


Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Peter A. Micciche Borough Mayor

FROM: Robert Ruffner, Planning Director 

DATE: November 14, 2023

RE: Right-Of-Way Vacation KPB File 2023-115V: Jake Estates Subdivision Salmon Nest Addition,
Vacating a Portion of Paulk Avenue & Associated Utility Easements

In accordance with AS 29.40.140, no vacation of a borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of November 13, 2023 the Kenai Peninsula Borough Planning Commission granted approval of the above proposed vacation by unanimous vote based on the means of evaluating public necessity established by KPB 20.65 (8-Yes, 1-Absent). The petitioner is being sent to you for your consideration and action.

A draft copy of the unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

- November 13, 2023 Draft PC Minutes
- November 13, 2023 Meeting Packet Materials
- Petition Form

Vice-Chair Gillham open the item for public comment.

James Hall, McLane Consulting Group; P.O. Box 468, Soldotna, AK 99669: Mr. Hall was the surveyor on this project and made himself available for any questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Staggs to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations and subject to the six conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
Absent - 1	Brantley

**ITEM #3 - RIGHT OF WAY VACATION
VACATE A PORTION PAULK AVENUE AND ASSOCIATED UTILITY EASEMENTS**

KPB File No.	2023-115V
Planning Commission Meeting:	November 13, 2023
Applicant / Owner:	Jody Asimakopoulos of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Kalifornsky
Parcels No.:	055-370-28
Legal Description:	T 5N R 10W SEC 30 Seward Meridian KN 0880056 Jake Estates Sub Salmon Nest Addn Lot 6C Block 2

Staff report given by Platting Manager Vince Piagentini.

Vice-Chair Gillham open the item for public comment

Jody Asimakopoulos; P.O. Box 1958, Soldotna, AK 99669: Ms. Asimakopoulos is the applicant and made herself available for questions.

Commissioner Epperheimer noted according to the aerial view map it appeared there would be buildings in the setback where the new cul-de-sac bulb was to be located. Platting Specialist Quanton replied that if there were any setback encroachments created by the relocated cul-de-sac bulb they would be grandfathered in and the grandfathered encroachment would be noted on the plat.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Slaughter to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

