



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: November 2, 2016

From: PCDD Staff

To: Planning Commission

Re: CU 16-34 Conditional Use Permit for ADU at 3201 Halibut Point Road

GENERAL INFORMATION

| | |
|-----------------------|---------------------------------|
| Applicant | James Sturm |
| Property Owner: | James Sturm |
| Property Address: | 3201 Halibut Point Road |
| Legal Description: | Lot 1 Kinberg Sturm Subdivision |
| Parcel ID Number: | 2-5485-000 |
| Size of Existing Lot: | 12,609 square feet |
| Zoning: | R-1 MH |
| Existing Land Use: | Single family residential |
| Utilities: | Full city services |
| Access: | Halibut Point Road |
| Surrounding Land Use: | Residential |

MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion to approve

ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: Aerial Vicinity Map

Attachment C: Zoning Map

Attachment D: Flood Zone Map

Attachment E: Parcel Pictures

Attachment F: Subdivision Plat

Attachment G: Site Plan

Attachment H: Application

Providing for today...preparing for tomorrow

Attachment I: Comments

Attachment J: Mailing List

Attachment K: Proof of Payment

Attachment L: Proof of Ownership

BACKGROUND

3201 Halibut Point Road was created through a subdivision in 2008. The historical use of the property has been as a mobile home park. One mobile home remains on the lot. A zero foot side variance was granted in 1991 for the current placement of the existing mobile home. The applicant does not propose to move this structure.

PROJECT DESCRIPTION

The request is to add an accessory dwelling unit to the property. The conditional use permit process is required for accessory dwelling units in the R-1 MH single-family, duplex and manufactured home zone. The proposed structure is 360 square feet. Setback requirements are met.

The proposed ADU structure currently sits on the lot but has not yet been converted to a dwelling unit. If the conditional use permit is approved, the structure will be required to meet the standards of a permanent structure, including a permanent foundation.

The applicant stated that the addition of an ADU would help to offset his living costs. Additionally, this proposal would add another dwelling unit to Sitka's housing stock.

Municipal Engineer provided comment to inform the applicant that a utility permit and connection fee must be submitted to add services to the new structure. Additionally, the property must meet Alaska Department of Environmental Conservation requirements, which are often more strict than municipal requirements.

Zoning Code

Pursuant to Section 22.20.160, an ADU requires a CUP in the R-1 MH zone. Therefore, to move this proposal forward, the ADU would need to be conditionally approved.

C. Accessory Dwelling Unit Requirements.

1. An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.
2. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.
3. ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.
4. The ADU must be located on the same parcel as the primary dwelling unit.
5. Only one ADU is allowed per parcel.
6. Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.

7. ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.
8. ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.
9. If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.
10. Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.
11. The maximum size of an ADU shall be eight hundred square feet.
12. The following parking requirements are applicable for ADUs:
 - a. As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit.
 - b. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.
 - c. On-street parking is prohibited.
 - d. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.
13. All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.
14. Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.

D. Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.24.

(Ord. 15-08 § 4 (part), 2015; Ord. 13-14A § 4 (part), 2013.)

ANALYSIS

1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.¹

- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:** An additional dwelling unit could generate additional traffic and parking demand.
- b. Amount of noise to be generated and its impacts on surrounding land use:** An additional dwelling unit could generate additional noise.
- c. Odors to be generated by the use and their impacts:** No additional odors.
- d. Hours of operation:** Year-round residential use.
- e. Location along a major or collector street:** Halibut Point Road.
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** No concerns.
- g. Effects on vehicular and pedestrian safety:** No concerns.
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Adequate access directly from Halibut Point Road.

¹ § 22.24.010.E

CUP 16-34 Staff Report for November 16, 2016

i. Logic of the internal traffic layout: Two parking spaces required for the mobile home and two spaces required for the proposed ADU. The applicant has designated sufficient parking.

j. Effects of signage on nearby uses: No proposed signage.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Proposed unit will be within setbacks.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: Conforms to Comprehensive Plan: SGC identifies that ADUs are consistent with Comprehensive Plan sections 2.2.15, 2.2.16, 2.4.8A, 2.5.1B, 2.5.11, and 2.10.3B, which all encourage a mix of single family and multi-family housing types to encourage access to affordable housing options, which small homes and accessory dwelling units would encourage.

