

E. NEW BUSINESS

- 3. CL Hatton Subdivision Eagles Crest Addition Byler Replat
KPB File 2022-027
Peninsula Surveying, LLC / No More FYI LLC, Noonan & Byler
Location: Symphony Lane
Ninilchik Area**



Vicinity Map

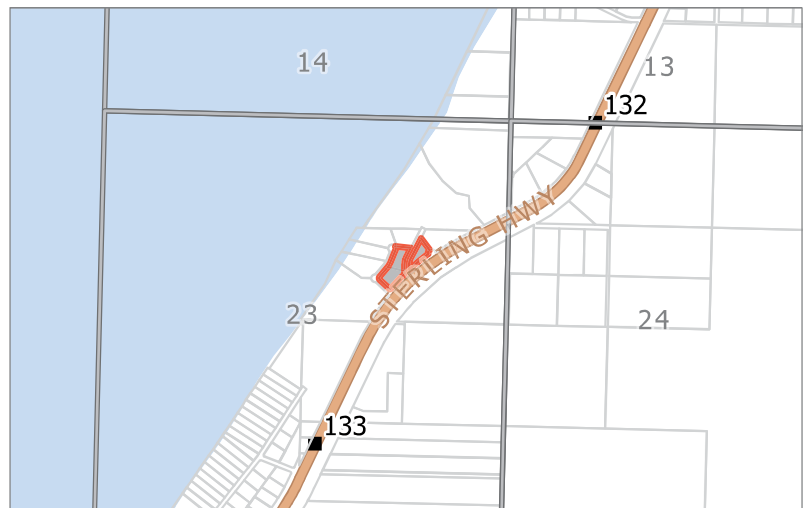
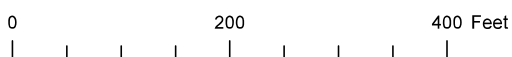