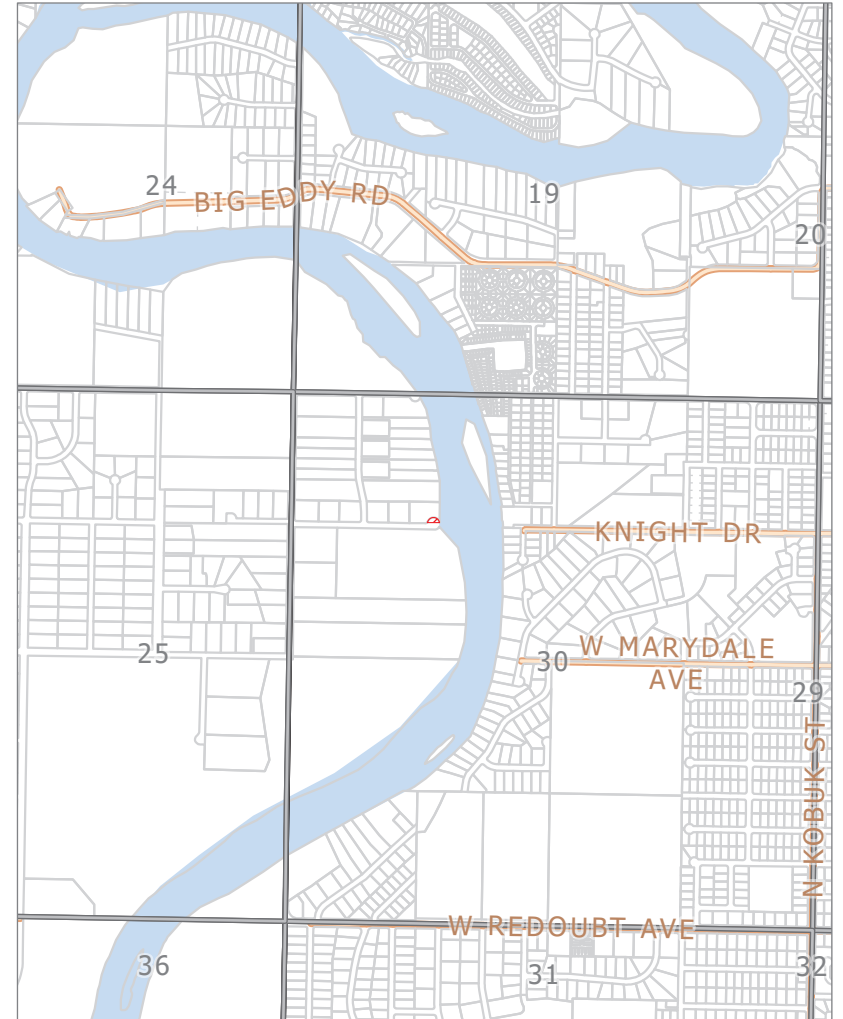
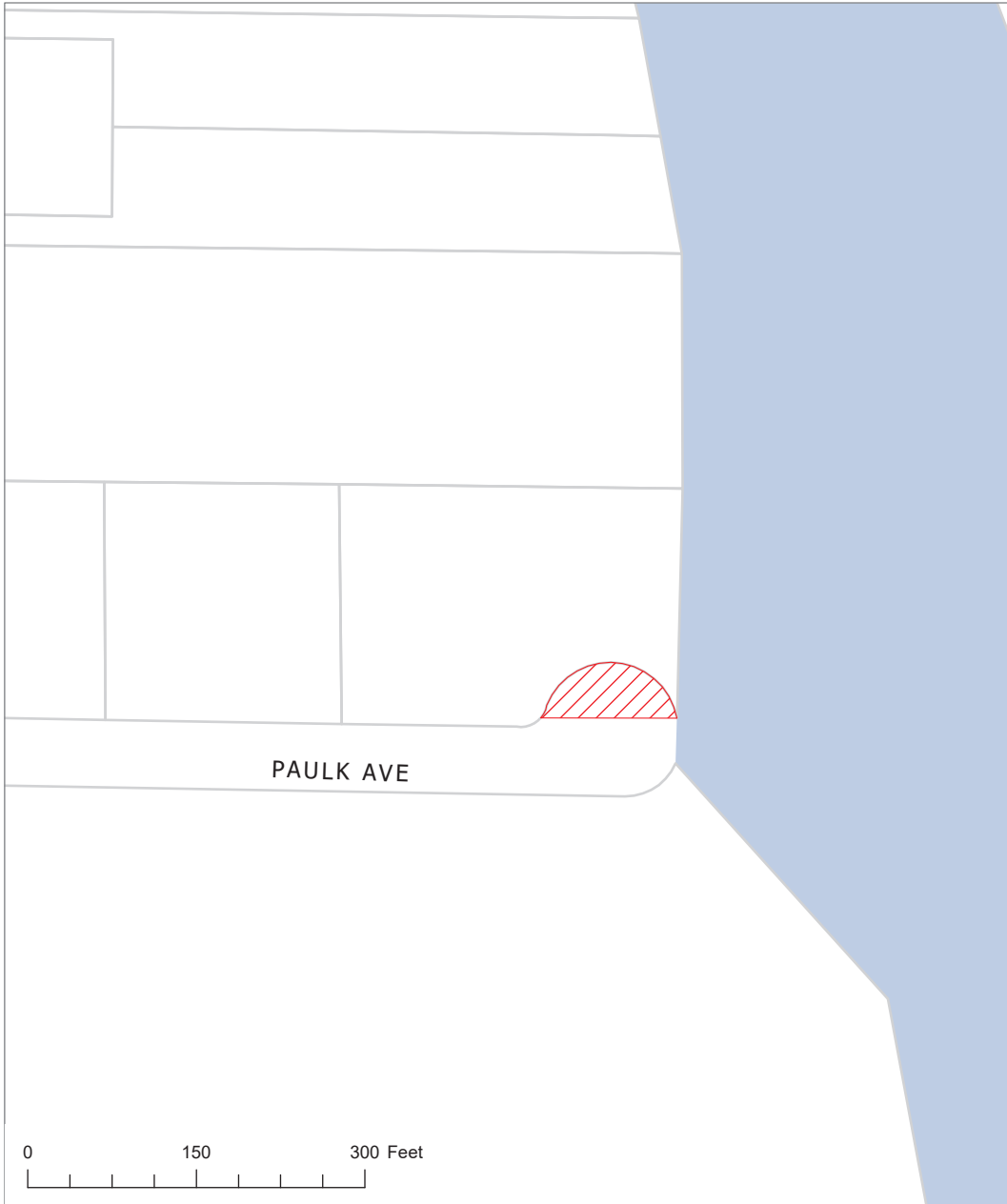
Yes - 8	Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
Absent - 1	Brantley

AGENDA ITEM F. PLAT COMMITTEE REPORT

Vice-Chair Gillham report that the committee reviewed fifteen preliminary plats. Fourteen plats were

