


Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Kelly Cooper, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Max Best, Planning Director 

DATE: October 30, 2019

RE: Right of Way Vacation -

- Vacate a 50-foot Section Line Easement (running north – south) - 50 feet in width on the east side of the NE1/4 NE1/4 Section 35, Township 5 North, Range 10 West Seward Meridian approximately 1,265 feet;
- Vacate a 50-foot Section Line Easement (running north – south) - 50 feet in width on the west side of the NW1/4 NW1/4 Section 36, Township 5 North, Range 10 West, Seward Meridian approximately 1,315 feet;
- Vacate 33-foot Mountain Ash Street Right-of-Way (running north-south) and a portion of the intersection with Paper Birch Lane, including the adjoining 10-foot utility easement within Section 36, Township 5 North, Range 10 West, dedicated by Forest Hills Lookout Sub Amended KN 86-204.KPB

File 2019-117V. Petitioner: Cody R. McLane of Soldotna, AK.

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 October 28, 2019, the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacations of section line easements, right-of-way, and adjoining utility easements, vacation by unanimous consent based on the means of evaluating public necessity established by KPB 20.70. This petition is being sent to you for your consideration and action.

Draft, unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

cc: petitioner

AGENDA ITEM F. PUBLIC HEARINGS

1. Right of Way Vacation

- Vacate a 50-foot Section Line Easement (running north – south) - 50 feet in width on the east side of the NE1/4 NE1/4 Section 35, Township 5 North, Range 10 West Seward Meridian approximately 1,265 feet;
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- Vacate a 50-foot Section Line Easement (running east-west) – 50 feet in width on the north side of the NW1/4 NW1/4 Section 36, Township 5 North, Range 10 West, Seward Meridian approximately 476 feet;
- Vacate 33-foot Foster Avenue Right-of-Way (running east-west) where adjoining the north boundary of Lot 1 Forest Hills Lookout Subdivision, including the adjoining 10-foot utility easement within Section 36, Township 5 North, Range 10 West, dedicated by Forest Hills Lookout Sub Amended KN 86-204.

Staff Report given by Scott Huff

PC Meeting: 10/28/19

Purpose as stated in petition: The rights-of-way and section line easements are unconstructed. The proposed subdivision is dedicating Rights-of-Way in a better location for constructability providing access to created lots and surrounding parcels. The terrain is steep along the section line and not feasible to construct. This area is better suited for view lots along the bluff unencumbered by the section line easement. Alternate access is shown on the Preliminary Plat submitted for Forest Hills Lookout Subdivision 2019 Replat.

Petitioner: Cody R. McLane of Soldotna, AK.

Notification: Public notice appeared in the October 17, 2019 issue of the Peninsula Clarion as a separate ad. The public hearing notice was published in the October 24, 2019 issue of the Peninsula Clarion as part of the Commission's tentative agenda.

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Comments Received:

ACS: Replied with a review of 'no objections'.

ENSTAR: Replied with a review of 'no comments, recommendations or objections.'

Homer Electric Association: No comments received when the staff report was prepared.

GCI: No comments received when the staff report was prepared.

CES: No comments received when the staff report was prepared.

KPB Addressing: The new 60' and 30' ROW dedications will need approved street names on the final plat.

KPB Planning: No material site or local option zone issues.

KPB River Center: Not within a flood hazard area, not within the Habitat Protection District, no comments

KPB Roads Department: Within KPB jurisdiction, no comments.

State Parks: No comments.

Staff Discussion: This action will approve the section line easement vacations and the right-of-way vacations in one review. The vacations will be reviewed together because the rights-of-way to be vacated overlays the sections line easements to be vacated and, as a result, the analysis will be the same.

If approved, the section line easement vacations and right-of-way vacations will then be finalized with two separate plats.

The plat named Section Line Easement Vacation Plat Associated with Lot 1 Forest Hills Lookout Subdivision Amended will finalize the section line easement vacations.

The plat named Forest Hills Lookout Bolder Heights Addition will finalize the vacation of Mountain Ash Street and adjoining utility easements, including a portion of the intersection with Paper Birch Lane, and Foster Avenue right of ways. Forest Hills Lookout Bolder Heights Addition will also subdivide a 40 acre parcel and a 15 acre lot into a 31 acre tract, a 1.86 acre tract, and 9 lots ranging from 2.234 acres to 1.613 acres. The plat will dedicate an extension of Authentic Road to provide a connection to Foster Avenue, match the 30' dedication of Giroux Street, extend a 30' dedication of Donovan Avenue, dedicate a 30' right of way on the south boundary of the 31 acre tract, and provide a 60' connection from the south boundary of the 31 acre tract on its east boundary to the Donovan Avenue extension.

The Plat Committee is tentatively scheduled to review both plats on November 12, 2019.

KPB 20.70 – Vacation Requirements.

Platting staff comments: Staff reviewed the vacation and all the items required by 20.70 were met, unless otherwise noted below:

20.70.050. Petition—Information required.

- B. Persons listed on the borough assessor's tax roll shall be deemed the legal owners for purposes of the vacation petition. **The petition shall include a statement containing the reasons in support of the vacation** and be accompanied by a minimum of three copies of a sketch clearly indicating the proposed vacation, submitted to the planning department at least 30 calendar days in advance of the meeting at which it will be considered. In cases where encroachments on public rights-of-way are in question, an as-built survey, sealed by a surveyor, is required showing the improvements, existing travelways, amount of encroachment, and any other submittal as requested by the planning commission. **The burden of proof shall lie with the petitioner to support the vacation.**

Petitioner Comments: The rights-of-way and section line easements are unconstructed. The proposed subdivision is dedicating Rights-of-Way in a better location for constructability providing access to created lots and surrounding parcels. The terrain is steep along the section line and not feasible to construct. This area is better suited for view lots along the bluff unencumbered by the section line easement. Alternate

access is shown on the Preliminary Plat submitted for Forest Hills Lookout Subdivision 2019 Replat.

- C. In areas where right-of-way is being vacated due to excessive topographic features, a contour map or centerline profile and/or right-of-way cross sectional view may be required by the commission to substantiate the unusable right-of-way and show alternate and dedicated routes to insure ingress and egress to adjacent lands.

Platting Staff Comments: The petition included a plat with shading for areas with slopes steeper than 20% grade. Grades exceeding 20% affect portions of the proposed alternate right-of-way dedications.

Staff recommendation: Demonstrate that the right of ways proposed to be dedicated can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersection. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right of way is feasible.

20.70.130. Vacation plat—Preparation, approval and recording.

Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, 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 in KPB 20.70.110.

Platting Staff Comments: If approved, Forest Hills Lookout Bolder Heights Addition will finalize the vacation of Mountain Ash Street including a portion of the intersection with Paper Birch Lane, and Foster Avenue right of ways. Forest Hills Lookout Bolder Heights Addition will also subdivide a 40 acre parcel and a 15 acre lot into a 31 acre tract, a 1.86 acre tract, and 9 lots ranging from 2.234 acres to 1.613 acres. The plat will dedicate an extension of Authentic Road to provide a connection to Foster Avenue, match the 30' dedication of Giroux Street, extend a 30' dedication of Donovan Avenue, dedicate a 30' right of way on the south boundary of the 31 acre tract, and provide a 60' connection from the south boundary of the 31 acre tract on its east boundary to the Donovan Avenue extension.

Section Line Easement Vacation Plat Associated with Lot 1 Forest Hills Lookout Subdivision Amended will finalize the section line easement vacations.

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20.70.160. Partial vacation allowed.

Where the planning commission finds that a right-of-way must be preserved, but determines there is excessive width for all intended uses within the right-of-way, the commission may approve a partial vacation of a right-of-way such that the width is reduced to the maximum necessary for the intended use. Such vacation shall conform to this title for the class of right-of-way involved except where the right-of-way is not intended to be used for vehicular purposes.

Platting Staff Comments: The proposed right-of-way vacations will vacate a small portion of the Paper Birch Lane right-of-way at its intersection with Mountain Ash Street. The full 60 foot width of Paper Birch Lane at its intersection with Authentic Road immediately to the east will remain.

20.70.170. Vehicular Access.

The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

Platting Staff Comments: Forest Hills Lookout Bolder Heights Addition proposes to dedicate an extension of Authentic Road to provide a connection to Foster Avenue, match the 30' dedication of Giroux Street, extend a 30' dedication of Donovan Avenue, dedicate a 30' right of way on the south boundary of the 31 acre tract, and provide a 60' connection from the south boundary of the 31 acre tract on its east boundary to the Donovan Avenue extension.

Mountain Ash Street, Foster Avenue, and Paper Birch Lane comprise a looped block with Mountain Ash

Street and Foster Avenue both overlaying 50' wide section line easements. The proposed right-of-way and section line easement vacations would remove the north/south connection created by Mountain Ash Street.

Per the submittal and KPB four foot contours, Mountain Ash Street and Foster Avenue are affected by steep slopes exceeding 20% grade. Per the submittal and Kenai Watershed Forum Wetland mapping, the intersection of Mount Ash Street and Foster Avenue is affected by kettle wetlands. Per the submittal and aerial imagery, the rights-of-way proposed to be vacated are unconstructed and not used for vehicular access.

The petition proposes to dedicate an extension of Authentic Road as an alternative right-of-way to provide a connection from Paper Birch Lane to Foster Avenue and retain a looped block. Per the submittal and KPB four foot contours, the proposed alternative is affected by several areas of grades exceeding 20%. However, per the submittal and Kenai Watershed Forum Wetland mapping, the proposed right-of-way is not affected by low wet areas. The proposed dedication appears to follow the terrain and contours in such a way that it appears to be more constructible than the rights-of-way proposed to be vacated. The Authentic Road extension appears to be a superior alternative access than north/south connection provided by the proposed vacations.

However, the proposed dedications do not provide for any east/west access to the west of Mountain Ash Street from Foster Avenue or Paper Birch Lane. The 50' section line easement underlying Foster Avenue continues west to connect to Donovan Avenue and Giroux Street. The proposed vacation of Foster Avenue and the underlying section line easement removes that connection. No alternative is provided. A 33' section line easement adjoining Foster Avenue to the north would remain. However, a 33' section line easement traversing steep slopes is not equal or superior to an 83' section line easement traversing steep slopes. The nearest east-west connection is one mile to the south and 4,400 feet to the north.

