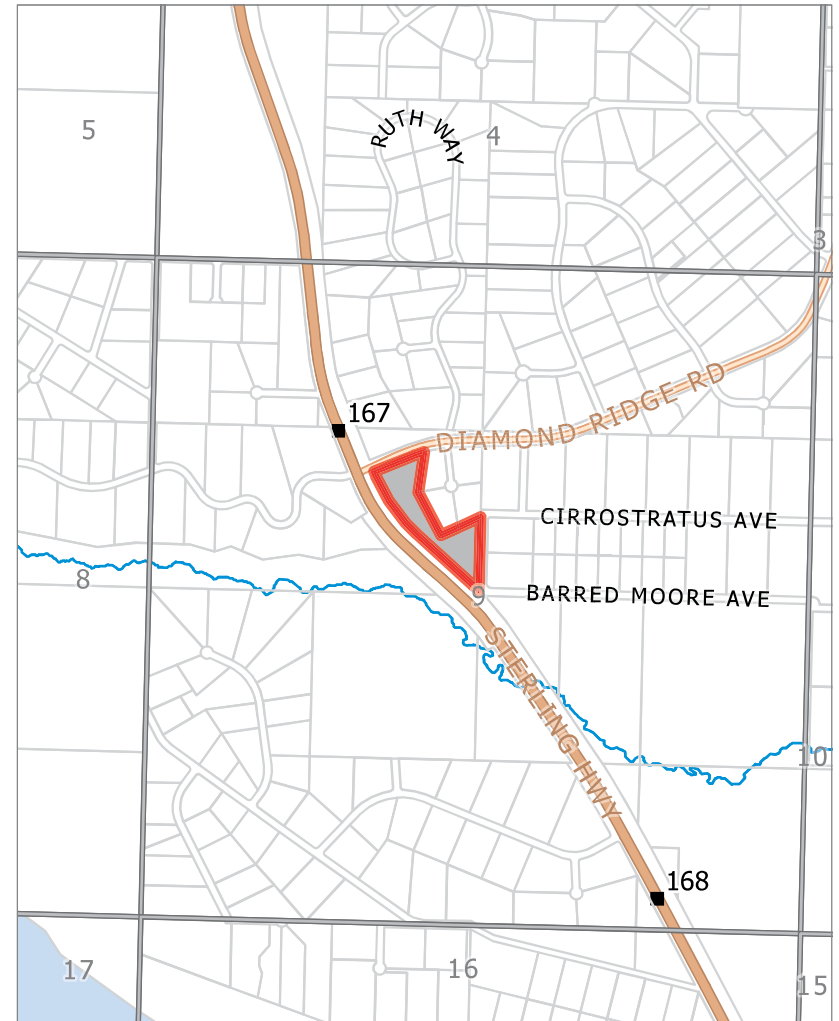


## **E. NEW BUSINESS**

- 11. Smurfy Acres 2022 Replat; KPB File 2022-080  
Geovera, LLC / Glanville  
Diamond Ridge Area / Kachemak Bay APC**



KPB File # 2022-080  
S09 T06S R14W  
Diamond Ridge







# NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HPK-V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS. OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAR" (PID 170155).

2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -11°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986666.

3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.

4. A BUILDING 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.

5. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS 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.

6. ALL WASTEWATER SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.

7. THE STERLING HIGHWAY RIGHT-OF-WAY IS PER RIGHT-OF-WAY BASEMAP RECORD OF SURVEY ALASKA PROJECT STERLING HIGHWAY, MP 157-169 REHAB - ANCHOR POINT TO BAYCREST HILL PROJECT NO. Z581050000 (HM 2018-26).

8. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY IS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.

9. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 299 HRD).

10. ORIGINAL LOT 1 IS AFFECTED BY AN EASEMENT OF RECORD FOR A 10,000 GALLON WATER TANK WITH APPURTENANCES AND ONE ACCESS SHED GRANTED TO THE KENAI PENINSULA BOROUGH (HM 2003-001927-0).

## WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES ON THE LOTS WITHIN 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 QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

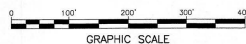
ENGINEER LICENSE # DATE

## CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	0°54'13"	1564.42'	25.38'	N 48°40'59" W	25.58'
C2	25°30'11"	1300.42'	578.83'	N 38°24'00" W	574.06'
C3	5°38'31"	1000.00'	98.47'	N 69°41'11" E	38.43'

## LINE TABLE

LINE	BEARING	DISTANCE
L1	N 23°38'54" W	28.72'
L2	N 24°53'20" W	17.00'
L3	N 0°03'08" E	47.04'



## LEGEND

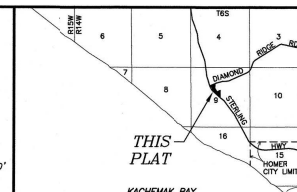
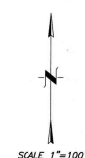
- INDICATES 3-1/4" ALUMINUM CAP MONUMENT (3686-S, 1977) RECOVERED THIS SURVEY
- INDICATES 3-1/4" ALUMINUM CAP MONUMENT (1301-S, 1978) RECOVERED THIS SURVEY
- INDICATES 2" ALCAP ON 5/8" REBAR (7538-S, 2022) SET THIS SURVEY
- INDICATES POTENTIAL LOW WET AREA PER NATIONAL WETLANDS INVENTORY MAPPING
- INDICATES AREAS WITH SLOPES GREATER THAN 20%

## PLAT APPROVAL

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

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE \_\_\_\_\_



## VICINITY MAP

SCALE: 1" = 1 MILE U.S.G.S. QUAD SELDOVA (C-5)

## CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT 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 HEREON.

JOHN GLANVILLE  
41420 STERLING HWY.  
HOMER, ALASKA 99603

LAURIE GLANVILLE  
41420 STERLING HWY.  
HOMER, ALASKA 99603

## NOTARY'S ACKNOWLEDGMENT

FOR: JOHN AND LAURIE GLANVILLE  
ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

HOMER RECORDING DISTRICT KPB FILE No. 2022-???

## SMURFY ACRES 2022 REPLAT

A REPLAT OF LOT 1  
SMURFY ACRES (HM 85-30)

LOCATED WITHIN THE SE1/4 NW1/4 SEC 9,  
T. 6 S., R. 14 W., SEWARD MERIDIAN, KENAI PENINSULA  
BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 6.952 ACRES.

OWNERS:  
JOHN AND LAURIE GLANVILLE  
41420 STERLING HWY., HOMER, ALASKA 99603

GEOVERA, LLC

PO BOX 3235

HOMER ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS DATE: JUNE 2022 SCALE: 1" = 100'  
CHK BY: SCS JOB #2022-18 SHEET 1 OF 1

KPB 2022-080

AGENDA ITEM E. NEW BUSINESS

ITEM 11 - SMURFY ACRES 2022 REPLAT

KPB File No.	2022-080
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	John and Laurie Glanville of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Sterling Highway, Diamond Ridge Road, Diamond Ridge / Kachemak APC

Parent Parcel No.:	173-310-56
Legal Description:	Lot 1 of Smurfy Acres HM 85-30
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

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STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 6.952 acre parcel into two lots that will be 2.687 and 4.265 acres.

**Location and Legal Access (existing and proposed):** The subdivision is located near mile 167 of the Sterling Highway and the western boundary is adjacent to the highway. The proposed northern lot will also front along state maintained Diamond Ridge Road, a 100 foot dedicated right-of-way. Along the eastern boundary of Lot 1-A is 60 foot wide dedicated Aviation Way that appears to be cleared but is not maintained by the borough. Aviation Way intersects the Sterling Highway at a shared intersection with Barred Moose Avenue.

There currently appear to be a developed access from Diamond Ridge Road to proposed Lot 1-B. An access is also located from the Sterling Highway near the proposed lot line. This access appears to contain developed access that will continue to proposed Lot 1-A and also provides access to proposed Lot 1-B. The location of the driveway is not shown on the plat so the true location is not known. Per KPB GIS data and imagery, it appears that the access may also cross into Lot 5, HM 85-30, that is adjacent to the property. Records indicate the lot is the same owner of the preliminary plat. As both lots have additional dedicated access the KPB Code requirements have been met. However, if the ownership of any of the lots change, the existing access may no longer be able to be used unless access or driveway easements are granted. **Staff recommends** if the owners wish to address the existing access, it should be depicted on the final plat and appropriate plat notes shall be added depending on the owners plans on moving forward.