E. NEW BUSINESS

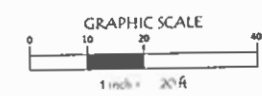
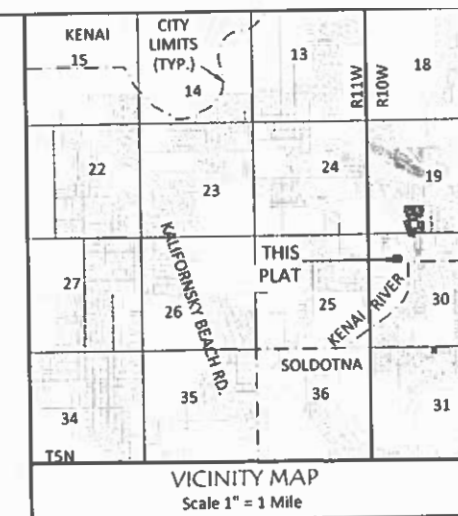
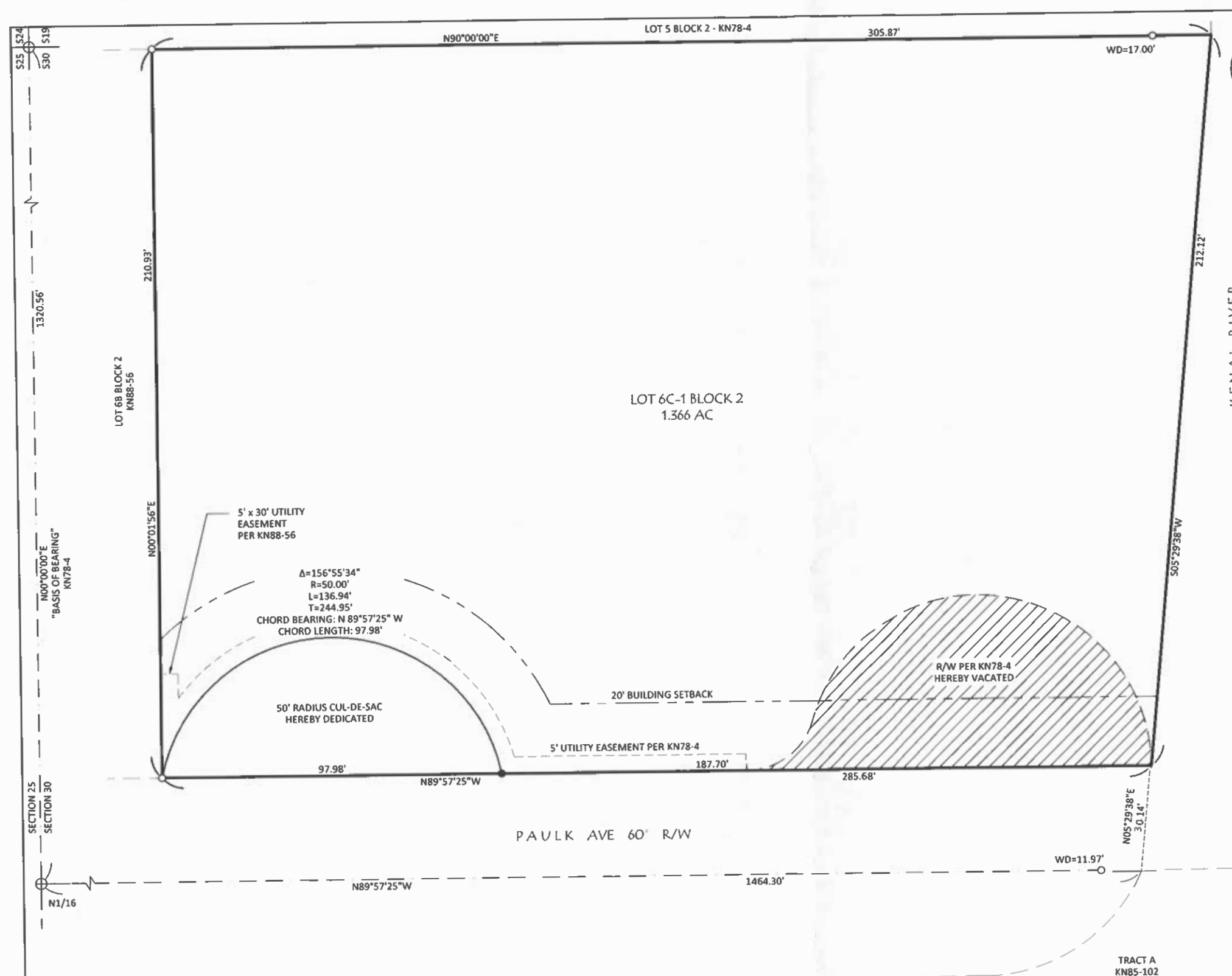
3. ROW Vacation; KPB File 2023-115V
McLane Consulting / Asimakopoulos
Request: Reconfigures the Pulk Ave. cul-de-sac by
vacating & relocating the current bulb and associated
utility easements of Jakes Estate Salmon Nest Addition, KN
1988-56
Kalifornsky Area / Kalifornsky APC



KPB File 2023-115V
T 05N R 10W SEC 30
Kalifornsky



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

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

JODY J. ASIMAKOPOULOS
PO BOX 1958, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: JODY J. ASIMAKOPOULOS
ACKNOWLEDGED BEFORE ME THIS

____ DAY OF _____, 20__

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA



Plat #	
Rec Dist	_____
Date	____/____/20__
Time	____:____

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 5 FEET OF THE 20 FOOT BUILDING SETBACK IS ALSO A UTILITY EASEMENT PER KN88-56.
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 DEPARTMENT.
6. THE NATURAL MEANDERS OF THE ORDINARY HIGH WATER OF THE KENAI RIVER FORM THE TRUE BOUNDS OF LOT 6C-1. THE MEANDER LINE SHOWN PER KN78-4 HEREON IS FOR SURVEY COMPUTATIONS ONLY.

WASTEWATER DISPOSAL

THE EXISTING PARENT SUBDIVISION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (SEPTEMBER 9, 1988) AND THIS SUBDIVISION IS LIMITED TO MOVING ONE OR MORE LOT LINES WITHOUT INCREASING THE NUMBER OF DEVELOPABLE LOTS, WHILE MAINTAINING A MINIMUM OF 20,000 SQUARE FEET OF CONTIGUOUS AREA, AS DESCRIBED IN KPB 20.40.040(A)(4)(A), FOR EACH LOT AFFECTED BY THE LOT LINE MOVEMENT PER KPB 20.40.020(1)(C). 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 _____, 2023.

