DENALI BOROUGH, ALAKSA
PLANNING COMMISSION

RESOLUTION NO. PC 16-03

A RESOLUTION PROVIDING PRELIMINARY APPROVAL FOR PLAT 16-02

Replat through vacation of the common lot line between lots 12 & 13
of the Happy Valley Subdivision No. 2.
Located within Sections 11 & 14, T17S, R7W, F.M. Alaska

WHEREAS, all formal acts by the Planning Commission must be by resolution; and

WHEREAS, applicants have submitted a sketch for preliminary approval; and

WHEREAS, the aforementioned sketch has been reviewed by the Denali Borough Planner; the land office recommends approval as presented; and

WHEREAS, the Denali Borough Planner will review the preliminary plat 16-02 to make sure it meets the Denali Borough standards; and

WHEREAS, the aforementioned request has been reviewed by the Denali Borough Planning Commission.

NOW THEREFORE BE IT RESOLVED, the Denali Borough Planning Commission is providing preliminary approval for the replat through vacation of the common lot line between lots 12 & 13 of the Happy Valley Subdivision No. 2 thereby creating lot 12A.

BE IT FURTHER RESOLVED, the Denali Borough Planning Office shall adjudicate the final plat within two (2) years of the Planning Commission preliminary approval.

PASSED and APPROVED by the Denali Borough Planning Commission this 15th day of March, 2016.

_____
Lee Lightfoot, Deputy Presiding Officer

ATTEST: _____
Amber Renshaw, Deputy Clerk

VOTE: YEA –
NAY –
ABSENT –

DENALI BOROUGH
SUBDIVISION APPLICATION

PO Box 480
Healy, Alaska 99743
Phone: (907) 683-1330 Fax: (907) 683-1340
www.denaliborough.govoffice.com

Clay Walker, Mayor

Site Size: **Acres** **Case File No:** 16-02

Type of Application:

☐ Subdivision ☐ Short Plat ☐ Replat ☑ Vacation ☐ Other

Legal Description:

Subdivision: Happy Valley ASLS/U.S. Survey No.: _____

Lot: 12&13 Block: _____ Tract: _____

Township: 17S Range: 7W Section(s): 11/14 ¼ section: _____

Meridian: FBKS Other: Plat #99-13

Applicant:

Name: Jeffrey O'Bryant and Kathleen Schedler

Mailing Address: 1188 Crown Road
Fairbanks, AK 99709

Telephone: 907.479.2061 Fax: 907.457.2061

E-mail: kathleenschedler@gmail.com

Owner (If different from applicant):

Name: _____

Mailing Address: _____

Telephone: _____ Fax: _____

E-mail: _____

Owner Representative (If applicable):

Name: _____

Mailing Address: _____

Telephone: _____ Fax: _____

E-mail: _____

If the applicant is not the owner of the property then an authorization form from the owner will need to be submitted with the application.

If an entity, such as the Alaska Railroad Corporation or Usibelli Coal Mine, owns the property being modified, a letter stating non-objection to subdividing, vacating, or replatting will suffice in place of an authorization form.

OWNER'S CERTIFICATION:

I HEREBY CERTIFY THAT I am the owner of the property described above and that I desire to modify this property in compliance with the Denali Borough Code (DBC) Chapter 9.10 and certify that to the best of my knowledge and belief that this plat meets DBC 9.10. I understand submitting this application does not assure approval of the plat.

Jeffrey O'Bryant/ Kathleen Schedler — 2/14/16

Owner(s) Name (PRINT) — Date

Jeffrey O'Bryant — FEB 14, 2016

Owner's Signature — Date

Kathleen Schedler — 2/14/16

Owner's Signature — Date

APPLICANT'S CERTIFICATION (if not the owner):

I HEREBY CERTIFY THAT I have provided an authorization form from the owner of the property described above and that he/she desires to modify the property in compliance with the Denali Borough Code Chapter (DBC) 9.10. I certify that to the best of my knowledge and belief this plat meets DBC 9.10. I understand submitting this application does not assure approval of the plat.