Sterling Highway, Diamond Ridge Road, Cirrus Road, Cirrostratus Avenue, and Aviation Way define the unusually shaped block. The block is closed. The longest distances is slightly over the required block length of 1,320 feet by being approximately 1,398 feet. **Staff recommends** the plat committee concur that an exception is not required as the existing block lengths are acceptable.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Sterling Highway appears to be shown correctly.

**Site Investigation:** There are some low wet areas present and are depicted on the plat. **Staff recommends the wetland depiction remain on the final and a wetland determination plat note be added.**

Some slopes exceed the 20 percent slope and are depicted with a hatching. **Staff recommends the hatching remain on the final plat if it does not interfere with other required information.**

As discussed in the legal access there are several access ways developed. Proposed Lot 1-B has structures near the access to Diamond Ridge Road. A few other improvements appear to the south of those. The access from the Sterling Highway appears to access a large cleared area. Proposed Lot 1-A also contains numerous improvements.

An easement for the benefit of the Kenai Peninsula Borough is located in the northwest corner of the subdivision. This easement is for a water storage tank and access to the tank. This is depicted with reference to a plat note with the information provided.

Using KPB GIS imager, it appears that some improvements may be close to property lines along the Sterling Highway. Per Smurfy Acres, HM 85-30, a 20 foot setback was placed along all rights-of-way. This would include along the Sterling Highway and Diamond Ridge Road. A right-of-way project for the Sterling Highway was done in 2018 per plat note 7. If that project changed the right-of-way width in this area the building may be excluded from the 20 foot setback. **Staff recommends during the field survey determine if any permanent structures are within the 20 foot setback, if there are it will need to be determined if they will predate any existing setbacks or subject to new setbacks, if they are determined to be exempt, the buildings will need to be shown with the correct plat notes added.**

The dedication of Aviation Way occurred after the creation of the parent lot within this preliminary plat. A setback along Aviation Way has not been created. **Staff recommends the 20 foot building setback be put into place, if any existing permanent structures are in place they will require depiction and plat notes stating their exempt status must be added.**

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 objection

**Staff Analysis** The property within this preliminary plat was originally subdivided by Smurfy Acres, HM 85-30. This will be dividing the parent Lot 1 into two lots.

A soils report will be required and an engineer will sign the final plat.

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.

Kachemak Bay Advisory Planning Commission minutes were not available when the staff report was prepared (KPB

21.02.020). These will be provided with the desk packet if available.

**Utility Easements** The parent plat, Smurfy Acres HM 85-30, did not grant any platted utility easements. There is a recorded easement that is within the plat notes.

Per plat note 5, this plat will be granting utility easements within 10 feet of all rights-of-way. **Staff recommends the plat note be reworded to closer match current code and to state that the easements are being granted by this plat and that the easements be depicted if possible.**

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	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

**KPB department / agency review:**

Addressing	Reviewer: Haws, Derek Affected Addresses: 41420 STERLING HWY  Existing Street Names are Correct: Yes  List of Correct Street Names: STERLING HWY DIAMOND RIDGE RD CIRROSTRATUS AVE AVIATION WAY BARRED MOORE AVE  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: 41420 STERLING HWY will remain with lot 1-A.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.  Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

Advisory Planning Commission	Comments not received when the staff report was prepared.
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The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

## **STAFF RECOMMENDATIONS**

### **CORRECTIONS / EDITS**

#### **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.*

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
- Staff recommendation:** *Provide a width label for Glanville Circle. Provide a label for Lot 32 HM 81-08, located to the northeast. The deed parcel to the north has a preliminary design approved. A final has been submitted but not recorded at time of review. Prior to printing the mylar, verify the status of the lot to the north and update depiction and status labels as needed. Show separate lot distances along the line on Sterling Highway.*

#### **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.*

##### 20.30.240. Building setbacks.

- A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.
- A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.
- B. The setback shall be noted on the plat in the following format:  
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
- C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:  
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

**Staff recommendation:** *A setback should be put into place along Aviation Way.*

#### **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: A soils analysis report will be required and an engineer will need to sign the plat.  
Staff recommendation: comply with 20.40.*

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#### **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.

##### **20.60.180. 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.

- Per the Certificate to Plat, the property is subject to reservation of easement for highway purposes. Provide a plat note that states the different PLOs and the dates.
- Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.
- Any required notes for improvements within new setbacks or utility easements.

Update plat note 5, "The front 10 feet adjoining all rights-of-way is granted by this plat as a utility easement. No permanent...."