Staff recommendation:

- *The Planning Commission concur that equal or superior vehicular access does not exist and was not provided in exchange.*
- *The Planning Commission concur that equal or superior vehicular access will exist and be provided by the proposed dedications if the Foster Avenue right-of-way and the underlying 50' section line easement are not vacated.*
- *Comply with KPB 20.70.170.*

20.70.180. Other access.

Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

Platting Staff Comments: Per the submittal, no other uses exist within the rights-of-way and section line easements proposed to be vacated.

Per the submittal, KPB four foot contours, and Kenai Watershed Forum Wetland mapping, the areas proposed to be vacated are affected by steep slopes exceeding 20% and kettle wetlands and are therefore not suited to general road use. However, other uses could exist within the proposed vacations, such as pedestrian access. Therefore, it must be demonstrated that equal or superior access is or will be available.

As discussed above, the Authentic Road extension appears to be a superior alternative access than north/south connection provided by the proposed vacations. However, no alternative is provided for the east/west connection from Foster Avenue to the west to Donovan Avenue and the 33' section line easement that would remain is not equal or superior to the current 83' section line easement. The nearest east-west connection is one mile to the south and 4,400 feet to the north.

Staff recommendation:

- *The Planning Commission concur that equal or superior access for other uses does not exist and was not provided in exchange.*
- *The Planning Commission concur that equal or superior access for other uses will exist and be provided by the proposed dedications if the Foster Avenue right-of-way and the underlying 50' section line easement are not vacated.*
- *Comply with KPB 20.70.180.*

20.70.190. Utility provisions.

All existing and future utility requirements shall be considered when evaluating a vacation request. Rights-of-way which are utilized by a public utility or which logically would be required by a public 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 public utility easement be granted in place of the right-of-way.

Platting Staff Comments: The petition proposes to vacate the 10' wide utility easements adjoining the rights-of-way proposed to be vacated. Per the petition, the utility easements are not in use by any utility company. The 50' section line easements proposed to be vacated could also be used by utility companies for utility purposes, but, per the petition, are not in use by any utility company.

The petition proposes to grant 10' utility easements that extend to 20' within 5' of side lot lines adjoining all rights-of-way within the proposed subdivision, including all of the proposed right-of-way dedications.

As discussed above, the Authentic Road extension and its adjoining utility easements appears to be a superior alternative access than north/south connection provided by the proposed vacations. The utilities that may currently exist under and along the constructed and KPB maintained Authentic Road can be extended under or along the proposed extension of Authentic Road.

The east/west connection extending west from Foster Avenue, across the section line easement to Donovan Avenue provides a straight path for utilities to provide services to the undeveloped parcels to the west of the subdivision. Therefore, the Foster Avenue right-of-way and section line easement logically could be required by a public utility. The petition does not provide an alternative for the east/west connection from Foster Avenue to the west across the section line easement to Donovan Avenue. As noted above, the existing 33' section line easement that would remain is not equal or superior to the current 83' section line easement and 33' right-of-way. The nearest east-west connection is one mile to the south and 4,400 feet to the north.

The affected utility providers were emailed the vacation public hearing notice as part of the routine notification process.

Staff recommendation:

- *The Planning Commission concur that equal or superior utility access does not exist and was not provided in exchange.*
- *The Planning Commission concur that equal or superior utility access will exist and be provided by the proposed dedications if the Foster Avenue right-of-way and the underlying 50' section line easement are not vacated.*
- *If the Planning Commission determines that an easement would satisfactorily serve the utility interests, and no other public need for the Foster Avenue right-of-way and underlying section line easement exists, the commission may approve the vacation and should require that a public utility easement be granted in place of the Foster Avenue right-of-way and 50' section line easement.*
- *Comply with KPB 20.70.190.*

20.30.220. Section line easement vacations.

Section line easement vacation petitions must comply with the requirements of KPB 20.70.040, 20.70.050 and 20.70.060. A fee is required in compliance with KPB 20.70.060. Public hearing and notice must comply with the requirements of KPB 20.70.070, 20.70.080, 20.70.100, 20.70.110 and 20.70.120. The mail notice

required in KPB 20.70.090 may be by regular mail. Publication on the planning commission agenda, advertised once in local papers, posted in public areas and on the borough website prior to the meeting will satisfy the publishing requirements. The petitioner is responsible for all submittals required by the State of Alaska Department of Natural Resources (DNR) in compliance with their procedures. The petition must be reviewed and approved by the planning commission but final authority for approval and platting of the vacation rests with DNR. The petitioner is responsible for coordination with DNR and submittals to DNR.

Staff recommendation: *Comply with KPB 20.30.220.*

STAFF RECOMMENDATION:

Based on the above means of evaluating public necessity established by KPB 20.70, the merits of the proposed vacations, and staff comments, staff recommends

- Denial of the vacation of the east-west public access, 33-foot Foster Avenue right-of-way, including the adjoining 10 foot utility easement, and the associated 50' section line easement
 - o OR provision of alternate equal or superior access to connect from the remaining portion of Foster Avenue to the proposed Donovan Avenue extension dedication to be approved by the Planning Commission at an additional public hearing.
- Approval of the vacation of the north-south public access, 33-foot Mountain Ash Street Right-of-Way and a portion of the intersection with Paper Birch Lane, including the adjoining 10-foot utility easement, and the two 50 foot section line easements common to sections 25 and 26 T05N R10W SM

subject to:

1. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
2. Grant utility easements requested by the utility providers.
3. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of right-of-way vacation consent (KPB 20.70.130).
4. Submittal of a final plat within a timeframe such that the plat can be recorded within four year of section line easement vacation approval (KPB 20.25.110).

KPB 20.70.110:

A vacation of a street right-of-way, public area, or public easement within the borough outside of the limits of cities may not be made without the consent of the borough assembly. The assembly shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the borough shall be considered to have given consent to the vacation.

KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, 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.

KPB 20.70.130:

THE RIGHT-OF-WAY VACATION FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

END OF STAFF REPORT

Chairman Martin asked if anyone from the public wished to comment on this item and read the rules for public testimony.

1. William Muir, 40992 Authentic Rd., Soldotna

Mr. Muir is an owner of seven lots in the neighboring subdivision, Tulchina Pointe Estates. He has been the beneficiary of previous vacations of the same right-of-way and easement when Tulchina Pointe was developed. The easements ran through three of his properties. He is in favor of responsible development. He asked if the petitioner was present and he was not in attendance. He has a concern about the time period for the initial construction or extension of Authentic Road. Currently, Authentic Road terminates at four of his properties, two of which are about to go into escrow. He would like the developer to have CC & R's on the development that are either consistent with or greater than what currently exists in the Tulchina Point subdivision. He was also concerned about construction vehicle access when extending Foster and Authentic. He is opposed to having those vehicles go through Tulchina Pointe Estates. It will involve hundreds of dump trucks, and trucks with excavators and bulldozers. If this project goes forward, he requested that a condition be added that all that access be gained through Foster and not through Authentic Road. Eight out of the nine proposed lots have less than half buildability on them even though they are about 1.5 or 1.6 acres. He asked if the petitioner could reconfigure those lots where the frontage would be expanded and the depth shortened. It may mean fewer lots but more access to any potential buyers. He called Borough Road Maintenance last week when he noticed the dead end sign on Diamond Willow was no longer there. He thought that someone already assumed that this was going through and removed the sign. They get a lot of traffic and that dead end sign helps kept people out. He called Borough Road Maintenance but they have not gotten back to him. He asked that someone present follow up and if possible get the sign posted again. There are currently three houses under construction in his immediate area. Authentic Road is in the worst shape he has seen it due to the construction vehicles and workers. If that same access is used to continue Authentic Road, it will be in much worse shape. He will be attending the November 12, 2019 Plat Committee meeting and many neighbors have asked him to share with them what he learns at this meeting. He suspects that there will be a much greater turn out on the 12th. If this is approved, he asked that it be a conditional approval based on the things he mentioned, CC & R's, access through Foster for construction, and reinstatement of the dead end sign.

2. Gary Lindman, 44330 Parkway Ave., Soldotna

Mr. Lindman owns the last two lots at the end of Authentic Road, lots 27 and 28. He is in support of the vacation of Mountain Ash and Paper Birch. He is concerned about extending the road through and not being a dead end road. He would prefer to be at the end of the road instead of having a loop where people can go through and circle. He feels it is safer when a subdivision does not have an exit from the subdivision that people can use to escape. He and his wife will also be attending the meeting about the replat. Mountain Ash is a worthless road that cannot be built and would be unusable due to the steepness. Resubdividing into the way it is configured is causing concern. He would rather see the road end with cul-de-sacs from two different sides. Coming in from Foster is great but he does not want it to loop. He agreed with Mr. Muir that Tulchina Pointe is a very safe and elite subdivision because of its high CC & R's and it would make sense that this subdivision would have the same CC & R's.

3. Cedric Conrad, PO Box 2971, Soldotna

Mr. Conrad lives at 34415 Developer Circle. He agreed that the CC & R's should be equal to or greater than the ones they currently have. He is not in favor of it being a through road based on traffic and speed. The road is in the worst shape he has seen and if it does go through, he would like to see a stipulation that Foster be used for construction equipment.

Seeing and hearing no one else wishing to comment, Chairman Martin closed public comment and opened discussion among the Commission.

Commissioner Ruffner made the motion for the north-south vacation and added the east-west vacation. Ms. Hindman noted that due to staff recommendations it would be best to have two motions. Commissioner Ruffner split his motion with the approval of the second.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Foster, to approve the vacation as petitioned for the north-south public access, 33-foot Mountain Ash Street right-of-way and a portion of the

intersection with Paper Birch Lane, including the adjoining 10-foot utility easement, and the two 50-foot section line easements common to sections 25 and 26, subject to staff recommendations and compliance with borough code.

Commissioner Ruffner noted that during testimony it was mentioned that construction of Mountain Ash Street was very unlikely due to steep slopes and terrain.

Commissioner Ruffner wanted to go ahead and comment on some of the other things heard during the public testimony. He stated that the only thing the Planning Commission was reviewing at this time were the vacations. Some of the testimony that came up was in regards to the subdivision and he wanted to make sure those in attendance knew it would be reviewed at another meeting. He added that CC & R's are something that the Borough does not address in any manner. The best option is to contact the developer and discuss how their subdivision has benefited from their CC & R's. It is a civil matter between private parties and the borough will not engage in those discussions. He noted that he would follow up on the dead end sign at the next Road Board meeting.

MOTION PASSED: Seeing and hearing no objection or discussion, the motion passed by unanimous consent.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Brantley, to approve the vacation as petitioned for the east-west public access, 33-foot Foster Avenue right-of-way, including the adjoining 10-foot utility easement, and the associated 50-foot section line easement, subject to staff recommendations and compliance with borough code.