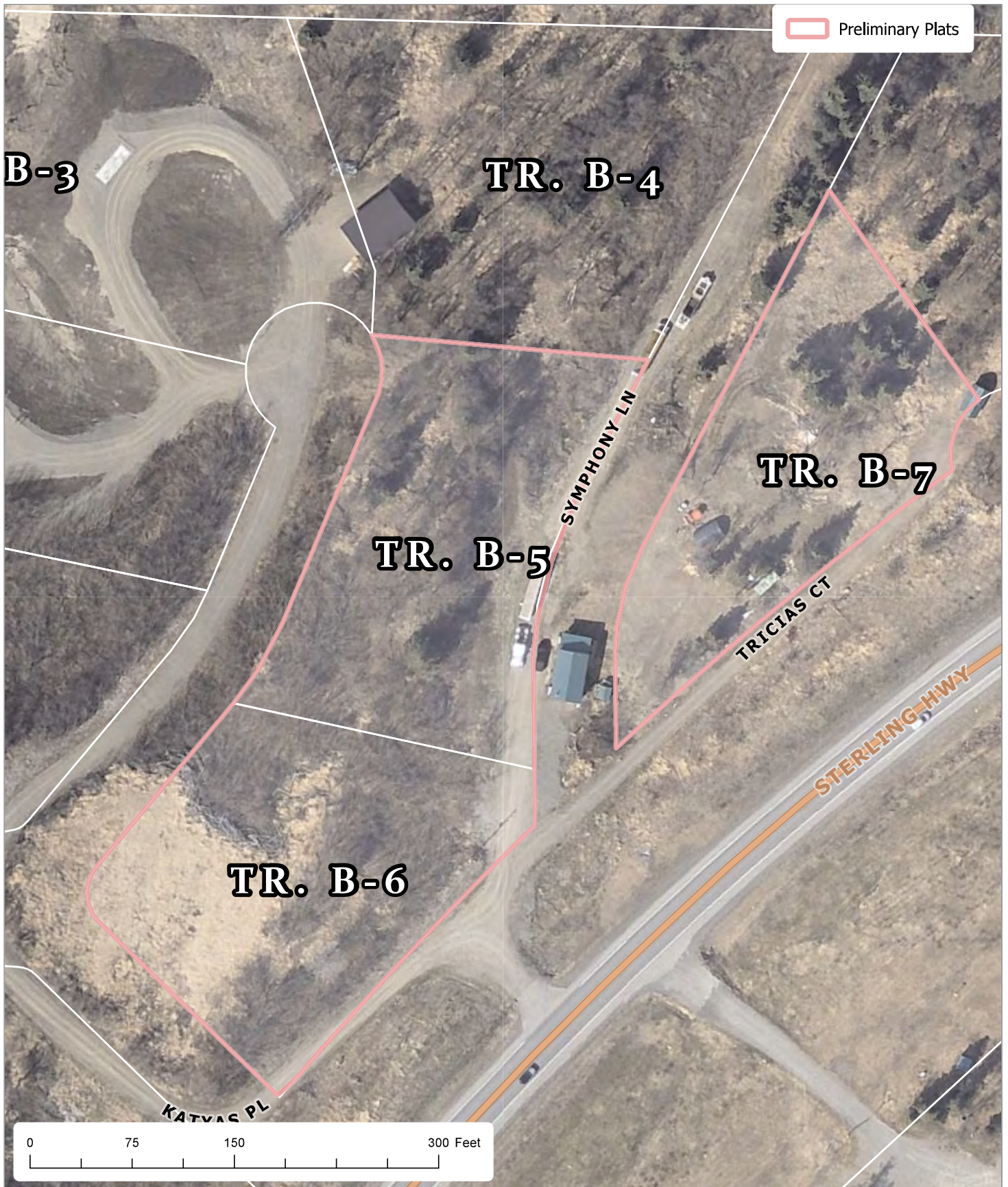
KPB File # 2022-027

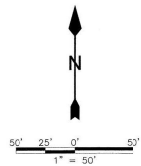
S23-T01S-R14W

Ninilchik

4/12/2022







HM 93-51
TRACT B-3

HM 93-51
TRACT B-4

HM 93-51
TRACT B-8

HM 93-51
TRACT B-2

HM 93-51
TRACT B-1

HM 93-51
TRACT A-1

TRACT B-5A
1.194 ACRES

TRACT B-7A
1.090 ACRES

TRACT B-6A
1.230 ACRES

- NOTES
1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' OF THE BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5' OF THE SIDE LOTS LINES IS ALSO UTILITY EASEMENT.
 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. SUBJECT TO A GENERAL EASEMENT WITH NO DEFINITE LOCATION DISCLOSED, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC AS FOUND IN BOOK 18 PAGE 30, HOMER RECORDING DISTRICT, RECORDED OCTOBER 24, 1999.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	44.99	30.00	85°55'19"	27.94	40.89	S04°08'53"E
C2	69.79	230.00	17°23'06"	35.16	99.52	N30°07'08"E
C3	47.50	50.00	54°25'56"	25.71	45.73	N05°47'05"W
C4	206.33	230.00	51°23'56"	110.69	199.48	S00°41'27"W
C5	279.68	3005.00	05°19'57"	139.94	279.58	S42°00'40"W
C6	330.71	3005.00	06°18'20"	165.52	330.54	S49°04'25"W
C7	130.46	170.00	43°58'05"	68.63	127.28	S04°24'22"W
C8	58.35	50.00	66°51'46"	33.01	55.09	S19°40'04"W

PLAT APPROVAL

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

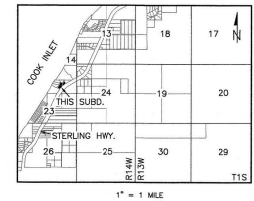
KENAI PENINSULA BOROUGH

BY: _____

AUTHORIZED OFFICIAL



KPB 2022-027



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

BRENDA M NOONAN (TRACT B-6) KENNETH E NOONAN (TRACT B-6)
1 KOLLAR RD, WILINGTON, CT 06279 1 KOLLAR RD, WILINGTON, CT 06279

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

SHARI WULF (TRACT B-5)
PRESIDENT, NO MORE FYI LLC
10672 KENAI SPUR HWY, STE 112, KENAI, AK 99611

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MATHEW BYLER (TRACT B-7)
PO BOX 39308, NINILCHIK, AK 99639

NOTARY ACKNOWLEDGMENT

FOR: BRENDA M NOONAN AND KENNETH E NOONAN
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

FOR: SHARI WULF
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

FOR: MATHEW BYLER
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

WASTEWATER DISPOSAL

WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

KPB FILE NUMBER:

PENINSULA SURVEYING, LLC
10535 KATRINA BOULEVARD, NINILCHIK, AK 99639
(907)306-7065

PLAT OF
**C.L. HATTON SUBDIVISION EAGLE'S
CREST ADDITION BYLER REPLAT**

A SUBDIVISION OF
TRACTS B-5, B-6, AND B-7 C.L. HATTON SUBDIVISION EAGLE'S
CREST ADDITION. THIS PLAT IS ALSO FINALIZING THE VACATION OF A
PORTION OF SYMPHONY LANE

LOCATED WITHIN
S 1/2 NE 1/4 SEC. 23, T.1S., R.14W., S.M.
HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH
CONTAINING 3.514 ACRES

OWNERS: BRENDA M NOONAN AND KENNETH E NOONAN
1 KOLLAR RD, WILINGTON, CT 06279
NO MORE FYI LLC
10672 KENAI SPUR HWY, STE 112, KENAI, AK 99611
MATHEW BYLER
PO BOX 39308, NINILCHIK, AK 99639

SCALE: 1" = 50'

DATE: APRIL 6, 2022

DRAWN: JLS

SHEET: 1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - C L HATTON SUBDIVISION EAGLES CREST ADDITION BYLER REPLAT

KPB File No.	2022-027
Plat Committee Meeting:	May 9, 2022
Applicant / Owner:	Brenda and Kenneth Noonan of Willington, CT No More FYI LLC of Kenai, AK Mathew Byler of Ninilchik, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying LLC
General Location:	Tricia's Court, Symphony Lane, Ninilchik

Parent Parcel No.:	157-032-07, 157-032-08, and 157-032-09
Legal Description:	Tracts B-5, B-6, and B-7 CL Hatton Subdivision Eagles Crest Addition (Plat HM 93-51)
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will be finalizing a right-of-way vacation and associated utility easements and adjusting lot lines to dedicate a new portion of right-of-way for realignment.