Applicant(s) Name (PRINT) — Date

Applicant's Signature — Date

Applicant's Signature — Date

REPRESENTATIVE CERTIFICATION:

I HEREBY CERTIFY THAT I have provided an authorization form from the owner of the property and have been granted authorization to act for the owner of the property described above. I will modify this property in conformance with the Denali Borough Code Chapter 9.10 and hereby verify that all of the above statements are true. I am familiar with the code requirements and certify that to the best of my knowledge, belief and professional ability that this plat meets DBC 9.10. I understand submitting this application does not assure approval of the plat.

Representative's Name (PRINT) — Date

Representative's Signature — Date

Justification for requested replat / vacation:

This application requests that the common property lot line separating lots 12 and 13 Happy Valley Subdivision #2 from each other be vacated and that lots 12 and 13 be joined as one lot instead of two lots.

Lots 12 and 13 are the property of Kathleen Schedler and Jeffrey O'Bryant.

See attached exhibit #1 statutory warranty deed. A plat of the lots is attached as exhibit #2 and an as-built survey is attached as exhibit #3.

Vacating the common lot line is beneficial to and consistent with the owners' future use and developement plans and needs. A pond common to both lots is bisected by the common lot line.

This application does not affect the property rights of public or private entities. The adjacent property owner (lots 10 and 11) is believed to be Kirk Martakis PO Box 127 Cantwell, AK 99729.

Matanuska Valley Federal Credit Union has a lien holder interest in lots 12 and 13. Its' representative advised it has no objection to this application as it does not diminish the value of the property. It will consent in writing on the finalized replat.

Exhibit #4 is a similarity of the finalized and approved replat vacating the common lot line in question. A new lot number should be designated consistent with Denali Borough subdivision prodcedure and regulation.

Items to remember for subdivision, replat, and vacations of plats:

1. Please Review the Subdivision Checklist before submitting plat
2. If applicant is not the owner of the property then an authorization form must be signed and notarized by the owner and attached to this application.
3. A letter of non-objection from all utility companies involved in easements must be submitted with this application, such as Golden Valley Electric Association (GVEA) and Mantanuska Telephone Association, Inc. (MTA).
4. Preliminary Plat Submission - compliance with DBC 9.10.070 (D)(1) Platting Standard
   - An electronic pdf copy
     Or
   - Speak with Land Office about submitting paper copies for the number needed
5. Preliminary plats shall be submitted to the DB Land Office sixteen (16) days prior to a regularly scheduled planning commission meeting per DBC 9.10.070.

After recording return to the Grantee
Escrow No.: **Y81259-MW (E)**

STATUTORY WARRANTY DEED

THE GRANTOR Dana Williams, who acquired title as Dana Morningstar and Dana Morningstar Williams and Lance Williams, Wife and Husband

whose mailing address is: PO Box 163 Cantwell AK 99729

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to the

Grantee(s): Kathleen Schedler and Jeffrey A. O'Bryant, wife and husband

whose mailing address is: 5400 Mail Trail 61348, Fairbanks, AK 99706

the following described real estate:

Lot 12 and 13 of HAPPY VALLEY SUBDIVISION NO. 2, according to the plat filed October 15, 1999 as Plat No. 99-13; Records of the Nenana Recording District, Fourth Judicial District, State of Alaska

SUBJECT TO property taxes; reservations and exceptions as contained in the U.S. Patent; easements of record; and covenants, conditions and restrictions of record, if any.

Dated this 26th day of December, 2013.

x Dana Williams
Dana Williams

x Lance Williams
Lance Williams

STATE OF ALASKA)
JUDICIAL DISTRICT OR COUNTY: Fourth)ss.

