

SUBJECT: TO VACATE THE 33' WIDE SECTION LINE EASEMENT, EXCEPTING THE WEST 86', ON THE NORTHERN BOUNDARY OF BLOCK 1, LOT 4, ANCIENT TREE ESTATES, PLAT #82-89. THE PROPERTY IS LOCATED WEST OF MUD LAKE, SOUTH AND EAST OF E. BOGARD ROAD, AND DIRECTLY NORTH OF N. CREEKVIEW DRIVE; WITHIN THE NW 1/4 SECTION 06, TOWNSHIP 17 NORTH, RANGE 01 EAST, SEWARD MERIDIAN, ALASKA.

AGENDA OF: October 15, 2024

ASSEMBLY ACTION: Approved under the consent agenda 10/15/24 - BJH

AGENDA ACTION REQUESTED: Present to Assembly for consideration.

Route To:	Signature
Originator	9 / 30 / 2024 X Fred Wagner <small>Signed by: Fredric W Wagner</small>
Planning Director	9 / 30 / 2024 X Alex Strawn <small>Signed by: Alex</small>
Finance Director	10 / 2 / 2024 X Cheyenne Heindel <small>Signed by: Cheyenne Heindel</small>
Borough Attorney	10 / 2 / 2024 X Nicholas Spiropoulos <small>Signed by: Nicholas Spiropoulos</small>
Borough Manager	10 / 2 / 2024 X Michael Brown <small>Signed by: Michael Brown</small>
Borough Clerk	10 / 3 / 2024 X Lonnie Mckechnie <small>Signed by: Lonnie Mckechnie</small>

- ATTACHMENT (S) :**
- Fiscal Note (1p)
 - Vicinity Map (1p)
 - Platting Authority Action Letter (2pp)
 - Platting Board Minutes (5pp)

SUMMARY STATEMENT: The Platting Board approved the preliminary Section Line Easement Vacation for Ancient Tree Estates Block 1, Lot 4, on September 19, 2024. The request included the vacation of a 33' wide section line easement on the northern boundary of Block 1, Lot 4, Ancient Tree Estates, Plat #82-89. Per the preliminary approval from the Department of Natural Resources Division of Mining Land and Water, the west 86' was excluded from the petition to vacate the section line easement. This vacation is consistent with MSB 43.20.035 Vacations.

RECOMMENDATION OF ADMINISTRATION: Staff recommends the assembly approve the vacation of the 33' wide section line easement.

MATANUSKA-SUSITNA BOROUGH

FISCAL NOTE

Agenda Date: **October 15, 2024**

SUBJECT: TO VACATE THE 33' WIDE SECTION LINE EASEMENT, EXCEPTING THE WEST 86', ON THE NORTHERN BOUNDARY OF BLOCK 1, LOT 4, ANCIENT TREE ESTATES, PLAT #82-89. THE PROPERTY IS LOCATED WEST OF MUD LAKE, SOUTH AND EAST OF E. BOGARD ROAD, AND DIRECTLY NORTH OF N. CREEKVIEW DRIVE; WITHIN THE NW 1/4 SECTION 06, TOWNSHIP 17 NORTH, RANGE 01 EAST, SEWARD MERIDIAN, ALASKA.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED N/A	FUNDING SOURCE
FROM ACCOUNT #	PROJECT
TO ACCOUNT:	PROJECT #
VERIFIED BY: X <u>Liesel Weiland</u> 10/2/2024 Signed by: Liesel Weiland	

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
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FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other						
TOTAL						

POSITIONS:

