

E. NEW BUSINESS

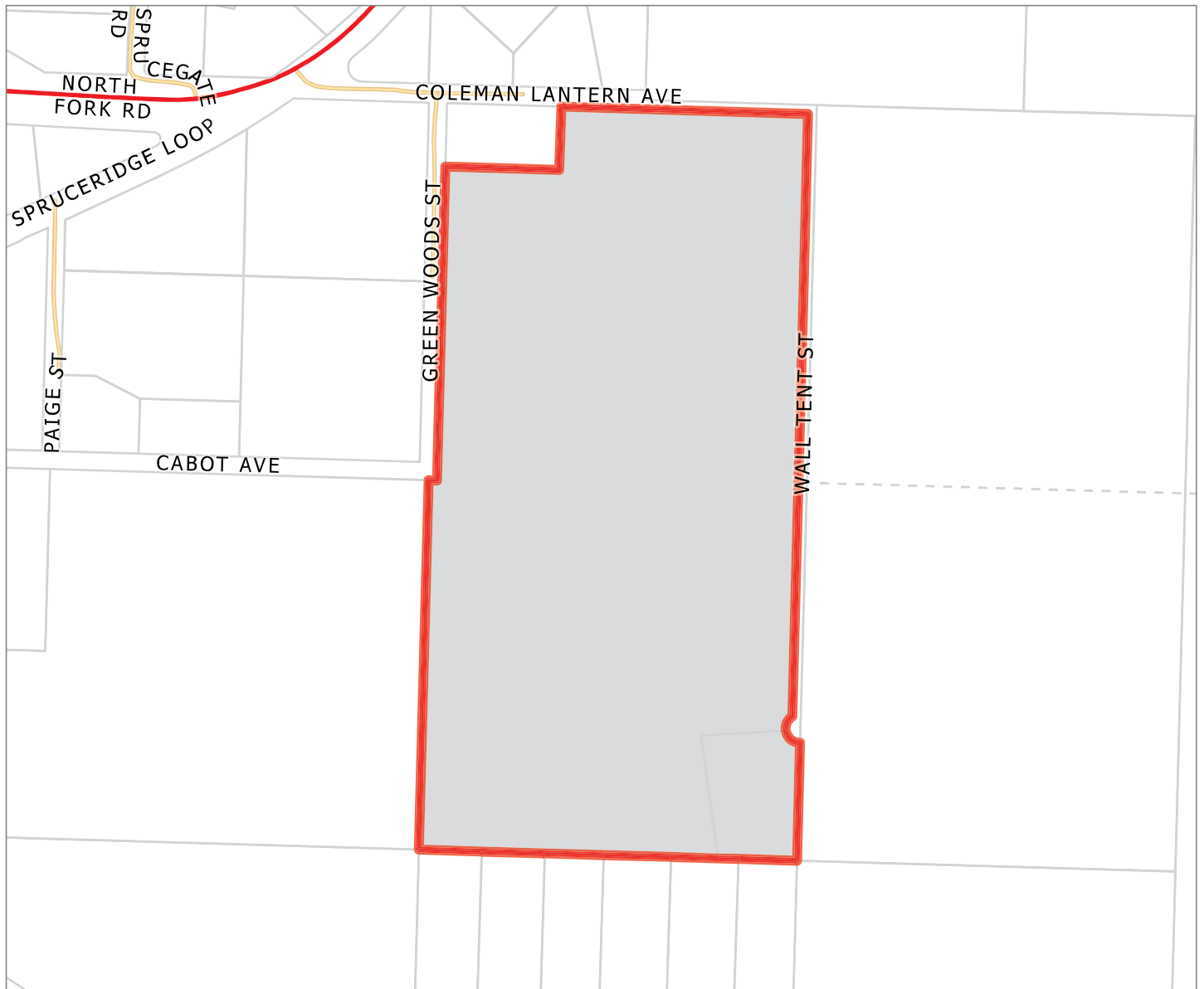
2. Butterfly Meadows No. 3; KPB File 2023-056

Orion Surveys

Don w. Bailey & Gloria Ann Bailey Living Trust, Bailey

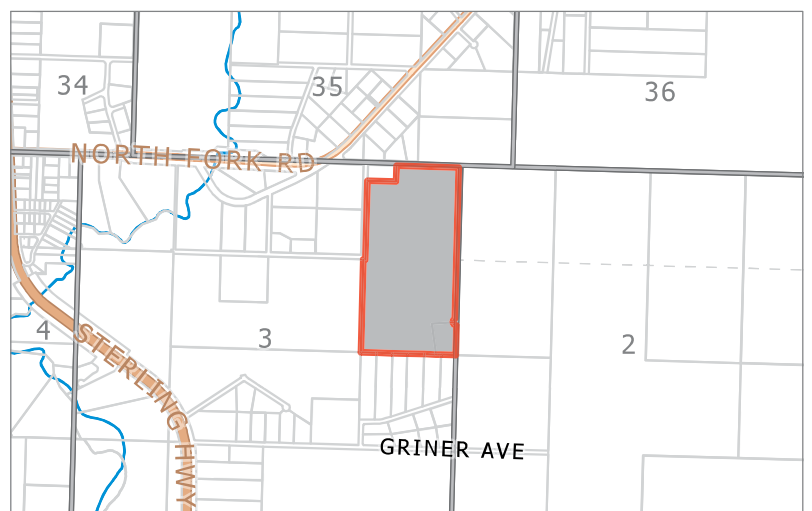
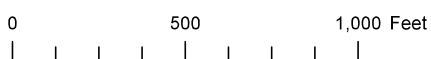
Location: Green Woods St., Coleman Lantern Ave. & Wall Tent St.