AUTHORIZED OFFICIAL _____

JAKE ESTATES ROW REPLAT A REPLAT OF LOT 6C BLOCK 2 JAKE ESTATES SALMON NEST ADDITION KN88-56 AND THE ASSOCIATED R/W VACATION	
JODY J. ASIMAKOPOULOS PO BOX 1958, SOLDOTNA, AK 99669	
1.433 AC. M/L SITUATED IN THE NW1/4 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA, THE KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT.	
	ENGINEERING, TESTING & SURVEYING G. MAP PNG P.O. BOX 468 SOLDOTNA AK 99669 VOICE (907) 283-4218 FAX (907) 283-3265 WWW.MCLANECG.COM
KPB FILE NO. 2023-xxx	PROJECT NO. 232029
SCALE 1" = 20'	DATE OCT. 2023
BOOK NO. 23-xx	DRAWN BY: JAH

AGENDA ITEM E. NEW BUSINESS

**ITEM #3 - RIGHT OF WAY VACATION
VACATE A PORTION PAULK AVENUE AND ASSOCIATED UTILITY EASEMENTS**

KPB File No.	2023-115V
Planning Commission Meeting:	November 13, 2023
Applicant / Owner:	Jody Asimakopoulos of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Kalifornsky
Parcels No.:	055-370-28
Legal Description:	<u>T 5N R 10W SEC 30 Seward Meridian KN 0880056 Jake Estates Sub Salmon Nest Addn Lot 6C BLK 2</u>

STAFF REPORT

Specific Request / Purpose as stated in the petition: Alternate cul-de-sac will be relocated to the western side of lot 6C KN88-56. Current use of the backyard is limited with the majority of it being dedicated cul-de-sac. Relocation of cul-de-sac is better situated for current use of a turnaround area. All surrounding parcels remain with legal access including access to the Kenai River.

Notification: The public hearing notice was published in the November 8th 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

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

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

Fourteen 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

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

Legal Access (existing and proposed): This area is located off of Kalifornsky Beach Road to E Poppy Lane, Poppy Ridge Road, Bonita Avenue, then Paulk Avenue. Paulk Avenue and portions of Bonita Avenue are borough maintained with maintenance ending just before the driveway of the subject property. The cul-de-sac bulb is adjoining the Kenai River to the east providing access to the river. The applicants have contacted the River Center and Platting staff prior to submittal of the application and were very clear the access to the river will remain, but relocating the cul-de-sac bulb will help reduce the amount of bank loss. The applicants indicated the soils are silty and having the parking area moved to the west will reduce damage to the river banks.

The portion of Paulk Avenue right-of-way will remain 60-feet-wide all the way to the river.

A new dedication to replace the vacated right-of-way is proposed on the west side of the lot.

The RSA Director has reviewed the design and indicated the location of the proposed bulb will provide better turnaround area for the public and neighbors..

Block length for the area is not compliant due to the Kenai River to the east and a large unsubdivided parcel to the south currently owned by State of Alaska Fish and Game. **Staff recommends:** *the plat committee concur an exception is not required.*

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: The public river access appears to be preserved. The shift of the traffic bulb away from the proximity to the river bank is a positive from both a construction and habitat preservation perspective. There is some history of Paulk ROW encroachments by adjacent residents. Public access to the resource is the intent of the dedication and should be protected.
SOA DOT comments	No comments – Engineering

Site Investigation: This area is located within a mapped flood hazard area, floodway, and habitat protection area for the Kenai River. **Staff recommends:** *the corresponding notes for these items be added to the final submittal including the panel map provided by the Floodplain-Planner.*

This area is generally flat with a slight decline towards the river to the east.

The current location for the bulb area falls within the classified Riverine wetland. The proposed location will be outside of any classified wetlands.

KPB River Center review	See attachments A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: A4,B,Floodway Map Panel: 020012-2045C In Floodway: True Floodway Panel: 020012-0013 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:
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Staff Analysis: 30 feet of Paulk Avenue and the bulb area was granted by Jake Estate Subdivision, KN 78-4. A matching 30-feet was dedicated by Channel Shores Subdivision, KN 85-102.

Lot 6 of KN 78-4 was subdivided into three lots by Jake Estates Salmon Nest Addition, KN 88-56. No other platting actions have happened for this lot.

Alaska Fish and Game owns the large tract on the south side of Paulk Avenue and were sent a notice of the subdivision plat. 60-feet of the right-of-way will remain to the river to continue public access.

There are utilities in the area and all service providers were sent the design for review. Homer Electric Association Inc. (HEA) did provide a comment regarding a power pole in the current utility easement of the main right-of-way of Paulk Ave. Prior to any road development **staff recommends the developer contact HEA and the KPB Roads Department for all needed permits.**

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: Yes
2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: *No, just impractical and destructive. Alternative proposed in better location.*
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments: Yes
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: *60 feet of right-of-way will still remain, but the cul-de-sac bulb is being relocated for river bank protection.*
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: *No affect to adjacent parcels*
6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: *Access via end Paulk Rd will remain open.*
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:
8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.
Staff comments:

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.

The Assembly will hear the vacation at their scheduled December 12, 2023 meeting.

If approved, Jakes Estates ROW Replat will finalize the proposed right of way vacations. A subdivision plat will not be accompanying this vacation and will be finalized under 20.10.080 – Vacation Plat.