Commissioner Foster noted that staff recommended denial and he agreed with that decision.

Commissioner Ruffner said that when looking at the map, seeing how development might proceed, and hearing some of the testimony, this seems like a viable alternative access. He agreed with the recommendation for denial.

MOTION FAILED BY UNANIMOUS VOTE: 1 Yes, 9 No, 2 Absent

Yes:	Brantley
No:	Carluccio, Ernst, Fikes, Foster, Martin, Morgan, Ruffner, Venuti, Whitney
Absent:	Bentz, Ecklund

F. PUBLIC HEARINGS

- 1. Vacation of Section Line Easements and Rights-of-Way with associated utility easement in the Sterling area.
KPB File 2019-117V
Petitioner(s): Cody R. McLane of Soldotna, AK.**

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STAFF REPORT

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Platting staff comments: Staff reviewed the vacation and all the items required by 20.70 were met, unless otherwise noted below:

20.70.050. Petition—Information required.

- B. Persons listed on the borough assessor's tax roll shall be deemed the legal owners for purposes of the vacation petition. **The petition shall include a statement containing the reasons in support of the vacation** and be accompanied by a minimum of three copies of a sketch clearly indicating the proposed vacation, submitted to the planning department at least 30 calendar days in advance of the meeting at which it will be considered. In cases where encroachments on public rights-of-way are in question, an as-built survey, sealed by a surveyor, is required showing the improvements, existing travelways, amount of encroachment, and any other submittal as requested by the planning commission. **The burden of proof shall lie with the petitioner to support the vacation.**

Petitioner Comments: The rights-of-way and section line easements are unconstructed. The proposed subdivision is dedicating Rights-of-Way in a better location for constructability providing access to created lots and surrounding parcels. The terrain is steep along the section line and not feasible to construct. This area is better suited for view lots along the bluff unencumbered by the section line easement. Alternate access is shown on the Preliminary Plat submitted for Forest Hills Lookout Subdivision 2019 Replat.

- C. In areas where right-of-way is being vacated due to excessive topographic features, a contour map or centerline profile and/or right-of-way cross sectional view may be required by the commission to substantiate the unusable right-of-way and show alternate and dedicated routes to insure ingress and egress to adjacent lands.

Platting Staff Comments: The petition included a plat with shading for areas with slopes steeper than 20% grade. Grades exceeding 20% affect portions of the proposed alternate right-of-way dedications.

Staff recommendation: *Demonstrate that the right of ways proposed to be dedicated can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersection. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right of way is feasible.*

20.70.130. Vacation plat—Preparation, approval and recording.

Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, 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 in KPB 20.70.110.

Platting Staff Comments: If approved, Forest Hills Lookout Bolder Heights Addition will finalize the vacation of Mountain Ash Street including a portion of the intersection with Paper Birch Lane, and Foster Avenue right of ways. Forest Hills Lookout Bolder Heights Addition will also subdivide a 40 acre parcel and a 15 acre lot into a 31 acre tract, a 1.86 acre tract, and 9 lots ranging from 2.234 acres to 1.613 acres. The plat will dedicate an extension of Authentic Road to provide a connection to Foster Avenue, match the 30' dedication of Giroux Street, extend a 30' dedication of Donovan Avenue, dedicate a 30' right of way on the south boundary of the 31 acre tract, and provide a 60' connection from the south boundary of the 31 acre tract on its east boundary to the Donovan Avenue extension.

Section Line Easement Vacation Plat Associated with Lot 1 Forest Hills Lookout Subdivision Amended will finalize the section line easement vacations.

The Plat Committee is tentatively scheduled to review both plats on November 12, 2019.

20.70.160. Partial vacation allowed.

Where the planning commission finds that a right-of-way must be preserved, but determines there is excessive width for all intended uses within the right-of-way, the commission may approve a partial vacation of a right-of-way such that the width is reduced to the maximum necessary for the intended use. Such vacation shall conform to this title for the class of right-of-way involved except where the right-of-way is not intended to be used for vehicular purposes.

Platting Staff Comments: The proposed right-of-way vacations will vacate a small portion of the Paper Birch Lane right-of-way at its intersection with Mountain Ash Street. The full 60 foot width of Paper Birch Lane at its intersection with Authentic Road immediately to the east will remain.

20.70.170. Vehicular Access.

The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

Platting Staff Comments: Forest Hills Lookout Bolder Heights Addition proposes to dedicate an extension of Authentic Road to provide a connection to Foster Avenue, match the 30' dedication of Giroux Street,

extend a 30' dedication of Donovan Avenue, dedicate a 30' right of way on the south boundary of the 31 acre tract, and provide a 60' connection from the south boundary of the 31 acre tract on its east boundary to the Donovan Avenue extension.

Mountain Ash Street, Foster Avenue, and Paper Birch Lane comprise a looped block with Mountain Ash Street and Foster Avenue both overlaying 50' wide section line easements. The proposed right-of-way and section line easement vacations would remove the north/south connection created by Mountain Ash Street.

Per the submittal and KPB four foot contours, Mountain Ash Street and Foster Avenue are affected by steep slopes exceeding 20% grade. Per the submittal and Kenai Watershed Forum Wetland mapping, the intersection of Mount Ash Street and Foster Avenue is affected by kettle wetlands. Per the submittal and aerial imagery, the rights-of-way proposed to be vacated are unconstructed and not used for vehicular access.

The petition proposes to dedicate an extension of Authentic Road as an alternative right-of-way to provide a connection from Paper Birch Lane to Foster Avenue and retain a looped block. Per the submittal and KPB four foot contours, the proposed alternative is affected by several areas of grades exceeding 20%. However, per the submittal and Kenai Watershed Forum Wetland mapping, the proposed right-of-way is not affected by low wet areas. The proposed dedication appears to follow the terrain and contours in such a way that it appears to be more constructible than the rights-of-way proposed to be vacated. The Authentic Road extension appears to be a superior alternative access than north/south connection provided by the proposed vacations.

However, the proposed dedications do not provide for any east/west access to the west of Mountain Ash Street from Foster Avenue or Paper Birch Lane. The 50' section line easement underlying Foster Avenue continues west to connect to Donovan Avenue and Giroux Street. The proposed vacation of Foster Avenue and the underlying section line easement removes that connection. No alternative is provided. A 33' section line easement adjoining Foster Avenue to the north would remain. However, a 33' section line easement traversing steep slopes is not equal or superior to an 83' section line easement traversing steep slopes. The nearest east-west connection is one mile to the south and 4,400 feet to the north.

Staff recommendation:

- *The Planning Commission concur that equal or superior vehicular access does not exist and was not provided in exchange.*
- *The Planning Commission concur that equal or superior vehicular access will exist and be provided by the proposed dedications if the Foster Avenue right-of-way and the underlying 50' section line easement are not vacated.*
- *Comply with KPB 20.70.170.*

20.70.180. Other access.

Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

Platting Staff Comments: Per the submittal, no other uses exist within the rights-of-way and section line easements proposed to be vacated.

Per the submittal, KPB four foot contours, and Kenai Watershed Forum Wetland mapping, the areas proposed to be vacated are affected by steep slopes exceeding 20% and kettle wetlands and are therefore not suited to general road use. However, other uses could exist within the proposed vacations, such as pedestrian access. Therefore, it must be demonstrated that equal or superior access is or will be available.

As discussed above, the Authentic Road extension appears to be a superior alternative access than north/south connection provided by the proposed vacations. However, no alternative is provided for the east/west connection from Foster Avenue to the west to Donovan Avenue and the 33' section line easement that would remain is not equal or superior to the current 83' section line easement. The nearest east-west connection is one mile to the south and 4,400 feet to the north.

Staff recommendation:

- *The Planning Commission concur that equal or superior access for other uses does not exist and was not provided in exchange.*
- *The Planning Commission concur that equal or superior access for other uses will exist and be provided by the proposed dedications if the Foster Avenue right-of-way and the underlying 50' section line easement are not vacated.*
- *Comply with KPB 20.70.180.*

20.70.190. Utility provisions.

All existing and future utility requirements shall be considered when evaluating a vacation request. Rights-of-way which are utilized by a public utility or which logically would be required by a public 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 public utility easement be granted in place of the right-of-way.

Platting Staff Comments: The petition proposes to vacate the 10' wide utility easements adjoining the rights-of-way proposed to be vacated. Per the petition, the utility easements are not in use by any utility company. The 50' section line easements proposed to be vacated could also be used by utility companies for utility purposes, but, per the petition, are not in use by any utility company.

The petition proposes to grant 10' utility easements that extend to 20' within 5' of side lot lines adjoining all rights-of-way within the proposed subdivision, including all of the proposed right-of-way dedications.

As discussed above, the Authentic Road extension and its adjoining utility easements appears to be a superior alternative access than north/south connection provided by the proposed vacations. The utilities that may currently exist under and along the constructed and KPB maintained Authentic Road can be extended under or along the proposed extension of Authentic Road.

The east/west connection extending west from Foster Avenue, across the section line easement to Donovan Avenue provides a straight path for utilities to provide services to the undeveloped parcels to the west of the subdivision. Therefore, the Foster Avenue right-of-way and section line easement logically could be required by a public utility. The petition does not provide an alternative for the east/west connection from Foster Avenue to the west across the section line easement to Donovan Avenue. As noted above, the existing 33' section line easement that would remain is not equal or superior to the current 83' section line easement and 33' right-of-way. The nearest east-west connection is one mile to the south and 4,400 feet to the north.

The affected utility providers were emailed the vacation public hearing notice as part of the routine notification process.

Staff recommendation:

- *The Planning Commission concur that equal or superior utility access does not exist and was not provided in exchange.*
- *The Planning Commission concur that equal or superior utility access will exist and be provided by the proposed dedications if the Foster Avenue right-of-way and the underlying 50' section line easement are not vacated.*
- *If the Planning Commission determines that an easement would satisfactorily serve the utility interests, and no other public need for the Foster Avenue right-of-way and underlying section*

line easement exists, the commission may approve the vacation and should require that a public utility easement be granted in place of the Foster Avenue right-of-way and 50' section line easement.