Anchor Point Area / Anchor Point APC



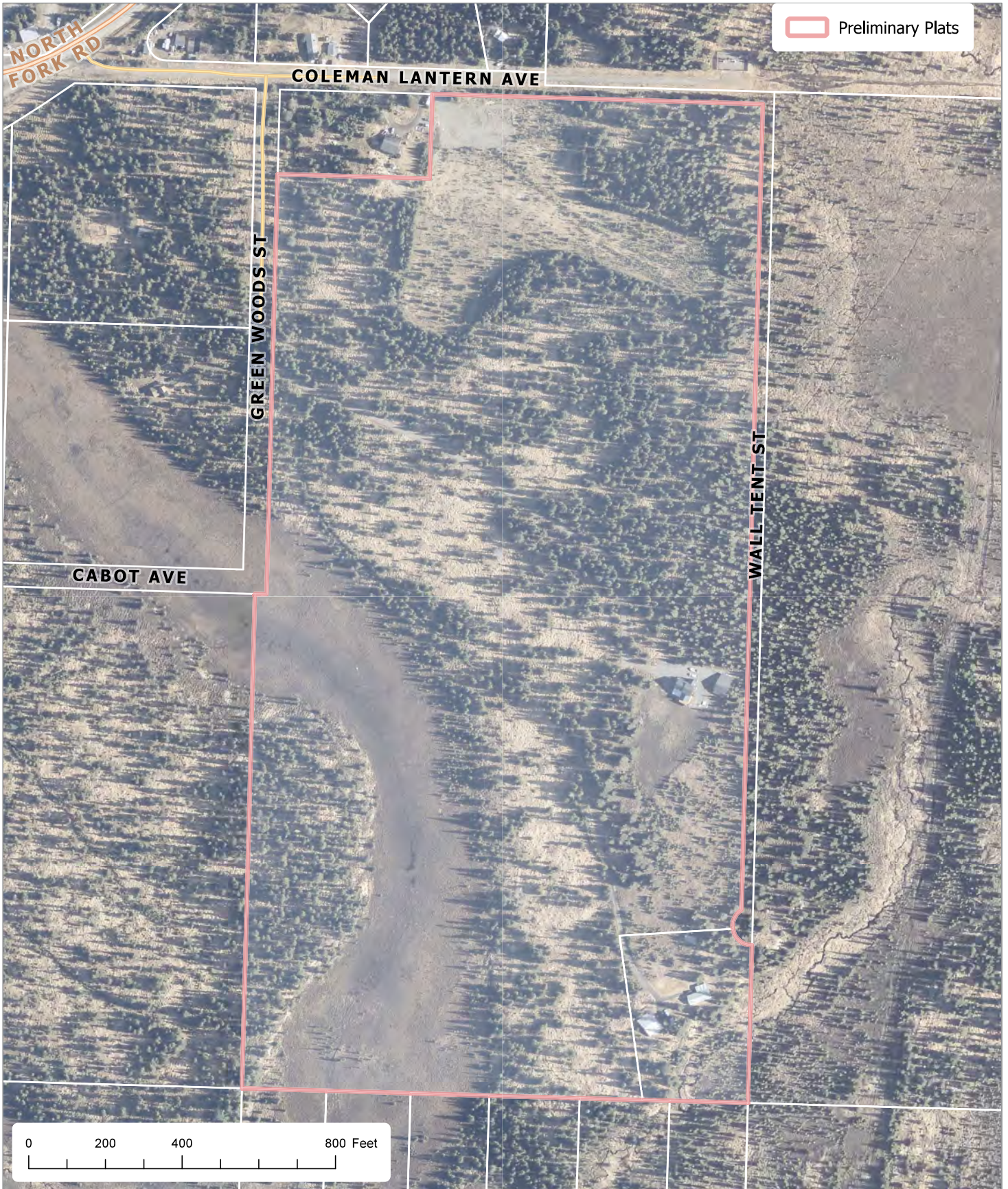
KPB File 2023-056
T 05S R 15W SEC 03
Anchor Point

5/20/2023

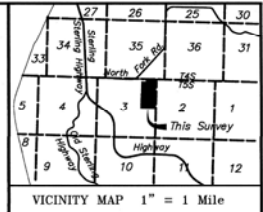
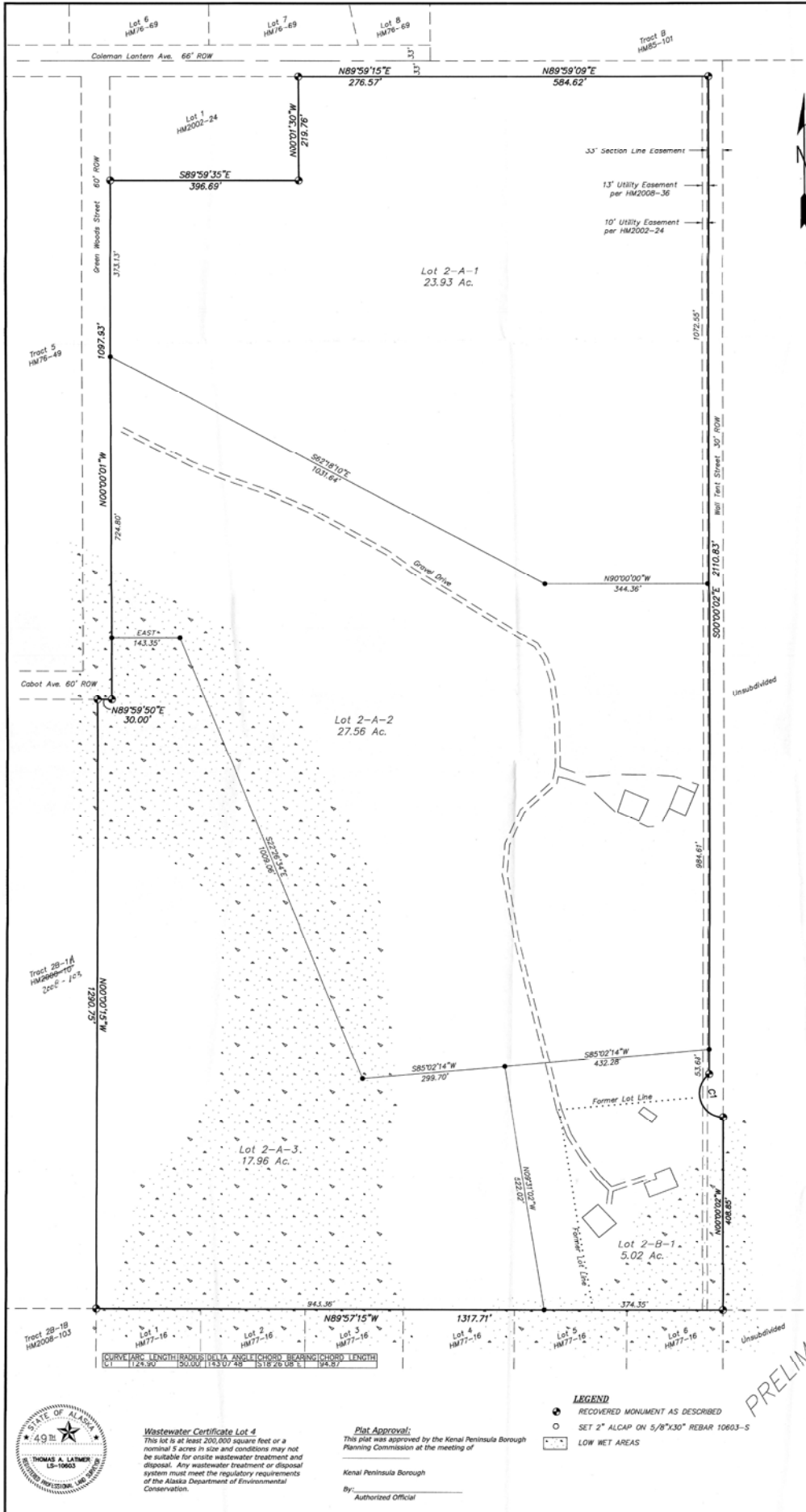




Aerial View



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.