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 45730 PAULK AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: PAULK AVE</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: No additional comments</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: Current Imagery shows multiple ROW encroachments. Limits public access to the River.</p>
Planner	<p>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.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

Utility provider review:

HEA	Power pole G6-30-1720 is currently located in the outer 10 foot utility corridor of the right of way, which is an approved location. After the right of way dedication, the pole will be out of compliance, but twill be grandfathered. Any improvements to the cul-de-sac will require the pole to be relocated at the cost of the road developer.
ENSTAR	
ACS	No objections
GCI	

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

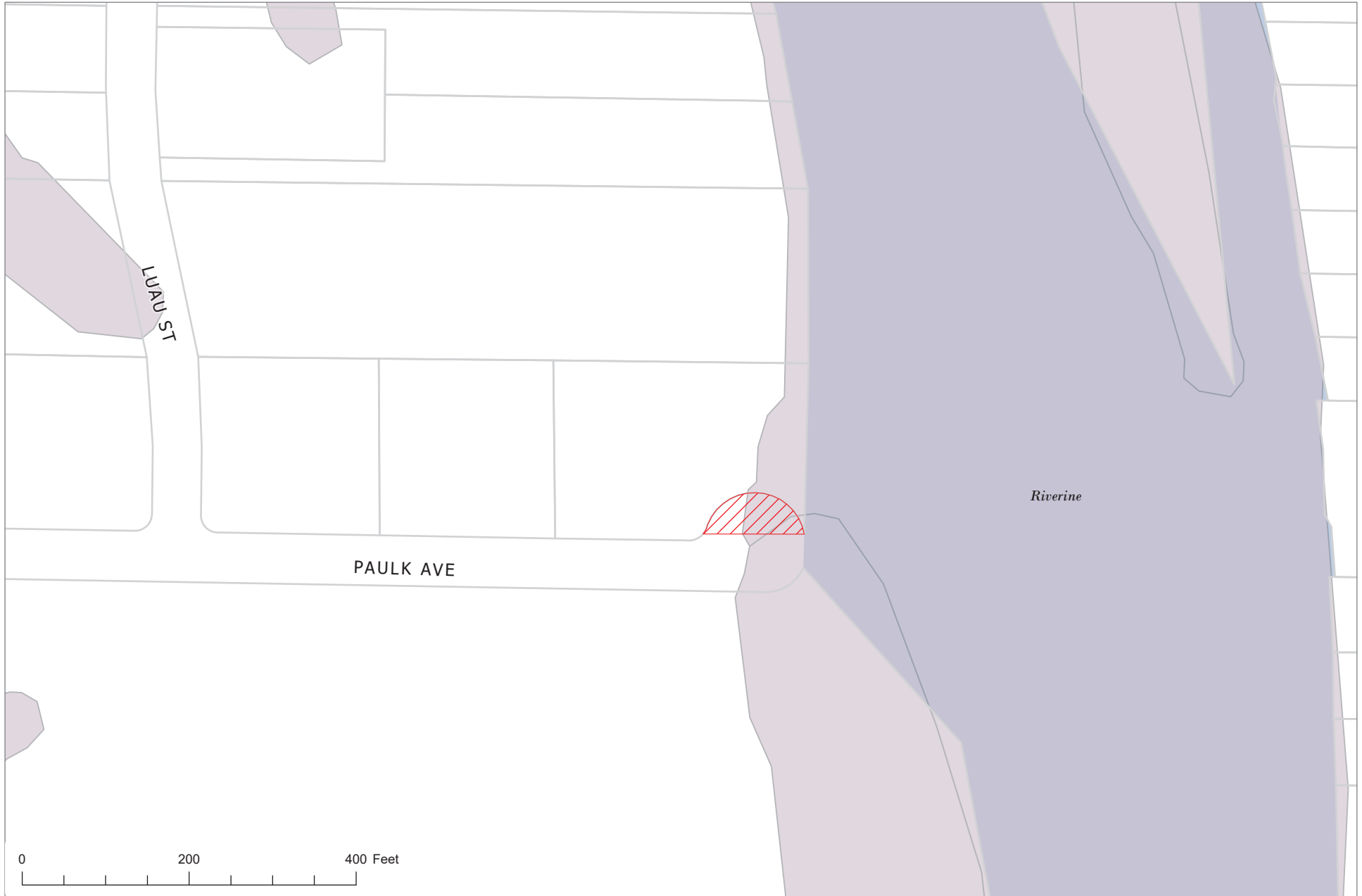
- *Focus Area: Transportation*

- *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



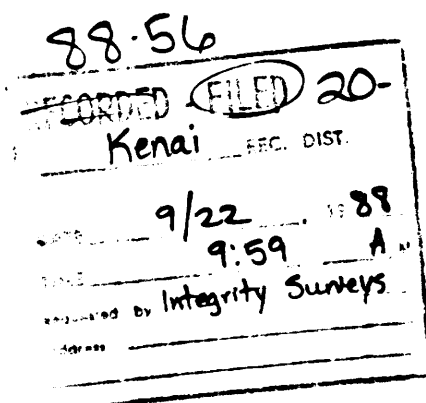
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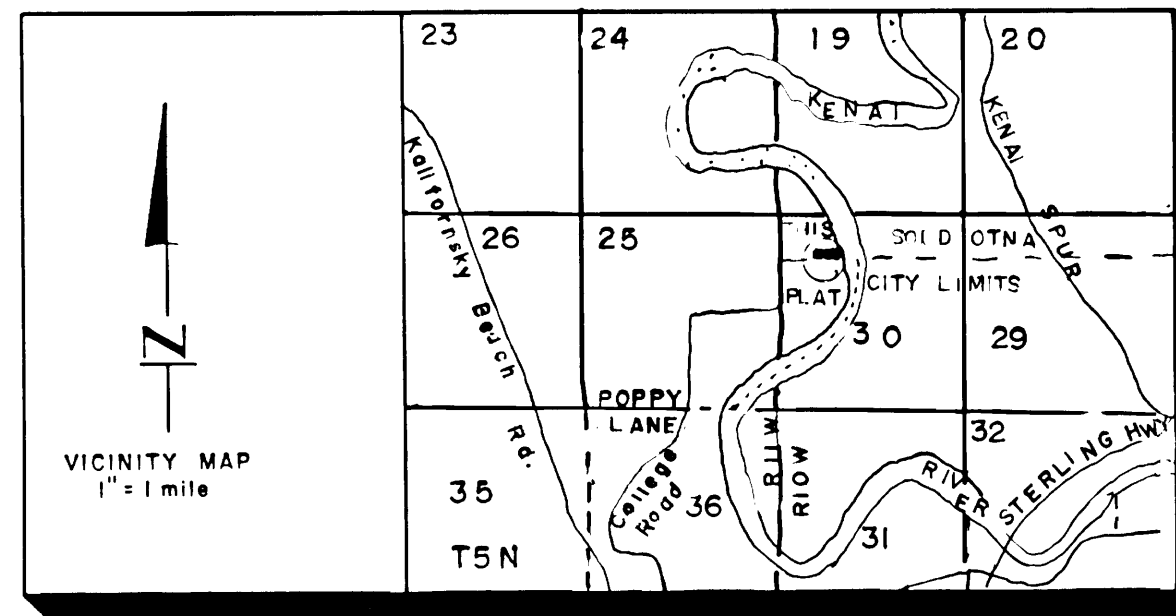


FLOOD PLAIN NOTE:

LOTS WITHIN THIS SUBDIVISION MAY BE LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA. DEVELOPEMENT MUST COMPLY WITH CHAPTER 21 OF THE KENAI PENINSULA BOROUGH CODE OF ORDINANCES. A SURVEY TO DETERMINE THE ELEVATION OF THE PROPERTY MAY BE REQUIRED PRIOR TO CONSTRUCTION.