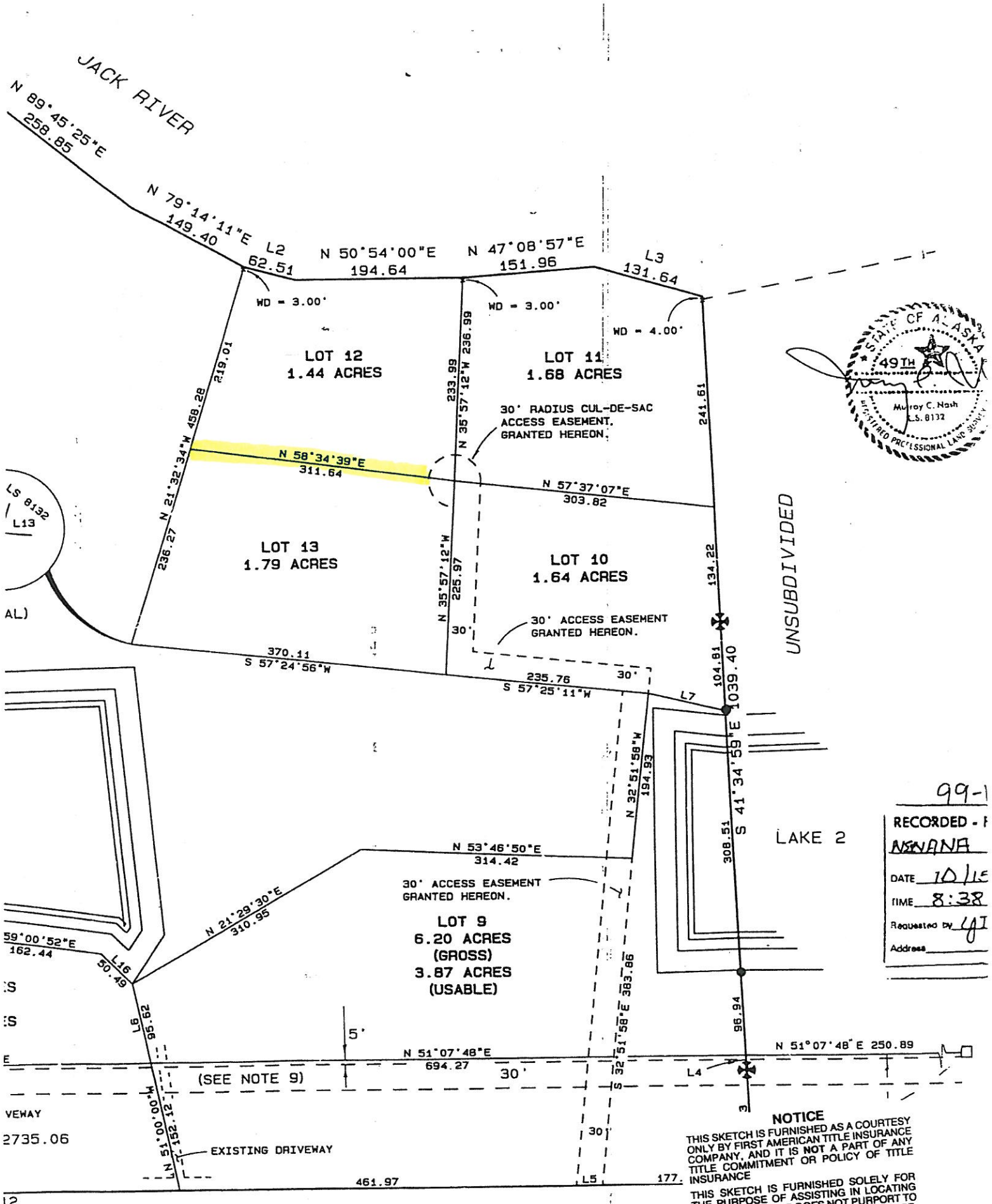
THIS IS TO CERTIFY that on this 26 day of December, 2013, before me the undersigned Notary Public, personally appeared **Dana Williams and Lance Williams** known to me and to me known to be the individual(s) described in and who executed the foregoing instrument and acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes therein set forth

