

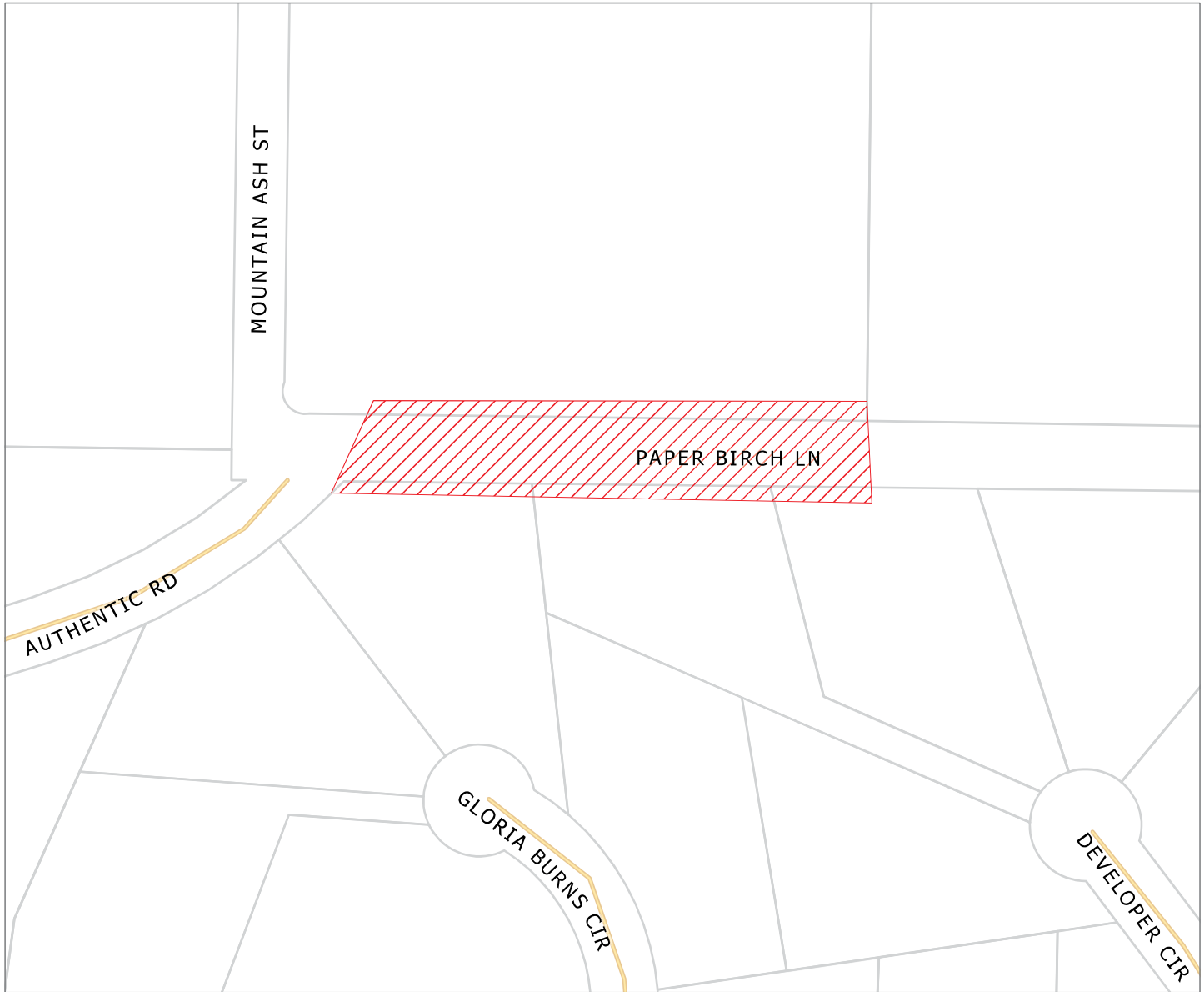
E. NEW BUSINESS

**ITEM E3 - RIGHT OF WAY VACATION
VACATE A PORTION OF PAPER BIRCH LANE AND
ASSOCIATED UTILITY EASEMENTS**



Kenai Peninsula Borough Planning Department

Vicinity Map

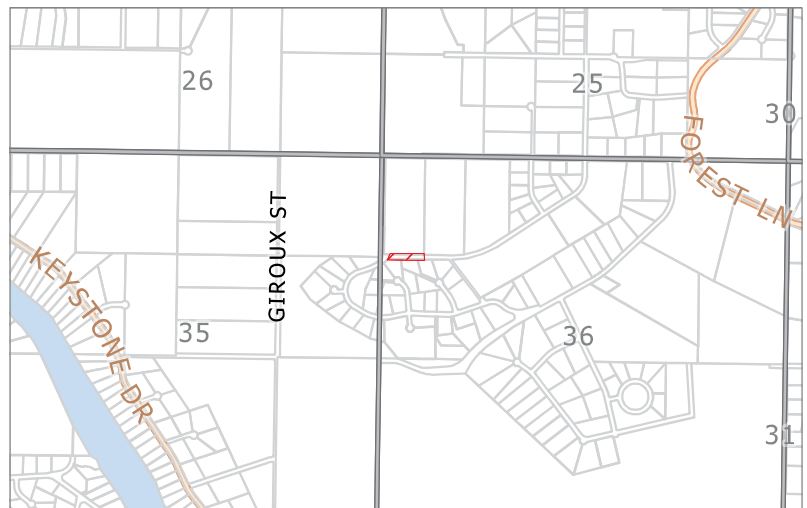
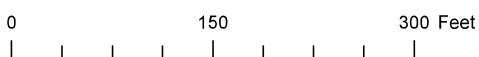