Full-Time						
Part-Time						
Temporary						

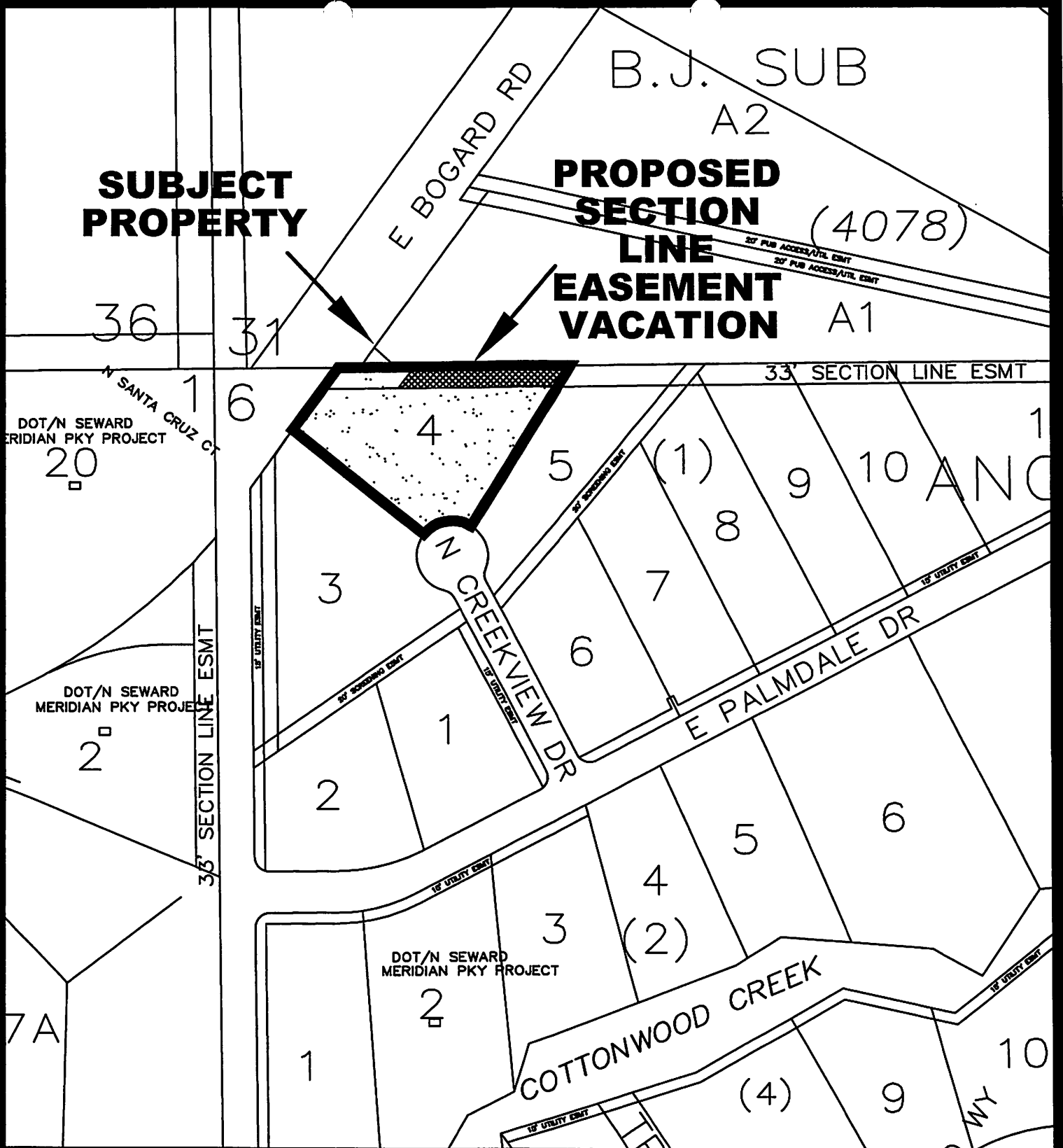
ANALYSIS: (Attach a separate page if necessary)

APPROVED BY:	10/2/2024 X <u>Cheyenne Heindel</u> Signed by: Cheyenne Heindel
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Signed by: Cheyenne Heindel

**SUBJECT
PROPERTY**

**PROPOSED
SECTION
LINE
EASEMENT
VACATION** (4078)



VICINITY MAP

FOR PROPOSED ANCIENT TREE ESTATES BLOCK
1, LOT 4 SECTION LINE EASEMENT VACATION
LOCATED WITHIN
SECTION 06, T17N, R01E, SEWARD MERIDIAN
WA 10 MAP ALASKA



MATANUSKA-SUSITNA BOROUGH

Platting Division

350 East Dahlia Avenue • Palmer AK 99645
Phone (907) 861-7874 • Email: platting@matsugov.us

PLATTING BOARD ACTION LETTER

September 19, 2024

Hans Hanson
PO Box 190801
Anchorage, AK 99519

Case #: 2024-090

Case Name: ANCIENT TREE ESTATES B1 L4 SLEV

Action taken by the Platting Board on September 19, 2024 is as follows:

THE PRELIMINARY PLAT FOR ANCIENT TREE ESTATES B1 L4 SLEV WAS APPROVED AND WILL EXPIRE ON SEPTEMBER 19, 2030 SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL. FINDINGS OF FACT SUPPORTING THIS DECISION ARE ALSO INCLUDED.