(Seal)
Postmaster/Notary Public
Per USPS ASM 1122

CANTWELL, AK 99729
DEC 2013
USPS

Notary Public in and for ALASKA
My commission expires: N/A

Exhibit #1



99-1

RECORDED - F

NENANA

DATE 10/15

TIME 8:38

Requested by GI

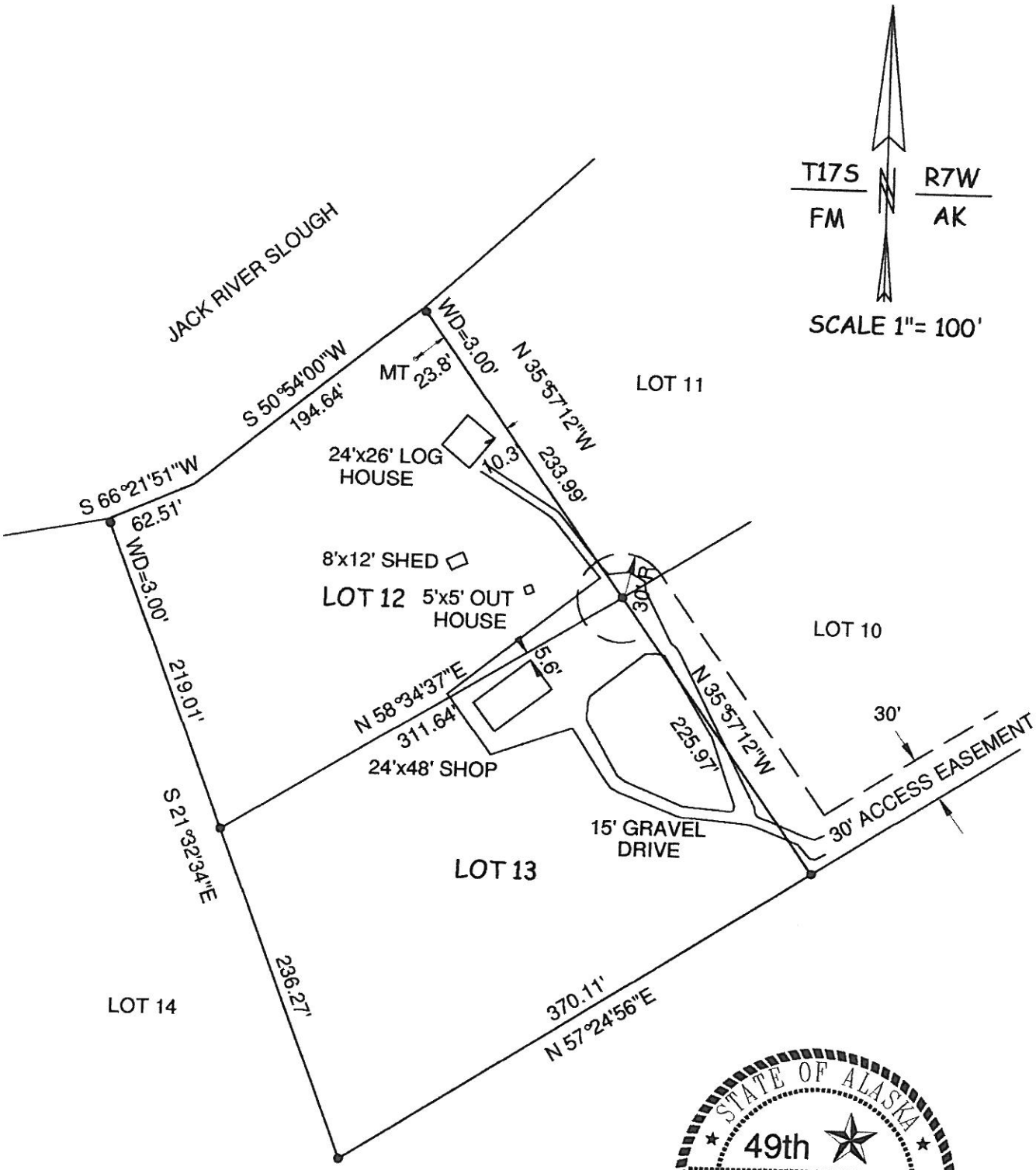
Address

NOTICE

THIS SKETCH IS FURNISHED AS A COURTESY ONLY BY FIRST AMERICAN TITLE INSURANCE COMPANY, AND IT IS **NOT** A PART OF ANY TITLE COMMITMENT OR POLICY OF TITLE INSURANCE

THIS SKETCH IS FURNISHED SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE PREMISES AND DOES NOT PURPORT TO SHOW ALL HIGHWAYS, ROADS OR EASEMENTS AFFECTING THE PROPERTY. NO RELIANCE SHOULD BE PLACED UPON THIS SKETCH FOR THE LOCATION OR DIMENSIONS OF THE PROPERTY AND NO LIABILITY IS ASSUMED FOR THE CORRECTNESS THEREOF.

