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cc

WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

A RESOLUTION OF THE PLATTING AUTHORITY WHICH APPROVES THE WAIVING OF THE PLATTING REQUIREMENTS SET FORTH IN MATANUSKA-SUSITNA BOROUGH, TITLE 16 SUBDIVISION REGULATIONS, TO PERSONS NOTED BELOW, FOR THE DIVISION OF THAT PROPERTY DESCRIBED MORE PARTICULARLY HEREIN.

WHEREAS, the applicant(s) PAUL J. BARRY AND BEVERLY ANN BARRY, did make application to waive the preparation, submission for approval and recording of a plat, following the proper procedures as established by the Platting Authority for processing such requests, and

WHEREAS, satisfactory evidence has been submitted that a conveyance of a part of a larger tract, described as: PARENT PARCEL - Parcels 1 & 2 Matanuska-Susitna Borough Waiver Resolution 2006-118-PWm recorded at Serial #2006-017905-0 each containing 20 acres more or less. Located within NE 1/4 SE 1/4 Section 20, Township 18 North, Range 1 East, Seward Meridian, Alaska. Located within the Palmer Recording District, and

WHEREAS, the ~~tract(s)~~ parcel(s) ~~or lot(s)~~ created from the above described parcel are described as follows:

- Parcel A See Page 3
- Parcel B See Page 4
- Parcel C See Page 5
- Parcel D See Page 6

WHEREAS, the applicant has complied with all the requirements set forth in Matanuska-Susitna Borough, Title 16, Chapter 16.15.022 B, Waivers, and the Matanuska-Susitna Borough Coastal Management Plan, except as indicated on page 2 of this Resolution, if any:

NOW THEREFORE, BE IT RESOLVED that the Platting Authority for the Matanuska-Susitna Borough does grant a waiver of the platting requirement for the aforescribed tract:

APPROVED AND ADOPTED BY THE MATANUSKA-SUSITNA BOROUGH PLATTING AUTHORITY  
THIS      DAY OF JUNE, 2007.

ATTEST:

*Marilyn McGuire*  
Platting Clerk, Marilyn McGuire



*M. Murphy O'Brien*  
Platting Director, M. Murphy O'Brien

WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

2E

COMMENTS FROM STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES,  
IF ANY:

N/A at time of recording.

COMMENTS FROM MATANUSKA-SUSITNA BOROUGH, DEPARTMENT OF PUBLIC WORKS, IF ANY:

Apply for driveway permits for E. Beverly Ann Lane; off of E. Hart Lake Loop prior to commencement of  
construction.

COMMENTS FROM MATANUSKA-SUSITNA BOROUGH REGARDING USEABLE AREA:

No individual water supply system or sewage disposal system shall be permitted on any Lot, Tract or Parcels  
unless the system is located, constructed and equipped in accordance with the requirements, standards and  
recommendations of the State of Alaska, Department of Environmental Conservation, which governs those  
systems.

COMMENTS FROM MSB COASTAL MANAGEMENT PLAN, IF ANY:

Not in Coastal Management Plan boundaries at time of recording.

COMMENTS FROM MSB CODE COMPLIANCE, IF ANY:

*See Page 7*

RETURN TO: MSB  
350 E. Dahlia Avenue  
Palmer, AK 99645



2 of 7

2007-014879-0

WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

Page 3

Parcel A

A portion of land lying within the northeast one-quarter of the southeast one-quarter (NE1/4SE1/4) Section 20, Township 18 North, Range 1 East, Seward Meridian, Third Judicial District, Palmer Recording District, State of Alaska and more particularly described, to wit:

BEGINNING at the one-quarter corner common with Sections 20 and 21, Township 18 North, Range 1 East; thence

Southerly on the east boundary of said NE1/4SE1/4 for 884.11 feet; thence

Northwesterly approximately 812.12 feet to an intersection point with the easterly limit line of that public use easement as recorded at Palmer Recording District under Serial No. 2007-014878-0, said intersection point is to be located 30 feet southeasterly, by normal measurement, from that certain centerline point identified as corner No. 4 on said document; thence

Running on the easterly limit line of said public use easement, North  $34^{\circ}51'32''$  East for 353.82 feet to the beginning of a tangential curve to the left having a radius point that bears North  $55^{\circ}08'28''$  West at 380.00 feet; thence

On the curve through an arc length of 145.01 feet, a central angle of  $21^{\circ}51'50''$ ; thence