Location and Legal Access (existing and proposed): The proposed plat is located on Tricia's Court, Symphony Lane, and Katya's Place. Symphony Lane is a 60 foot wide dedicated right-of-way located near mile 132.5 of the Sterling Highway in the Ninilchik area. Tricia's Court is a 40 foot wide frontage road to provide a single point access to the Sterling Highway from Symphony Lane and Katya's Place, a 60 foot wide dedicated right-of-way that ends with a cul-de-sac. The roads all appear to be partially constructed or cleared but are not maintained.

The proposed plat will finalize a vacation of a portion of Symphony Lane and associated utility easements due to an encroachment and dedicate new right-of-way to realign the right-of-way. The proposal is to vacate a portion of Symphony Lane was heard by the Kenai Peninsula Borough (KPB) Planning Commission on April 11, 2022. The petition to vacate was approved. The vacation is scheduled to be heard by the KPB Assembly on May 3, 2022. The Assembly, per KPB Code and Alaska State Statutes, has the right to consent or veto the Planning Commission decision within 30 days of the approval.

Symphony Lane will have a section on each side vacated and a new dedication to allow the right-of-way to remain as a 60 foot wide right-of-way and avoid the recently constructed structure. A narrow portion of the existing Symphony Lane will be added into Tract B-7A and a small portion to Tract B-6A. The new Symphony Lane dedication are will come from Tract B-6A and Tract B-5A. Tract B-4 and Tract E-1, both located north of the proposed subdivision, will continue to have access from Symphony Lane. Tract B-8 will have access from Symphony Lane and Tricia's Court.

Tract B-7A will remain having access from Tricia's Court and Symphony Lane. Symphony Lane is the access currently being used. Tract B-6A has access from Tricia's Court, Symphony Lane, and Katya's Place. Tract B-5A will have access from Symphony Lane and Katya's Place.

The block is not compliant or closed. Due to the location along the Cook Inlet, Katya's Place is a cul-de-sac, and a 20 acre lot to the north, dedications have not occurred to provide a closed block or bring the block closer to length requirements. Staff would note that the realignment would not affect the block. It will neither improve nor worsen the existing block. ***Staff recommends the plat committee concur that an exception is not required as this plat cannot improve the block requirements.***

Tract B-5A is not a corner lot but does have double frontage. Per KPB 20.30.230, “double frontage lots with depth less than 250 feet will not be approved except where necessitated by topographic or other physical conditions, or to provide reverse frontage along arterial streets.” The parent Tract B-5 did not comply with this requirement when it was created by CL Hatton Subdivision Eagle’s Crest Addition, Plat HM 93-51. The plat did contain the following plat note “Double frontage lots are restricted to one access only.” **Staff recommends the plat committee concur that the change to the tract is minimal and there is not a way to improve the code requirement with this preliminary plat and that the note present on the parent plat be carried over.**

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: The RSA has no comment at this time.
SOA DOT comments	The ROW for Sterling Hwy is as shown on Sheet 34 of 35 Department of Highways Right of Way Plat F-021-1(3) and appears to be shown correctly.

Site Investigation: The area is between the Cook Inlet and the Sterling Highway. There do not appear to be any low wet areas within the subdivision or the proposed dedication. The area proposed for vacation and dedication is relatively flat. Some steeper slopes appear present within the northeastern portion of the dedication. There are some steep slopes present in the northeast corner of proposed Tract B-5A. **Staff recommends any top or toe of bluffs be depicted on the final plat.**

A house was constructed within the right of way. The house was to be within the boundaries of Tract B-7. There are other structures located on the property that do not appear to cause any issues. Tract B-5 and Tract B-6, per KPB GIS Imagery and Assessing Data, are currently vacant.

Symphony Lane appears to be partially constructed but is not maintained by the borough. The construction of the right-of-way appears to have been done within the western portion of the dedication and the realignment will allow for the roadway to remain within the dedication.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No comments

Staff Analysis The property included within this preliminary plat was originally Government Lot 2. CL Hatton Property Tract A, Plat HM 78-75, was the first plat to subdivide a portion of the government lot. CL Hatton Property Tract B, Plat HM 82-59, subdivided an additional 20 acres north of Tract A. CL Hatton Subdivision Eagle’s Crest Addition, Plat HM 93-51, created the current configuration by replatting Tract A and Tract B. It also dedicated Tricia’s Court, Symphony Lane, and Katya’s Place and established 20 foot building setbacks along those dedications.

The encroachment was brought to the attention of the KPB Roads Department and the KPB Code Compliance

Officer. An as-built was performed that verified the structure was within the right-of-way. The KPB began working with the owners for a resolution. The right-of-way vacation and realignment will provide a resolution for the encroachment.