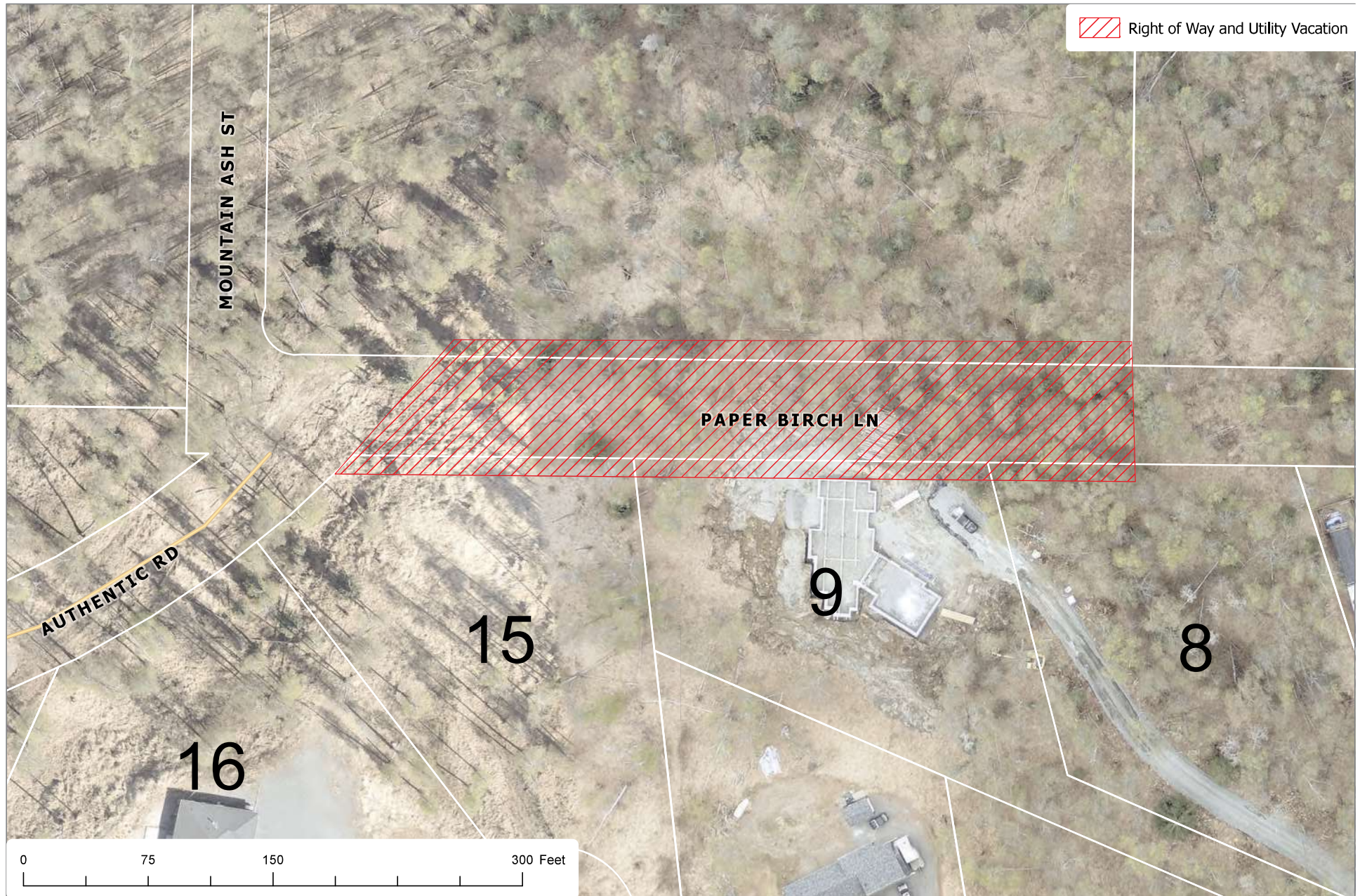
KPB File # 2022-023V

S36-T05N-R10W

Sterling

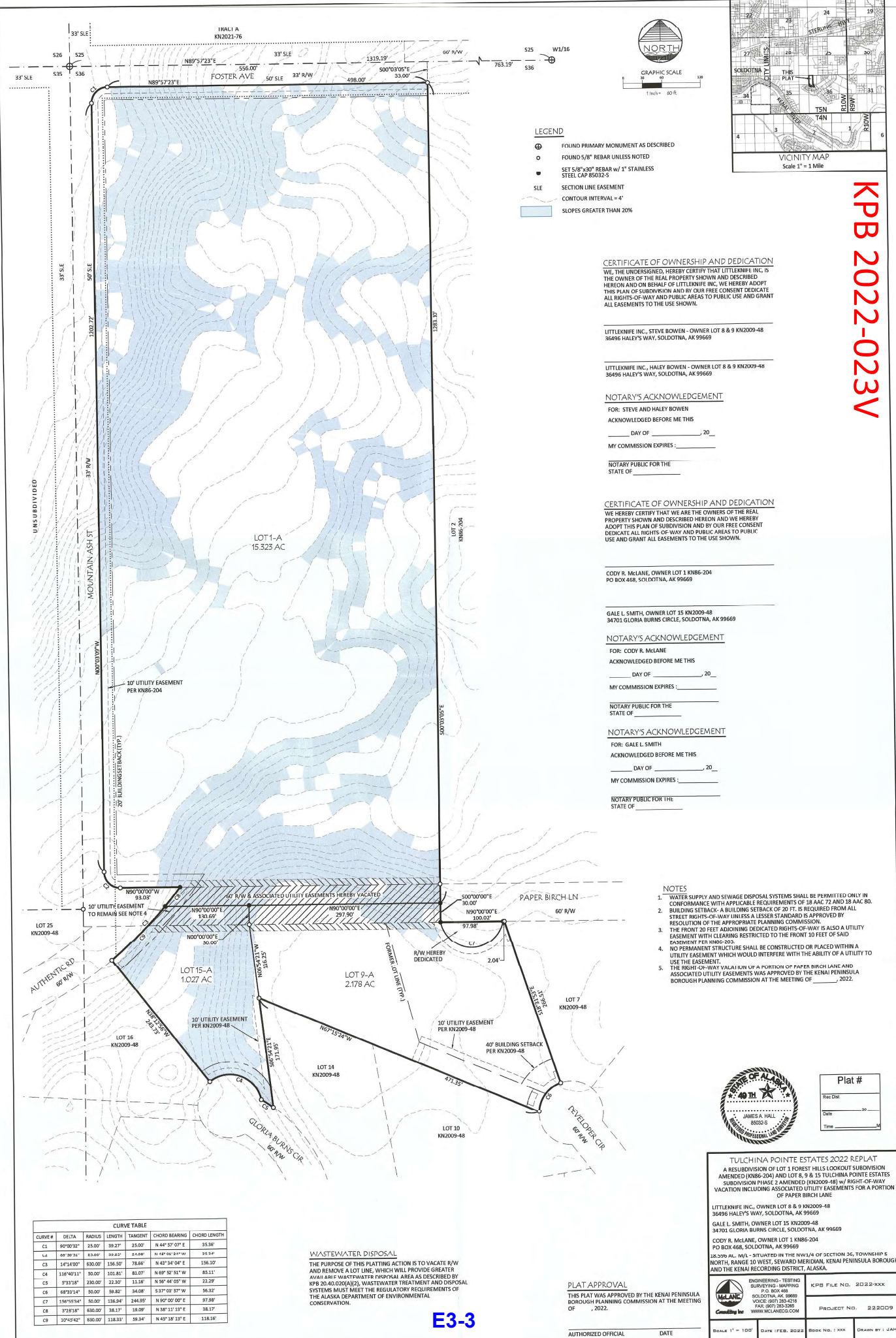
2/25/2022





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.

KPB 2022-023V



LEGEND

- FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"X8" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
- SECTION LINE EASEMENT
- CONTOUR INTERVAL = 4'
- SLOPES GREATER THAN 20%

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT LITTLEKNIFE INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF LITTLEKNIFE INC. 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.

LITTLEKNIFE INC., STEVE BOWEN - OWNER LOT 8 & 9 KN2009-48
36496 HALEY'S WAY, SOLDOTNA, AK 99669

LITTLEKNIFE INC., HALEY BOWEN - OWNER LOT 8 & 9 KN2009-48
36496 HALEY'S WAY, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: STEVE AND HALEY BOWEN
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE STATE OF _____

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.

CODY R. MCCLANE, OWNER LOT 1 KN86-204
PO BOX 468, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: CODY R. MCCLANE
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE STATE OF _____

NOTARY'S ACKNOWLEDGEMENT

FOR: GALE L. SMITH
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE STATE OF _____

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
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 20 FEET ADDING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT WITH CLEARING RESTRICTED TO THE FRONT 10 FEET OF SAID EASEMENT PER 18 AAC 80-303.
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. THE RIGHT-OF-WAY VACATED HEREON IS A PORTION OF PAPER BIRCH LANE AND ASSOCIATED UTILITY EASEMENTS WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2022.



Plat #
Rec. Date _____
Date _____
Time _____

TULCHINA POINTE ESTATES 2022 REPLAT
A RESUBDIVISION OF LOT 1 FOREST HILLS LOOKOUT SUBDIVISION AMENDED (KN86-204) AND LOT 8, 9 & 15 TULCHINA POINTE ESTATES SUBDIVISION PHASE 2 AMENDED (KN2009-48) w/ RIGHT-OF-WAY VACATION INCLUDING ASSOCIATED UTILITY EASEMENTS FOR A PORTION OF PAPER BIRCH LANE

LITTLEKNIFE INC., OWNER LOT 8 & 9 KN2009-48
36496 HALEY'S WAY, SOLDOTNA, AK 99669

GALE L. SMITH, OWNER LOT 15 KN2009-48
34701 GLORIA BURNS CIR., SOLDOTNA, AK 99669

CODY R. MCCLANE, OWNER LOT 1 KN86-204
PO BOX 468, SOLDOTNA, AK 99669

36,395 AC. NW 1/4 - SITUATED IN THE NW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING SURVEYING - MAPPING
JAMES A. HALL
P.O. BOX 468
SOLDOTNA, AK 99669
VOICE: (907) 283-4218
FAX: (907) 283-5282
WWW.MCLANECO.COM

KPB FILE NO. 2022-XXX
PROJECT NO. 222009

Scale 1" = 100'
DATE: FEB. 2022
BOOK NO. 1 XXX
DRAWN BY: JAH

CURVE TABLE					
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING
C1	80°00'22"	15.00'	39.27'	35.00'	N 44°20'07" E
C2	80°00'22"	15.00'	39.27'	35.00'	N 44°20'07" E
C3	14°14'00"	630.00'	156.50'	78.60'	N 63°34'04" E
C4	136°40'11"	30.00'	101.81'	81.07'	N 60°58'51" W
C5	9°33'38"	230.00'	22.30'	11.15'	N 50°44'03" W
C6	68°33'14"	50.00'	89.80'	34.08'	S 37°09'37" W
C7	156°15'14"	50.00'	138.94'	244.89'	N 80°00'00" E
C8	3°28'18"	630.00'	18.13'	18.09'	N 58°11'13" E
C9	10°43'42"	630.00'	118.33'	39.34'	N 45°38'13" E

WASTEWATER DISPOSAL
THE PURPOSE OF THIS PLATTING ACTION IS TO VACATE R/W AND REMOVE A LOT LINE, WHICH WILL PROVIDE GREATER AVALIABLE WASTEWATER DISPOSAL AREA AS DESCRIBED BY RPE 25-KO-0004(2). WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2022.

AUTHORIZED OFFICIAL _____ DATE _____

AGENDA ITEM E. NEW BUSINESS

**ITEM 3 - RIGHT OF WAY VACATION
VACATE A PORTION OF PAPER BIRCH LANE AND ASSOCIATED UTILITY EASEMENTS**

KPB File No.	2022-023V
Planning Commission Meeting:	March 21, 2022
Applicant / Owner:	Cody McLane, Gale Smith, Littleknife Inc., all of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Sterling area, Paper Birch Lane, Mountain Ash Street
Legal Description:	Lot 1 Forest Hills Lookout Subdivision, Plat KN 86-204, and Lots 8, 9, and 15 of Tulchina Pointe Estates Phase 2, Plat KN 2009-48.

STAFF REPORT

Specific Request / Purpose as stated in the petition: Right of way vacation of Paper Birch Lane from Authentic Road to the easterly property line of Lot 1 (KN 86-204). Current right-of-way width is 60 feet over very difficult terrain with steep slopes.

Proposed vacation is approximately .591 acres.

Lot 1 (KN 86-204) is in the process of being subdivided and has preliminary approval by the Kenai Peninsula Borough on 11/12/2019 with vacation approval of Mountain Ash Street and section line easements on 10/28/2019 under KPB File No. 2019-117. This plat is in the process of being finalized and will dedicate alternate access that can be connected to in the future subdivision of Lot 2 (KN 86-204).

At this time, a cul-de-sac is proposed at the end of Paper Birch Lane to accommodate a proper turn-around area for traffic.

Reasoning: A new structure on Lot 9 (KN 2009-48) has been constructed over the R/W line of Paper Birch Lane. By re-platting this area and vacating Paper Birch Lane, the property is free of encroachments and allows additional acreage for wastewater treatment systems.

Lot 15 (KN 2009-48) is also encumbered by steep slopes and minimal useable area for construction and would benefit by the additional acreage provided by the R/W vacation.

Notification: Public notice appeared in the March 10, 2022 issue of the Peninsula Clarion as a separate ad. The public hearing notice was published in the March 17, 2022 issue of the Peninsula Clarion as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Soldotna

Post Office of Soldotna

Twenty-seven certified mailings were sent to owners of property within 300 feet of the proposed vacation. Fourteen receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to sixteen owners within 600 feet of the proposed vacation.

Seventeen public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
State of Alaska DNR Forestry
Central Emergency Services

Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed): Paper Birch Lane is a 60 foot wide right of way located in the Sterling Area. Paper Birch Lane is approximately 3,100 feet long with several intersections that break the road into segments. The proposal will vacate the western segment and the remainder of the right of way will remain. The road is located off Forest Lane, a state maintained right of way that runs south of the Sterling Highway near mile 90.

To access the portion being discussed there are multiple routes dedicated but not all are fully constructed. Foster Avenue, Moran Street, Authentic Road, and Quillback Drive intersect Paper Birch Lane. Foster Avenue and Moran Street are constructed and maintained by the Kenai Peninsula Borough. Authentic Road is constructed and connects to Diamond Willow Lane. Both are constructed and maintained by the Borough. Diamond Willow Lane connects back to Foster Avenue near the Forest Lane intersection. Quillback Drive is only a half width right of way that is not constructed.

Portions of Paper Birch Lane appear to be cleared and used for access. The Kenai Peninsula Borough does not maintain any portions of Paper Birch Lane. The areas cleared are northeast of the Quillback Drive intersection and are accessed via Moran Street and Foster Avenue.

The petition is to vacate approximately 428 feet of the western portion of Paper Birch Lane. Preliminary plat Forest Hills Lookout Bolder Heights Addition, KPB File 2019-117, is located to the north of the proposed vacation. That plat and the associated vacations have been approved. The plat, once recorded, will vacate a portion of Mountain Ash Street, a portion of Foster Avenue, and will provide a new right of way that continues Authentic Road to the north and provides a connection to Foster Avenue. A new right of way will be dedicated that provides access to the large acreage tract to the east. The owners are working to vacate some section line easements and the Planning Commission granted four year approvals to allow the vacations and plat to be recorded together.

A partial bulb is proposed to be dedicated to provide an adequate turn around area for Paper Birch Lane. The 15 acre lot to the north will continue to have access to Paper Birch Lane and by Foster Avenue to the north. Once the plat to the west is finalized, the parcel will also have access from the new dedications. If the 15 acre parcel to the north is ever subdivided, it will have multiple access routes to provide access and possible connections to internal right of ways.

Lot 15 has access from Authentic Road and Gloria Burns Circle. Lots 8 and 9 have constructed access on Developer Circle.

Paper Birch Lane, Quillback Drive, and Authentic Road provide a closed block. The length around Authentic Road is not compliant. Multiple right of ways are off Authentic Road but they are cul-de-sacs and do not improve the block. The proposed vacation and new dedications to the north will not improve the block and the block will be slightly longer. The reason for the placement for the new right of ways in the proposed subdivision to the north is due to terrain. The sketch provided shows the steep terrain within the Paper Birch Lane Dedication. An exception to KPB 20.30.170, block lengths, will need to be requested when the plat is submitted for review.