- *Comply with KPB 20.70.190.*

20.30.220. Section line easement vacations.

Section line easement vacation petitions must comply with the requirements of KPB 20.70.040, 20.70.050 and 20.70.060. A fee is required in compliance with KPB 20.70.060. Public hearing and notice must comply with the requirements of KPB 20.70.070, 20.70.080, 20.70.100, 20.70.110 and 20.70.120. The mail notice required in KPB 20.70.090 may be by regular mail. Publication on the planning commission agenda, advertised once in local papers, posted in public areas and on the borough website prior to the meeting will satisfy the publishing requirements. The petitioner is responsible for all submittals required by the State of Alaska Department of Natural Resources (DNR) in compliance with their procedures. The petition must be reviewed and approved by the planning commission but final authority for approval and platting of the vacation rests with DNR. The petitioner is responsible for coordination with DNR and submittals to DNR.

Staff recommendation: *Comply with KPB 20.30.220.*

STAFF RECOMMENDATION:

Based on the above means of evaluating public necessity established by KPB 20.70, the merits of the proposed vacations, and staff comments, staff recommends

- Denial of the vacation of the east-west public access, 33-foot Foster Avenue right-of-way, including the adjoining 10 foot utility easement, and the associated 50' section line easement
 - o OR provision of alternate equal or superior access to connect from the remaining portion of Foster Avenue to the proposed Donovan Avenue extension dedication to be approved by the Planning Commission at an additional public hearing.
- Approval of the vacation of the north-south public access, 33-foot Mountain Ash Street Right-of-Way and a portion of the intersection with Paper Birch Lane, including the adjoining 10-foot utility easement, and the two 50 foot section line easements common to sections 25 and 26 T05N R10W SM

subject to:

1. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
2. Grant utility easements requested by the utility providers.
3. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of right-of-way vacation consent (KPB 20.70.130).
4. Submittal of a final plat within a timeframe such that the plat can be recorded within four year of section line easement vacation approval (KPB 20.25.110).

KPB 20.70.110:

A vacation of a street right-of-way, public area, or public easement within the borough outside of the limits of cities may not be made without the consent of the borough assembly. The assembly shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the borough shall be considered to have given consent to the vacation.

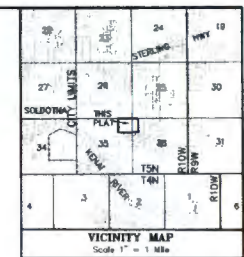
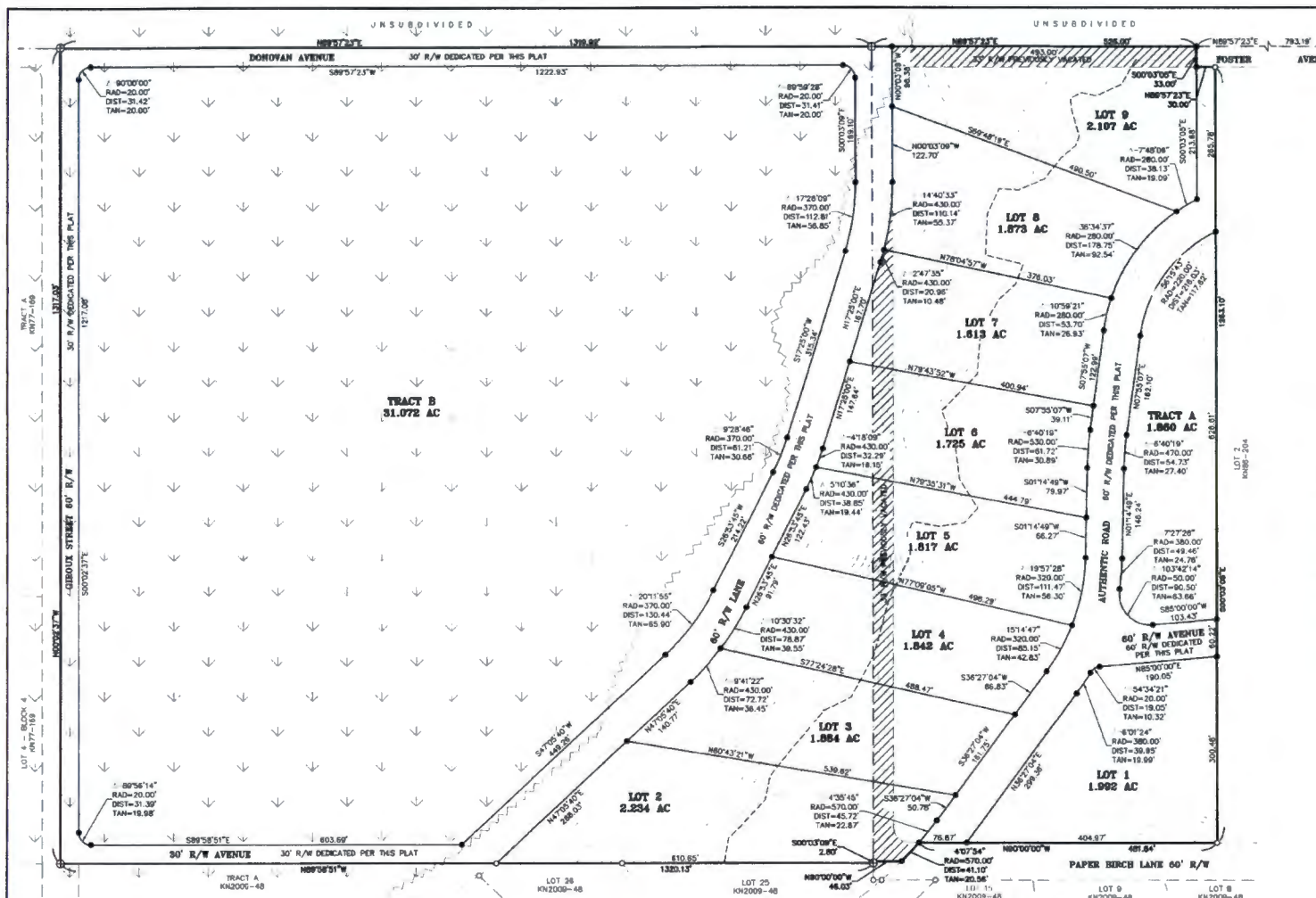
KPB 20.70.120:

- A. **Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.**
- B. **Upon denial by the planning commission, 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.**

KPB 20.70.130:

THE RIGHT-OF-WAY VACATION FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

END OF STAFF REPORT



- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 1/2" IRON UNLESS NOTED
 - SET 5/8"x3/4" IRON W/ 1" STAINLESS STEEL CAP 85032-5
 - POWER POLE
 - OVERHEAD ELECTRIC
 - AREA SUBJECT TO INUNDATION
 - CONTOUR INTERVAL = 4'
 - 33' ROAD R/W PREVIOUSLY VACATED
 - SLOPES GREATER THAN 20%

- NOTES**
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
 2. BUILDING SET BACK - A BUILDING SET BACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 3. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
 4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 5. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
 6. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF THE 33' ROAD R/W FOSTER AVENUE, 33' ROAD R/W MOUNTAIN ASH STREET AND PORTION OF PAPER BIRCH LANE CREATED BY KN06-204 AT THE MEETING OF 7/7/11.
 7. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION, ALASKA DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF NATURAL RESOURCES APPROVED THE VACATION OF THE 50' SECTION LINE EASEMENT AT 7/7/11.



WASTEWATER DISPOSAL

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

WASTEWATER DISPOSAL

THESE LOTS ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL 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.

CERTIFICATE OF OWNERSHIP

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

CODY R. McLane
PO BOX 488
SOLDOTNA, AK 99666

NOTARY'S ACKNOWLEDGEMENT

FOR: CODY R. McLane
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2019
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE STATE OF ALASKA
(10) 10
KN2009-48

PLAT APPROVAL

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

Plat #

File No. _____
Date _____
Time _____

**FOREST HILLS LOOKOUT
BOLDER HEIGHTS ADDITION**

(A RESUBDIVISION OF LOT 1 AMBROSE FOREST HILLS
LOCATED SUBDIVISION EXHIB-104 AND UNRESUBDIVIDED
NE1/4 OF NE1/4 OF SECTION 36, T34N, R10W, 3M, AK)

CODY R. McLane
PO BOX 488
SOLDOTNA, AK 99666

56.364 AC. N/2, SITUATED IN THE NE1/4 SECTION 36 &
N/4 NE1/4 SECTION 36, TOWNSHIP 3 NORTH, RANGE 10
WEST, SEWARD MERIDIAN, ALASKA AND THE KENAI
PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT

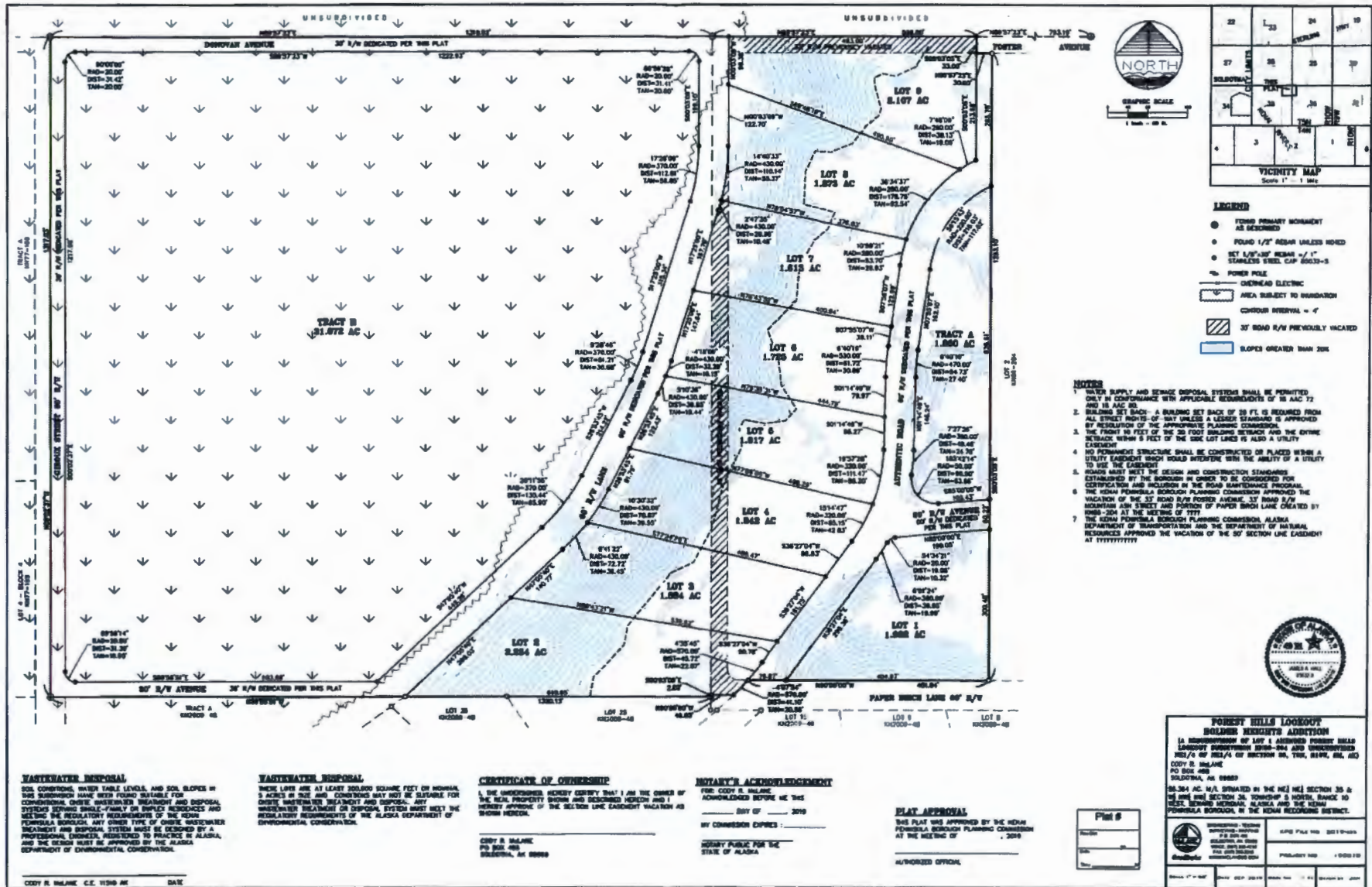
ENGINEER: KENNETH
APPROVED: KENNETH
P.O. BOX 488
SOLDOTNA, AK 99666
VOICED BY: 800-455-8888
FAX: 907-261-0888
WWW.KENAIENGINEERS.COM