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#### **RECOMMENDATION:**

##### **STAFF RECOMMENDS:**

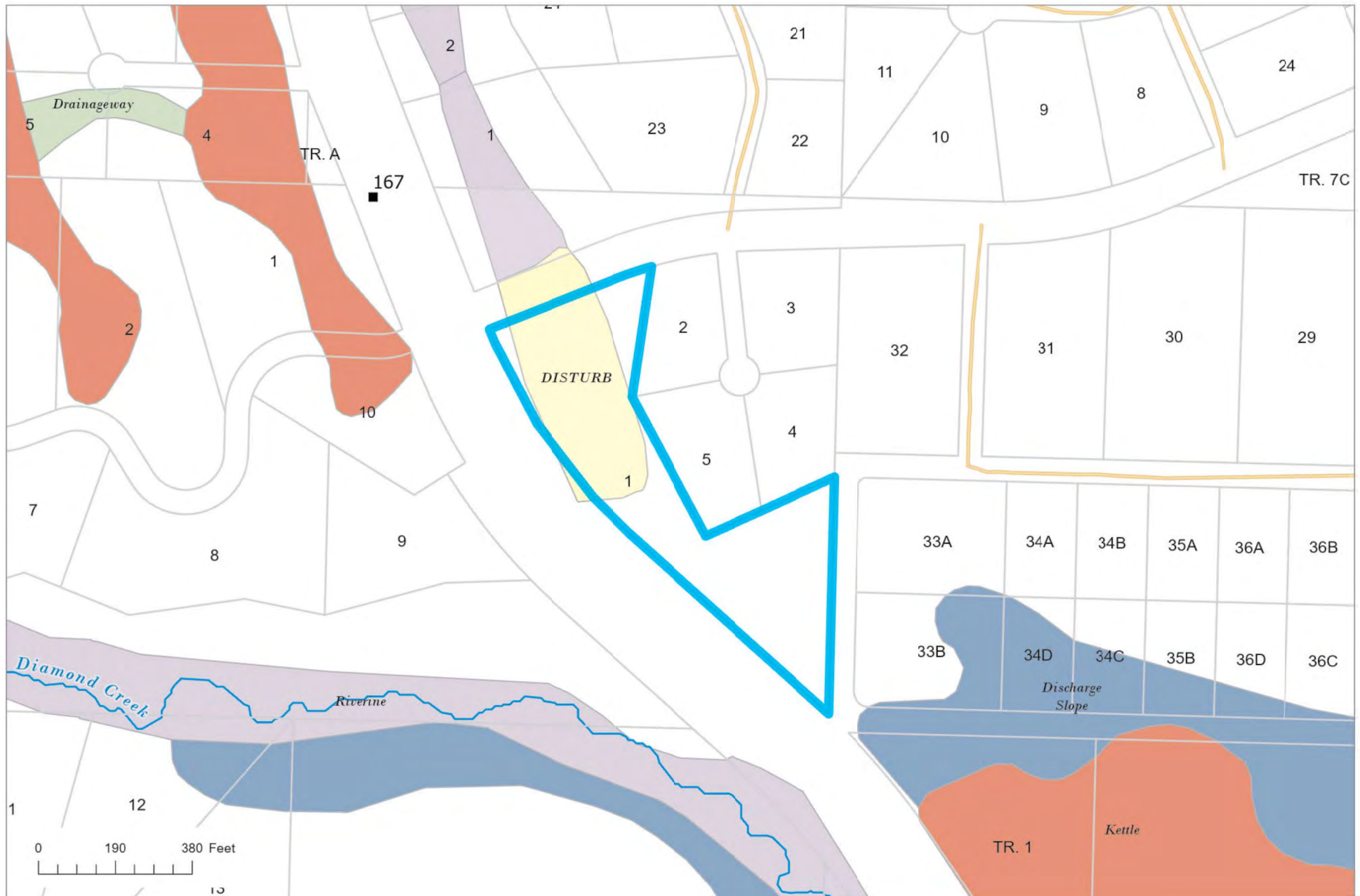
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