The Roads Department originally provided a review of "no comment". Staff reached out to the Roads Department due to calls received by concerned landowners. The Roads Department changed their comment to "We oppose the vacation because it will reduce/prevent access to other parcel." The comment received was forwarded to the owner and surveyor and they were advised to begin having conversations with the Roads Department on methods to resolve the issue. The surveyor submitted to the Roads Department an explanation that a portion proposed for vacation does not meet RSA standards. Plans were submitted for the subdivision to the north to support their stance. The Roads Department reviewed the submitted items and changed their comment. "RSA will support the

vacation actions with the knowledge that parcel access will be improved with the next phase of subdivision.” The emails and documents have been included in the packet.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: RSA will support the vacation actions with the knowledge that parcel access will be improved with the next phase of subdivision.
SOA DOT comments	No comment

Site Investigation: The dedicated right of way contains steep slopes through the majority of the portion petitioned for vacation. There does not appear to be any lot wet areas within the dedication.

Quillback Drive, Paper Birch Lane and its intersections with Foster Avenue and Moran Street appear to be free from low wet areas. Steep slopes do not appear to be present within the right of ways. The slopes within Quillback Drive are approximately 9 percent.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
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Staff Analysis: Forest Hills Lookout Subdivision, Plat KN 86-204, dedicated the right of way being discussed. It was named Walker Street when dedicated. Resolution SN 2015-09 changed the street name. The parent subdivision created larger acreage lots. Many have been subdivided through the years and provide the current configuration of the area.

The lot to the northwest has received preliminary approval to vacate multiple right of ways and easements to allow for dedications that work with the terrain in the area. The ability for Paper Birch Lane to provide a better connection to another right of way may be obtained in the future if Lot 2, located to the northeast, is ever subdivided.

The owner of Lots 8 and 9 is LittleKnife Inc. The owner is a construction company that recently built a home on the lots for a client. It was determined that the house was constructed partially within the right of way. An as-built was not provided with the application but a sketch was previously received. The sketch shows the house within the right of way but no dimensions were provided.

A bulb is proposed to provide an adequate turnaround area.

The petition is proposing to vacate the associated utility easements along the portion of Paper Birch Lane to be vacated. 10 foot utility easements will be placed along Authentic Road, Paper Birch Lane straight away and bulb.

At the time the staff report was prepared no written comments have been received from the public. Staff has had several phone calls and in person contact with members of the public with concerns about the vacation. Staff answered questions asked and advised that comments be submitted or attend the meeting to provide testimony to the Planning Commission.

20.65.050 – Action on vacation application

- D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:
1. The right-of-way or public easement to be vacated is being used;
Staff comments: This portion is not constructed and no comments were received of other uses.
 2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: The intersection with Authentic Road will be difficult due to the terrain. New right of ways are proposed to the north that used terrain to help determine locations. The lots along this portion to be vacated all have access from other right of ways.
 3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments: No lots will be denied access to utility easements.
 4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;
Staff comments: Does not provide access to public lands or waters.
 5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: This will make the block no longer close. The ability to construct a closed block in this location will be difficult. No lots will be denied access.
 6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: The steep terrain may make pedestrian use difficult but could still be feasible. Other dedicated right of ways provide adequate access.
 7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.
Staff comments: Requests by utility providers will be reviewed and the surveyor/owner must work with utility providers to ensure all needed easements are provided. The proposed plat will grant easements along dedicated right of ways.
 8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.
Staff comments: There is a structure within the right of way.

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly or City Council must hear the vacation within thirty days of the Planning Commission decision.

If approved, the Assembly will hear the vacation at their April 5, 2022 or April 19, 2022 meeting. Meeting date may be verified by contacting the Clerk's office.

If approved, Tulchina Pointe Estates 2022 Replat will finalize the proposed right of way vacations. Once a complete application for the preliminary plat is received, it will be scheduled for review by the Plat Committee

KPB department / agency review:

Planner	
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Addressing	Reviewer: Haws, Derek Affected Addresses: 34426 DEVELOPER CIR 41258 AUTHENTIC RD Existing Street Names are Correct: Yes List of Correct Street Names: FOSTER AVE MOUNTAIN ASH ST PAPER BIRCH LN DEVELOPER CIR GLORIA BURNS CIR AUTHENITC RD Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 34426 DEVELOPER CIR WILL REMAIN WITH LOT 9-A 41258 AUTHENTIC RD WILL REMAIN WITH LOT 1-A
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

Utility provider review:

HEA	
ENSTAR	No comment
ACS	No objections
GCI	No conflicts

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Grant utility easements requested by the utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).

KPB 20.65.050 – Action on vacation application

H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The

council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.

- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter 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.*

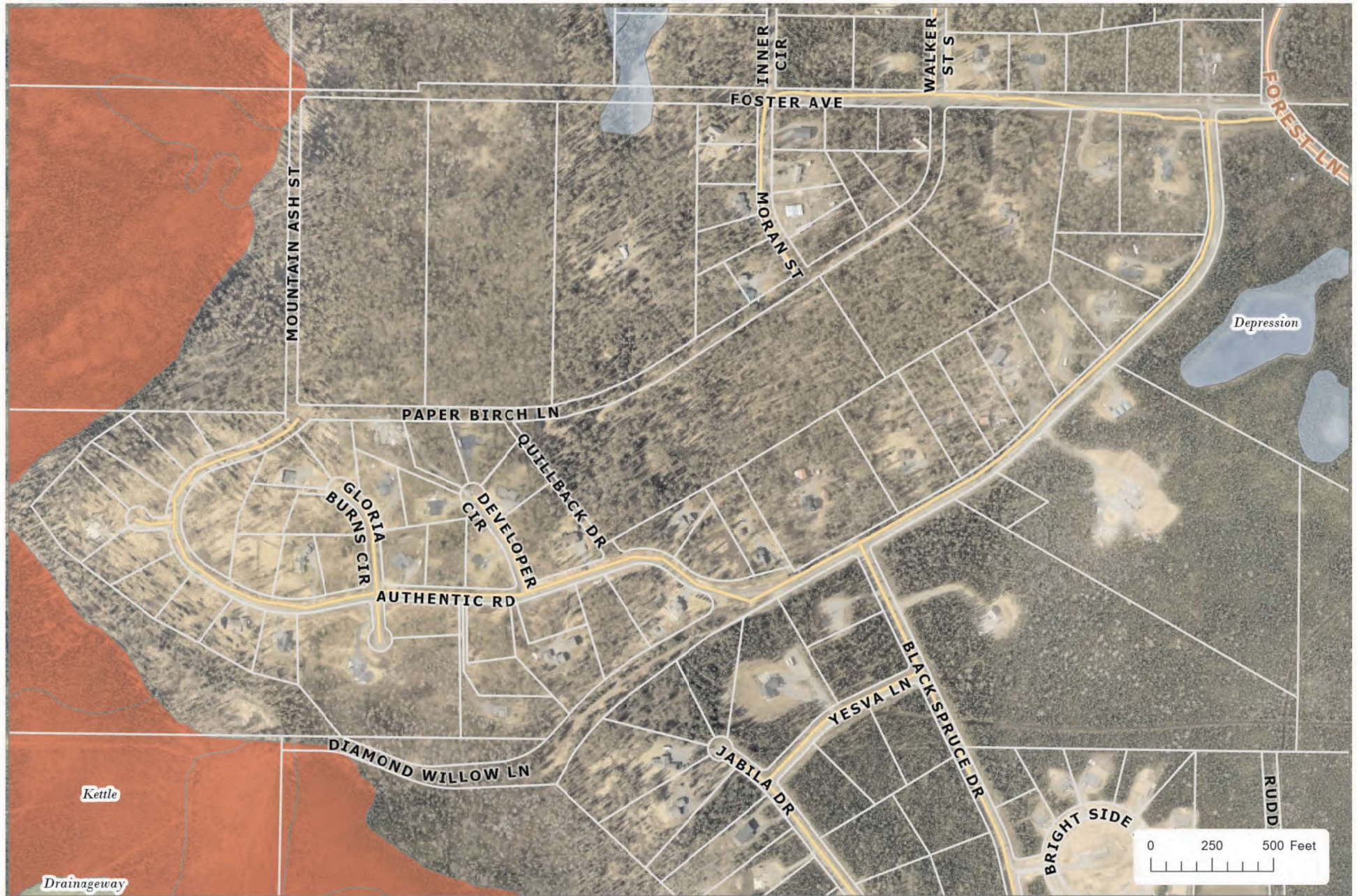
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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.

Hindman, Julie

From: Uhlin, Dil
Sent: Tuesday, March 8, 2022 2:37 PM
To: Hindman, Julie
Cc: crmclane@mclanecg.com
Subject: FW: <EXTERNAL-SENDER>RE: Paper Birch Vacation
Attachments: Comments Roads 030722.pdf; 192010 Forest Hills Lookout Civil Prelim 3-8-2022.pdf; 192010 Forest Hills Prelim-Rev1.pdf

Hi Julie,

The RSA will support the vacation actions with the knowledge that parcel access will be improved with the next phase of subdivision.

Dil Uhlin
Director, RSA

From: Cody McLane [crmclane@mclanecg.com]
Sent: Tuesday, March 08, 2022 10:54 AM
To: Uhlin, Dil
Cc: Hindman, Julie; James Hall; Steve Bowen
Subject: FW: <EXTERNAL-SENDER>RE: Paper Birch Vacation

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Dil,

In response to RSA comments on the proposed vacation of a portion of Paper Birch Lane right of way for Steve Bowen I'd like to offer support that Paper Birch Lane is effectively unbuildable to anything near RSA standards near the intersection with Authentic Road. I've attached a pdf of the preliminary design for the extension of Authentic Road along with a copy of the preliminary plat which has already been reviewed and received preliminary approval by the Platting Dept. The right cut slope of the cross section at 3+50 (sheet X1) extends east into Paper Birch Lane and is shown at a 1:5:1 slope for reference. The elevation difference from the proposed centerline FG at Authentic at 3+10 (240.0') and the top of the hill on Birch Hill Lane 191' to the east (306') is approximately 66 feet for a centerline grade of over 34% approaching the intersection with Authentic. This result greatly exceeds allowable tolerances of codes 14.06.160A Vertical Alignment and 14.06.160E Intersections creating a dangerous intersection approach. As an alternative I am proposing to dedicate an alternative right of way as shown that extends to the west boundary of Lot 2 (parcel# 05836002). When this parcel is eventually subdivided the expectation is that this right of way would be extended to connect to Paper Birch Lane and provide superior access than that of the segment of Paper Birch which is proposed to be vacated. I am in process of finishing the road design and will be applying for a construction permit and eventually maintenance. Feel free to reach out if you have any questions.

Cody

From: James Hall <jhall@mclanecg.com>
Sent: Tuesday, March 8, 2022 10:19 AM
To: Cody McLane <crmclane@mclanecg.com>
Subject: FW: <EXTERNAL-SENDER>RE: Paper Birch Vacation

From: Hindman, Julie <jhindman@kpb.us>
Sent: Tuesday, March 8, 2022 10:17 AM
To: James Hall <jhall@mclanecg.com>
Subject: RE: <EXTERNAL-SENDER>RE: Paper Birch Vacation

Here it is. I've been playing phone tag with Steve with LittleKnife. I have encouraged him to contact the roads department to discuss.