FILE NO. FILE NO. 2019-117V
PROJECT NO. 1980110

DATE: 08-07-2019 DRAWN BY: J. JAHN

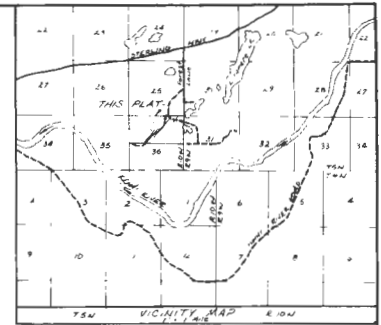
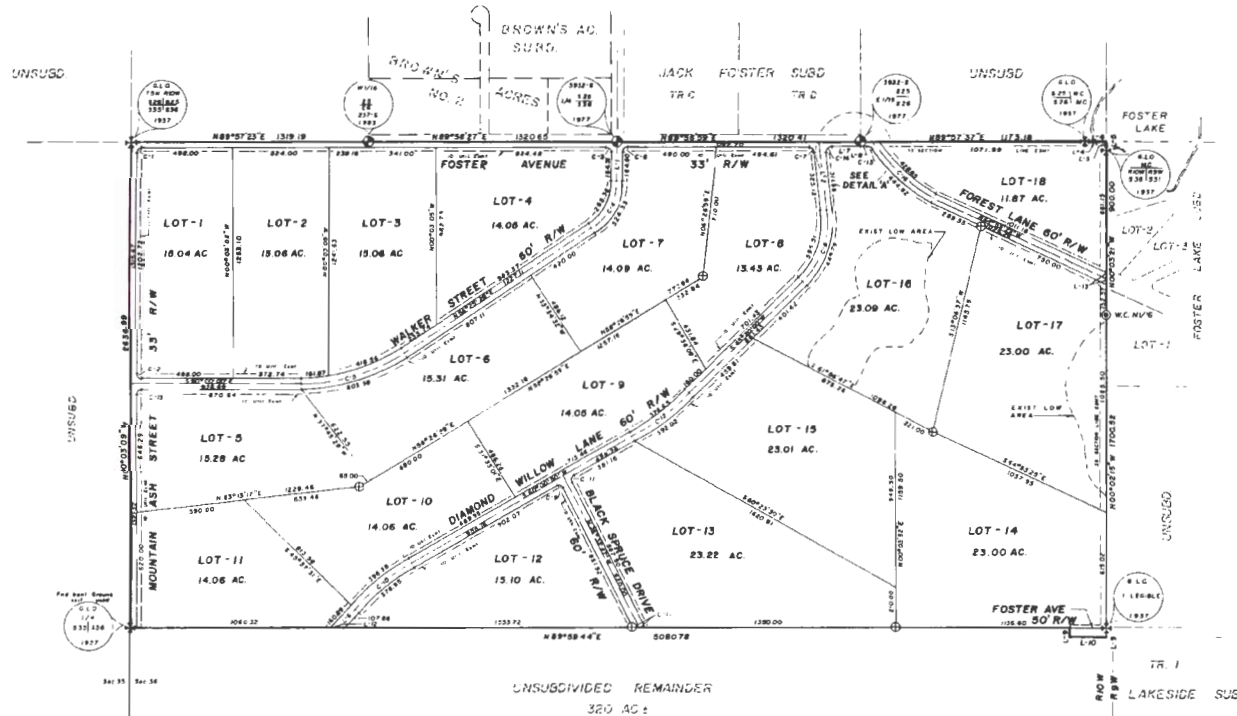
CODY R. McLane C.E. 11510 AK DATE _____

KPB 2019-117V



KPB 2019-117V

FOREST HILLS LOOKOUT SUBDIVISION



Certificate of Ownership and Dedication

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

Relish A. Johnson, Pres. Salamatu Native Assoc. Inc.

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

Notary's Acknowledgement

FOR Relish A. Johnson and James O. Segura

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 1985

Notary for the State of Alaska My Commission Expires _____

Plat Approval

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 1985.
(Ord. 80-3751, 1980, Ord. 78-3752 (m1), 1979) By _____, Borough Engineer (Initial)

Surveyor's Certificate

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

Signature _____ Date 2/24/85

Water Supply and Sewage Disposal

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

LEGEND

- ① FOUND OFFICIAL SURVEY MONUMENT
- ② FOUND 1 1/2" O.D. BRASS CAP MONUMENT.
- ③ SET 5" x 30" ALUMINUM MONUMENT.
- ④ FOUND 1" AL CAP (MC NUB)
- ⑤ ALL LOT CORNERS, ANGLE POINTS AND P.C.'s MONUMENTED WITH 3" x 30" PEARL AND YELLOW CAP 2234-S

AMENDED PLAT (see Notes)

FOREST HILLS LOOKOUT SUBDIVISION
CONTAINING 320.12 ACRES MORE OR LESS AND SITUATED WITHIN THE
N 1/2 SECTION 36, T5N, R10W, S1M, AK AND
THE KENAI PENINSULA BOROUGH

PREPARED FOR: SALAMATU NATIVE ASSOCIATION INC.
P.O. Box 2882, Kenai, AK 99541

PREPARED BY: **pba** PROFESSIONAL DESIGN ASSOCIATES, Inc. 4406 Kenai, AK 99541

DATE: 5/29/85 SCALE: 1" = 300'
DRAWN: E.B. CHECKED: G.C. P.B. FILE # 65-043

CURVE	APLTA	RADIUS	ARC	TANGENT
C-1	90°00'33"	23.00	39.27	23.01
C-2	89°36'51"	25.00	39.25	24.98
C-3	89°08'23"	28.00	38.33	25.06
C-4	58°16'18"	300.00	284.84	140.34
C-5	33°34'32"	1000.00	586.00	301.48
C-6	88°30'09"	25.00	39.20	24.93
C-7	87°34'48"	32.00	43.74	26.80
C-8	51°30'15"	487.16	422.65	227.03
C-9	93°25'22"	20.00	32.61	21.23
C-10	18°33'27"	1000.00	368.67	196.05
C-11	88°34'36"	23.00	30.21	18.84
C-12	14°40'00"	1000.00	384.34	193.23
C-13	90°03'00"	25.00	39.29	25.02
C-14	88°23'18"	32.00	50.50	33.58
C-15	62°25'25"	30.00	31.64	17.47
C-16	38°24'15"	692.20	463.97	241.08

NOTES

- There shall be a 30' minimum building setback from all dedicated R/W's unless a lesser standard is approved by resolution of the appropriate planning commission.
 - There shall be a 10' Utility Easement along all dedicated Right-of-Ways.
 - All water carried domestic sewage systems must be designed by an Engineer registered in the State of Alaska and approved by the Alaska Dept. of Environmental Conservation prior to installation.
- Amended 10-8-86**
- Ending on center line of Forest Lane changed from N 64°23'53" W to N 64°53'23" W
 - Added missing dimension on Lot 3, along R/W of Willow Street - 233.74 feet
 - Changed dimension on East boundary of Lot 17 from 1238.07 feet to 1285.50 feet and add the dimension of 152.57' to reflect bearing break at MC NUB corner.
 - Changed area of Lot 14 from 23.00 acres to 23.00 acres to reflect correct area as monumented
 - Changed dimension of curve on Lot 4 from 266.36 feet to 263.16 feet
 - Changed the title block to reflect the correct spelling of containing:

LINE TABLE

LINE	BEARING	DISTANCE
L-1	N 00°08'50" W	222.44
L-2	N 08°30'13" W	381.74
L-3	N 46°27'23" E	107.88
L-4	N 88°57'37" E	147.75
L-5	S 00°05'27" E	39.75
L-6	N 46°27'23" E	154.39
L-7	N 88°57'37" E	160.20
L-8	N 88°57'37" E	33.07
L-9	S 00°05'27" E	80.00
L-10	N 88°57'37" E	200.00
L-11	N 88°57'37" E	33.54
L-12	N 88°57'37" E	40.03
L-13	N 00°05'27" W	33.16
L-14	N 88°57'37" E	33.70

DETAIL 'A'

NOT TO SCALE

CERTIFICATE OF APPROVING BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
This subdivision has been submitted in accordance with the requirements and is approved subject to any actual conditions.

KENAI RIVER

BASIS OF BEARING
WEST 75°
2148.08 74N

STERLING HWY

SOLDOTNA CITY LIMITS

BK
059

BK
135

041

80 AC.
14

40 AC.
15

230

40 AC.
60

TR. A
25.41 AC.
45

80 AC.
93

TR. A
1.55 AC.
94

40 AC.
16

40 AC.
58

38.66 AC.
97

271

1
1.08 AC.
96

140

155 AC.
06

78
1
0.92 AC.

79
2.92 AC.