Ownership Certificate:
 We hereby certify that we are the owners of the real property shown and described herein and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Don W. Bailey Date
 For the Don W. and Gloria Ann Bailey Living Trust
 PO Box 416
 Anchor Point, AK 99556

Notary's Acknowledgment:
 For
 Acknowledged before me this ___ day of ___
 20__

Notary Public for Alaska
 My commission expires: _____

Von R. Bailey Date
 PO Box 404
 Anchor Point, AK 99556

Notary's Acknowledgment:
 For
 Acknowledged before me this ___ day of ___
 20__

Notary Public for Alaska
 My commission expires: _____

Joanne Bailey Date
 PO Box 404
 Anchor Point, AK 99556

Notary's Acknowledgment:
 For
 Acknowledged before me this ___ day of ___
 20__

Notary Public for Alaska
 My commission expires: _____

- 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 15' and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
 2. Per KPB 21.40.160 lots in this subdivision are subject to the zoning restrictions of the "North Fork Deer" Zoning District (KPB Ordinance 99-54)
 3. The creek in the S.E. corner of Lot 2-B-1 may be subject to inundation during floods.
 4. There is a general easement for electric lines and system to Homer Electric Association Inc. recorded in Bk. 28 Pg. 418 H.A.B. (No location given)
 5. This subdivision may be subject to several Oil and Gas leases and assignments of leases recorded in Bk. 11 Pg. 64, Bk. 21 Pg 317, Bk. 104 Pg. 353, Bk. 274 Pg. 685, Bk. 303 Pg. 308, Bk. 310 Pg. 795, and Bk. 310 Pg. 805.
 6. Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
 7. A private Ingress/Egress easement recorded as 2009-004616 may affect this subdivision.



Wastewater Certificate Lot 4
 This site is at least 200,000 square feet or a 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.

Plat Approval:
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
 Kenai Peninsula Borough
 By: _____
 Authorized Official

- LEGEND**
- RECOVERED MONUMENT AS DESCRIBED
 - SET 2" ALCAP ON 5/8"x30" REBAR 10603-S
 - ▨ LOW WET AREAS

PRELIMINARY

BUTTERFLY MEADOWS No. 3
 A subdivision of Lots 2-A and 2-B,
 Butterfly Meadows No. 2 HM2008-36
 Within E1/2 NE1/4, Section 3
 T5S, R15W, S4M,
 Kenai Peninsula Borough,
 Homer Recording District, Third Judicial District, Alaska
 Containing 76.019 Acres

Prepared for: Don & Gloria Ann Bailey PO Box 416 Anchor Point AK 99556	Prepared by: Orion Surveys PO Box 15025 36570 Maria Road Fritz Creek, AK 99603 (907) 399-7028 bam@orionsurveys.com
Von and Joanne Bailey PO Box 404 Anchor Point, AK 99556	Date: 12/1/2022
Scale: 1"=100'	PL: J05# 955
	KPB File No.:

KPB 2023-056

AGENDA ITEM E. NEW BUSINESS

ITEM #2 - BUTTERFLY MEADOWS NO 3

KPB File No.	2023-056
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	The Don W. Bailey and Gloria Ann Bailey Living Trust of Anchor Point, Alaska Von and Joanne Bailey of Anchor Point, Alaska
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Green Woods Street, Coleman Lantern Avenue, and Wall Tent Street, Anchor Point Area / Anchor Point APC

Parent Parcel No.:	169-190-30 and 169-190-31
Legal Description:	Lots 2-A and 2-B, Butterfly Meadows No 2, Plat HM 2008-36
Assessing Use:	Residential
Zoning:	Single-family Dwellings (R-1), North Fork One LOZD
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure two lots into four lots ranging in size from 5.02 acres to up to 27.56 acres.

Location and Legal Access (existing and proposed):

Coleman Lantern Avenue, previously named Anchor Point Avenue, is a 66-foot-wide right-of-way atop of a section line easement along the northern boundary of the subdivision. A portion of Coleman Lantern Avenue is borough maintained, but maintenance ends in front of the adjacent Lot 1 Butterfly Meadows HM 2002-24. The parent plat, Butterfly Meadows HM 2002-24, granted a matching 33 feet to Trident Subdivision HM 76-69 33 foot dedication, to complete the full 66 foot right-of-way.

Green Woods Street is a 60-foot-wide dedication along the west boundary. Green Woods Street is partially constructed and borough maintained. Green Woods Street was originally half dedicated from Spruceridge Subdivision HM 76-49 for 1320 feet. Butterfly Meadows HM 2002-24 granted a matching 30 feet for the total width of 60 feet. An exception for KPB 20.30.030 Proposed Street Layout has been requested to not continue the dedication of Green Woods Street.

Wall Tent Street is a 30-foot-wide half dedication ending in a cul-de-sac on the east boundary. Butterfly Meadows No 2 HM 2008-36 dedicated Wall Tent Street atop a 66-foot-wide section line easement. When the adjacent parcel subdivides, the owners will be required to provide a matching dedication for a full 60 feet.

There is a 33-foot section line easement along the east line of the plat that still affects Lot 2-B-1 and 3 feet of Lots 2-A-1 and 2-A-2.

The block length is not compliant. Due to wetlands, and large parcels in the area. An exception for KPB 20.30.170 Block Length has been requested.

There is currently a private easement for the benefit of Lot 2-B Butterfly Meadows No 2 HM 2008-36. It was recorded in the Homer Recording District under serial number 2009-004616-0. The correct plat note is shown.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott
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	Comments: Lot 2-B-1 will continue to be stranded without full ROW dedication and accessed only through private drive. ROW access for lot 2-A-3 is centered on an area noted as a "drainage way".
SOA DOT comments	No comments - Engineering

Site Investigation:

Both existing lots have structures built on them.