Julie Hindman

Platting Specialist
Ph: (907) 714-2210
Fx: (907) 714-2378

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669



From: James Hall <jhall@mclanecg.com>
Sent: Tuesday, March 8, 2022 9:55 AM
To: Hindman, Julie <jhindman@kpb.us>
Subject: <EXTERNAL-SENDER>RE: Paper Birch Vacation

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Thank you Julie for keeping us informed. Can you share the comment from the RSA department and whom we need to communicate the development in the area with?

James Hall, PLS
McLane Consulting, Inc.
907-283-4218 office
907-953-5886 cell

From: Hindman, Julie <jhindman@kpb.us>
Sent: Tuesday, March 8, 2022 9:37 AM
To: James Hall <jhall@mclanecg.com>
Subject: Paper Birch Vacation

James,

I wanted to inform you that we have received multiple calls from members of the public opposed to this vacation with intent to attend the meeting. The roads department as submitted a comment of opposition to the vacation because it will reduce/prevent access to other parcels.

I wanted to let you know and I will be calling the petitioner today to let him know and suggest he begin working with the roads department on a solution that will either improve the roads department comment or how to resolve if denied.

Julie Hindman

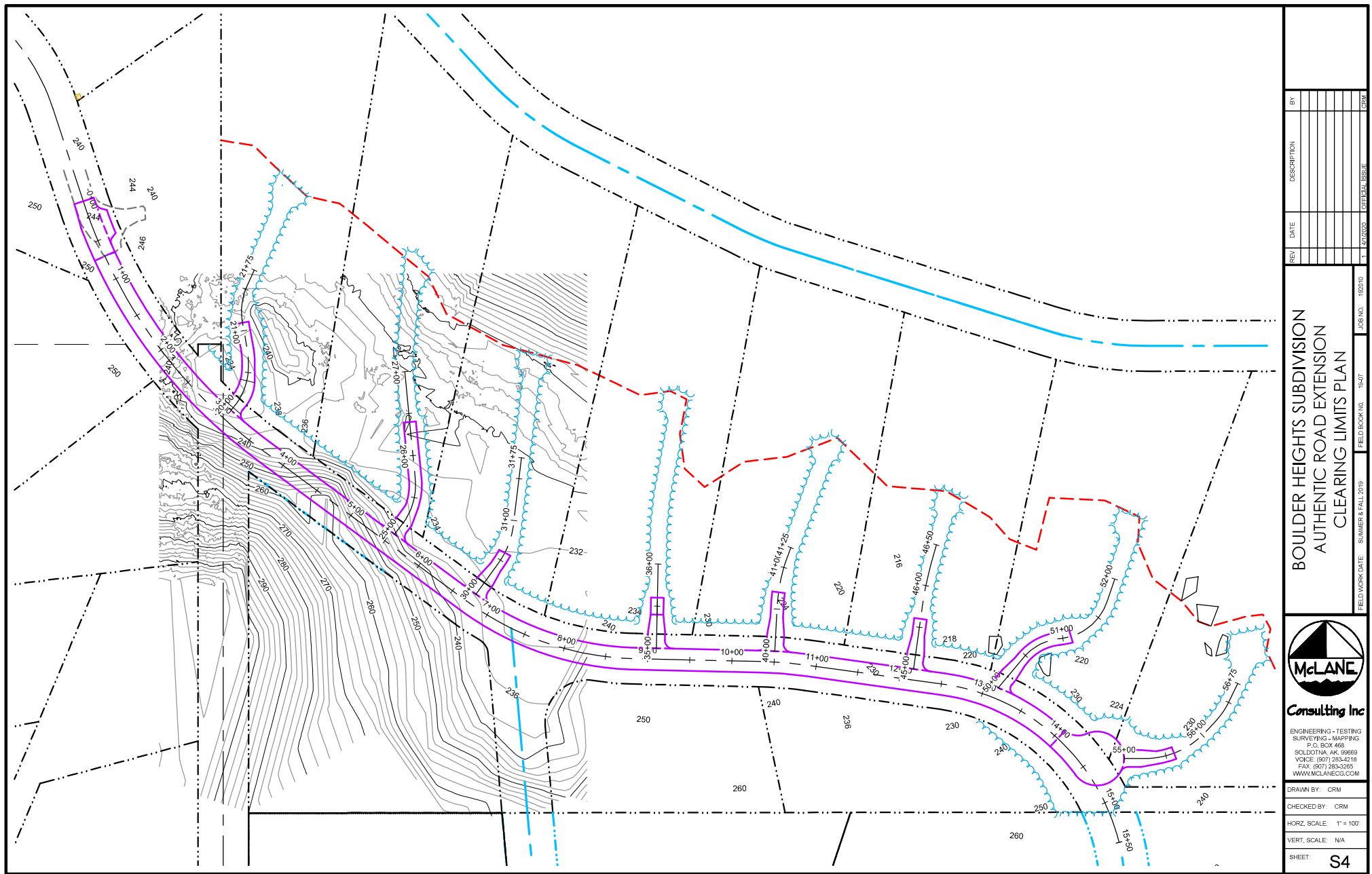
Platting Specialist

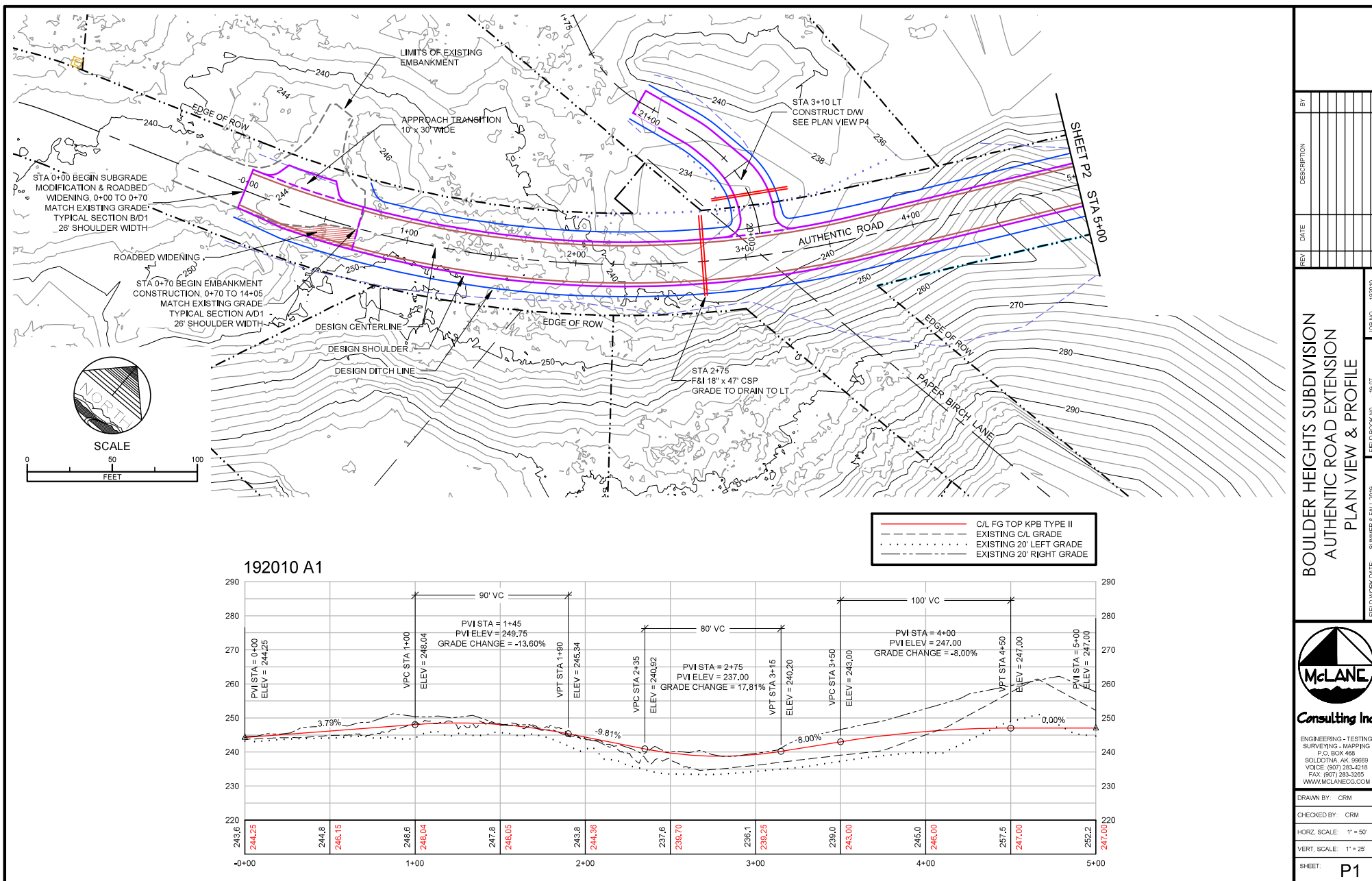
Ph: (907) 714-2210

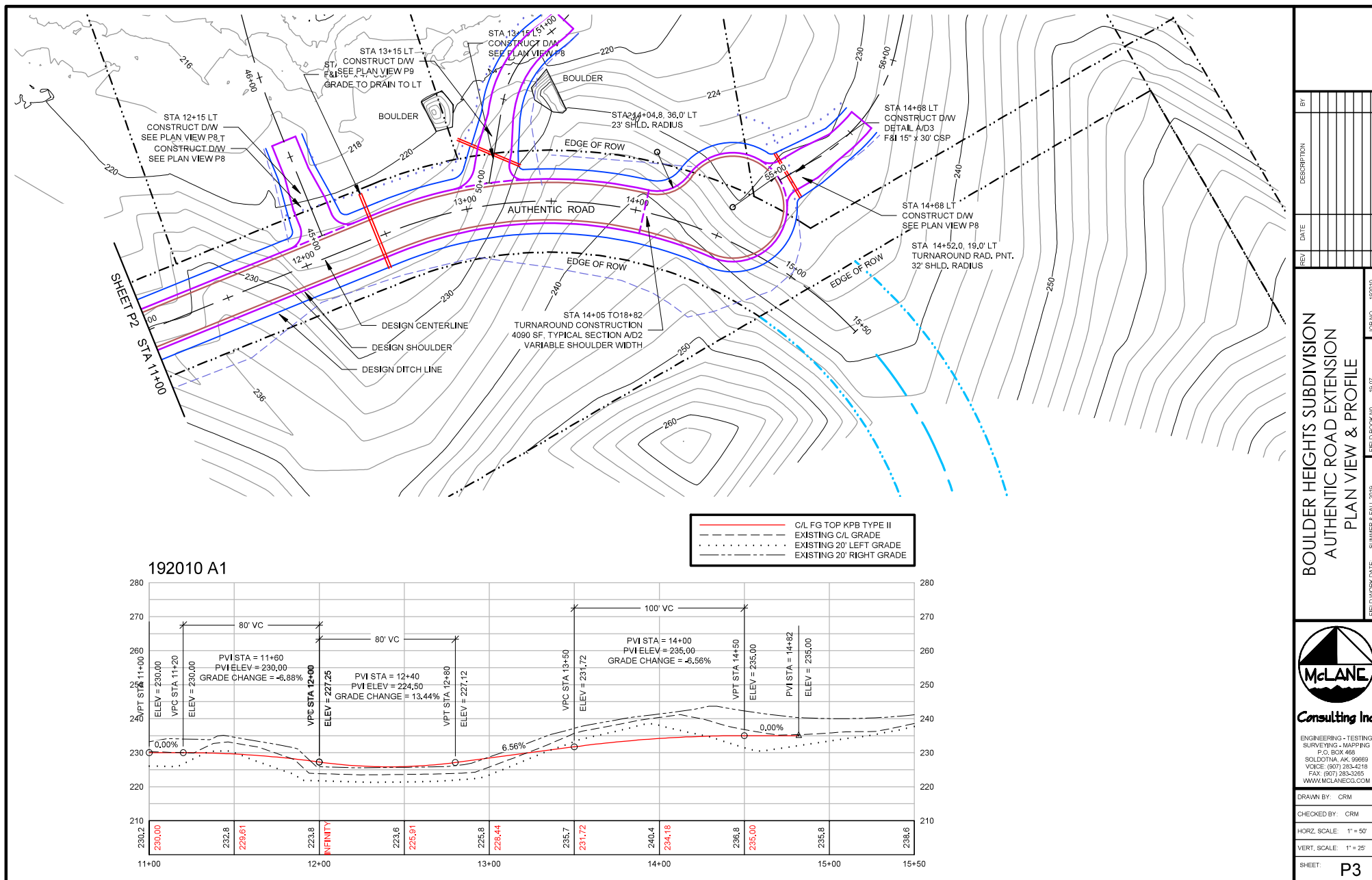
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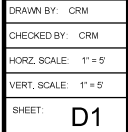
KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