The improvement will still be within the setback after the road realignment. The plat currently shows not setback in place along Symphony Lane within Tract B-7A. The lot will still be subject to the setback but the existing structure will be allowed. This will be considered a new setback creation due to the change in the right-of-way. The petition included the associated utility easements. That will mean the easements only along the portion to be vacated and all other easements are to be left. **Staff recommends the building be included on the final plat, depict the 20 foot building setback within Tract B-7A, and provide a plat note that explains the structure predates the building setback.**

The parent plat, CL Hatton Subdivision Eagle's Crest Addition (Plat SW 93-51), was signed by Department of Environmental Conservation. The changes to Tract B-6A and Tract B-5A is minimal. A soils report is not required. **Staff recommends the wastewater disposal note be changed to comply with KPB Code 20.40.**

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

Utility Easements An easement has been granted by recorded document and mentioned in plat note 3. CL Hatton Property Tract A, Plat HM 78-75, did not grant any platted easements that affect this preliminary plat. CL Hatton Property Tract B, Plat HM 82-59, created a 10 foot wide utility easement along a portion of the southern property line of Tract B. That easement was carried over by CL Hatton Subdivision Eagle's Crest Addition, Plat HM 93-51. The easement is located within proposed Tract B-6A. **Staff recommends the easement within Tract B-6A be depicted and labeled noting it was granted by Plat HM 82-59.**

CL Hatton Subdivision Eagle's Crest Addition, Plat HM 93-51, also granted 10 foot utility easements along the dedicated rights-of-way. Per plat note 1, this plat will be granting 10 feet along the new right-of-way dedications and will increase to 20 feet within 5 feet of the side lot lines. In regards to Tract B-7A, the only easements being vacated are along the vacation area. New easements will be granted along the new right-of-way dedication. If the building is within the new utility easement area, the plat note for the building within the setback may include wording for the utility easement. Due to the information needing to be shown, specifically in the vacation area of Tract B-7A, a separate detail view may be needed to clarify the location of setbacks and utility easements. **Staff recommends new utility easements be depicted and granted along the realignment within Tract B-7A, a separate hatching be used to show the utility easements being vacated, the utility easement along Tricia's Court continue to the new right-of-way line, and the 10 foot utility easement previously granted per HM 93-51 be depicted along the northern portion of Tract B-7A.**

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	Depict and label the 10 foot utility easement, per HM 93-51. Depict the 10 foot utility easement that is being vacated where adjoining the vacated right-of-way. Depict and label the 10 foot utility easement being granted by this plat.
ENSTAR	No comment
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 13338 KATYAS PL 13330 TRICIAS CT 13378 TRICIAS CT</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: KATYAS PL TRICIAS CT SYMPHONY LN</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: 13338 KATYAS PL will remain with tract B-5A. 13330 TRICIAS CT will remain with tract B-7A. 13378 TRICIAS CT will remain with tract B-7A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Wilcox, Adeena Comments: No Comment</p>

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Staff would like to notify the surveyor that due to the number of names required for indexing the recording fees will increase by \$2.00.

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: Update the spelling of Subdivision in the name. Add the plat number for the parent plat, HM 93-51.

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: This is finalizing a vacation. The movement of the lot line for Tract B-5A is along a curve with the widest portion being removed is 15 feet. The parent plat was signed by DEC on 12/8/88.

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.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: An acceptance for the new dedication of Symphony Lane will be required.

20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.

Staff recommendation: The boundary of the subdivision should include the portions of Symphony Lane. The boundary needs to be a wider border than the lot lines.

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: Place the following notes on the plat.

- 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 (KPB 14.06).
- Double frontage lots are restricted to one access only.
- WASTEWATER DISPOSAL: The parent subdivision for lots resulting from this platting action was approved by the Alaska Department of Environmental Conservation on December 8, 1988.

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

- Improvements on Tract B-7A predate the 20' building setback (and 10' utility easement if applicable) created by this plat and are not subject to the 20' building setback (and utility easement if applicable). Any replacement, or improvement, to the building must comply with the 20 foot building setback and utility easement as shown on this plat.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Update the certificate of ownership for No More FYI LLC to reflect the LLC owns the property and Shari Wulf is signing on behalf. "I hereby certify that No More FYI LLC is the owner of the real property shown and described hereon and that I hereby adopt this plan of subdivision on behalf of No More FYI LLC by my free consent dedicate all rights-of-way and grant all easements to the use shown." Paperwork signed by Mathew Byler contained the additional spelling of Matthew within the documents. Next to his name under his signature line include "Also appearing of record as Matthew Byler." Comply with 20.60.190.

KPB 20.70 – Vacation Requirements

Staff recommendation. Must be recorded within one year of Assembly consent or a new petition will be required.

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: 20.25.120. - REVIEW AND APPEAL.