From KPB imagery and the submitted preliminary design the structures within proposed Lot 2-A-2 one of the structures was built in 2011 after Butterfly Meadows No 2 HM 2008-36 was filed. This building could possibly be in the building setback that was granted on Butterfly Meadows No. 2 HM 2008-36. **Staff recommends: the surveyor determine if the building's location and if subject to the 20 foot setback, if so, the surveyor should submit in writing how encroachment will be addressed.**

The majority of the subdivision is flat lying east of the drainageway running through it starting near Green Woods Street. There are some steep slopes on the western side of the plat that need shown. **Staff recommends: the steep slopes be indicated on the final with a top and toe shown.**

There are large areas classified by the Kenai Watershed Forum within the subdivision. The two classifications found are Drainageway and Riverine and can be seen on the Wetland Map provided.

The subdivision is designated in FEMA Flood Hazard Zone D, which is an area of undetermined flood hazard.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: D Map Panel: 02122C-1895E In Floodway: False Floodway Panel:
	B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldridge
	C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	No objections

Staff Analysis the land was originally divided by Butterfly Meadows HM 2002-24 from the E1/2 of the NE1/4 of Sec 3, T5S, R15W, SM, Third Judicial District, Alaska

Lot 2 of Butterfly Meadows HM 2002-24 was subdivided again by Butterfly Meadows No 2 HM 2008-36 which created the current configurations of the lots.

Current Lot 2-B had a soils report done and is on file with the borough. Per KPB Code 20.40.020(A1B and A2) Lot 2-B is increasing in size and a new soils report will not be required.

A soils report will not be required for Lots 2-A-1, 2-A-2 or 2-A-3 as they are over 200,000 sq ft.

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.

Anchor Point 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.

This subdivision is subject to the North Fork One Local Option Zoning District (LOZD). The Planner has reviewed the preliminary design and determined the plat complies with zoning. His comments can also be found in this report.

Utility Easements there is a 10 foot utility easement from the previous plat Butterfly Meadow No. 2 HM 2008-36 to be carried forward and to be shown along all rights-of-way.

There is also a 20 foot building setback line from the previous plat Butterfly Meadow No. 2 HM 2008-36 to be carried forward and to be shown along all rights-of-way.

Staff recommends both the utility easement and the setback either be shown on the plat or a typical detail of them be added to reduce congestion on the plat.

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	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 34186 GREEN WOOD ST, 34184 GREEN WOODS ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: CABOT AVE, GREEN WOODS ST, COLEMAN LANTERN AVE, WALL TENT ST.</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: ASSIGNED ADDRESSES WILL REMAIN WITH RESPECTIVE LOTS</p>
Code Compliance	Reviewer: Ogren, Eric

	Comments: No comments
Planner	<p>Reviewer: Raidmae, Ryan Located Within an LOZD LOZD Name: North Fork One LOZD Comments: This proposed plat is located within the North Fork One Local Option Zoning District. The zoning designation for this property is Single-Family Dwellings (R-1). The proposed plat meets the requirements of the R-1 District. The new parcels will continue to be subject to the land use regulations contained in KPB 21.44 generally, and specifically KPB 21.44.160.</p> <p>Conditional Land Use Permit CLUP Resolution Number: 2018-22 CLUP Approval Date: 7/16/2018 Material Site Comments: An existing CLUP is located on the adjacent parcel 169-190-32, which is directly West of the parcel in question.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>
Anchor Point Advisory Planning Commission	

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add distance on line in northwest corner of Lot 2-A-3

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

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: *The owners name should reflect what is on the deeds and certificate to plat.*

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

Staff recommendation: *Please correct any overstrikes. Please depict all ranges within the vicinity.*

- 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: *There are missing block designations in the subdivisions to the north and south. To the northwest there are two tracts created by HM 76-49 needing to be shown. To the southwest the labeling needs corrected.*

- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

Staff recommendation: *Please determine if the structure within proposed lot 2-A-2 is encroaching and subject to the building setback. If it is found the structure is encroaching in the building setback, please detail in writing how the encroachment will be addressed.*

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.

- D. 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: *if depiction of the building setback interferes with data, please provide a typical description.*

- 20.30.290. Anadromous Waters Habitat Protection District. If any portion of a subdivision or replat is located within an anadromous waters habitat protection district, the plat shall contain the following note:

ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

Platting Staff Comments:

Staff recommendation: *comply with 20.30.290.*

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: the note will need to be updated to "Lots which are at least 200,000 square feet in size 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."

Staff recommendation: Remove Lot 4 from the note and 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.

20.60.110. Dimensional data required.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: comply with 20.60.110.

On the east line, the distance shown is 0.43 feet longer than the previous plat. Surveyor should verify in field the data shown on parent plat Butterfly Meadows No. 2 HM 2008-36 Detail A and reference to Plat Southeast Forty HM 85-101 and Detail A as shown and use information to best of surveyor's knowledge.

20.60.150. Utility easements.

A. The utility easements approved by the planning commission shall be clearly shown on the final plat in dimensioned graphic form or as a note.

B. The following note shall be shown on the final plat:

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.

Staff recommendation: 33 foot Section Line Easement should be labeled in Lot 2-B-1 and comply with 20.60.150.

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.

If the travel way shown on the plat is a private drive, staff suggests the following note be placed on the final plat to avoid confusion about public use in the future: Private road shown is for use of owners only and is not dedicated to public use.

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 Proposed Street Layout and KPB 20.30.170 Block Length

Surveyor's Discussion: For the extension of Green Woods Street. Access to Lot 2B-1A that does not require crossing wetlands exists via Paige Street and Cabot Avenue. The access we propose to Lot 2-A-3 would be a small driveway rather than a borough standard road. We propose Lot 2-A-3 with the knowledge that a crossing of the wetlands may not be able to be permitted. If that determination can't be made before the final plat we will hold back

the creating of Lot 2-A-3 for a Phase 2 of the plat in the future. Due to wetland and creeks it appears the block cannot be extended south. The lot to the east is owned by the owners of this subdivision and is not planned for development. All lots in this subdivision and surrounding area appear well served by the existing dedications

Staff Discussion: Staff grouped the exceptions together. If the Planning Commission wishes to address the exceptions or the portions of the right-of-way exceptions separately this may be done by making separate motions.