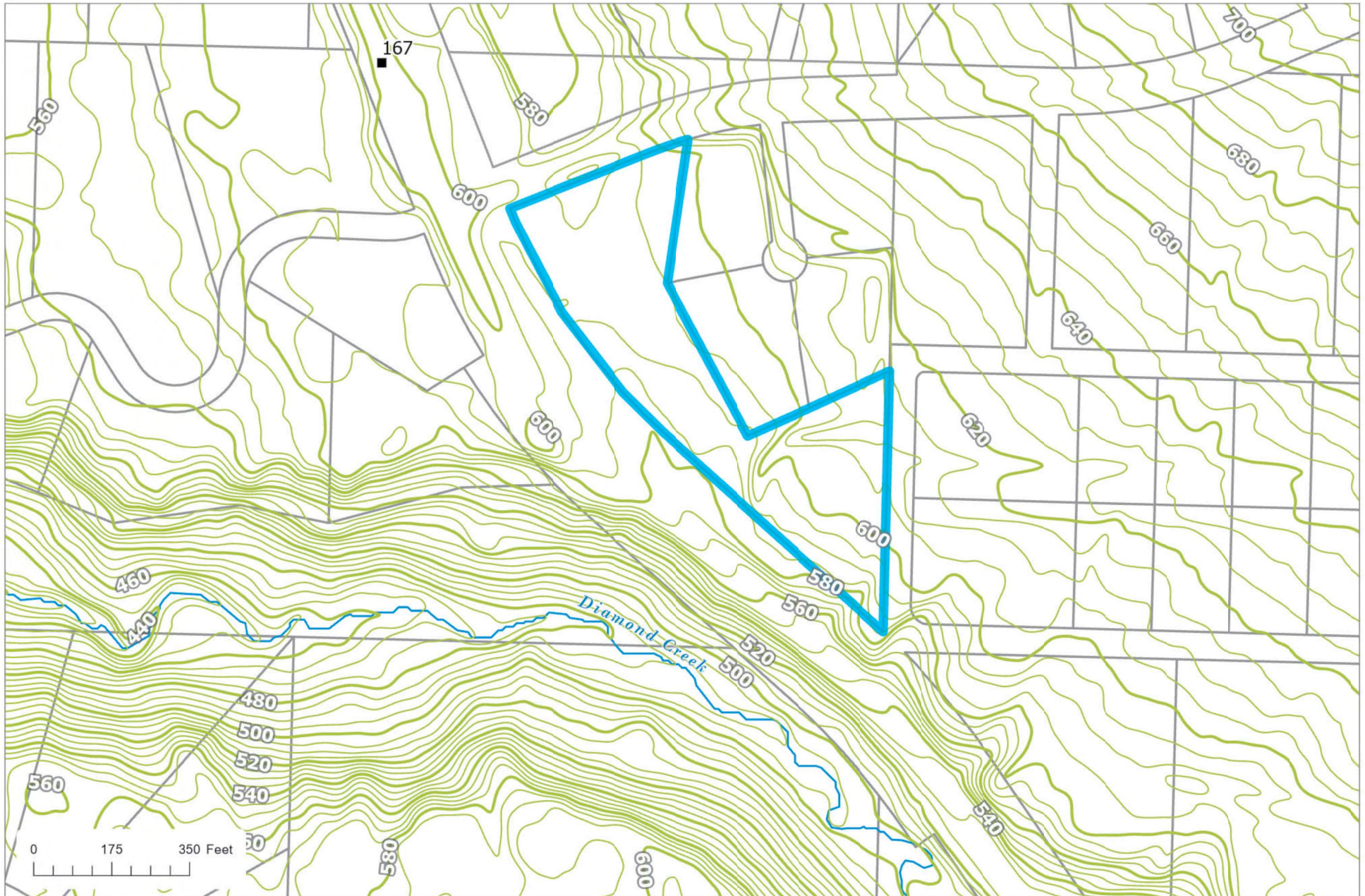
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

**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.





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UNSUBDIVIDED

SUNNY SLOPE  
SUBD.

FND. CENTER N 1/16 COR.  
1301-S, NODATE, ALUM.  
MONUMENT

C N 1/16 COR.

2499'

ROAD

O.H. POWERLINE

DIAMOND RIDGE ROAD

FND. 1/2" REBAR, 232-S, 1980

FND. CONCRETE  
R.O.W. MON.

(RECORD S 23° 42' 39" E, 26.80')  
S 23° 42' 39" E  
2635' (MEAS.)

STERLING

(RECORD L=372.12')  
L=372.12'

R=1300.5'

FND. CONCRETE  
R.O.W. MON.

LOT 1  
6.938 AC.

S 66° 40' W  
330.36'

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