North  $12^{\circ}59'42''$  East for 42.02 feet to the start of a curve to the right; thence

On a 30.00 foot radius curve concave southeasterly through an arc length of 40.37 feet; thence

South  $89^{\circ}53'56''$  East for 5.32 feet; thence

North  $00^{\circ}06'04''$  East for 40.00 feet to an intersection on the north boundary of aforesaid NE1/4SE1/4 as lying 425.70 feet westerly of the  $\frac{1}{4}$  corner common with Sections 20 and 21, Township 18 North, Range 1 East; thence

South  $89^{\circ}53'56''$  East for 425.70 feet to the point of BEGINNING and thus containing 9.8 acres more or less inclusive of a 33 foot wide section line easement coincident to the east boundary and portions of a 40 foot wide right-of-way easement recorded in Book 928 at Page 432 coincident to the north boundary and a 15 foot wide utility easement coincident to the westerly boundary as described and recorded under Serial No. 2007-

014878-0



6/12/07



3 of 7

2007-014879-0

WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

Page 4

Parcel B

A portion of land lying within the northeast one-quarter of the southeast one-quarter (NE1/4SE1/4) Section 20, Township 18 North, Range 1 East, Seward Meridian, Third Judicial District, Palmer Recording District, State of Alaska and more particularly described, to wit:

BEGINNING at a point on the north boundary of said NE1/4SE1/4 being identical to that corner No. 1 of a public use easement as located and described within the documents recorded under Serial No. 2007-014878-0, Palmer Recording District; thence

Running on the centerline of aforesaid public use easement, being identical to the boundary of this parcel description South  $12^{\circ}59'42''$  West for 100.10 feet to corner No. 2 and the beginning of a tangential curve to the right; thence

On a curve running southerly, concave westerly, having a radius point bearing North  $77^{\circ}00'18''$  West at 350.00 feet, through an arc length of 133.56 feet and central angle of  $21^{\circ}51'50''$  to a corner No. 3 of said public use easement; thence

Continuing on the centerline South  $34^{\circ}51'32''$  West for 353.82 feet to the corner No. 4 of said public use easement and the beginning of a tangential curve to the right; thence

On a 350.00 foot radius curve through an arc length of 51.61 feet; thence

Leaving the centerline of said easement, southeasterly for approximately 781.30 feet to an intersection point on the south boundary of aforesaid NE1/4SE1/4 lying 661.99 feet westerly of its southeast corner; thence

Easterly for 661.99 feet to the southeast corner of aforesaid NE1/4SE1/4; thence

Northerly on the east boundary to a point lying 884.11 feet south of the northeast corner of said NE1/4SE1/4; thence

Leaving the east boundary, northwesterly approximately 812 feet to an intersection point with the easterly limit line of that public use easement as recorded at Palmer Recording District under Serial No. 2007-014878-0, said intersection point is to be located 30 feet southeasterly, by normal measurement, from that certain centerline point identified as corner No. 4 on said document; thence

Running on the easterly limit line of said public use easement, North  $34^{\circ}51'32''$  East for 353.82 feet to the beginning of a tangential curve to the left having a radius point that bears North  $55^{\circ}08'28''$  West at 380.00 feet; thence

On the curve through an arc length of 145.01 feet, a central angle of  $21^{\circ}51'50''$ ; thence

North  $12^{\circ}59'42''$  East for 42.02 feet to the start of a tangential curve to the right; thence

On a 30.00 foot radius curve through an arc length of 40.37 feet; thence

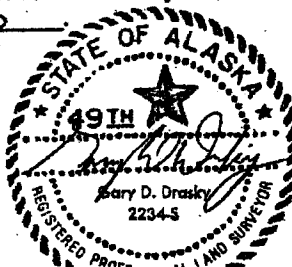
South  $89^{\circ}53'56''$  East for 5.32 feet; thence

North  $00^{\circ}06'04''$  East for 40.00 feet to an intersection on the north boundary of aforesaid NE1/4SE1/4 as lying 425.70 feet westerly of the 1/4 corner common with Sections 20 and 21, Township 18 North, Range 1 East; thence

North  $89^{\circ}53'56''$  West for 50.84 feet to the point of BEGINNING and thus containing 10.7 acres more or less inclusive of a 33 foot wide section line easement coincident to the east boundary and portions of a 40 foot wide Right-of-way easement recorded in Book 928 at Page 432 coincident to the northerly boundary and portions of a public use easement and 15 foot wide utility easement as described and recorded under Serial No. 2007-014878-0