ALL DECISIONS OF APPROVAL OR DISAPPROVAL BY THE PLATTING AUTHORITY SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

Mr. Fred Wagner, PLS
Platting Officer

kk
cc:

Farmer Surveying
9131 E. Frontage Rd
Palmer, AK 99645

Additional Plat Reviews After 2nd Final are \$100.00 Each

FINDINGS of FACT:

1. The preliminary Section Line Easement Vacation plat of Ancient Tree Estates Block 1, Lot 4 is consistent with AS 29.40.070 Platting Regulations and MSB 43.15.040 Section Line and State Recognized RS-2477 Easement Vacations
2. Preliminary approval to vacate the section line easement from State of Alaska Department of Natural Resources was provided pursuant to MSB 43.15.040(B)(1).
3. Preliminary approval of the vacation was supplied from ADOT&PF.
4. The lot has the required frontage pursuant to MSB 43.20.320.
5. At the time of staff report write-up, there were no responses to the Request for Comments from ADF&G; US Army Corps of Engineers; Community Council #7 North Lakes; Road Service Area #25 Bogard; MSB Community Development, Assessments, or Planning; MEA or MTA.
6. There were no objections from any federal or state agencies, Borough departments, or utilities.
7. At the time the staff report was written there were no objections from the public in response to the Notice of Public Hearing.

CONDITIONS of APPROVAL:

The Platting Board approved the preliminary plat for Ancient Tree Estates B1 L4 SLEV contingent upon the following:

1. Taxes and special assessments must be paid in full for the year of recording, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs), by CERTIFIED FUNDS OR CASH.
2. Provide updated Certificate to Plat executed within seven (7) days of recording of plat and submit Beneficiary Affidavit for any holders of a beneficial interest.
3. Pay postage and advertising fees.
4. Apply for driveway permits for all non-permitted access. Provide platting staff proof of permit/permit application.
5. Obtain final approval for the vacation from the State of Alaska Department of Natural Resources. Provide a copy of the approval to Platting Staff.
6. Show all easements of record on final plat.
7. Obtain Assembly approval of the vacation within 30 days of the Platting Board Action Letter.
8. Submit recording fees, payable to Department of Natural Resources (DNR).
9. Submit plat in full compliance with Title 43 and DNR Vacation Plat requirements.

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on September 19, 2024, at the Matanuska-Susitna Borough, Assembly Chambers located at 350 E Dahlia Ave, Palmer, Alaska. Chair Johnson called the Meeting to order at 1:00 p.m.

1. CALL TO ORDER

A. ROLL CALL AND DETERMINATION OF QUORUM (by Administrative Specialist)

Platting Board members present and establishing a quorum:

Mr. Ron Johnson, District Seat #1, Chair
Mr. Brian Goodman, District Seat #2
Mr. Eric Koan, District Seat #3, Vice Chair
Ms. Michelle Traxler, District Seat #5
Ms. Karla McBride, Alternate A
Mr. Robert Hallford, Alternate B

Platting Board members absent and excused were:

Mr. Dan Bush, District Seat #4
Mr. Sidney Bertz, District seat #7

Platting Board members absent were:

Ms. Sandra Kreger, District Seat #6

Staff in attendance:

Mr. Fred Wagner, Platting Officer
Ms. Kayla Kinneen, Platting Board Clerk
Mr. Matthew Goddard, Platting Technician
Mr. Chris Curlin, Platting Technician
Ms. Natasha Heindel, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

Platting Member Hallford led the pledge of allegiance.

C. APPROVAL OF THE AGENDA

Chair Johnson inquired if there were any changes to the agenda.

MOTION: Platting Member Traxler made motion to approve the agenda. Platting Member Koan seconded.

The agenda was approved unanimously.

2. APPROVAL OF MINUTES

- September 5, 2024.