JAKE ESTATES

No.	Delta	Radius	Arc Length
C1	07°49'51"	806.21	109.48
C2	90°10'56"	20.00	31.48
C3	73°23'57"	20.00	25.62
C4	31°41'53"	50.00	121.91



CERTIFICATE of OWNERSHIP and DEDICATION

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

Ramona M. Paulk
 RAMONA M. PAULK
 P.O. BOX 191
 SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 3 DAY OF AUGUST, 1988 FOR *Ramona M. Paulk*

C. B. Baker
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 8/12/99

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 7-25-88

KENAI PENINSULA BOROUGH
Richard B. Taylor
 AUTHORIZED OFFICIAL

K.P.B. FILE NO. 88-058

JAKE ESTATES
SALMON NEST ADDITION

A RESUBDIVISION OF LOT 6 BLOCK 2
 JAKE ESTATES SUBDIVISION LOCATED
 WITHIN THE N1/2 NW 1/4 SEC. 30, T5N, R10W,
 S.M. KENAI RECORDING DISTRICT, KENAI
 PENINSULA BOROUGH, ALASKA

CONTAINING 3.32 Ac INTO 3 PARCELS

INTEGRITY SURVEYS

P.O. BOX 1831
 SOLDOTNA, ALASKA 99669
 262-9461

SURVEYORS	PLANNERS
JOB NO.: 88-23	FIELD BOOK: 88-4
DISK NO.: D4	FILE NAME: JAKE ESTATES
SURVEYED: JULY 88	PLATTED: AUGUST 88
DRAFTED: CB / JS	SCALE: 1" = 60'
CHECKED: CB	SHEET:

LOT 5

LOT 5

BLOCK 1

BLOCK 2

LOT 6

2 1/2" BC

237-S
 1/16
 S25 S30
 1980

TR - K

TR - A

CHANNEL SHORES SUBD.

LEGEND

MONUMENT (Found this survey)

MONUMENT (Set this survey)

1/2" REBAR (Found this survey)

5/8" x 30" REBAR (Set this survey)

() RECORD DATUM KRD 78-4

(NT) NON-TANGENT
 CB CHORD BEARING

MEANDER NOTE:

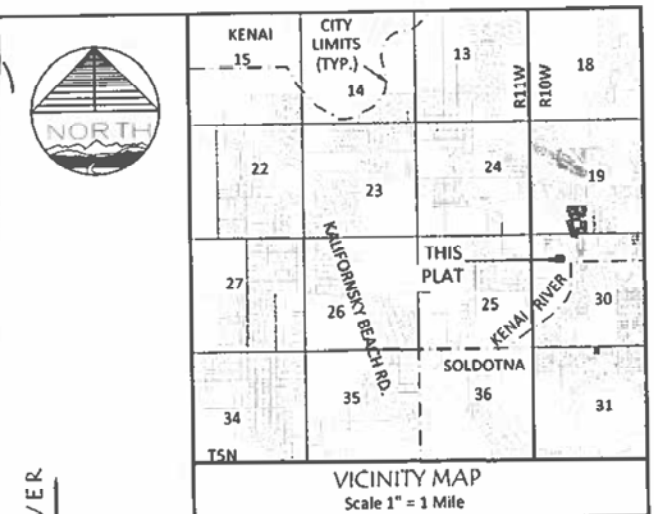
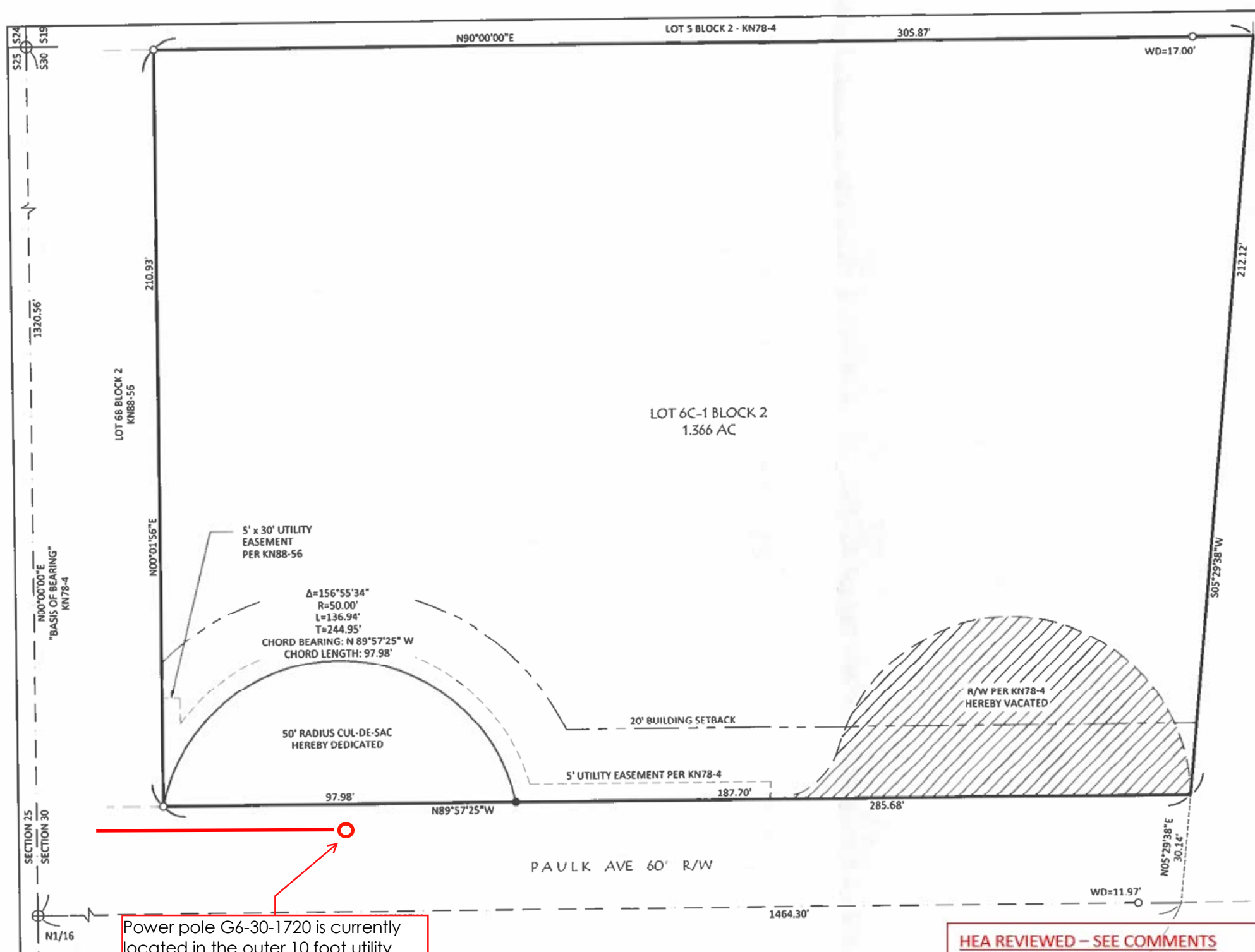
THE NATURAL MEANDERS OF THE LINE OF MEAN HIGH WATER OR ORDINARY HIGH WATER FORMS THE TRUE BOUNDS OF THE SUBD. THE APPROXIMATE LINE OF MEAN HIGH WATER OR ORDINARY HIGH WATER, AS SHOWN, IS FOR COMPUTATIONS ONLY. THE TRUE SUBDIVISION CORNERS BEING ON THE EXTENSION OF THE SUBDIVISION SIDE LINES AND THEIR INTERSECTION WITH THE NATURAL MEANDERS.

CERTIFICATE OF APPROVAL BY THE ALASKA
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 THIS SUBDIVISION HAS BEEN REVIEWED IN ACCORDANCE WITH
 18 AAC 72.065 AND IS APPROVED, SUBJECT TO ANY NOTED RESTRICTIONS.