4 of 7  
2007-014879-0



WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

Page 5

Parcel C

A portion of land lying within the northeast one-quarter of the southeast one-quarter (NE1/4SE1/4) Section 20, Township 18 North, Range 1 East, Seward Meridian, Third Judicial District, Palmer Recording District, State of Alaska and more particularly described, to wit:

BEGINNING at a point on the north boundary of said NE1/4SE1/4 being identical to that corner No. 1 of a public use easement as located and described within documents recorded under Serial No. 2007- 014878-0, Palmer Recording District; thence

Running on the centerline of aforesaid public use easement, being identical to the boundary of this parcel description, South  $12^{\circ}59'42''$  West for 100.10 feet to corner No. 2 and the start of a tangential curve to the right; thence

On a curve running southerly, concave westerly, having a radius point bearing North  $77^{\circ}00'18''$  West at 350.00 feet, through an arc length of 133.56 feet and central angle of  $21^{\circ}51'50''$  to a corner No. 3 of said public use easement; thence

South  $34^{\circ}51'32''$  West for 353.82 feet to corner No. 4 and the beginning of a tangential curve to the right; thence

On a 350.00 foot radius curve through an arc length of 51.61 feet; thence

Leaving the centerline of said easement, southeasterly for approximately 781.30 feet to an intersection point on the south boundary of aforesaid NE1/4SE1/4 lying 661.99 feet westerly of its southeast corner; thence

Westerly on the south boundary of said NE1/4SE1/4 for approximately 661.91 feet to its southwest corner; thence

Northerly on the west boundary of said NE1/4SE1/4 for approximately 691.68 feet to corner No. 6 of that certain public use easement as recorded in the Palmer Recording District under Serial No. 2007- 014878-0; thence

Continuing on the west boundary for 30.00 feet; thence

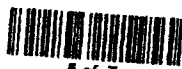
Leaving the west boundary running easterly and northeasterly, parallel to and thirty feet from, the centerline of that certain public use easement, Serial No. 2007- 014878-0, through curves and tangent lines to a point lying northwest of and 30.00 feet, by normal measurement, from corner No. 2 of the public use easement; thence

North  $12^{\circ}59'42''$  East for 14.55 feet to the start of a curve to the left; thence

On a 30.00 foot radius curve concave southwesterly through an arc length of 53.88 feet; thence

Leaving the curve on a radial bearing North  $00^{\circ}06'04''$  East for 40.00 feet to an intersection on the north boundary of aforesaid NE1/4SE1/4 as lying westerly and 77.58 feet from that heretofore described corner No. 1 of the public use easement; thence

South  $89^{\circ}53'56''$  East on the north boundary of said NE1/4SE1/4 for 77.58 feet to the point of BEGINNING and thus containing 10.3 acres more or less inclusive of portions of that public use easement and 15 foot wide utility easement as described and recorded under Serial No. 2007- 014878-0 and portions of a 40 foot wide right-of-way easement recorded in Book 928 at Page 432 coincident to the north boundary.



5 of 7  
2007-014878-0



6/12/07

WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

Page 6

Parcel D

A portion of land lying within the northeast one-quarter of the southeast one-quarter (NE1/4SE1/4) Section 20, Township 18 North, Range 1 East, Seward Meridian, Third Judicial District, Palmer Recording District, State of Alaska and more particularly described, to wit:

Commencing for reference at a point on the north boundary of said NE1/4SE1/4 being identical to that corner No. 1 of a public use easement as described within documents recorded under Serial No. 2007-014878-0, Palmer Recording District; thence on the north boundary, North 89°53'56" West, and the origin of bearing for this description, for 77.58 feet and the TRUE POINT OF BEGINNING; thence

Continuing on the north boundary North 89°53'56" West for approximately 771.24 feet to the northwest corner of said NE1/4SE1/4; thence

Southerly on its west boundary for approximately 629.99 feet to a point lying 30.00 feet north, by normal measurement, from corner No. 6 of that certain public use easement as described and recorded under Serial No. 2007-014878-0, Palmer Recording District; thence

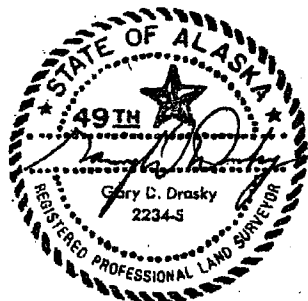
Leaving the west boundary running easterly and northeasterly, parallel to and thirty feet from, the centerline of that certain public use easement, Serial No. 2007-014878-0, through curves and tangent lines to a point lying northwest of and 30.00 feet, by normal measurement, from corner No. 2 of the public use easement; thence