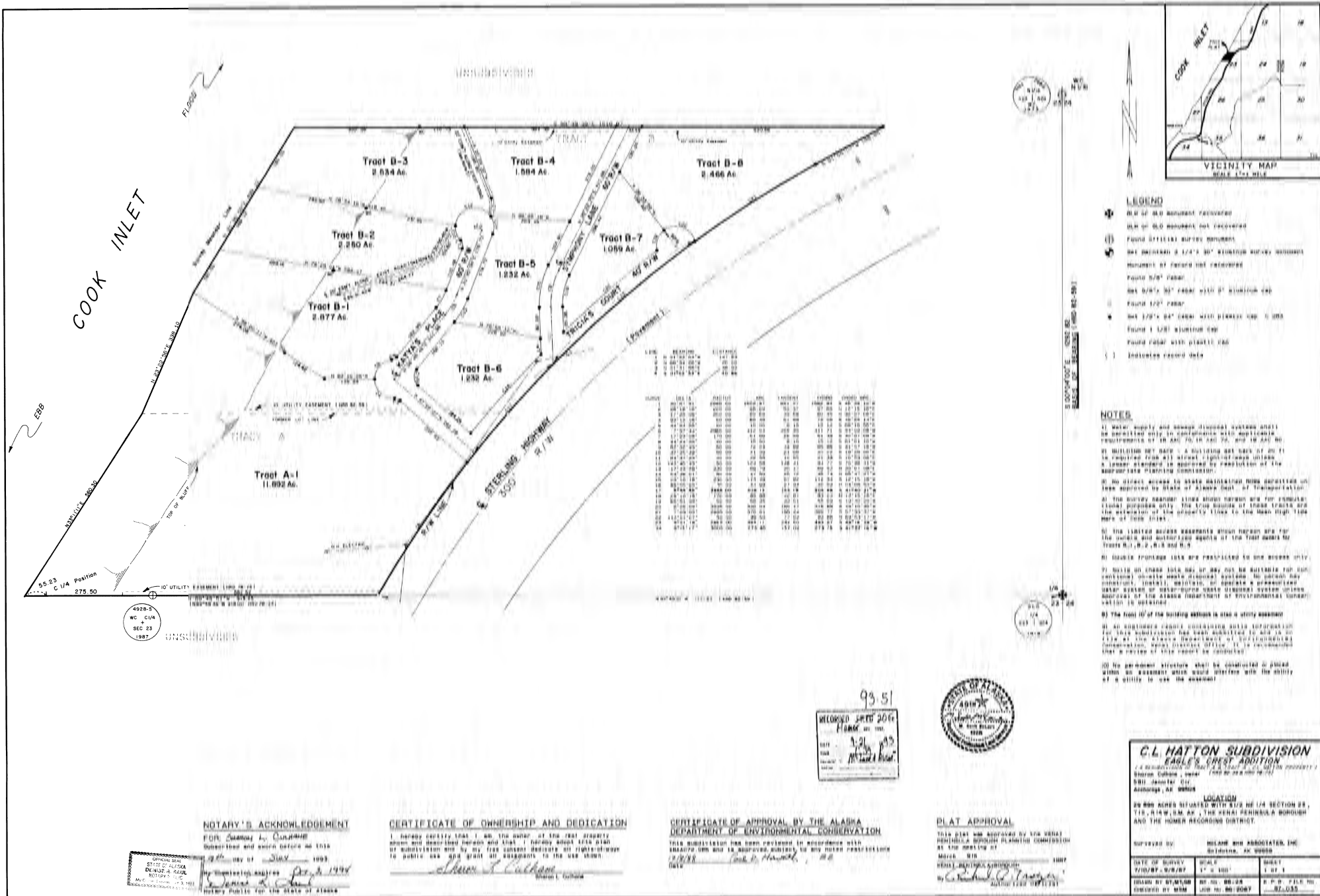
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING 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.



- LEGEND**
- ⊕ OLD monument recovered
 - ⊖ OLD monument not recovered
 - Ⓢ Found official survey monument
 - Ⓢ Not located 2 1/2" x 30" aluminum survey monument monument not recovered
 - Ⓢ Found 5/8" rebar
 - Ⓢ Not located 2 1/2" x 30" rebar with 2" aluminum cap
 - Ⓢ Found 1/2" rebar
 - Ⓢ Not located 2 1/2" x 30" rebar with plastic cap 1/2" rebar
 - Ⓢ Found 1/2" rebar
 - Ⓢ Found rebar with plastic cap
 - Ⓢ Indicates record data