Exhibit #2



STATE OF ALASKA
49th
Paul P. Pilch
LS 7576
REGISTERED PROFESSIONAL LAND SURVEYOR

ASBUILT SURVEY

LOT 12-13
HAPPY VALLEY SUBDIVISION No. 2
PLAT NO. 99-13
NENANA RECORDING DISTRICT

AUGUST 8, 2012

PILCH LAND SURVEYING P.O. BOX 641 WILLOW, ALASKA 99688 907-495-6611

Exhibit #3

JACK RIVER

N 89°45'25"E 258.85

N 79°14'11"E 149.40

L2 62.51

N 50°54'00"E 194.64

N 47°08'57"E 151.96

L3 131.64

WD = 3.00'

WD = 3.00'

WD = 4.00'

LOT 12
1.44 ACRES

LOT 11
1.68 ACRES

219.01

488.28

N 21°32'34"W

236.27

233.99

N 35°57'12"W 236.99

30° RADIUS CUL-DE-SAC ACCESS EASEMENT, GRANTED HEREON.

241.61

N 57°37'07"E 303.82

LOT 13
1.79 ACRES

N 35°57'12"W 225.97

LOT 10
1.64 ACRES

134.22

30° ACCESS EASEMENT GRANTED HEREON.

30'

370.11 S 57°24'56"W

235.76 S 57°25'11"W

30'

L7

104.81

1039.40

UNSUBDIVIDED

S 41°34'59"E

N 32°51'58"W 194.93

308.51

LAKE 2

N 53°46'50"E 314.42

30° ACCESS EASEMENT GRANTED HEREON.

N 21°29'30"E 310.98

LOT 9
6.20 ACRES
(GROSS)
3.87 ACRES
(USABLE)

59°00'52"E 162.44

L16 50.49

L6 98.62

383.86

96.84

5'

N 51°07'48"E 694.27

30'

N 51°07'48"E 250.89

L4

(SEE NOTE 9)

N 51°00'00"E 152.31

EXISTING DRIVEWAY

30'

L5

177.

461.97

2735.06

VEWAY

HWAY

99-1

RECORDED - F

NENANA

DATE 10/15

TIME 8:38

Requested By GI

Address

STATE OF ALASKA 49TH Murray C. Nash L.S. 8132 REGISTERED PROFESSIONAL LAND SURVEYOR

NOTICE

THIS SKETCH IS FURNISHED AS A COURTESY ONLY BY FIRST AMERICAN TITLE INSURANCE COMPANY, AND IT IS NOT A PART OF ANY TITLE COMMITMENT OR POLICY OF TITLE INSURANCE

THIS SKETCH IS FURNISHED SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE PREMISES AND DOES NOT PURPORT TO SHOW ALL HIGHWAYS, ROADS OR EASEMENTS AFFECTING THE PROPERTY. NO RELIANCE SHOULD BE PLACED UPON THIS SKETCH FOR THE LOCATION OR DIMENSIONS OF THE PROPERTY AND NO LIABILITY IS ASSUMED FOR THE CORRECTNESS THEREOF.