TR. A
0.85 AC.
53

190

TR. C
1.81 AC.
87

88
32.70 AC.

51
TR. B
3 AC.

180

22
39.54 AC.

TR. A
1.96 AC.
44

84
D-2
1.42 AC.

08
D-1B
1.28 AC.

81
C-2
2.51 AC.

360

850

04
252.65 AC.

011

SEPTEMBER 13, 2018

For 2019 assessment roll

Delete Add Revise

To
07 46 058350+

KN0770003 SOUTH SLOPE SUB RESUB TRACT A
KN0780046 JACK FOSTER SUB
KN0780210 JEFF FOSTER PROPERTY
KN0790054 DOBBINS PROPERTY
KN0840003 PENINSULA VIEW SUB
KN0870096 BROONER SUB
KN0920065 SOUTH SLOPE SUB PART 2 AMENDED
KN0940081 JACK FOSTER SUB CAREY ADDN
KN2001028 SOUTH SLOPE SUB BUXTON ADDITION
KN2003081 JACK FOSTER SUB JASON ADDN
KN2003082 JEFF FOSTER PROPERTY TRACT C

2018 Imagery



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.

0 250 500 1,000 Feet

JReif



Date: 10/14/2019

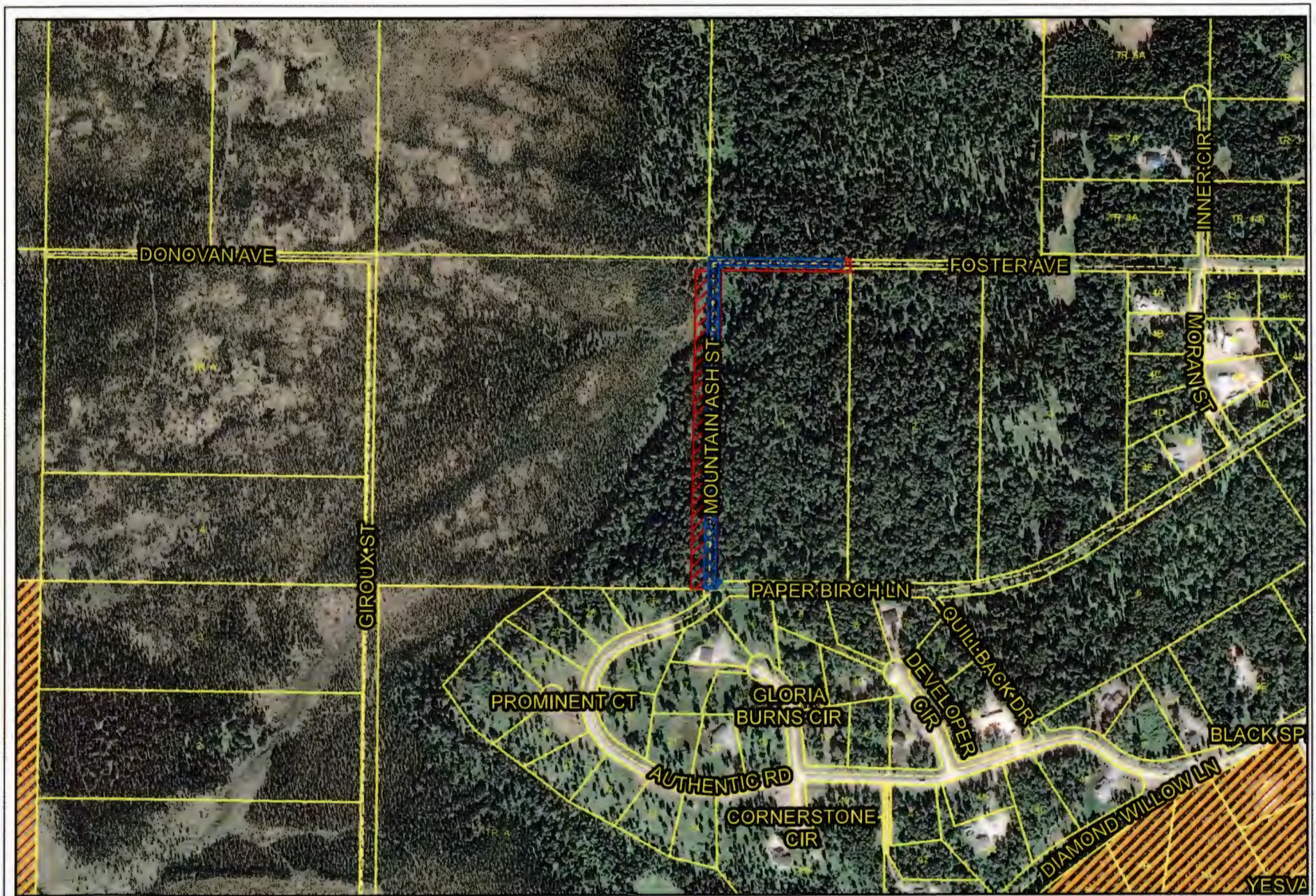
2018 Imagery



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.

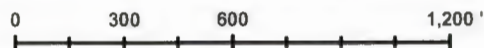




JReif



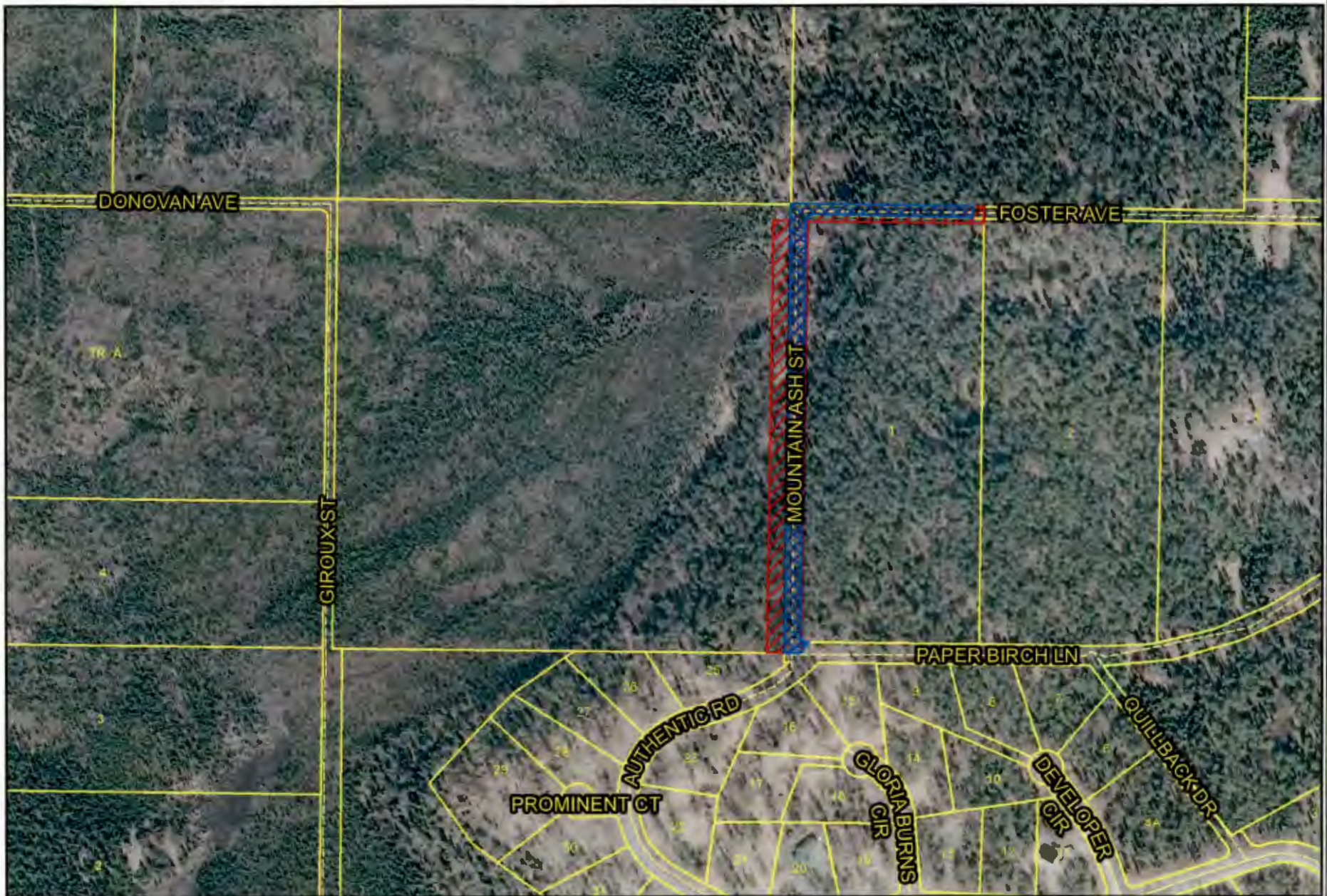
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Aerial View



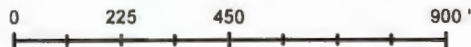
-  Right of Way Vacation
-  Section Line Easement Vacation