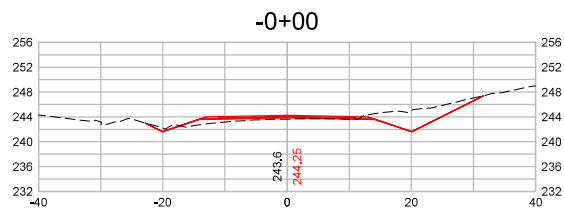
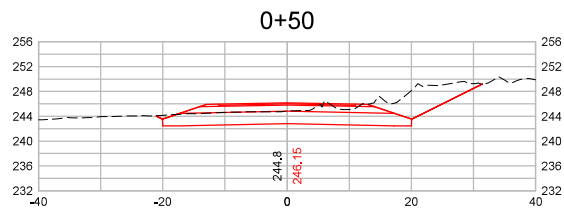
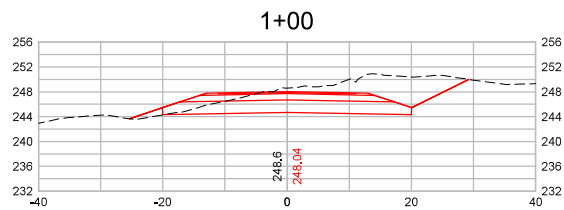
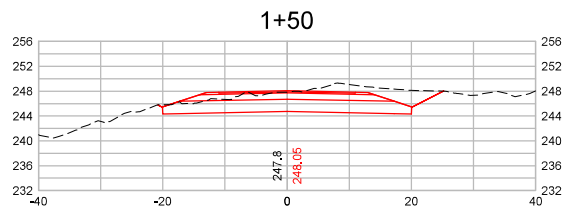
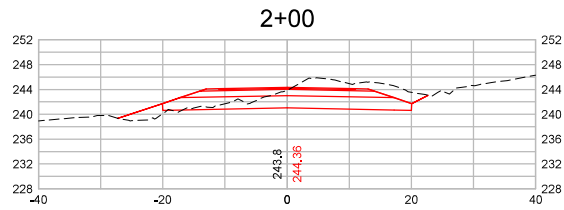




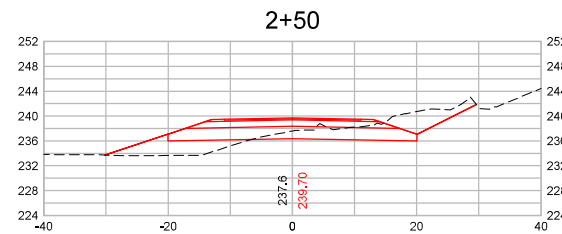
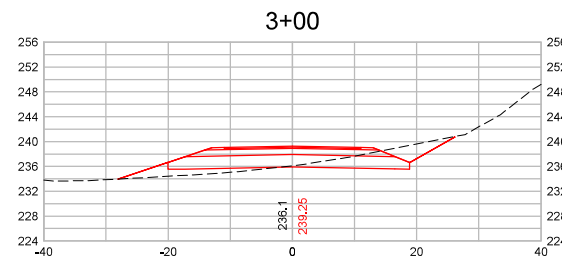
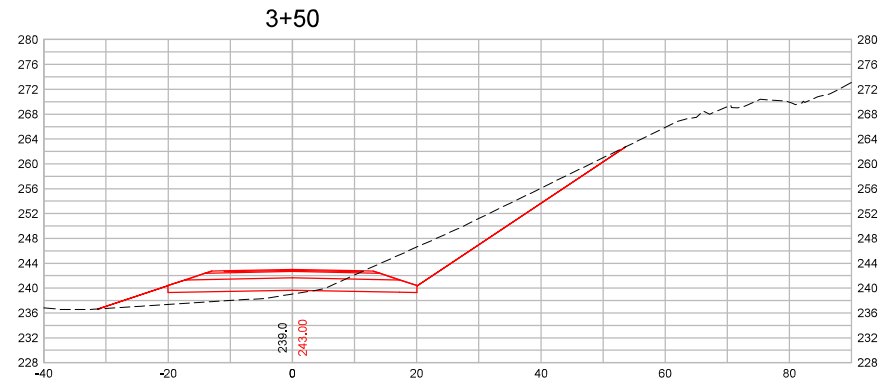








PROPOSED TEMPLATE	EXISTING GROUND
288.5	EXISTING GRADE AT C/L
289.55	C/L FINISH GRADE KPB TYPE II



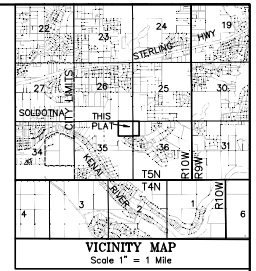
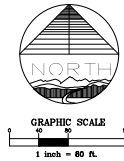
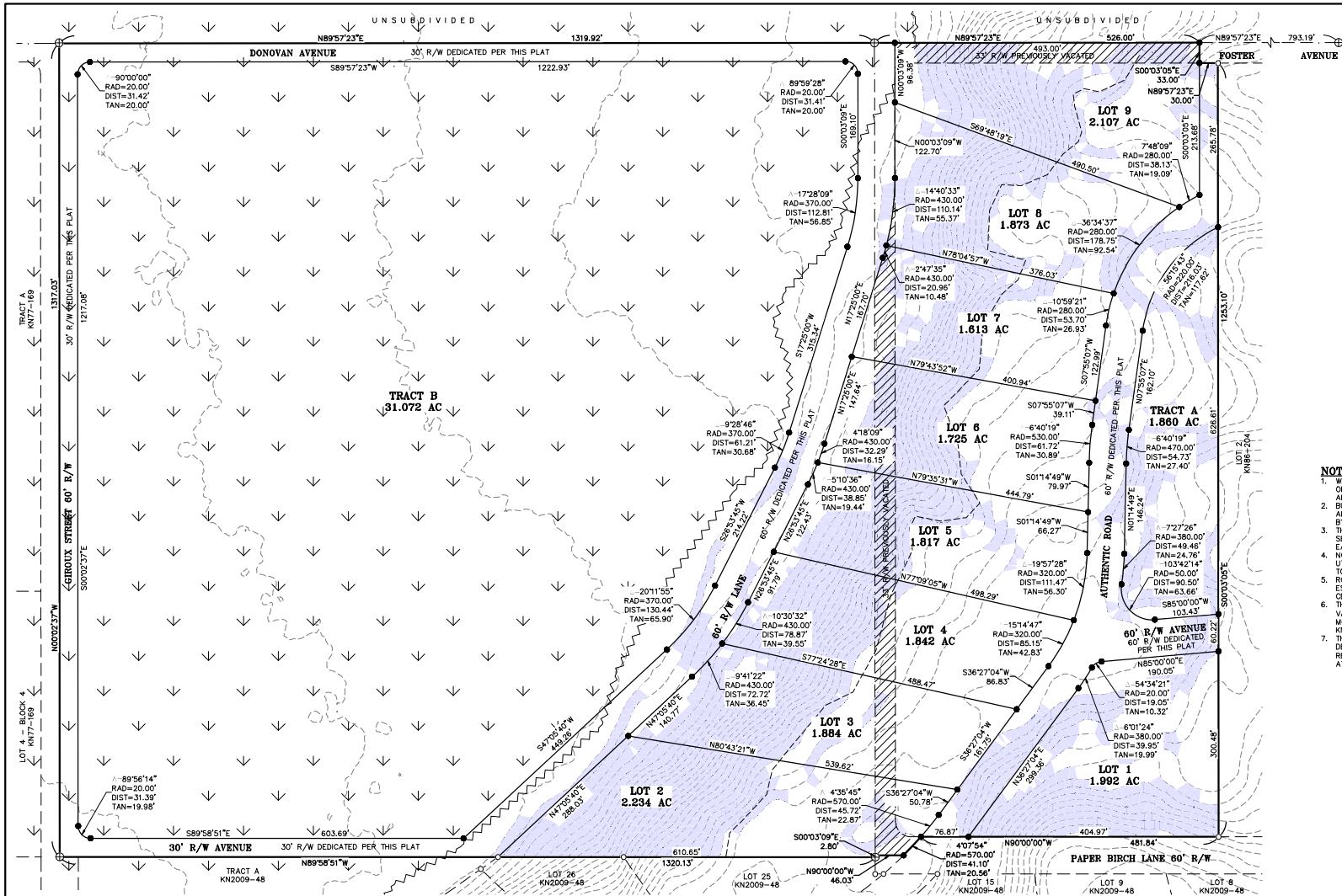
REV	DATE	DESCRIPTION	BY
1	10/20/19	CROSS SECTION	CRM

FIELD WORK DATE	SUMMER & FALL 2019	FIELD BOOK NO.	5407	JOB NO.	102019
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McLANE Consulting Inc

ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK 99689
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECO.COM

DRAWN BY:	CRM
CHECKED BY:	CRM
HORIZ. SCALE:	1" = 20'
VERT. SCALE:	1" = 20'
SHEET:	X1



- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 1/2" REBAR UNLESS NOTED
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
 - ⦿ POWER POLE
 - OVERHEAD ELECTRIC
 - AREA SUBJECT TO INUNDATION
 - CONTOUR INTERVAL = 4'
 - 33' ROAD R/W PREVIOUSLY VACATED
 - SLOPES GREATER THAN 20%

- NOTES**
- WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
 - BUILDING SET BACK - A BUILDING SET BACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 - THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
 - NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 - ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
 - THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF THE 33' ROAD R/W FOSTER AVENUE, 33' ROAD R/W MOUNTAIN ASH STREET AND PORTION OF PAPER BIRCH LANE CREATED BY KN86-204 AT THE MEETING OF ????
 - THE KENAI PENINSULA BOROUGH PLANNING COMMISSION, ALASKA DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF NATURAL RESOURCES APPROVED THE VACATION OF THE 50' SECTION LINE EASEMENT AT ???????????.

WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL

THESE LOTS ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CERTIFICATE OF OWNERSHIP

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND I HEREBY APPROVE OF THE SECTION LINE EASEMENT VACATION AS SHOWN HEREON.

CODY R. McLANE
PO BOX 468
SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: CODY R. McLANE
ACKNOWLEDGED BEFORE ME THIS

DAY OF 2019

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2019.

AUTHORIZED OFFICIAL

Plat #	
Rec Dist	
Date	
Time	

**FOREST HILLS LOOKOUT
BOLDER HEIGHTS ADDITION**
(A RESUBDIVISION OF LOT 1 AMENDED FOREST HILLS
LOOKOUT SUBDIVISION KN86-204 AND UNSUBDIVIDED
N81/4 OF NE1/4 OF SECTION 35, T5N, R10W, 5M, AK)

CODY R. McLANE
PO BOX 468
SOLDOTNA, AK 99669

56.364 AC. M/L SITUATED IN THE NE1/4 SECTION 35 &
W1/4 NW1/4 SECTION 35, TOWNSHIP 5 NORTH, RANGE 10
WEST, SEWARD MERIDIAN, ALASKA AND THE KENAI
PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT.

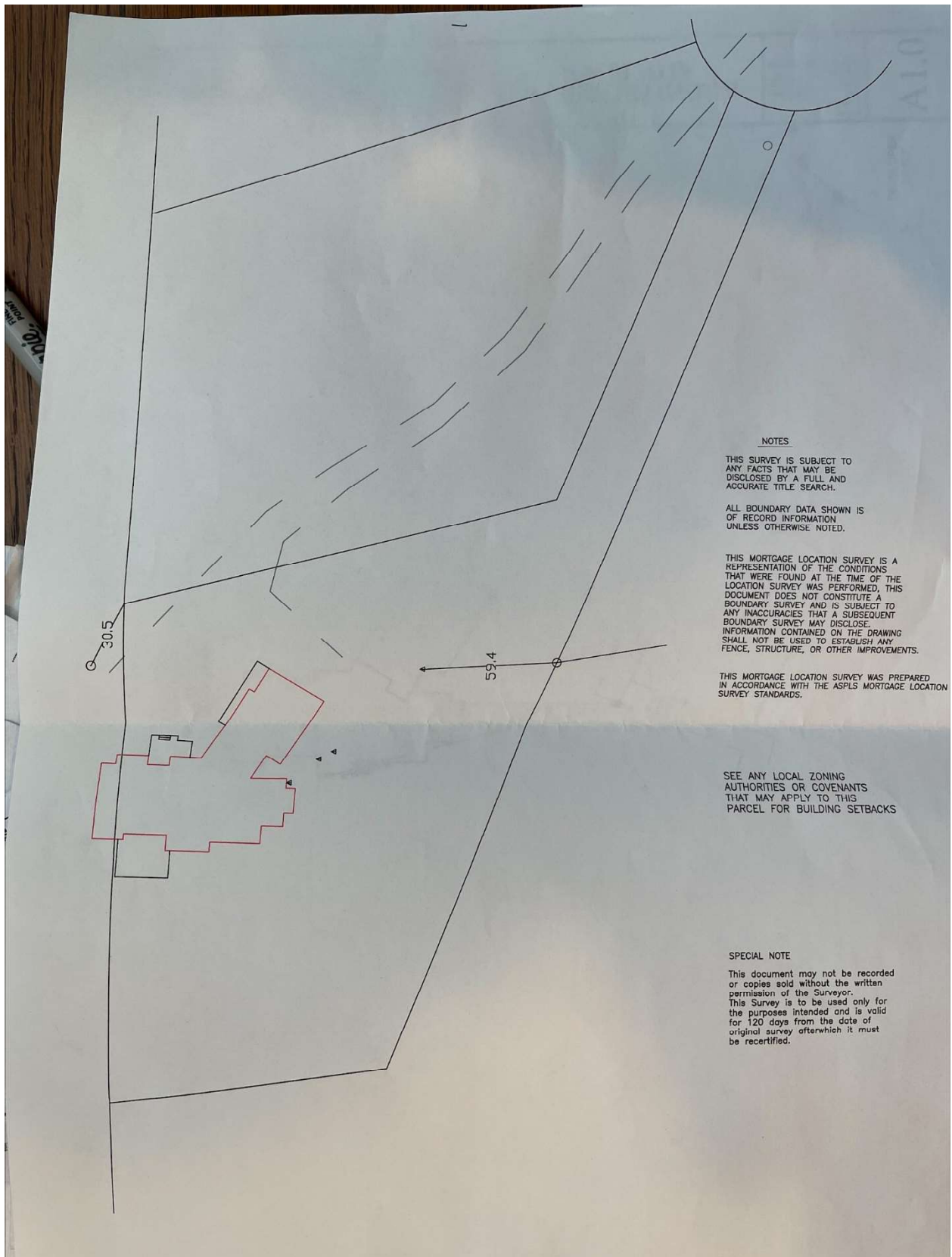
ENGINEERING-TESTING
SURVEYING-MAPPING
P.O. BOX 468
SOLDOTNA, AK 99669
PHONE (907) 284-4518
FAX (907) 284-2808
WWW.MCLANESURV.COM

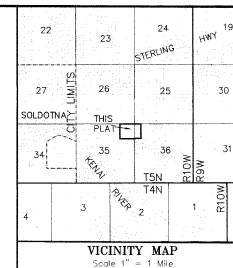
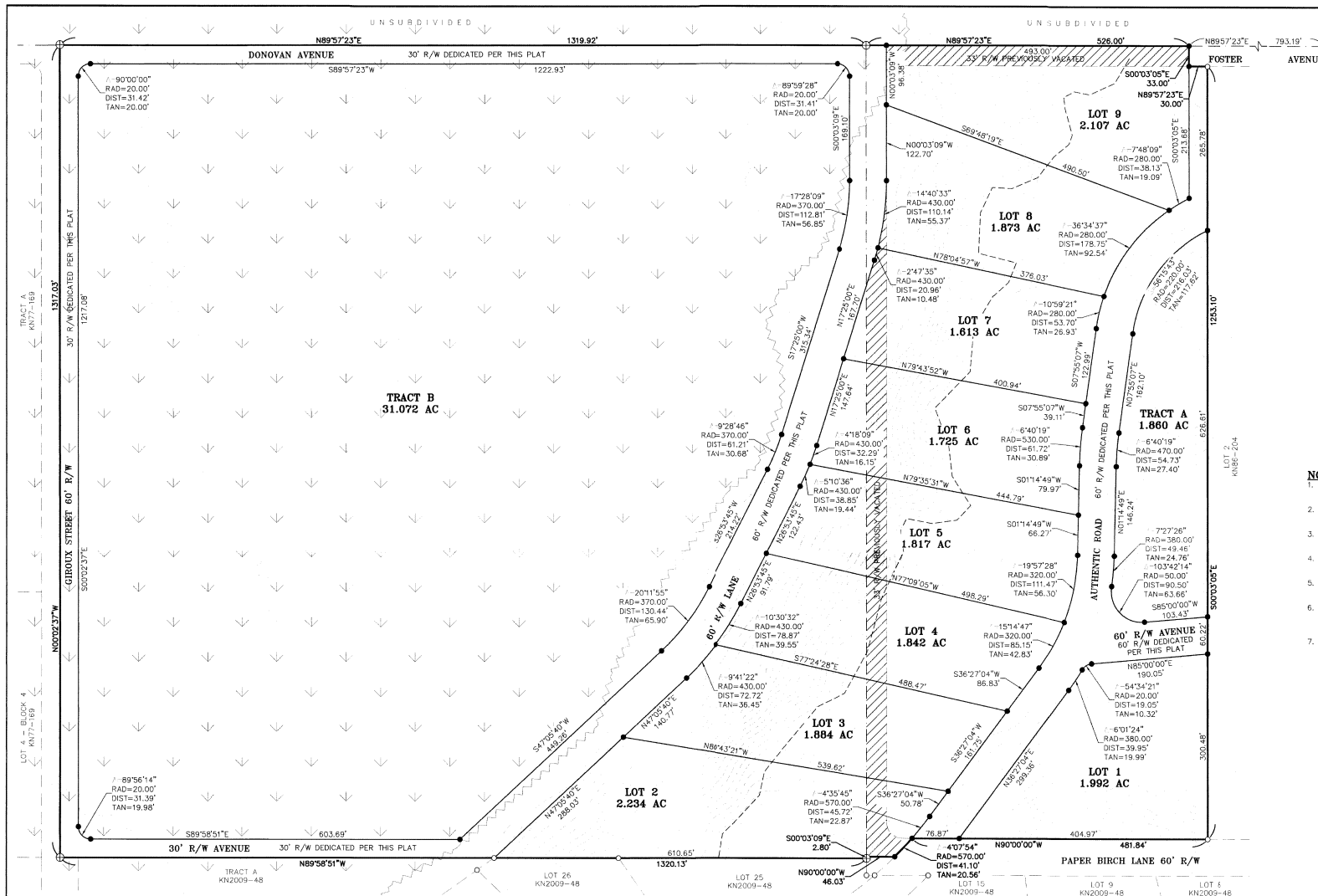
KPB FILE NO. 2019-KKK

PROJECT NO. 19201D

SCALE 1" = 80'
DATE: SEP. 2019
BOOK NO.: 19-KK
DRAWN BY: JAH

CODY R. McLANE C.E. 11510 AK DATE





- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 1/2" REBAR UNLESS NOTED
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
 - POWER POLE
 - OVERHEAD ELECTRIC
 - AREA SUBJECT TO INUNDATION
 - CONTOUR INTERVAL = 4'
 - 33' ROAD R/W PREVIOUSLY VACATED
 - SLOPES GREATER THAN 20%

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. BUILDING SET BACK - A BUILDING SET BACK 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 OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
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. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
6. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF THE 33' ROAD R/W FOSTER AVENUE, 33' ROAD R/W MOUNTAIN ASH STREET AND PORTION OF PAPER BIRCH LANE CREATED BY KN86-204 AT THE MEETING OF 7/7/77.
7. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION, ALASKA DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF NATURAL RESOURCES APPROVED THE VACATION OF THE 50' SECTION LINE EASEMENT AT 7/7/77.



WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL

THESE LOTS ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CERTIFICATE OF OWNERSHIP

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND HEREBY APPROVE OF THE SECTION LINE EASEMENT VACATION AS SHOWN HEREON.

CODY R. McLANE
PO BOX 468
SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: CODY R. McLANE
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2019

MY COMMISSION EXPIRES : _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2019.