Findings:

1. There are large wetland areas that make a road difficult to develop.
2. Large parcels in the area could provide better location for dedications as owners subdivide.
3. Per KPB GIS contour information, south of the wetland is a steep slope.
4. Each parcel within the subdivision, and the adjacent parcels, will front on a dedicated right of way.
5. A matching dedication for Wall Tent Street in the future will improve the block.
6. Large parcels in the area will provide dedications in future subdivisions.
7. Habitat Protection District has limited the locations of constructible and permissible rights-of-ways.
8. A matching dedication for Wall Tent Street in the future will improve the block
9. A dedication extending Green Woods Street would encounter low wet areas.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 2-6, 8 and 9 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1, 2, 3, 7 and 9 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1, 2, 4-6 and 8 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Staff reviewed the exception request and recommends granting approval.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, 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

Orion Surveys
PO Box 15025
Fritz Creek, AK 99603

May 31, 2023,

Planning Staff,
KPB Planning Department
144 N. Binkley,
Soldotna, AK 99669

Re: Butterfly Meadows No. 3, Preliminary Plat submittal additional information

Staff,

We would like to clarify the request for exception to KPB 20.30.030 Proposed Street Layout, for the extension of Green Woods Street. There are some steep slopes along the edges of the wetland near the southern extent of the current dedication of Greenwood St. A direct extension of Greenwood St. would encounter an even larger steep slope at the south edge of the wetlands.

We propose to access Lot 2-A-3 with a driveway from Greenwood St. that will be able to traverse the edges of the wetlands at more opportune spots with less ground disturbance.

Please contact me if you have any questions.