PClements KPB
Date: 10/9/2019
Imagery: 2015 Soldotna



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Aerial View



Right of Way Vacation

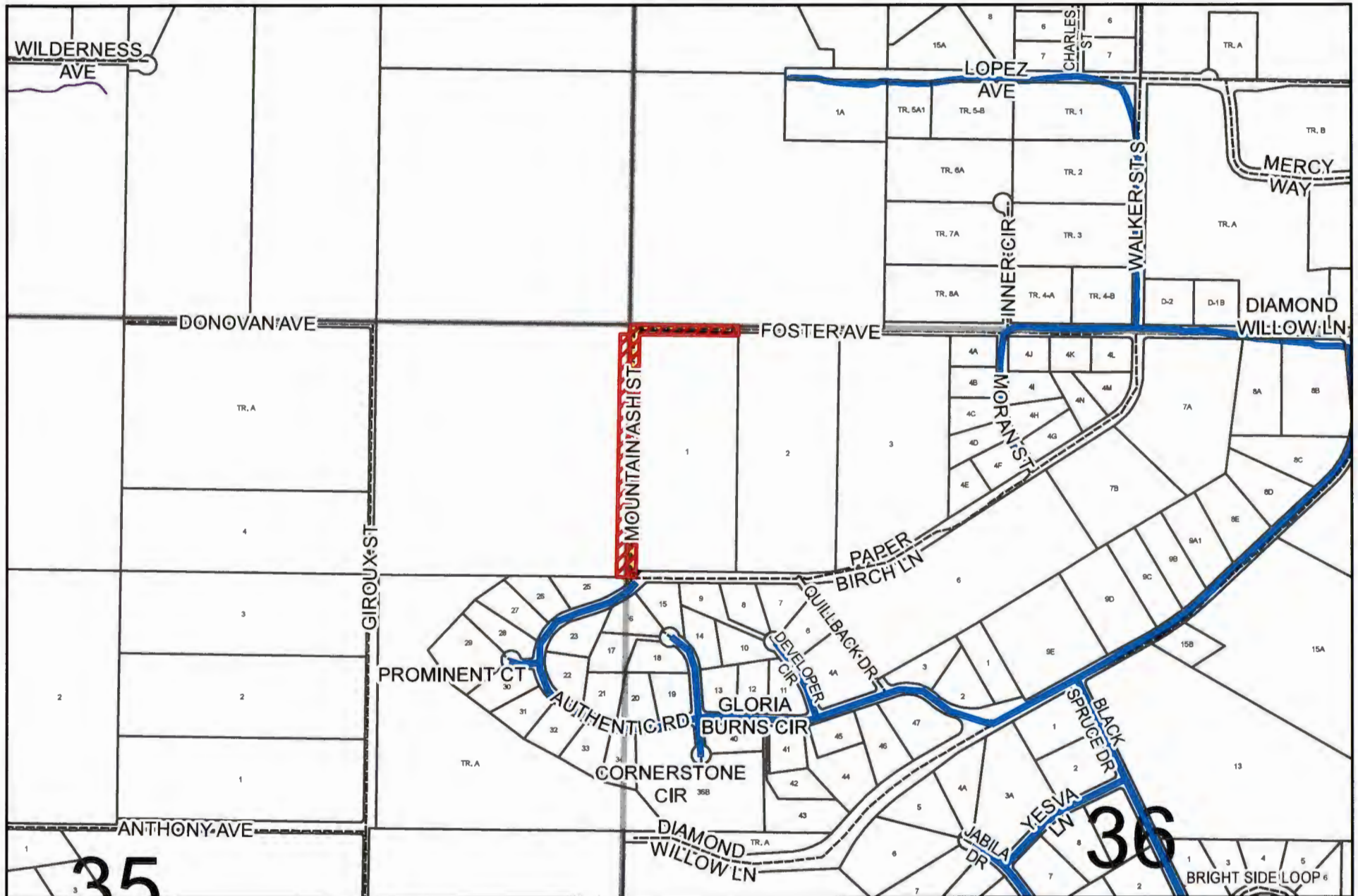
Section Line Easement Vacation

PClements KPB

Date: 10/9/2019

Imagery: 2012-2013 FixedWing

Borough Maintained Roads



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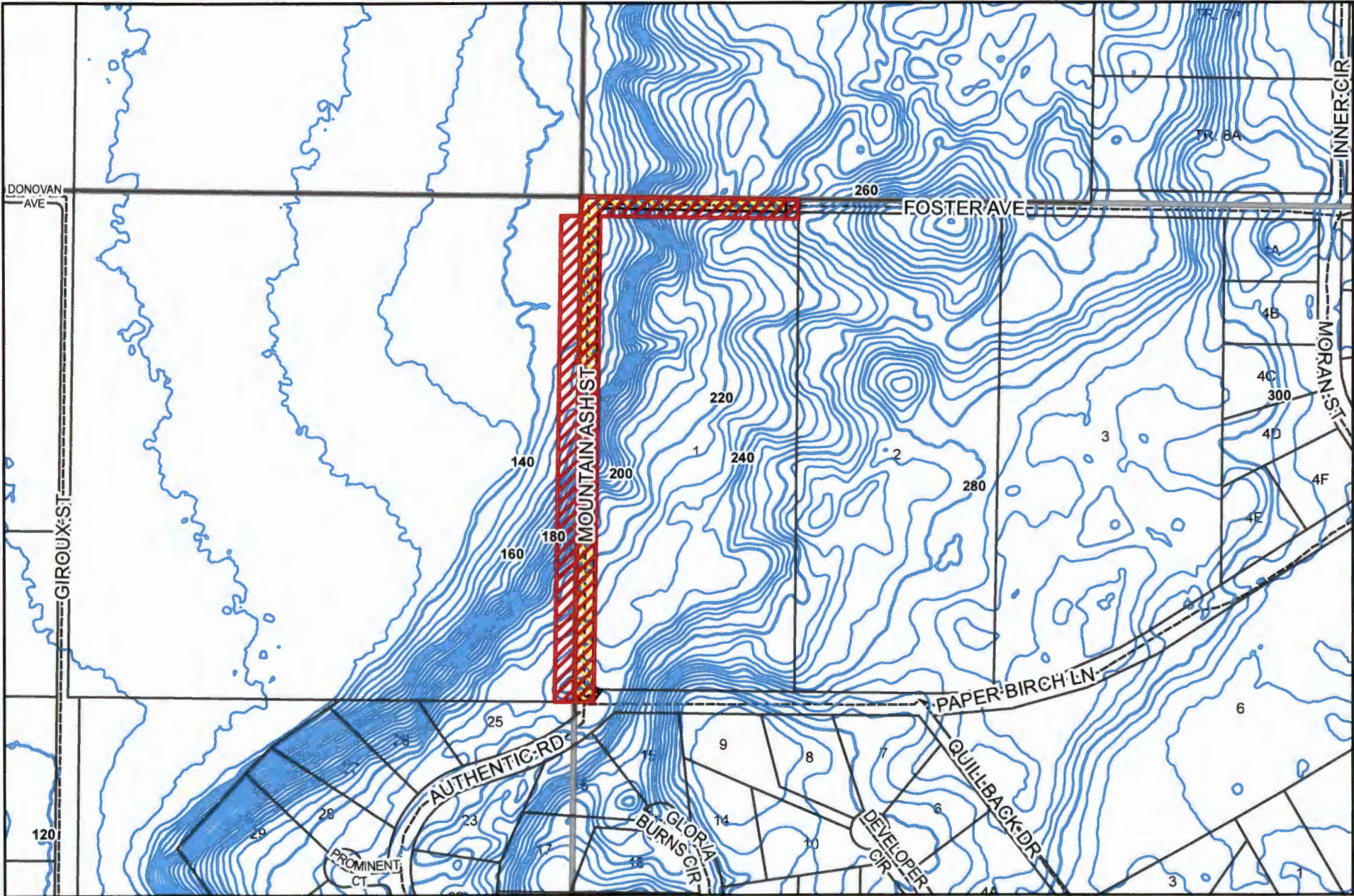
0 500 1,000 2,000 Feet

JReif



Date: 10/14/2019

Contours



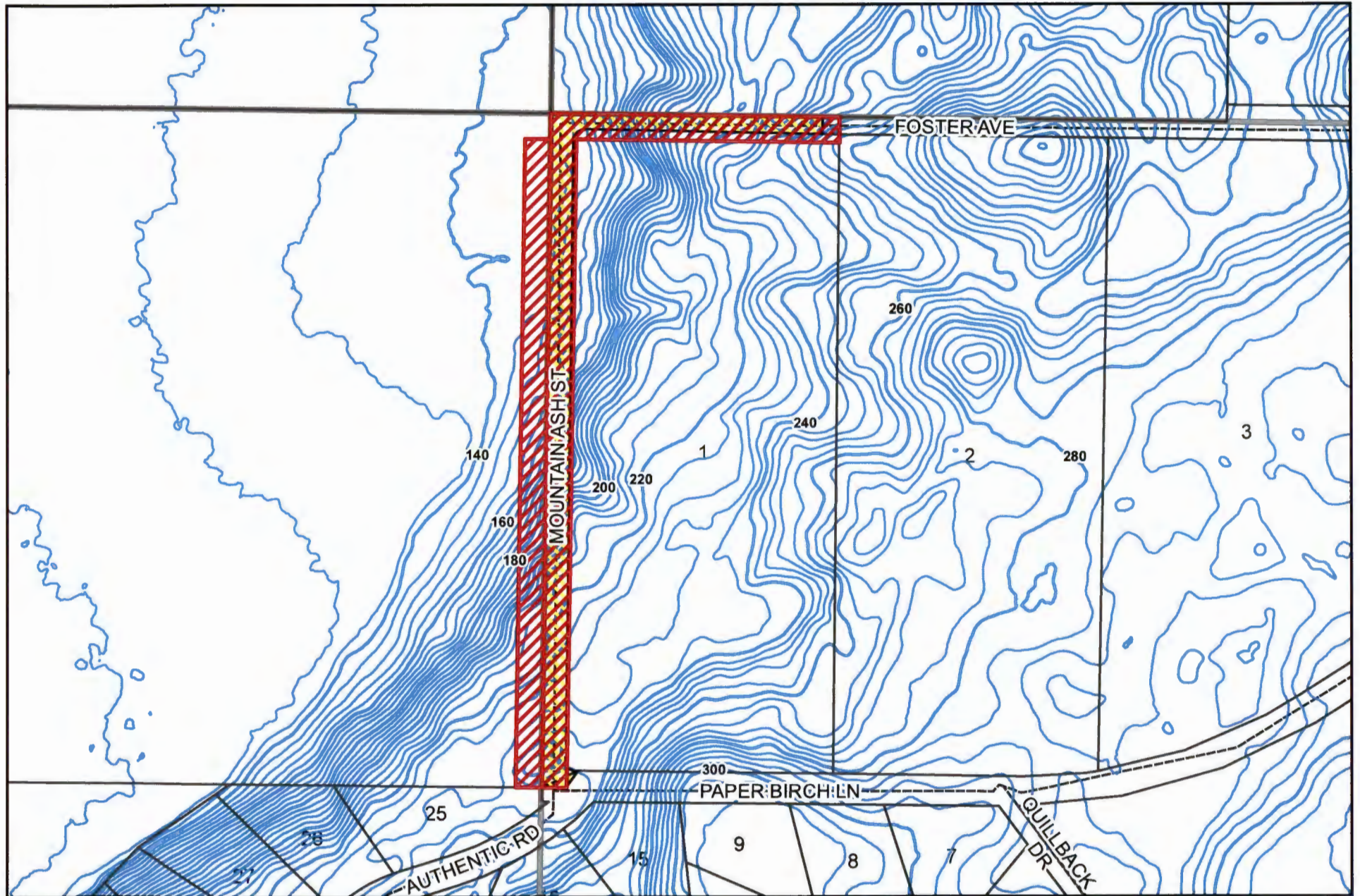
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