AUTHORIZED OFFICIAL

Plat

Rec'Dat	_____
Date	_____
Time	_____

**FOREST HILLS LOOKOUT
BOLDER HEIGHTS ADDITION**
(A RESUBDIVISION OF LOT 1 AMENDED FOREST HILLS LOOKOUT SUBDIVISION KN86-204 AND UNSUBDIVIDED NE1/4 OF NE1/4 OF SECTION 35, T5N, R10W, 5M, 4S)
CODY R. McLANE
PO BOX 468
SOLDOTNA, AK 99669

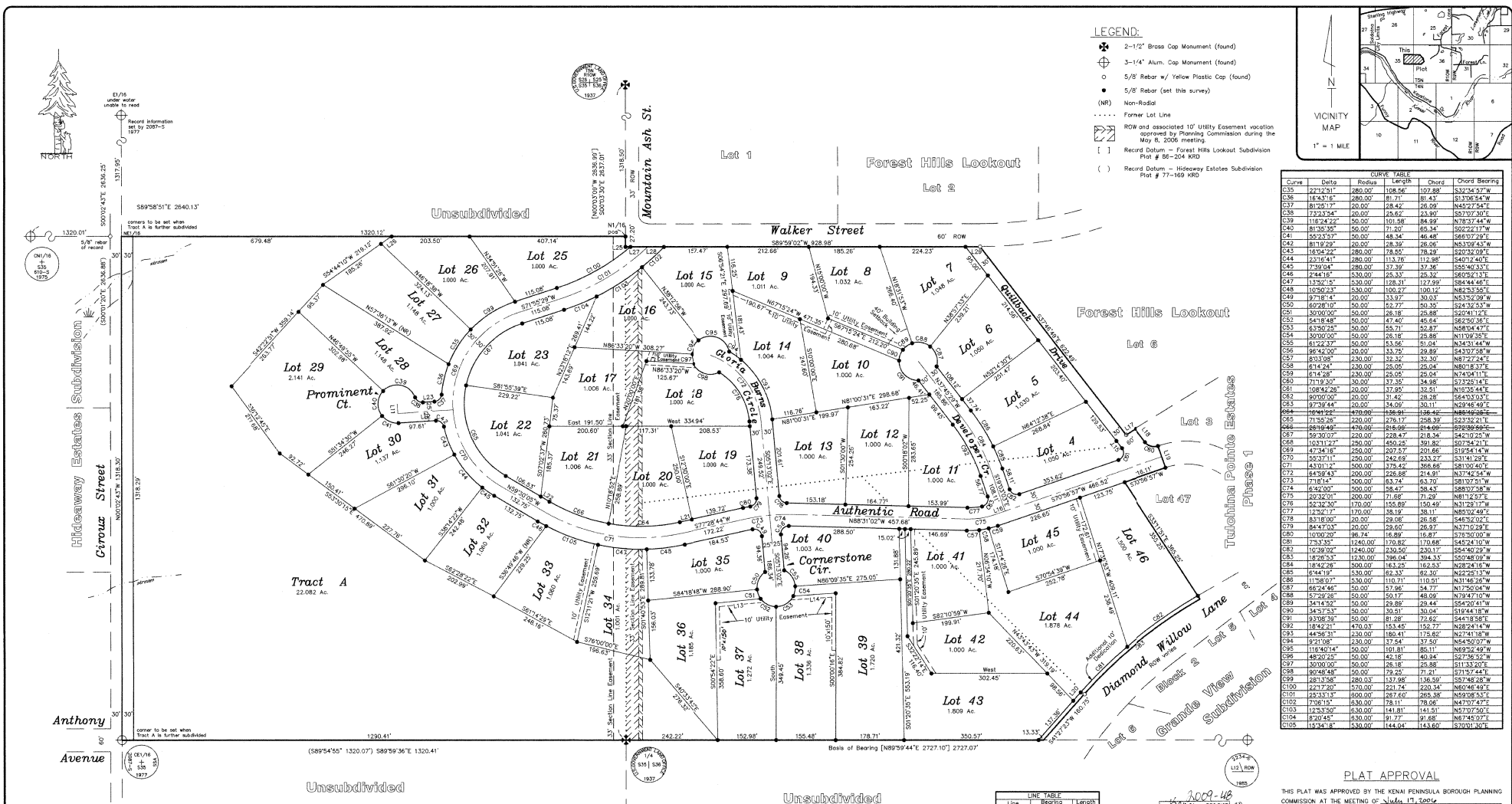
56.364 AC. W/1 SITUATED IN THE NE1 NE1 SECTION 35 & W3 NW1 NW1 SECTION 36, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA AND THE KENAI PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT.

ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK 99669
VOICE: (907) 283-4218
FAX: (907) 283-2505
WWW.MCLANECO.COM

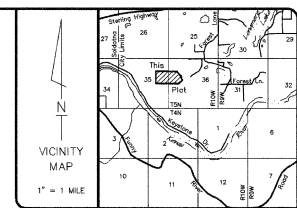
KPB FILE NO. 2019-xxx
PROJECT NO. 192010

Scale 1" = 80' DATE: SEP. 2019 BOX NO.: 19-XX DRAWN BY: JAH

CODY R. McLANE C.E. 11510 AK DATE



- LEGEND:**
- 2-1/2" Brass Cap Monument (found)
 - 3-1/4" Alum. Cap Monument (found)
 - 5/8" Rebar w/ Yellow Plastic Cap (found)
 - 5/8" Rebar (set this survey)
 - (NR) Non-Radial
 - Former Lot Line
 - ROW and associated 10' Utility Easement vacation approved by Planning Commission during the May 8, 2006 meeting.
 - [] Record Datum - Forest Hills Lookout Subdivision Plat # 86-204 RRD
 - () Record Datum - Hidenway Estates Subdivision Plat # 77-169 RRD



Curve	Delta	Radius	Chord	Chord Bearing
C35	221°51'	260.00'	104.96'	107.88'
C36	184°31'	280.00'	81.71'	81.43'
C37	81°20'	25.00'	28.42'	26.09'
C38	72°32'	25.00'	25.62'	23.90'
C39	116°24'22"	50.00'	101.58'	84.99'
C40	81°30'50"	50.00'	71.00'	65.34'
C41	55°23'57"	50.00'	48.34'	46.48'
C42	81°12'29"	25.00'	28.39'	26.06'
C43	183°49'22"	280.00'	78.80'	78.80'
C44	231°41'	280.00'	113.76'	112.98'
C45	73°04'	280.00'	52.90'	52.90'
C46	244°18'	530.00'	25.33'	25.32'
C47	133°15'	530.00'	128.31'	127.99'
C48	102°23'	530.00'	100.12'	100.12'
C49	97°18'14"	50.00'	53.87'	50.03'
C50	802°10'	50.00'	52.77'	50.35'
C51	50°00'00"	50.00'	11.76'	20.88'
C52	54°18'48"	50.00'	47.40'	45.64'
C53	63°30'28"	50.00'	56.71'	50.87'
C54	50°00'00"	50.00'	26.18'	25.89'
C55	61°22'37"	50.00'	53.56'	51.04'
C56	95°42'00"	20.00'	13.75'	28.89'
C57	83°08'	230.00'	32.32'	32.30'
C58	81°24'	230.00'	28.05'	28.04'
C59	51°42'	230.00'	25.26'	25.04'
C60	71°19'30"	30.00'	37.35'	34.88'
C61	58°42'28"	30.00'	37.89'	35.42'
C62	80°00'00"	20.00'	31.42'	28.28'
C63	87°38'44"	20.00'	24.09'	30.11'
C64	94°22'22"	20.00'	24.09'	30.11'
C65	71°55'28"	220.00'	278.17'	258.39'
C66	88°49'49"	475.00'	475.00'	475.00'
C67	59°30'00"	475.00'	228.47'	218.34'
C68	103°11'23"	180.00'	450.45'	391.82'
C69	47°14'18"	200.00'	207.17'	201.66'
C70	55°37'11"	250.00'	246.69'	233.27'
C71	43°01'12"	500.00'	378.42'	366.68'
C72	14°59'43"	250.00'	128.08'	214.91'
C73	71°18'14"	500.00'	63.70'	63.70'
C74	82°42'00"	500.00'	58.47'	58.43'
C75	50°32'00"	200.00'	171.68'	151.49'
C76	52°32'30"	170.00'	158.97'	150.49'
C77	12°32'12"	170.00'	15.18'	38.11'
C78	83°18'00"	20.00'	29.08'	28.58'
C79	84°47'03"	20.00'	29.60'	28.97'
C80	100°00'00"	96.74'	16.89'	16.87'
C81	73°33'35"	1240.00'	170.80'	170.68'
C82	103°30'00"	1240.00'	1030.50'	1030.17'
C83	182°33'35"	1250.00'	186.04'	184.33'
C84	184°22'28"	500.00'	163.25'	162.53'
C85	184°19'15"	530.00'	69.30'	69.30'
C86	115°08'07"	530.00'	110.51'	110.51'
C87	88°24'46"	50.00'	57.96'	54.77'
C88	57°22'52"	50.00'	50.17'	48.09'
C89	341°52'	50.00'	29.89'	29.44'
C90	343°33'	50.00'	30.01'	30.04'
C91	93°08'36"	73.00'	81.81'	81.81'
C92	184°21'21"	470.00'	153.45'	152.77'
C93	45°36'31"	470.00'	189.41'	178.60'
C94	92°11'08"	330.00'	37.54'	37.50'
C95	116°30'14"	50.00'	101.81'	85.11'
C96	49°22'52"	50.00'	45.16'	40.86'
C97	30°00'00"	50.00'	26.18'	25.88'
C98	62°48'48"	50.00'	29.17'	27.44'
C99	281°55'58"	280.00'	137.88'	136.59'
C100	127°20'	570.00'	221.74'	220.34'
C101	282°15'	800.00'	257.60'	255.38'
C102	73°08'15"	530.00'	78.11'	78.06'
C103	123°35'00"	630.00'	141.81'	141.51'
C104	92°04'55"	630.00'	91.77'	91.68'
C105	153°34'58"	530.00'	144.04'	143.60'

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF July 19, 2006.

KENAI PENINSULA BOROUGH

[Signature]

KPB FILE NO. 2006-149 Amended Plat

Tulchima Pointe Estates - Phase 2

A subdivision of Lot 3 & 11 Forest Hills Lookout Subdivision (Amended), RRD within the SW1/4 NW1/4 S36E, the SE1/4 NE1/4 S36E and partial ROW vacation Mountain Ash Street and the associated utility easements.

Located within TSN, R10W, S36E, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 77,200 Acres.

Integrity Surveys

8195 Kenai Spur Hwy Kenai, Alaska 99611-8902

SURVEYORS PHONE: (907) 383-9644 FAX: (907) 383-9671 PLANNERS

JOB NO: 26023 DATE: 10 August, 2006 CB

SURVEYED: April - June 2006 SCALE: 1" = 100'

FIELD BK: 2006-3 DWS: Tulchima Pointe

CERTIFICATE OF OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT 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.