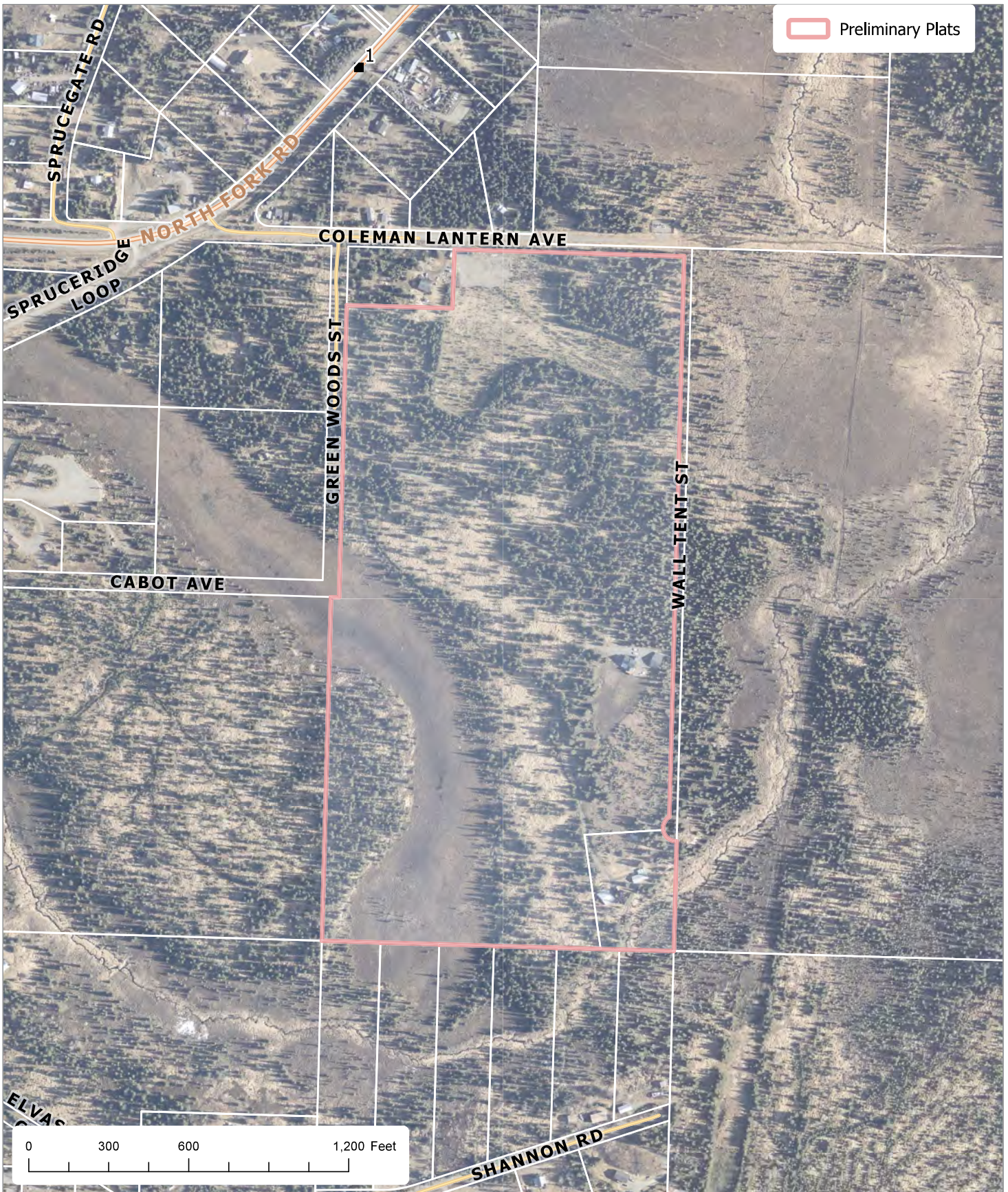
Sincerely



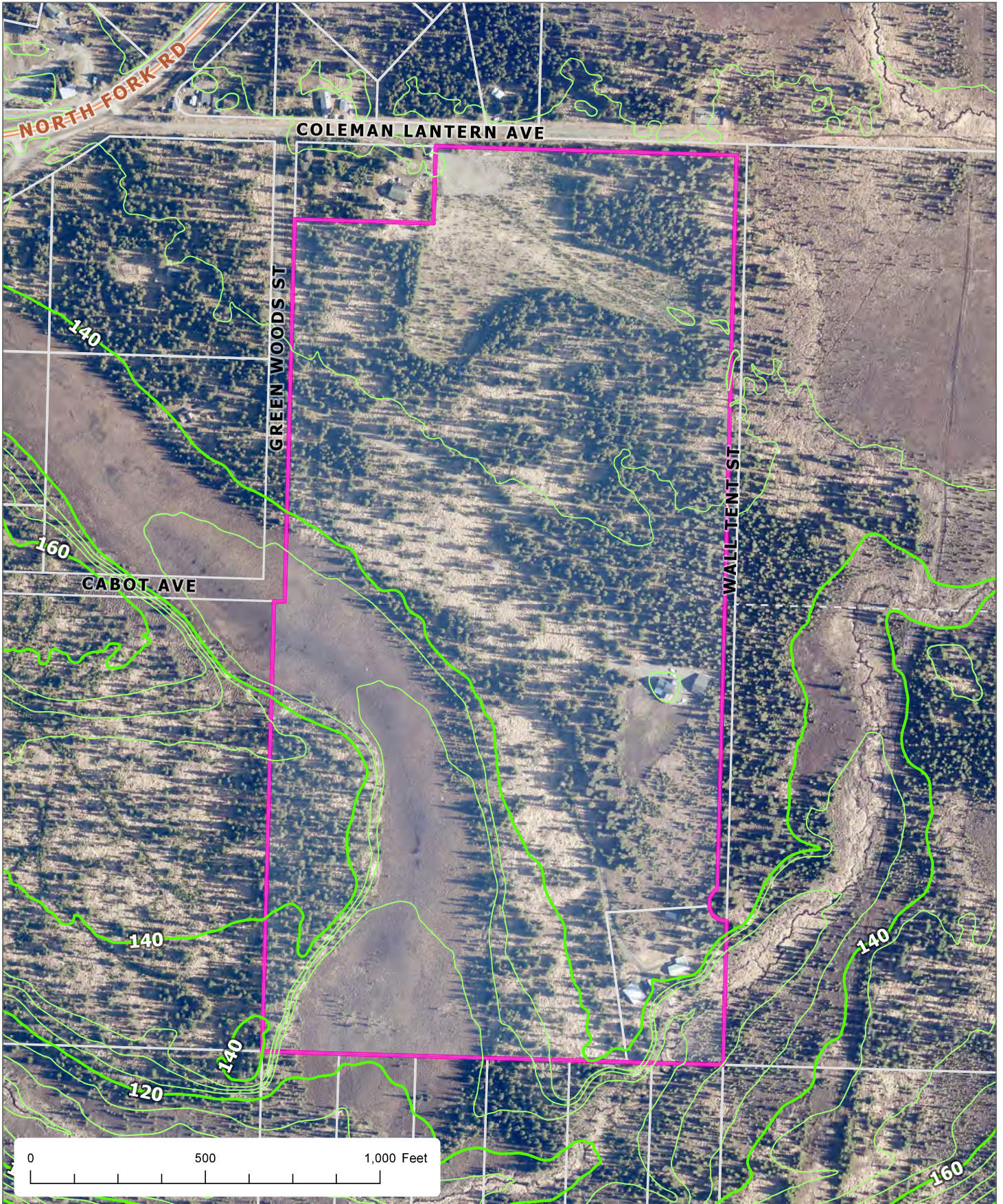
Tom Latimer, PLS



Aerial View



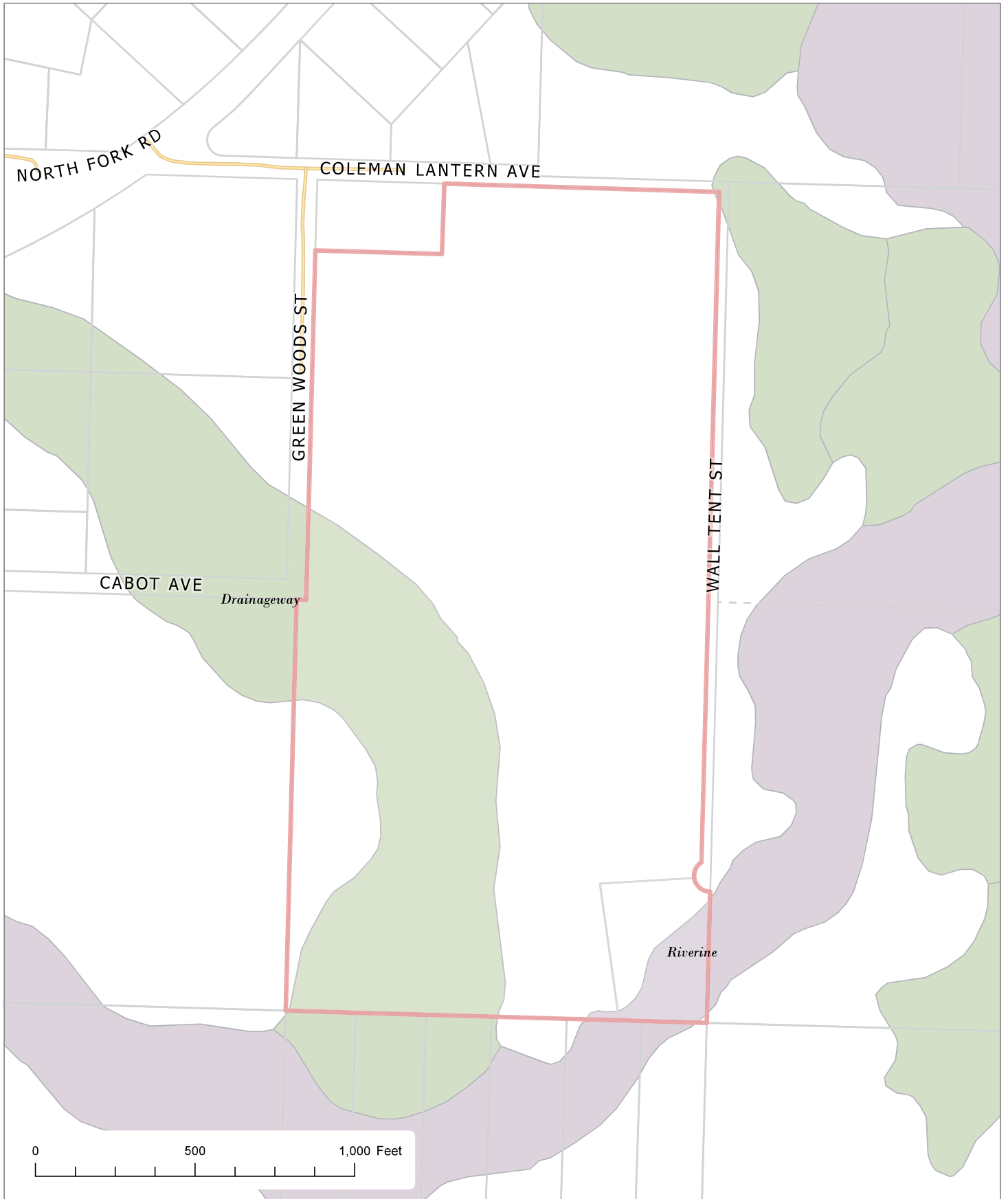
The information depicted herein is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