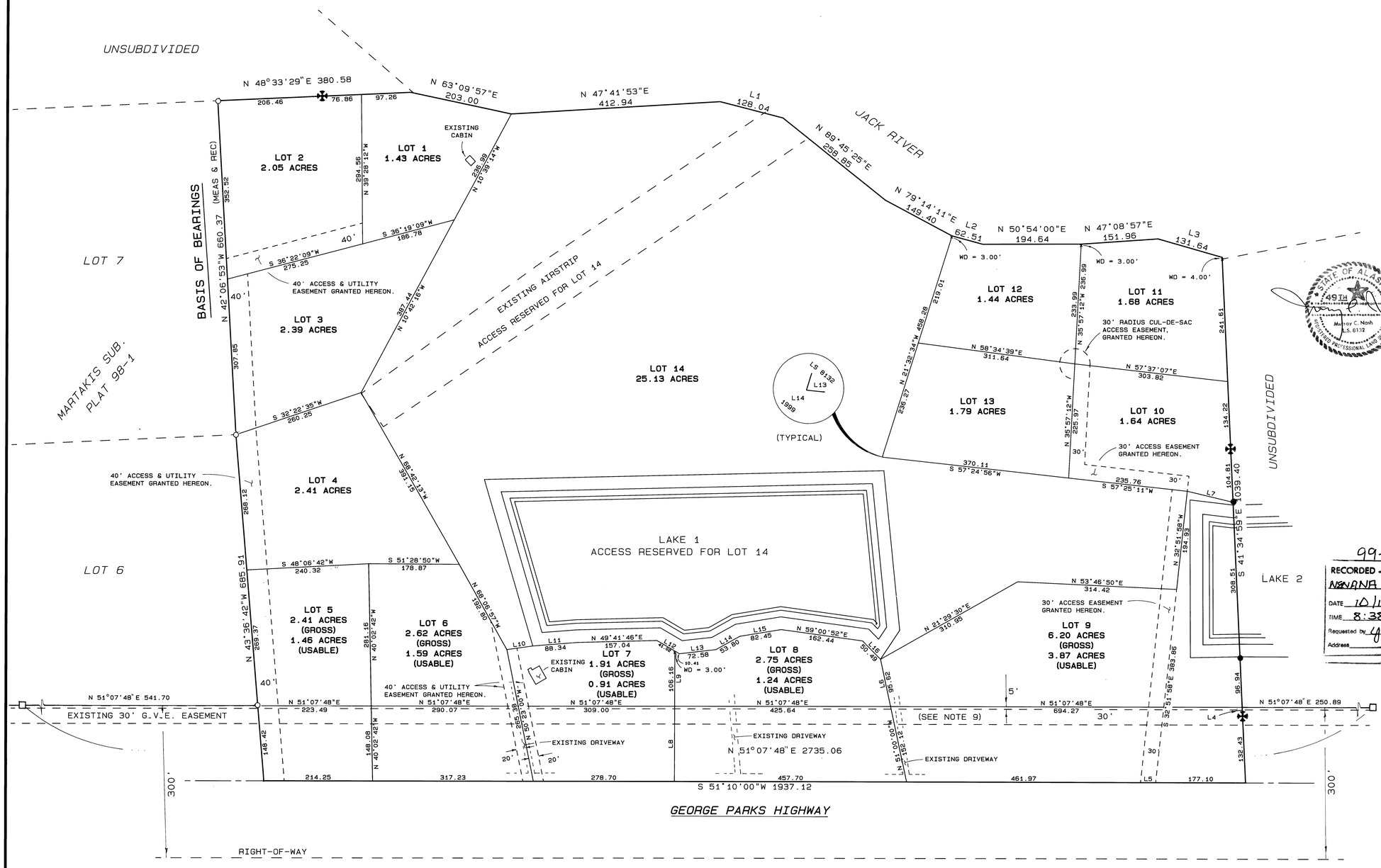
Exhibit #4

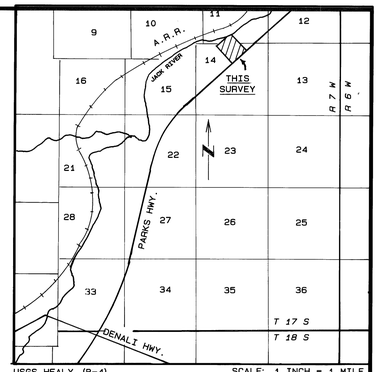
RECORD OF SURVEY

NOTES

1. THIS PLAT IS SUBJECT TO ALL EASEMENTS, EXCEPTIONS, CONDITIONS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
2. THIS PLAT IS A SUBDIVISION OF TRACT B, MARTAKIS SUBDIVISION, RECORDED JANUARY 30, 1998 AS PLAT 98-1 IN THE NENANA RECORDING DISTRICT.
3. THERE MAY BE FEDERAL, STATE AND LOCAL REQUIREMENTS GOVERNING LAND USE. IT IS THE RESPONSIBILITY OF THE INDIVIDUAL PARCEL OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF THE PARCELS SHOWN HEREON.
4. GROSS AREAS SHOWN HEREON INCLUDE AREA WITHIN THE PARKS HIGHWAY RIGHT-OF-WAY. USABLE AREAS EXCLUDE THE PARKS HIGHWAY RIGHT-OF-WAY.
5. ALL BEARINGS ARE TRUE BEARINGS.
6. THIS PROPERTY LIES WITHIN THE DENALI BOROUGH AND IS NOT SUBJECT TO A PROPERTY TAX.
7. DOT & PF DRIVEWAY PERMITS ARE REQUIRED PRIOR TO CONSTRUCTION OF ANY ACCESS ONTO THE PARKS HIGHWAY. FOR INFORMATION CALL (907) 451-5280.
8. THESE LOTS HAVE NOT BEEN INSPECTED FOR DEC WASTEWATER SYSTEMS REQUIREMENTS.
9. THE 30 FOOT GVEA POWER LINE EASEMENT WAS RECORDED 12/13/94 IN BOOK 53, PAGES 849-852, NENANA RECORDING DISTRICT.

LINE	BEARING	DISTANCE
1	N 65°37'29"E	128.04
2	N 66°21'51"E	62.51
3	N 67°06'17"E	131.64
4	S 41°35'31"E	16.89
5	S 51°10'00"W	30.16
6	N 51°00'00"W	95.62
7	N 64°33'46"E	92.92
8	N 38°50'00"W	148.43
9	N 38°50'00"W	109.16
10	N 43°01'26"E	51.95
11	N 46°37'28"E	88.34
12	N 81°37'25"E	51.43
13	N 44°37'06"E	72.58
14	N 21°44'48"E	53.80
15	N 41°46'52"E	82.45