- NOTES**
- Water supply and sewage disposal systems shall be installed only in accordance with applicable requirements of AS 11, AS 12, AS 13, AS 14, AS 15, AS 16, AS 17, AS 18, AS 19, AS 20, AS 21, AS 22, AS 23, AS 24, AS 25, AS 26, AS 27, AS 28, AS 29, AS 30, AS 31, AS 32, AS 33, AS 34, AS 35, AS 36, AS 37, AS 38, AS 39, AS 40, AS 41, AS 42, AS 43, AS 44, AS 45, AS 46, AS 47, AS 48, AS 49, AS 50, AS 51, AS 52, AS 53, AS 54, AS 55, AS 56, AS 57, AS 58, AS 59, AS 60, AS 61, AS 62, AS 63, AS 64, AS 65, AS 66, AS 67, AS 68, AS 69, AS 70, AS 71, AS 72, AS 73, AS 74, AS 75, AS 76, AS 77, AS 78, AS 79, AS 80, AS 81, AS 82, AS 83, AS 84, AS 85, AS 86, AS 87, AS 88, AS 89, AS 90, AS 91, AS 92, AS 93, AS 94, AS 95, AS 96, AS 97, AS 98, AS 99, AS 100.
 - No direct access to state maintained roads shall be permitted without approval of Alaska Dept. of Transportation.
 - All survey monuments shall show station and for permanent monuments only. The true source of these monuments and the location of the property lines to the mean high tide mark of Cook Inlet.
 - The limited access easements shown herein are for the use and authorized agents of the State of Alaska for Tracts B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23, B-24, B-25, B-26, B-27, B-28, B-29, B-30, B-31, B-32, B-33, B-34, B-35, B-36, B-37, B-38, B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-67, B-68, B-69, B-70, B-71, B-72, B-73, B-74, B-75, B-76, B-77, B-78, B-79, B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87, B-88, B-89, B-90, B-91, B-92, B-93, B-94, B-95, B-96, B-97, B-98, B-99, B-100.
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 - All survey monuments shall show station and for permanent monuments only. The true source of these monuments and the location of the property lines to the mean high tide mark of Cook Inlet.
 - The limited access easements shown herein are for the use and authorized agents of the State of Alaska for Tracts B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23, B-24, B-25, B-26, B-27, B-28, B-29, B-30, B-31, B-32, B-33, B-34, B-35, B-36, B-37, B-38, B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-67, B-68, B-69, B-70, B-71, B-72, B-73, B-74, B-75, B-76, B-77, B-78, B-79, B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87, B-88, B-89, B-90, B-91, B-92, B-93, B-94, B-95, B-96, B-97, B-98, B-99, B-100.
 - No direct access to state maintained roads shall be permitted without approval of Alaska Dept. of Transportation.
 - All survey monuments shall show station and for permanent monuments only. The true source of these monuments and the location of the property lines to the mean high tide mark of Cook Inlet.
 - The limited access easements shown herein are for the use and authorized agents of the State of Alaska for Tracts B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23, B-24, B-25, B-26, B-27, B-28, B-29, B-30, B-31, B-32, B-33, B-34, B-35, B-36, B-37, B-38, B-39, B-40, B-41, B-42, B-43, B-44, B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-67, B-68, B-69, B-70, B-71, B-72, B-73, B-74, B-75, B-76, B-77, B-78, B-79, B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87, B-88, B-89, B-90, B-91, B-92, B-93, B-94, B-95, B-96, B-97, B-98, B-99, B-100.



NOTARY'S ACKNOWLEDGEMENT
 FOR William L. Cuthbert
 Subscribed and sworn before me this 1st day of May, 1993.
 My Commission Expires Dec 3, 1994
William L. Cuthbert
 Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, William L. Cuthbert, do hereby certify that I am the owner of the real property shown and described herein and that I hereby adopt this plan of subdivision and by my free consent dedicate in right-of-way to public use and grant all easements in the use shown.

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 This subdivision has been reviewed in accordance with AS 11.05.010 and is approved, subject to any noted restrictions.
1/2/93
John D. Haworth, Jr.
 Date

PLAT APPROVAL
 This plat was approved by the Alaska Department of Environmental Conservation at the meeting of 1/2/93
John D. Haworth, Jr.
 Date

C.L. HATTON SUBDIVISION
EAGLE CREEK ADDITION
 A RESUBDIVISION OF THE C.L. HATTON SUBDIVISION, ALASKA
 Section 28, T14S, R14W, 1/4 Sec. 28, 1/4 Sec. 29, 1/4 Sec. 30, 1/4 Sec. 31, 1/4 Sec. 32, 1/4 Sec. 33, 1/4 Sec. 34, 1/4 Sec. 35, 1/4 Sec. 36, 1/4 Sec. 37, 1/4 Sec. 38, 1/4 Sec. 39, 1/4 Sec. 40, 1/4 Sec. 41, 1/4 Sec. 42, 1/4 Sec. 43, 1/4 Sec. 44, 1/4 Sec. 45, 1/4 Sec. 46, 1/4 Sec. 47, 1/4 Sec. 48, 1/4 Sec. 49, 1/4 Sec. 50, 1/4 Sec. 51, 1/4 Sec. 52, 1/4 Sec. 53, 1/4 Sec. 54, 1/4 Sec. 55, 1/4 Sec. 56, 1/4 Sec. 57, 1/4 Sec. 58, 1/4 Sec. 59, 1/4 Sec. 60, 1/4 Sec. 61, 1/4 Sec. 62, 1/4 Sec. 63, 1/4 Sec. 64, 1/4 Sec. 65, 1/4 Sec. 66, 1/4 Sec. 67, 1/4 Sec. 68, 1/4 Sec. 69, 1/4 Sec. 70, 1/4 Sec. 71, 1/4 Sec. 72, 1/4 Sec. 73, 1/4 Sec. 74, 1/4 Sec. 75, 1/4 Sec. 76, 1/4 Sec. 77, 1/4 Sec. 78, 1/4 Sec. 79, 1/4 Sec. 80, 1/4 Sec. 81, 1/4 Sec. 82, 1/4 Sec. 83, 1/4 Sec. 84, 1/4 Sec. 85, 1/4 Sec. 86, 1/4 Sec. 87, 1/4 Sec. 88, 1/4 Sec. 89, 1/4 Sec. 90, 1/4 Sec. 91, 1/4 Sec. 92, 1/4 Sec. 93, 1/4 Sec. 94, 1/4 Sec. 95, 1/4 Sec. 96, 1/4 Sec. 97, 1/4 Sec. 98, 1/4 Sec. 99, 1/4 Sec. 100.