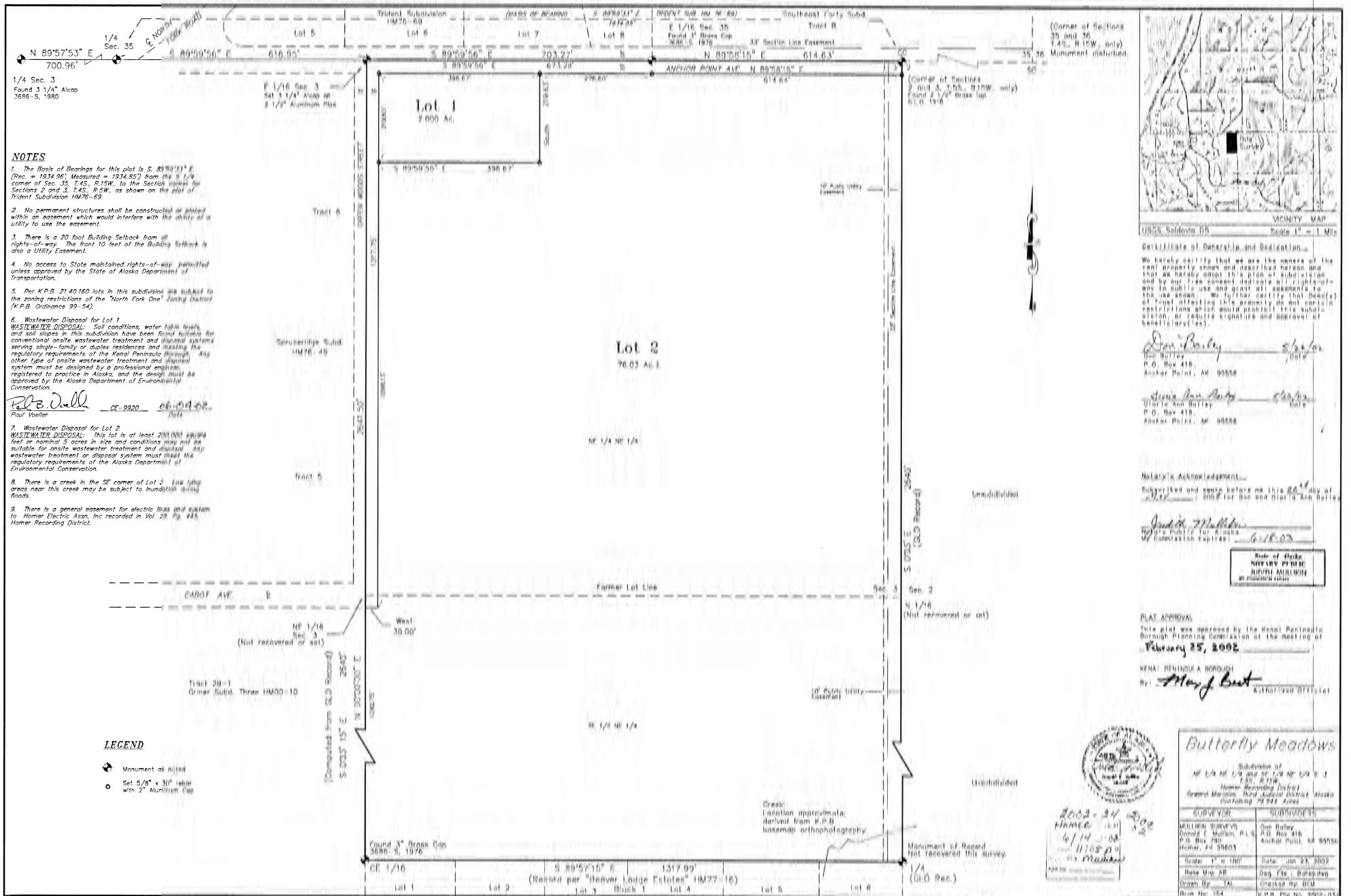
The information depicted herein is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Wetlands



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.



1/4 Sec. 3
Found 3 1/4" Alcop
3686-S, 1980

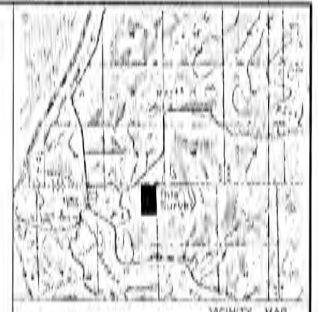
NOTES

- The Basis of Bearings for this plat is S. 89°57'15" E (Rec. = 1934.96', Measured = 1934.95') from the 1/4 corner of Sec. 35, T.4S., R.15W., to the Section corner of Sections 2 and 3, T.4S., R.15W., as shown on the plat of Trident Subdivision HM76-69.
- No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- There is a 20 foot Building Setback from all rights-of-way. The front 10 feet of the Building Setback is also a Utility Easement.
- No access to State maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- Per K.P.B. 21.40.160 lots in this subdivision are subject to the zoning restrictions of the North Fork One Zoning District (K.P.B. Ordinance 99-54).
- Wastewater Disposal for Lot 1
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 for Lot 2
WASTEWATER DISPOSAL: This lot is at least 200,000 square feet or nominal 3 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.
- There is a creek in the SE corner of Lot 2. Low lying areas near this creek may be subject to inundation during floods.
- There is a general easement for electric lines and system to Homer Electric Assn. Inc recorded in Vol. 28, Pg. 448, Homer Recording District.

Paul Voelter
Paul Voelter
CE-9920
66-01-01-01
Notary Public

LEGEND

- Monument as shown
- Set 5/8" x 3/8" rebar with 2" Aluminum flag



VICINITY MAP
Scale 1" = 1 Mile
USGS Satellite DS

Certificate of Ownership and Dedication

We hereby certify that we are the owners of the real property shown and described herein and that we hereby grant to a portion of subdivision and by our free consent dedicate all rights we have in public use and grant all easements to the use shown. We further certify that (Delete) of trust affecting this property do not contain restrictions on or would prohibit this subdivision, or require signature and approval of beneficiary(ies).

Don Bailey Date
Don Bailey
P.O. Box 418
Anchor Point, AK 99558

Glenn Ann Bailey Date
Glenn Ann Bailey
P.O. Box 418
Anchor Point, AK 99558

Notary's Acknowledgement

Subscribed and sworn before me this 24th day of April, 2002 for Don and Glenn Ann Bailey.

Janet M. Miller
Notary Public for Alaska
My Commission expires: 6-18-03



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of February 25, 2002.