[Signature]

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 10th DAY of August, 2006 for *Integrity S. O'Neill*

[Signature]

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 3/1/09

- NOTES:**
- 1) Restrictive Covenants that may affect the development of these lots may be recorded.
 - 2) No permanent structures are permitted within the panhandle portion of Lots 9, 17, 36, 39, 42, 43 and 44.
 - 3) Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
 - 4) The Plat Committee granted exceptions to 20.20.180 & 20.20.180 on April 10, 2006.
 - 5) Front 10 ft. of the building setback adjacent to rights-of-way with an additional 10 ft. within 5 ft. of the side property line is to be a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the utility of a utility to use the easement.
 - 6) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
 - 7) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil types in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

CORRECTED LINE TABLE

Line	Bearing	Length
L11	S02°49'27"E	25.00'
L12	S80°10'33"W	144.17'
L13	S84°19'07"W	118.62'
L14	N86°39'35"E	119.63'
L15	N77°45'29"E	145.07'
L16	N58°28'24"E	30.11'
L17	N58°28'41"E	30.24'
L18	N37°45'29"W	44.18'
L19	S11°10'28"E	60.00'
L20	N41°27'21"E	48.81'
L21	N72°33'48"E	60.00'
L22	N84°36'29"E	100.00'
L23	S80°10'33"W	10.45'
L24	N00°33'29"W	27.20'
L25	N82°59'02"E	13.36'
L26	N24°44'10"E	13.86'
L27	N82°59'02"E	44.83'
L28	N82°59'02"E	45.43'
L29	N82°59'02"E	37.10'

AMENDED PLAT NOTE

This plat amends Plat No. 2006-63 RRD by correcting curves 64 & 66 and lots 21 & 22 within their respective tables. The old information has been lined out and corrective table provided above.

I certify that I have made the corrections noted above and no other changes have been made.

[Signature] 19 August 09

CHIEF OF BUREAU LS 5182

CERTIFICATE OF SURVEYOR

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska; this plat represents a survey made by me or under my direct supervision; the monuments shown herein actually exist as described; and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.



INTEGRITY SURVEYS

Tulchina Pointe Estates – Phase 2

AFFIDAVIT

The above referenced subdivision plat, as filed in the office of the District Recorder, Kenai Recording District, under Plat File No. 2006-63, has been amended by:

Correcting the correcting curves 64 & 66 and lines 21 & 22 within their respective tables. The old information has been lined out and corrective tables provided.

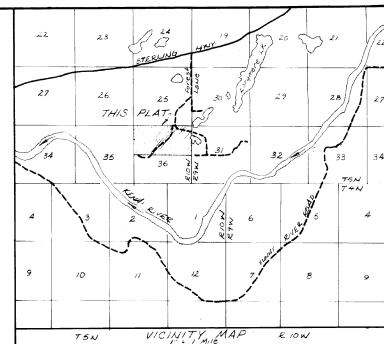
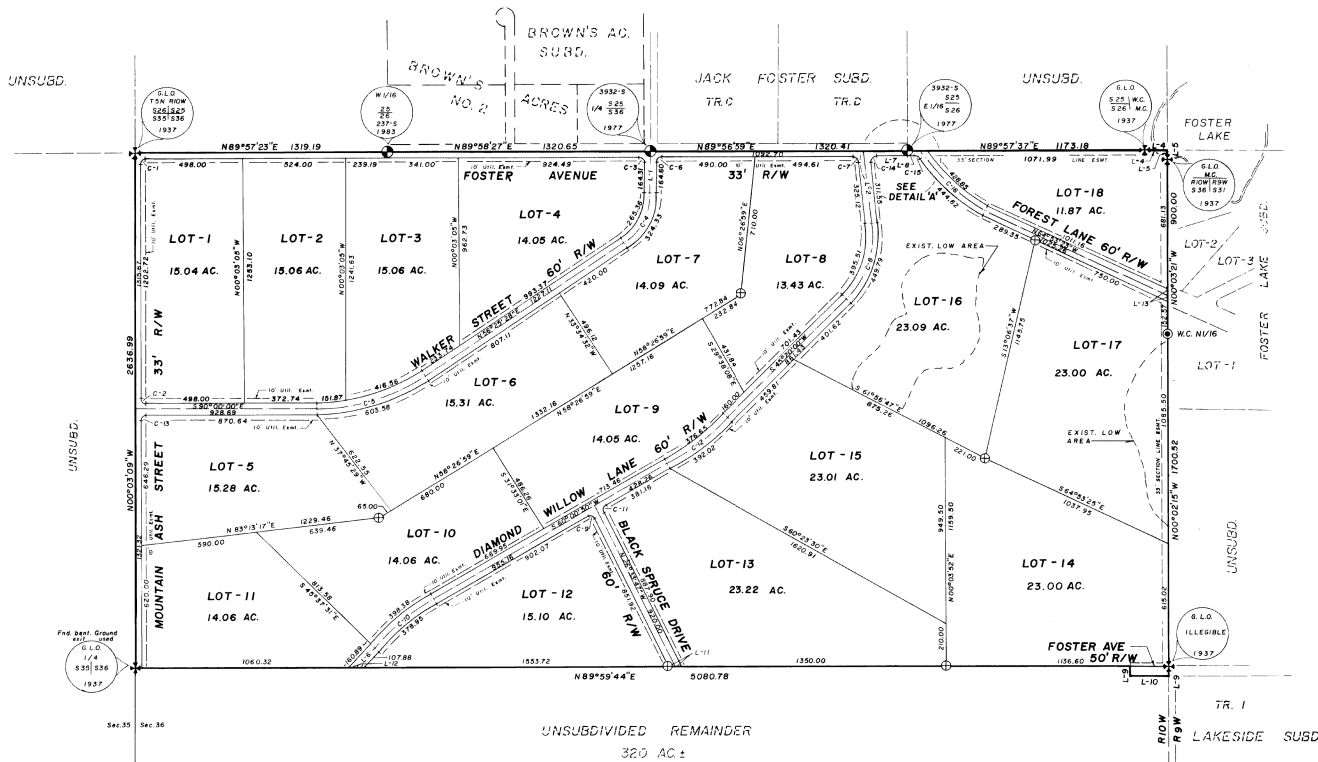
The above revision constitutes the sole change to the plat, aside from its notation thereon.

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 refile as corrected

Date: 19 August, 2009



FOREST HILLS LOOKOUT SUBDIVISION



Certificate of Ownership and Dedication

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

Ralph A. Johnson, Pres. Salamatof Native Assoc. Inc.

James O. Segura, Vice Pres. Salamatof Native Assoc. Inc.

Notary's Acknowledgement

FOR: Ralph A. Johnson and James O. Segura

SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF March, 1985.

Notary for the State of Alaska My Commission Expires

Plat Approval

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF FEB. 25, 1985.
(Ord. 80-3751, 1980, Ord. 78-3752 (part), 1979) By: [Signature] Authorized Official

Surveyor's Certificate

I, Gary D. Oakes, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF LANDS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE DISTANCES AND BEARINGS ARE SHOWN CORRECTLY AND THE ERROR OF CLOSURE FOR FIELD TRAVERSES DOES NOT EXCEED ONE PART IN 5000, AND THAT ALL PERMANENT EXTERIOR CONTROL MONUMENTS, ALL OTHER MONUMENTS, AND LOT CORNERS HAVE BEEN SET AND STAKED.

Signature: [Signature] Reg. No. 2234-S Date: March 7, 1985

Water Supply and Sewage Disposal

NO INDIVIDUAL WATER SUPPLY OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS LOCATED, CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION WHICH GOVERN THOSE SYSTEMS.

LEGEND

- FOUND OFFICIAL SURVEY MONUMENT.
- FOUND 2 1/2" G.L.O. BRASS CAP MONUMENT.
- SET 3" x 30" ALUMINUM MONUMENT.
- FOUND 2" AL. CAP (W.C. N.I/16).
- ALL LOT CORNERS, ANGLE POINTS AND P.C.'s MONUMENTED WITH 5/8" REBAR AND YELLOW CAP 2234-S.

AMENDED PLAT (see Notes)

FOREST HILLS LOOKOUT SUBDIVISION

CONTAINING 320.12 ACRES MORE OR LESS AND SITUATED WITHIN THE

N 1/2 SECTION 36, T5N, R10W, S.M., AK AND THE KENAI PENINSULA BOROUGH.

PREPARED FOR: SALAMATOF NATIVE ASSOCIATION INC.
R.D. Box 2682 Kenai, AK 99611

PREPARED BY: pbb PROFESSIONAL DESIGN ASSOCIATES
box 4406 Kenai, AK 99611

NO. 080 DATE: 5/29/85 SCALE: 1"=300'
DRAFTED: F.B. CHECKED: G.D. K.P.B. FILE # 85-043

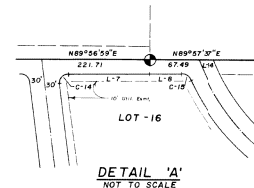
CURVE	DELTA	RADIUS	ARC	TANGENT
C-1	90°00'33"	25.00	39.27	25.01
C-2	89°56'51"	25.00	39.25	24.98
C-3	90°00'23"	25.00	39.33	25.06
C-4	56°16'36"	300.00	294.84	160.56
C-5	33°34'32"	1000.00	586.00	301.68
C-6	89°50'09"	25.00	39.20	24.93
C-7	89°52'48"	25.00	43.74	26.80
C-8	91°50'10"	467.16	422.85	227.03
C-9	93°25'26"	20.00	32.61	21.23
C-10	18°33'27"	1200.00	386.67	196.05
C-11	89°34'36"	20.00	30.22	18.84
C-12	14°40'50"	1500.00	394.34	193.23
C-13	90°03'09"	25.00	39.29	25.02
C-14	96°27'16"	30.00	50.50	33.58
C-15	60°25'25"	30.00	31.64	17.47
C-16	38°24'10"	692.20	463.97	241.08

NOTES

- There shall be a 20' minimum building setback from all dedicated R/W's unless a lesser standard is approved by resolution of the appropriate planning commission.
 - There shall be a 10' Utility Easement along all dedicated Right-of-Ways.
 - All water carried domestic sewage systems must be designed by an Engineer registered in the State of Alaska and approved by the Alaska Dept. of Environmental Conservation prior to installation.
- Amended 10-8-86
- Bearing on centerline of Forest Lane changed from N 64°23'53" W to N 64°53'23" W.
 - Added missing dimension on Lot 3, along R/W of Walker Street - 233.74 feet.
 - Changed dimension on East boundary of Lot 17 from 1236.07 feet to 1085.50 feet and add the dimension of 152.57 to reflect bearing break at W.C. N.I/16 corner.
 - Changed area of Lot 14 from 20.00 acres to 23.00 acres to reflect correct area as monumented.
 - Changed dimension of curve on Lot 4 from 266.36 feet to 265.36 feet.
 - Changed the title block to reflect the correct spelling of "Containing".

LINE TABLE

LINE	BEARING	DISTANCE
L-1	N 00°06'50"W	222.44
L-2	N 06°30'13"W	361.74
L-3	N 44°27'25"E	107.68
L-4	N 89°57'37"E	147.75
L-5	S 00°03'02"E	39.75
L-6	N 42°27'23"E	134.39
L-7	N 89°56'30"E	160.20
L-8	N 89°57'37"E	33.07
L-9	S 00°02'38"E	50.00
L-10	N 89°59'44"E	200.00
L-11	N 89°59'44"E	33.54
L-12	N 89°59'44"E	40.03
L-13	N 00°03'02"W	33.16
L-14	N 89°57'37"E	33.70



DETAIL 'A'
NOT TO SCALE

CERTIFICATE OF APPROVAL OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
This subdivision has been reviewed in accordance with 18AAC71.066 and is approved subject to any noted conditions.

SIGNATURE: [Signature] TITLE: [Title] DATE: [Date]