0 200 400 800 Feet

JReif

Date: 10/14/2019

Contours



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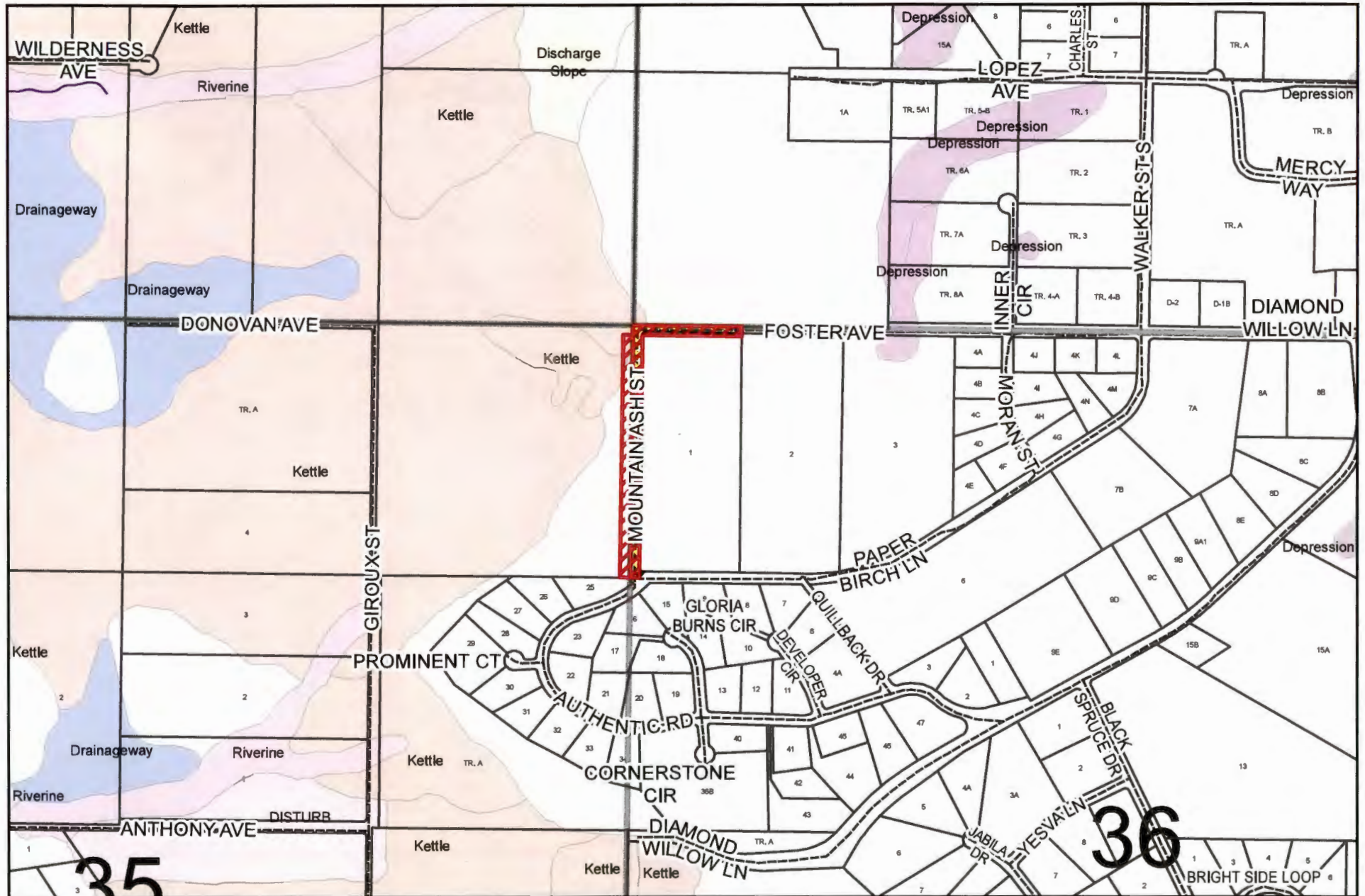
0 150 300 600 Feet

JReif



Date: 10/14/2019

Kenai Watershed Forum Wetlands



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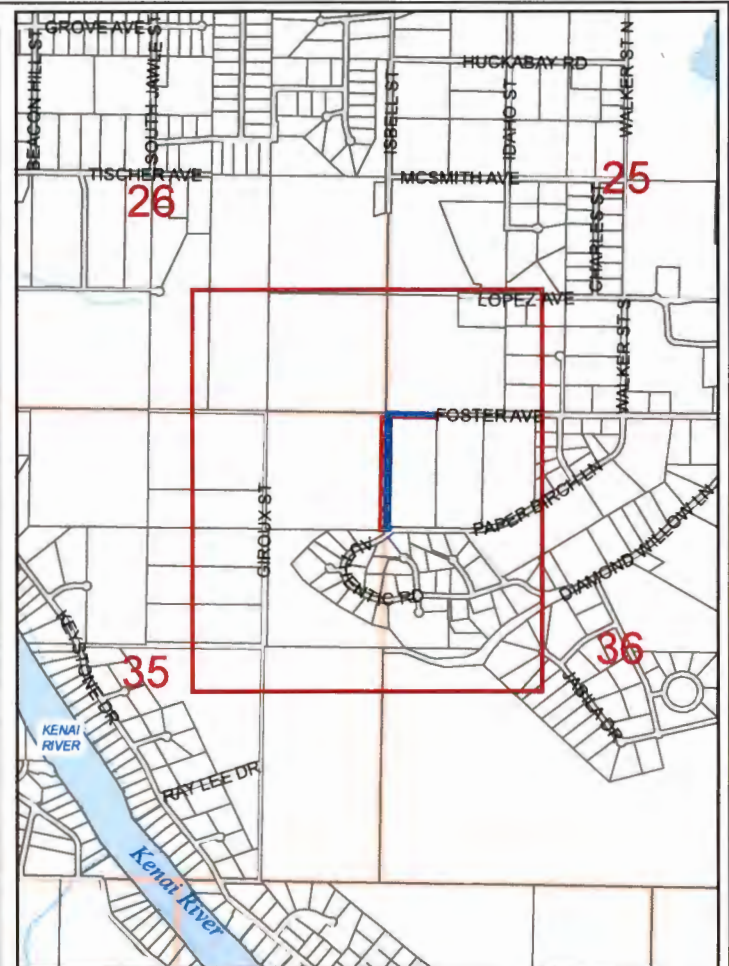
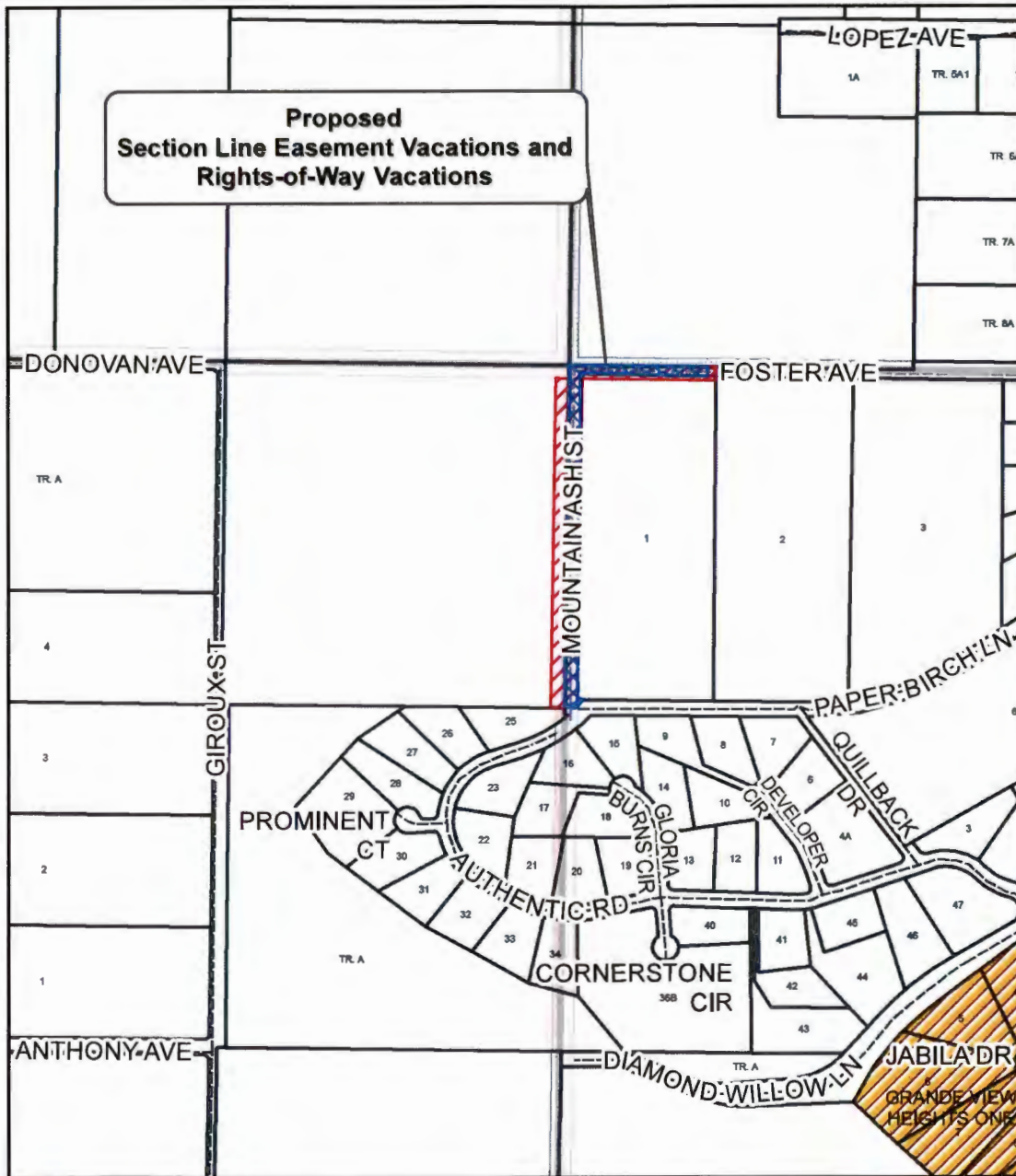
0 500 1,000 2,000 Feet

JReif



Date: 10/14/2019

**Proposed
Section Line Easement Vacations and
Rights-of-Way Vacations**



0 1,500 3,000 6,000 Feet

**KPB 2019-117V
T05N R10W S35
T05N R10W S36
STERLING**



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0 300 600 1,200'

PClements, KPB
Date: 10/9/2019