Richard E. Baker
 AUTHORIZED OFFICIAL

CERTIFICATE OF APPROVAL BY THE
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 This subdivision has been reviewed in accordance with
 the Act and is approved subject to any local restrictions.

William G. ...
 DIRECTOR

	Δ	C	L	R	T
①	37° 14' 28"	185.40	188.70	290.30	97.82
②	37° 18' 32"	147.15	149.77	230.23	77.64
③	52° 32' 11"	127.41	131.99	143.94	71.03

- LEGEND**
- ⊕ MONUMENT (Found this survey)
 - ⊙ MONUMENT (Not this survey)
 - 1/2" REBAR (Found this survey)
 - 5/8" x 30" REBAR w/ 1/2" AL. SERV. CAP (Not this survey)
 - ⊖ RECORD DATUM K.R.S. 78-18

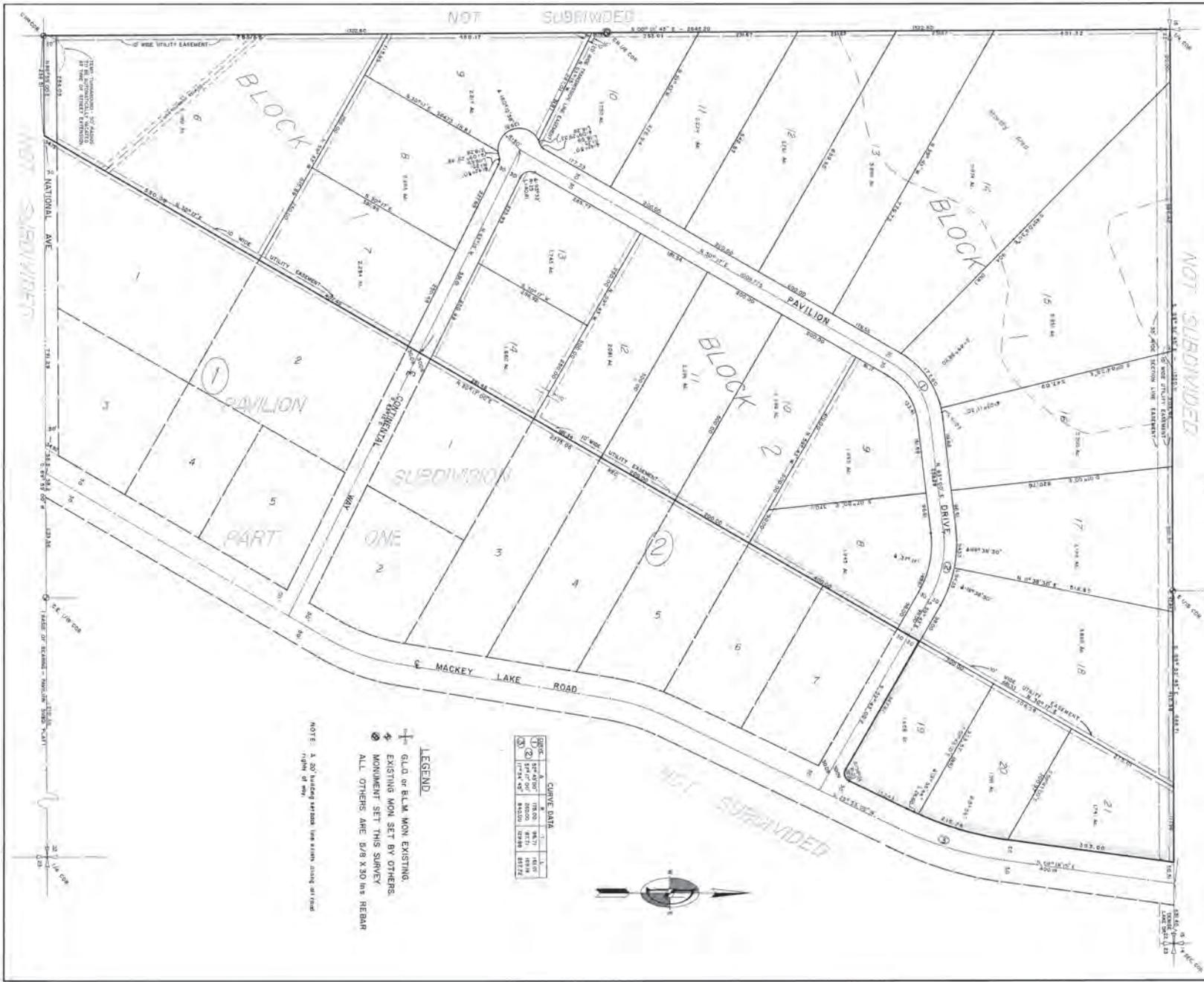
- NOTES:**
- 1) PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
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 - 4) AS PER STAFF RECOMMENDATION 3 RESTRICT LOTS TO INTERIOR ACCESS ONLY ALONG CONTINENTAL AND PAVILION DRIVE.