KENAI PENINSULA BOROUGH

By: *Mary Butt* Authorized Official

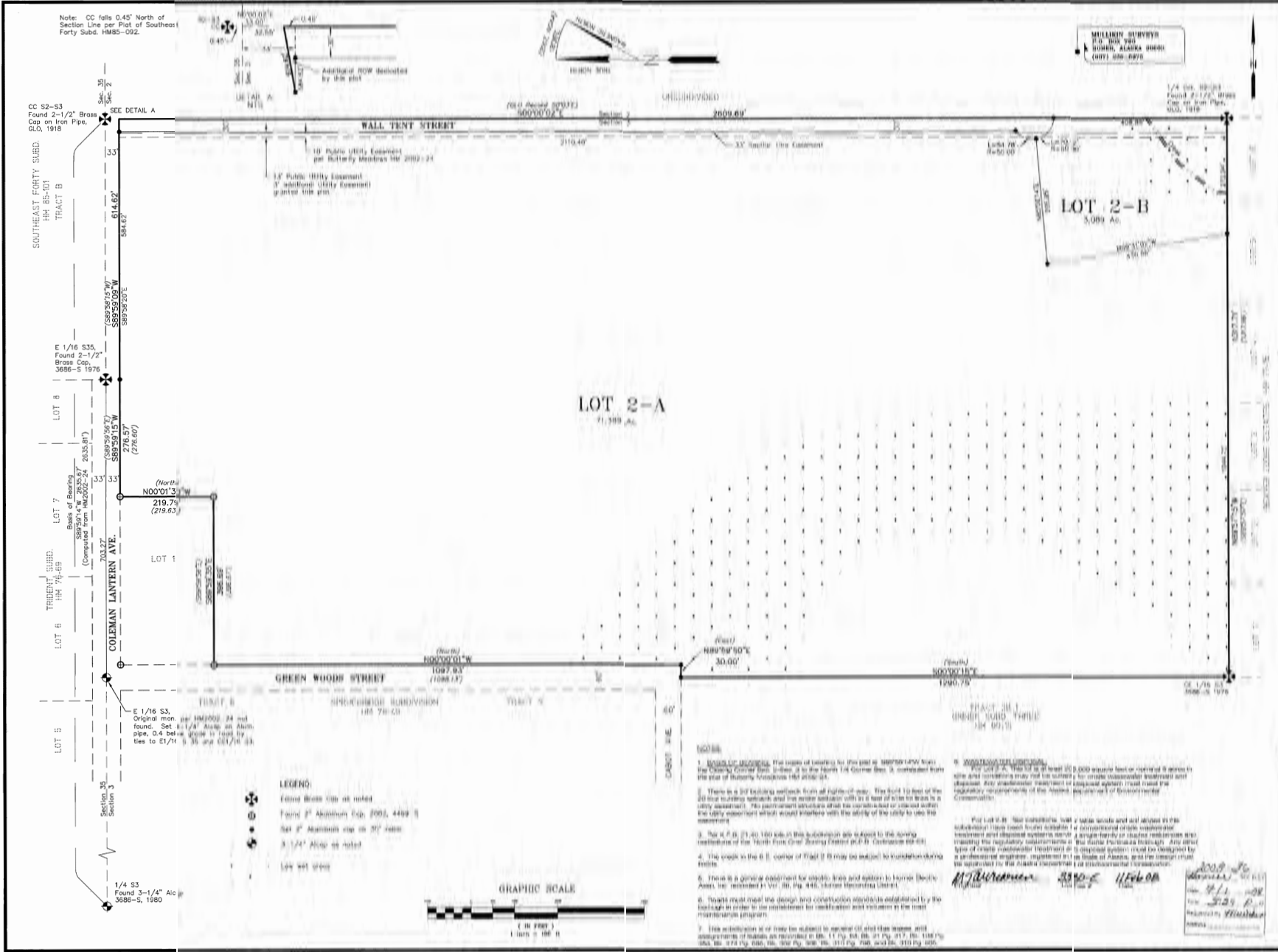


Butterfly Meadows

Subdivision of NE 1/4 NE 1/4 and SE 1/4 NE 1/4 S 1 T.4S., R.15W.
Homer Recording District
General Meritum, Third Judicial District, Alaska containing 76.941 Acres

SUBDIVISION	SUBDIVISION #
MILLIKEN SURVEY	Don Bailey
Donna E. Miller, R.L.P.	P.O. Box 418
P.O. Box 290	Anchor Point, AK 99558
Homer, AK 99603	
Scale: 1" = 100'	Date: Jan 23, 2002
Base Map: AR	Proj. File: D:\map\plan
Drawn By: AL	Checked by: DIM
Sheet No. 154	K.P.B. Plat No. 2002-034

2002-34
Home
4/14/02
11:05 PM
M. Miller



Note: CC falls 0.45' North of Section Line per Plat of Southeast Forty Subd. HM85-092.

MULLER SURVEY
 P.D. BOX 740
 ANCHORAGE, ALASKA 99508
 (907) 586-1895



UNDESIGNED AND UNIMPROVED
 The undersigned hereby certifies that all the corners of the real property shown and identified herein and that on hereby shown have been set and marked and that all the corners are in accordance with the original survey and that all the corners are in accordance with the original survey.

NOTICE OF ACKNOWLEDGMENT
 For David G. Bailey
 Registered and active before the State of Alaska
 License No. 416
 Anchor Point, AK 99506

NOTICE OF ACKNOWLEDGMENT
 For George Ann Bailey
 Registered and active before the State of Alaska
 License No. 416
 Anchor Point, AK 99506

PLAT APPROVAL
 This plat was approved by the ANCHORAGE PLANNING DEPARTMENT
 Planning Commission at the meeting of APRIL 27, 2007

UNDESIGNED AND UNIMPROVED
 The undersigned hereby certifies that all the corners of the real property shown and identified herein and that on hereby shown have been set and marked and that all the corners are in accordance with the original survey and that all the corners are in accordance with the original survey.

Date: 12/19/07
 Signature: [Signature]
 David E. Muller
 Professional Land Surveyor



BUTTERFLY MEADOWS No. 2
 A subdivision of Lot 2
 Butterfly Meadows Subdivision (M 3002-24,
 located within the E 1/2 NE 1/4 Section 3,
 T8S, R16W, Seward Meridian,
 Homer Recording District,
 Third Judicial District, Alaska,
 Kenai Peninsula Borough
 Containing 76,019 Acres,
 creating Lots 2-A and 2-B

SURVEY FOR	CLIENT
Muller Surveys P.O. Box 740 Anchorage, AK 99508	Don Bailey P.O. Box 416 Anchor Point, AK 99506
Drawn By: <u>DL</u>	Scale: 1" = 100'
Date: <u>June 22, 2007</u>	File: <u>Butterfly-24</u>
Checked By: <u>DEM, JAM</u>	Sheet No: <u>1/4</u>
S.P.D. File: 0007-210	

- LEGEND:**
- Found Brass (if not noted)
 - Found 2" Aluminum Cap (200, 449, 5)
 - Set 2" Aluminum cap on 3/2" stake
 - 3/4" Alcap as noted
 - Lot 2-A