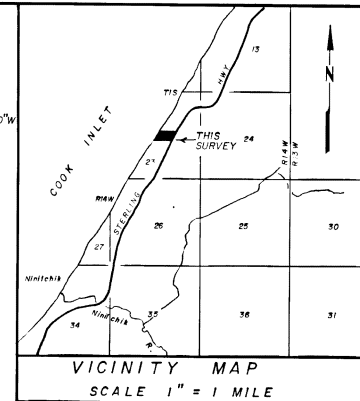




UNSUBD REMAINDER 98 AC.

TRACT A
10.001 AC.

① CURVE DATA
 $\Delta = 11^\circ 18' 20''$
 $R = 2965.00$
 $L = 585.07$
 $T = 293.49$
 $Ch = 584.12$



LEGEND AND NOTES

- Found USGLO B.C. monument
- Found official survey B.C.
- Set 1/2" x 24" steel rebar at all prop. corners
- Found P.K. nail in center line of pavement

All bearings refer to the North line of Section 24 as being $S 89^\circ 51' 00'' W$.

This tract is subject to a 20' bldg setback from the Sterling Hwy. R/W.

All wastewater disposal systems shall comply with existing law at time of construction.

The meander line as shown is for survey computation only the property line follows the M.H.T.M. of Cook Inlet.

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Clara Louise Hatton
Clara Louise Hatton, c/o B.R. Edwards 310 K. St., Anch. AK owner

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this
19th day of June, 1978
My commission expires 10/29/79.

Thomas R. Culhane
notary public for Colorado
Thomas R. Culhane and Sharon L. Culhane
Thomas R. Culhane and Sharon L. Culhane owners
3609 Boniface Pkwy. Anch. AK.

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this
23 day of June, 1978
My commission expires 10/4/80.

Michael P. McLepe
notary public for Alaska

PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of July 11, 1977, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH
By: Philip Waring

TRACT A C.L. HATTON PROPERTY

Thomas Culhane—owner
3609 Boniface Pkwy., Anchorage, AK.

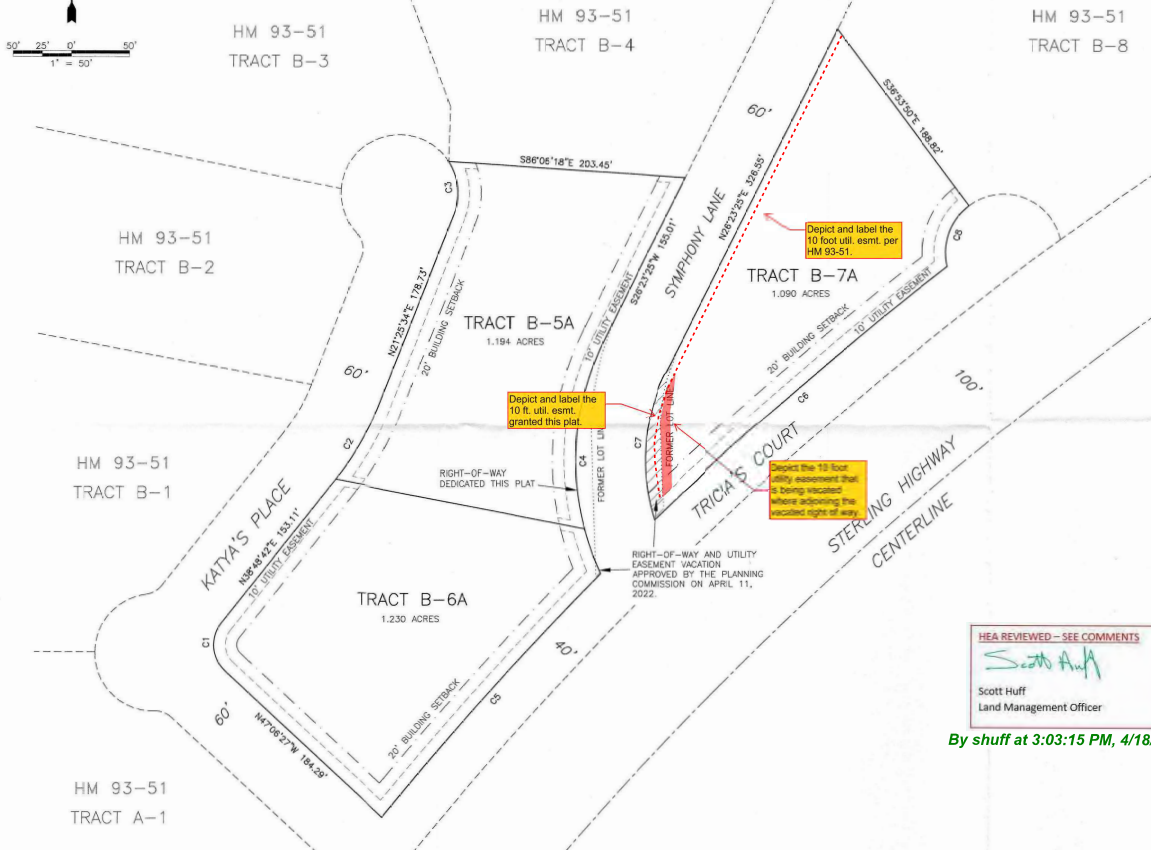
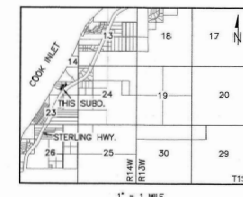
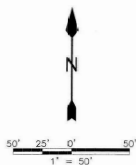
DESCRIPTION
10.001 ACRES SITUATED IN GOV'T. LOT 2
SEC. 23, T1S, R14W S.M. AK. AND THE KENAI
PENINSULA BOROUGH.