North 12° 59' 42" East for 14.55 feet to the start of a curve to the left; thence

On a 30.00 foot radius curve concave southwesterly through an arc length of 53.88 feet; thence

North 00°06'04" East for 40.00 feet to an intersection on the north boundary of aforesaid NE1/4SE1/4 lying westerly and 77.58 feet from that heretofore described corner No. 1 of the public use easement and the TRUE POINT OF BEGINNING and thus containing 9.4 acres more or less inclusive of portions of a public use easement and 15 foot wide utility easement coincident to the southerly and easterly boundary as described and recorded under Serial No. 2007-014878-0 and portions of a 40 foot wide right-of-way easement recorded in Book 928 at Page 432 coincident to the north boundary.

AK Rim File 06-00881



6/12/07



6 of 7  
2007-014879-0

WAIVER RESOLUTION SERIAL NO. 2007-077-PWm  
MATANUSKA-SUSITNA BOROUGH  
Platting Authority

Page 7

March 23, 2007

Mr. Paul Hulbert  
Matanuska-Susitna Borough  
Platting Department  
350 East Dahlia  
Palmer, Alaska 99645

RE: MSB 17.29.160(A)(4)(f)- Flood Damage Prevention  
Paul Barry Waiver  
Tax Parcel TP D003, Section 20, T18N, R01W, SM, AK  
Client: Paul Barry  
Alaska Rim Reference No. 06-00881

Dear Mr. Hulbert:

This letter is based on better topographic information that was recently made available to me and thus the conclusions of this letter differ from our letter to you on the same subject property, dated March 26, 2006.

The parent parcel is located on FEMA FIRM Panel 8870 and is shown as being in Zone C, Areas of Minimal Flooding. Cottonwood Creek is located to the south and does not impact this property.

There is a small, unnamed stream, designated SS-1, which enter the north boundary of the property and flows approximately south southwest into a small pond in a depression with a water surface elevation of 494.0 at the west boundary of the property. No outlet is indicated on the topographic map for this pond. We have determined that an appropriate Base Flood Elevation (BFE) for this stream at the north boundary of the property is 507.0 MSL (NGVD 29) and that a BFE at the west boundary of the property is 496.0 MSL (NGVD 29). BFE's between these two elevations may be found by interpolation.

There is an additional small stream that appears to originate on the property, designated as SS-2, and flows southeast and exits the western boundary of the property. We have determined that an appropriate Base Flood Elevation (BFE) for this stream at its origination on the property is 502 MSL (NGVD 29) and that a BFE at the west boundary of the property is 492 MSL (NGVD 29). BFE's between these two elevations may be found by interpolation.

There is an additional small stream, designated as SS-3, that enters the east boundary of the property and flows through the property near the southeast corner and then flows southeast and exits the south boundary of the property. We have determined that an appropriate Base Flood Elevation (BFE) for this stream at the east boundary of the property is 477.0 MSL (NGVD 29) and that a BFE at the west boundary of the property is 472.0 MSL (NGVD 29). BFE's between these two elevations may be found by interpolation.

There is a greater than one percent chance that in any given year that parts of the platted area will be inundated by the Base Flood Event as described above.

Sincerely,

ALASKA RIM ENGINEERING, INC.

*Kyle J. Cherry*

Kyle J. Cherry, P.E.  
Senior Engineer



7 of 7

2007-014879-0



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PUBLIC USE EASEMENT

2007-076-PUE

THIS AGREEMENT, made this 23<sup>RD</sup> day of MAY, 2007 by and between PAUL J. BARRY AND BEVERLY ANN BARRY  
ADDRESS: 3880 N. CARIBOU ST. WASILLA AK ZIP 99654  
hereinafter called the GRANTOR, and the MATANUSKA-SUSITNA BOROUGH, a Municipal Corporation under the laws of the State of Alaska, hereinafter called the GRANTEE. 350 East Dahlia Avenue, Palmer, AK 99645.

WITNESSETH:

That for and in consideration of -\$1.00- (one) dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the GRANTOR, do hereby grant, bargain, sell, convey and warrant to the GRANTEE, its successors and assigns forever, a right of way and easement, with the right, privilege and authority to the GRANTEE, its successors and assigns, for use as a public right of way, including the right to construct, operate and maintain public improvements of all kinds within said right of way described as follows to wit:

SEE ATTACHED  
PUBLIC USE AND UTILITY EASEMENT  
AND SEE RECORD OF SURVEY  
PLAT NO 2007-74

together with the right, easements, privileges and appurtenances in or to said lands which may be required for the full enjoyment of the rights herein granted located within the PALMER Recording District.