PAVILION SUBDIVISION, PART 2
 PAVILION PARK ESTATES ADDITION
 RECLAMATION OF LOTS
 6,7,8,9,10,11,12,13,14 BLOCK 2

LOCATED WITHIN
 1/4 SEC 23, T26N, R15W, S14 ALASKA
 DISTRICT 14, STATE OF ALASKA

DOWLING-RICE and ASSOCIATES
 P.O. BOX 874 SOLIDOTNA, ALASKA 99669

DESIGNED BY: *DR* DATE: 7/10/82
 DRAWN BY: *DR* DATE: 7/10/82
 CHECKED BY: *DR* DATE: 7/10/82



CERTIFICATE OF OWNERSHIP AND DEDICATION
 I (WE) HEREBY CERTIFY THAT I AM (WE ARE), THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE ALL STREETS, ALLEYS, WALKS, CANALS, UTILITY EASEMENTS AND OTHER OPEN SPACES OPEN TO PUBLIC USE.

DATE Nov 20, 1975
 STATE OF ALASKA
 THIRD JUDICIAL DISTRICT

IN THE 20th DAY OF Nov, 1975, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA, PERSONALLY APPEARED Ruth Schmitt, TO ME KNOWN TO BE THE PERSON DECLARED AS HAVING EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY, MONTH AND YEAR HEREABOVE WRITTEN.
Ruth Schmitt
 NOTARY PUBLIC FOR ALASKA
 BY COMMISSION EXPIRES 2/1/76

PLAN APPROVAL
 PLAN APPROVED BY COMMISSION THIS 2nd DAY OF January, 1976
Conrad E. Schmitt DATE 2/3/76
 MAYOR

NOTE:
 1/20, 20' 200' SET OF ALL DIMENSIONS
 1/200' 1/200'

76-15
 1-5
 K...
 2-3-76
 S...
 S...
 S...



PAVILION SUBDIVISION, PART 2

UNLASED WITHIN
 40' 1/2" SEC 22 TON, R 0 W 1/4 S 4 ALASKA
 CONTAINS 21 LOTS - 62 ACRES

DICKINSON-OSWALD-WALCH-LEE
 ENGINEERS - SURVEYORS

DRAWN	AGE	SCALE	DATE	BY	DATE	REVIS	DATE	BY	DATE	FILE NO.

NOTE: 1. 20' building setback line shown along streets.
 1/20' of map.

LEGEND
 + G.L.D. or B.L.M. MON. EXISTING.
 * EXISTING MON. SET BY OTHERS.
 * MONUMENT SET THIS SURVEY.
 ALL OTHERS ARE 5/8" X 3/32" IRON REBAR

CURVE DATA

STATION	1+00.00	1+25.00	1+50.00	1+75.00	2+00.00
CHORD BEARING	S 89° 59' 59" W				
CHORD DIST.	100.00	200.00	300.00	400.00	500.00
CHORD BEARING	S 89° 59' 59" W				
CHORD DIST.	100.00	200.00	300.00	400.00	500.00



KPB Pictometry