Paul D. Howarth EE 9/9/88
 SIGNATURE TITLE DATE

NOTES:

- 1) PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL & AGRICULTURAL.
- 2) A SETBACK OF 20 FEET IS REQ'D FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- 3) ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.
- 4) THE FRONT 5 FEET OF BUILDING SETBACK IS RESERVED AS A UTILITY EASEMENT
- 5) DUE TO HIGH WATER TABLE ALL LOTS WILL REQUIRE ENGINEERED MOUND DISPOSAL SYSTEM WITH ADEC APPROVAL PRIOR TO INSTALLATION, 18 AAC 72.060.



LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

JODY J. ASIMAKOPOULOS
PO BOX 1958, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: JODY J. ASIMAKOPOULOS
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

Plat #

Rec Dist _____
Date _____ 20____
Time _____

JAKE ESTATES ROW REPLAT
A REPLAT OF LOT 6C BLOCK 2 JAKE ESTATES SALMON NEST ADDITION KN88-56 AND THE ASSOCIATED R/W VACATION

JODY J. ASIMAKOPOULOS
PO BOX 1958, SOLDOTNA, AK 99669

1.433 AC. M/L SITUATED IN THE NW1/4 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA, THE KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT.

ENGINEERING - TESTING SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK 99669
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KPB FILE NO. 2023-XXX

PROJECT NO. 232029

SCALE 1" = 20' **DATE: OCT. 2023** **BOOK NO.: 23-XX** **DRAWN BY: JAH**

KPB

Power pole G6-30-1720 is currently located in the outer 10 foot utility corridor of the right of way, which is an approved location. After the right of way dedication the pole will be out of compliance, but will be grandfathered.

Any improvements to the cul-de-sac will require the pole to be relocated at the cost of the road developer.

- 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 5 FEET OF THE 20 FOOT BUILDING SETBACK IS ALSO A UTILITY EASEMENT PER KN88-56.
 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 DEPARTMENT.
 6. THE NATURAL MEANDERS OF THE ORDINARY HIGH WATER OF THE KENAI RIVER FORM THE TRUE BOUNDS OF LOT 6C-1. THE MEANDER LINE SHOWN PER KN78-4 HEREON IS FOR SURVEY COMPUTATIONS ONLY.

HEA REVIEWED - SEE COMMENTS

Scott Huff

Scott Huff 10/26/2023
Land Management Officer

PLAT APPROVAL

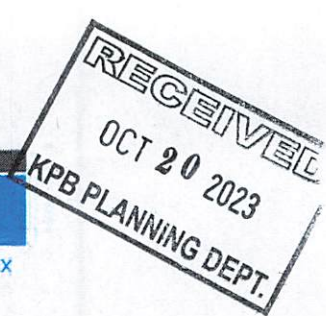
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2023.

AUTHORIZED OFFICIAL _____



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax



PETITION TO VACATE PLATTED RIGHT OF WAY / PLATTED PUBLIC EASEMENT / PLATTED PUBLIC AREA

PUBLIC HEARING REQUIRED

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

Initially, a sketch may be included with the vacation petition for review by the Planning Commission. After the Planning Commission takes action on the vacation, a Subdivision Plat must be prepared by a licensed land surveyor. The plat will be processed in accordance with KPB 20.10.080. Platting authority is vested in the Planning Director.

SUBMITTAL REQUIREMENTS

A platted right of way vacation (ROWV) application will be scheduled for the next available planning commission meeting after a complete application has been received.

- ☒ - \$500 non-refundable fee to help defray costs of advertising public hearing. Plat fees will be in addition to the vacation fees.
- ☐ - City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- ☒ PAULK CUL-DE-SAC _____ platted public right of way proposed to be vacated was dedicated by the plat of JAKE ESTATE SUBD. _____ Subdivision, filed as Plat No. KN78-4 _____ in the KENAI _____ Recording District.
- ☒ - 3 copies of the plat or map showing the platted right of way to be vacated. Must not exceed 11 x 17 inches in size. Area to be vacated must be clearly depicted. Proposed alternative public access to be shown and labeled on the sketch.
- ☒ - REASON FOR VACATING The petitioner must attach a statement with reasonable justification for the vacation of the platted right of way / platted easement / platted public area.

Has the platted right of way been fully or partially constructed?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Is the platted right of way used by vehicles / pedestrians / other?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Is alternative right-of-way being provided?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Are there utility easements associated with the right of way to be vacated?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Is the platted right of way and or associated utility easement in use by any utility company?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If so, which utility provider?				

LEGAL DESCRIPTION ADJOINING LAND:

Lot, Block, Subd. or street address LOT 6C KN88-56	
Section, township, range SECTION 30, T5N, R10W, SM AK	
City (if applicable)	General area PAULK AVE & KENAI RIVER

The petition must be signed by owners of a majority of the land affected by the platted right of way proposed to be vacated. Each petitioner must include address and legal description of his/her property. Attach additional signature sheets if needed.

Submitted by:

Land Owner

Name (printed): Jody Asimakopoulos	Signature: <i>Jody Asimakopoulos</i>
e-mail: jodya@cpgh.org	Address: Box 1958
Owner of:	Soldotna AK 99669

Land Owner:

Name (printed):	Signature:
e-mail:	Address:
Owner of:	

FOR OFFICE USE ONLY

RECEIVED BY _____

DATE SUBMITTED _____

KPB FILE # _____