Surveyed by: McLane & Associates
Soldotna, Alaska

Date of survey 5/12/77	Scale 1" = 100'	Bk. No. 76-17
---------------------------	--------------------	------------------

78-75

RECORDED	FILED	37
Home REC. DIST.		
DATE <u>8-35-</u> 10/78		
TIME <u>2:07</u> P.M.		
Recorded by <u>KPB</u>		
Address <u>Soldotna</u>		



- NOTES**
1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' OF THE BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5' OF THE SIDE LOTS LINES IS ALSO UTILITY EASEMENT.
 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. SUBJECT TO A GENERAL EASEMENT WITH NO DEFINITE LOCATION DISCLOSED, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC AS FOUND IN BOOK 18 PAGE 30, HOMER RECORDING DISTRICT, RECORDED OCTOBER 24, 1959.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD
C1	44.99	30.00	85°55'19"	27.84	40.89
C2	69.79	230.00	17°23'08"	35.16	69.52
C3	47.50	50.00	54°25'56"	25.71	45.73
C4	206.33	230.00	51°23'56"	110.69	199.48
C5	279.68	3005.00	05°19'57"	139.94	279.58
C6	330.71	3005.00	06°18'20"	165.52	330.54
C7	130.45	170.00	43°58'05"	68.63	127.28
C8	58.35	50.00	66°51'46"	33.01	55.09

HEA REVIEWED - SEE COMMENTS
Scott Huff
Scott Huff
Land Management Officer

By Huff at 3:03:15 PM, 4/18/2022

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

BRENDA M NOONAN (TRACT B-6) KENNETH E NOONAN (TRACT B-6)
1 KOLLAR RD, WILLINGTON, CT 06279 1 KOLLAR RD, WILLINGTON, CT 06279

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

SHARI WULF (TRACT B-5)
PRESIDENT, NO MORE FYI LLC
10672 KENAI SPUR HWY, STE 112, KENAI, AK 99611

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MATHEW BYLER (TRACT B-7)
PO BOX 39308, NINILCHIK, AK 99639

NOTARY ACKNOWLEDGMENT

FOR: BRENDA M NOONAN AND KENNETH E NOONAN
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

FOR: SHARI WULF
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

FOR: MATHEW BYLER
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

WASTEWATER DISPOSAL

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 _____

KENAI PENINSULA BOROUGH

BY: _____
AUTHORIZED OFFICIAL



KPB 2022-027

KPB FILE NUMBER:	
PENINSULA SURVEYING, LLC 10535 KATINA BOULEVARD, NINILCHIK, AK 99639 (907)306-7065	
PLAT OF C.L. HATTON SUBDIVISION EAGLE'S CREST ADDITION BYLER REPLAT	
A SUBDIVISION OF TRACTS B-5, B-6, AND B-7 C.L. HATTON SUBDIVISION EAGLE'S CREST ADDITION. THIS PLAT IS ALSO FINALIZING THE VACATION OF A PORTION OF SYMPHONY LANE LOCATED WITHIN S 1/2 NE 1/4 SEC. 23, T.1S., R.14W., S.M. HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH CONTAINING 3.514 ACRES	
OWNERS: BRENDA M NOONAN AND KENNETH E NOONAN 1 KOLLAR RD, WILLINGTON, CT 06279 NO MORE FYI LLC 10672 KENAI SPUR HWY, STE 112, KENAI, AK 99611 MATHEW BYLER PO BOX 39308, NINILCHIK, AK 99639	
SCALE: 1" = 50'	DATE: APRIL 6, 2022
DRAWN: JLS	SHEET: 1 OF 1