IN WITNESS WHEREOF, the GRANTORS, have hereunto set Their hands and seal    the day and year first above written.

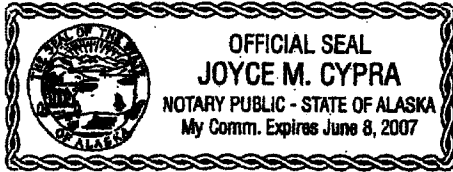
Paul J. Barry  
Beverly Ann Barry

STATE OF ALASKA )  
 ) ss:  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this 23<sup>rd</sup> day of MAY, 2007, before me, the undersigned, a Notary Public in and for the state of Alaska, duly commissioned and sworn, personally appeared PAUL J. BARRY AND BEVERLY ANN BARRY, to me known to be the persons described in and that they executed the foregoing EASEMENT, and acknowledged the said instrument to be a free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this day and year herein above written.

(SEAL)

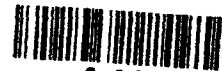


Joyce M. Cypra  
NOTARY PUBLIC in and for the state of Alaska.  
My Commission Expires: 6/8/07

This easement has been accepted by the Matanuska-Susitna Borough and approved for recording.

M. Mearns O'Brien 6/13/07  
Planning Director Date

Return to: Matanuska-Susitna Borough  
350 East Dahlia Avenue  
Palmer, Alaska 99645-6488



2 of 3  
2007-014878-0

## Public Use and Utility Easement

A PUBLIC USE EASEMENT lying within the northeast one-quarter of the southeast one-quarter (NE1/4SE1/4) Section 20, Township 18 North, Range 1 East, Seward Meridian, Third Judicial District, Palmer Recording District, State of Alaska and more particularly described, to wit:

Commencing for reference at the one-quarter corner common with Sections 20 and 21, Township 18 North, Range 1 East; thence North 89°53'56" West and basis of bearing for this description on the south boundary of Phase One First Addition to Aero Subdivision on Wolf Lake, Plat No. 85-153 for 476.54 feet to the centerline and TRUE POINT OF BEGINNING and corner No. 1 of a sixty foot wide easement; thence

South 12°59'42" West for 100.10 feet to corner No. 2 and the start of a tangential curve to the right; thence

On a curve running southerly, concave westerly, having a radius point bearing North 77°00'18" West at 350.00 feet, through an arc length of 133.56 feet and central angle of 21°51'50" to a corner No. 3; thence

South 34°51'32" West for 353.82 feet to corner No. 4 and the beginning of a tangential curve to the right; thence

On a 350.00 foot radius curve concave northwesterly through an arc length of 337.66 feet with a central angle of 55°16'35" to corner No. 5; thence

North 89°51'53" West for approximately 282.9 feet to corner No. 6 and the intersection point with the west boundary of aforesaid NE1/4SE1/4 Section 20 and the TERMINUS POINT of the public use easement.

The southerly ends of the easement sidelines are to be extended or shortened to form intersection points with the west boundary of aforesaid NE1/4SE1/4 and its northerly sidelines are to be filleted with 30 foot radius curves having tangent points lying forty feet southerly of the north boundary of NE1/4SE1/4 and thirty feet distant from the described centerline.

### AND TEMPORARY CUL-DE-SAC

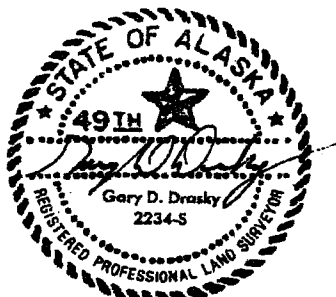
A sixty (60) foot radius temporary cul-de-sac, the center point of which lies on the centerline of said Public Use Easement, 140.68 feet curve length southwesterly from said corner No. 4.

The temporary cul-de-sac easement is to have fifty (50) foot radius returns/fillets tangent against the sidelines of the public use easement.

### AND UTILITY EASEMENTS:

Fifteen (15) foot wide utility easements are to be coincident to the easterly and westerly sidelines and are to run with and outside of the entire length of the above described public use easement.

AK Rim File No. 06-00881



6/11/07



3 of 3  
2007-014878-0