16	S 83°09'59"E	50.49





VICINITY MAP

CERTIFICATE OF OWNERSHIP

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

10/12/99
Date

Kirk Martakis
P.O. Box 127
Cantwell, Alaska 99729

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF October, 1999
PERSONALLY APPEARED KIRK MARTAKIS.

April 17, 2000
My commission expires

Notary for the State of Alaska

CERTIFICATE OF LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

STATE OF ALASKA 49TH Murray C. Nash L.S. 8132 REGISTERED PROFESSIONAL LAND SURVEYOR

1 OCTOBER 1999
Date

Murray C. Nash
Registration No. 8132

LEGEND

- 2 1/2" BRASS CAP MONUMENT PER USS 5589, RECOVERED THIS SURVEY.
- 2" ALUMINUM CAP ON 5/8" REBAR PER MARTAKIS SUBDIVISION, RECOVERED THIS SURVEY.
- RIGHT-OF-WAY BLOCK PER STATE OF ALASKA PROJECT No. F-052-2 (1), RECOVERED THIS SURVEY.
- 5/8" x 24" REBAR WITH 2" ALUMINUM CAP, SET THIS SURVEY.

NOTE: SET 5/8" x 24" REBAR WITH 2" ALUMINUM CAP AT ALL LOT CORNERS

99-13
RECORDED - FILED 2099
NENANA REG. DIST.
DATE 10/15, 1999
TIME 8:38 A M
Requested by UTCI
Address

Case File 99-008
APPROVED FOR RECORDING
DATE 10/5/99
DENALI BOROUGH

RECORD OF SURVEY
HAPPY VALLEY SUBDIVISION No. 2
A SUBDIVISION OF TRACT B, MARTAKIS SUB.
Within SECTIONS 11 & 14, T 17 S, R 7 W,
FAIRBANKS MERIDIAN, ALASKA
CONTAINING 55.64 ACRES
NENANA RECORDING DISTRICT

TALKEETNA SURVEYING

SURVEYOR: MURRAY C. NASH, BOX 160, TALKEETNA, AK 99676	CLIENT: KIRK MARTAKIS, P.O. BOX 127, CANTWELL AK 99729
DATE OF SURVEY: 7/14/99 - 7/16/99	SCALE: 1" = 100'
DRAWN: MCN	J.N. 99-11

NENANA 99-13