MOTION: Platting Member Traxler made motion to approve September 5, 2024 minutes. Platting Member Koan seconded.

Minutes were approved unanimously.

3. AUDIENCE PARTICIPATION & PRESENTATIONS

PERSONS TO BE HEARD (Three minutes per person for items not scheduled for public hearing)
(None)

4. UNFINISHED BUSINESS

(None)

5. RECONSIDERATIONS/APPEALS

(None)

6. PUBLIC HEARINGS

A. **ANCIENT TREE ESTATES B1 L4 SLEV**: The request is to vacate the 33' wide section line easement on the northern boundary of **Block 1, Lot 4, Ancient Tree Estates**, Plat #82-89 excepting the west 86'. The property is located west of Mud Lake, south and east of E. Bogard Road, and directly north of N. Creekview Drive (Tax ID #2327B01L004); within the NW ¼ Section 06, Township 17 North, Range 01 East, Seward Meridian, Alaska. In the North Lakes Community Council and in Assembly District #6. (Petitioner/Owner: Hans Hanson / Crystal Investments LLC Staff: Matthew Goddard, Case #2024-090)

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record.

Kayla Kinneen provided the mailing report:

- Stating that 57 public hearing notices were mailed out on August 27, 2024.

Staff gave an overview of the case:

- Staff recommends approval with 9 conditions and 7 findings of facts.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative, Ken Anderson spoke.

Chair Johnson opened the public hearing for public testimony.

There being no one to be heard Chair Johnson closed the public hearing and invited the petitioner and/or the petitioner's representative to further discuss and answer any questions from the Board.

The petitioner/petitioner's representative chose not to speak.

Discussion ensued.

MOTION: Platting Member Traxler made a motion to approve the preliminary plat of Ancient Tree Estates. Platting Member McBride seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

- B. ALLIANCE COUNTRY HEIGHTS:** The request is to 19 lots from Tax Parcel D14 and Tax Parcel D4 (Parcel #1, MSB Waiver 97-45-PWm; and Parcel #1, MSB Waiver 95-22-PWm respectively) to be known as **ALLIANCE COUNTRY HEIGHTS**, containing 20.04 acres +/- . The subject property is located north of W. Parks Highway, east of N. Pittman Road, south of W. Karsten Drive, and directly west of N. Suzanna Street (Tax ID# 17N02W02D014, 17N02W02D004); within the SE 1/4 of Section 02, Township 17 North, Range 02 West, Seward Meridian, Alaska. In the Meadow Lakes Community Council and Assembly District #7. *(Petitioner/Owner: Alliance Construction LLC Staff: Natasha Heindel, Case #2024-093)*

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record.

Kayla Kinneen provided the mailing report:

- Stating that 78 public hearing notices were mailed out on August 27, 2024.

Staff gave an overview of the case:

- Staff recommends a continuation to the October 3rd 2024 Platting Board Hearing.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative was not present.

Chair Johnson opened the public hearing for public testimony.

There being no one else to be heard Chair Johnson left the public hearing open and invited the petitioner and/or the petitioner's representative to further discuss and answer any questions from the Board.

The petitioner/petitioner's representative was not present.

Discussion ensued.

MOTION: Platting Member Traxler made a motion to continue the preliminary plat, Alliance Country Heights to the October 3rd Platting Board Hearing. Platting Member McBride seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

7. PLATTING STAFF & OFFICER COMMENTS

A. Adjudicatory (*if needed*)

B. Upcoming Platting Board Agenda Items

Platting Officer, Fred Wagner informed the board of upcoming items:

- There are 5 cases on October 3rd Platting Board Meeting.
 - Victory Gerwig
 - Katagnik Ranch
 - Glacier Heights Add 1 Lots 11A & 11B
 - Springs West
 - Alliance Country Heights

Platting Officer, Fred Wagner addressed the possibilities of the Platting Board being able to do site visits.

BOARD COMMENTS.

- Traxler- The sun is out.

8. ADJOURNMENT

With no further business to come before the Platting Board, Chair Johnson adjourned the meeting at 1:23 PM.

RON JOHNSON
Platting Board Chair

ATTEST:

KAYLA KINNEEN
Platting Board Clerk

[Faint, large watermark text, possibly "AM 24-112"]