FINDINGS

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:²

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. **Burden of Proof.** The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

² § 22.30.160.C – Required Findings for Conditional Use Permits
CUP 16-34 Staff Report for November 16, 2016

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

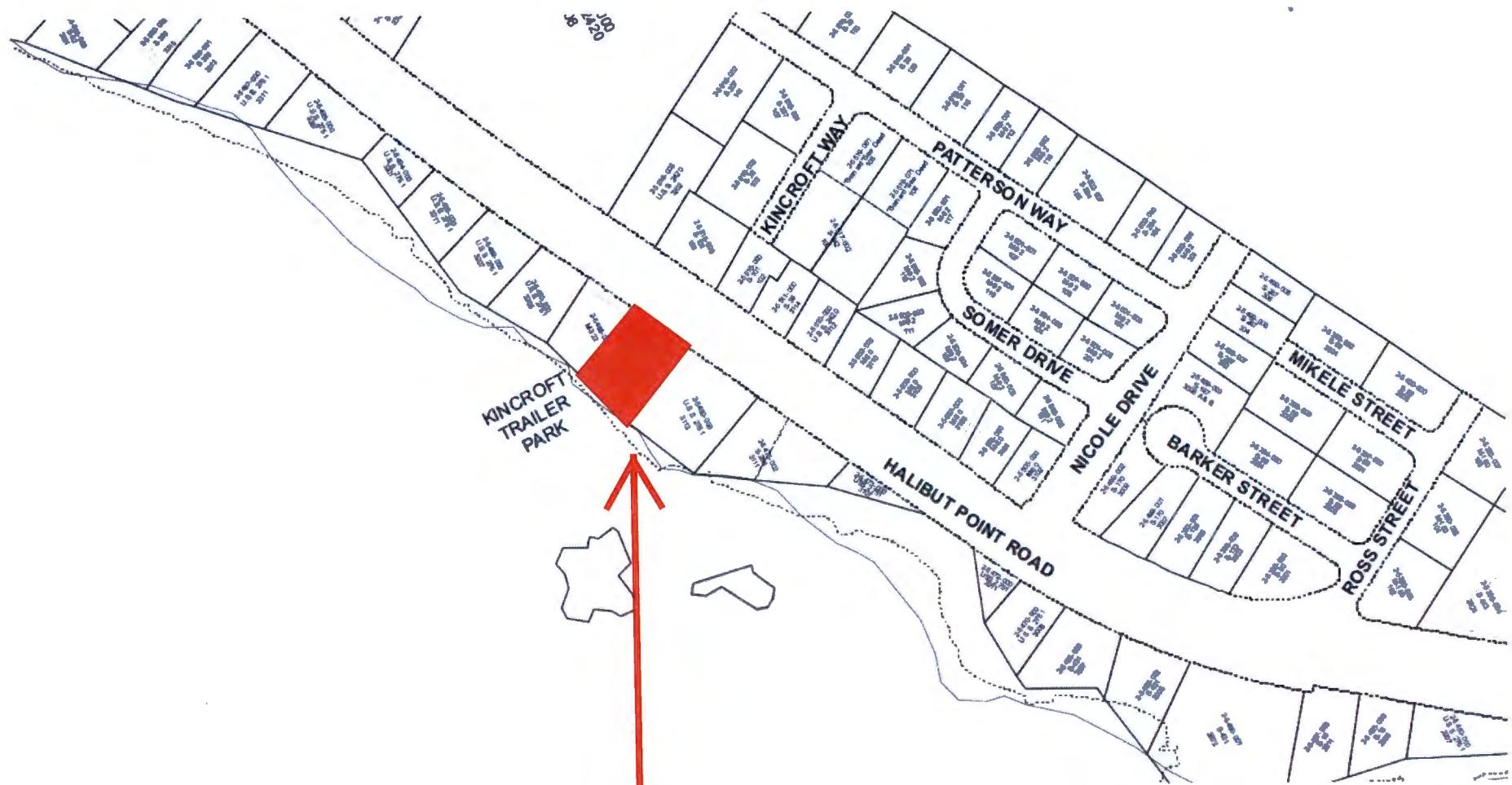
Conclusion on Findings: That the proposed conditional use as conditioned would not be detrimental to the public's health, safety, or welfare; that the conditions of approval have satisfactorily mitigated any potential harm or impact to the surrounding land uses and properties; and that the required findings have been met as the proposal complies with SGC and Comprehensive Plan sections regarding ADUs and variances, and affordable housing while protecting the character of the neighborhood and the public's health, safety, and welfare.

RECOMMENDATION

It is recommended that the Planning Commission adopt the staffs' analysis and suggested findings, and grant the conditional use permit for the development of an accessory dwelling unit.

Recommended Motions: (two motions - read and voted upon separately)

- 1) I move to adopt and approve the required findings for conditional use permits for accessory dwelling units as discussed in the staff report.
- 2) I move to approve a conditional use permit request for an accessory dwelling unit at 3201 Halibut Point Road. The property is also known as Lot 1 Kinberg Sturm Subdivision. The request is filed by James Sturm. The owner of record is James Sturm.





City & Borough of Sitka, Alaska

Selected Parcel: 3203 HALIBUT POINT ID: 25485002

Printed on 10/26/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

50 m
100 ft



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www.mainstreetgis.com

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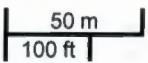


City & Borough of Sitka, Alaska

Selected Parcel: 3203 HALIBUT POINT ID: 25485002

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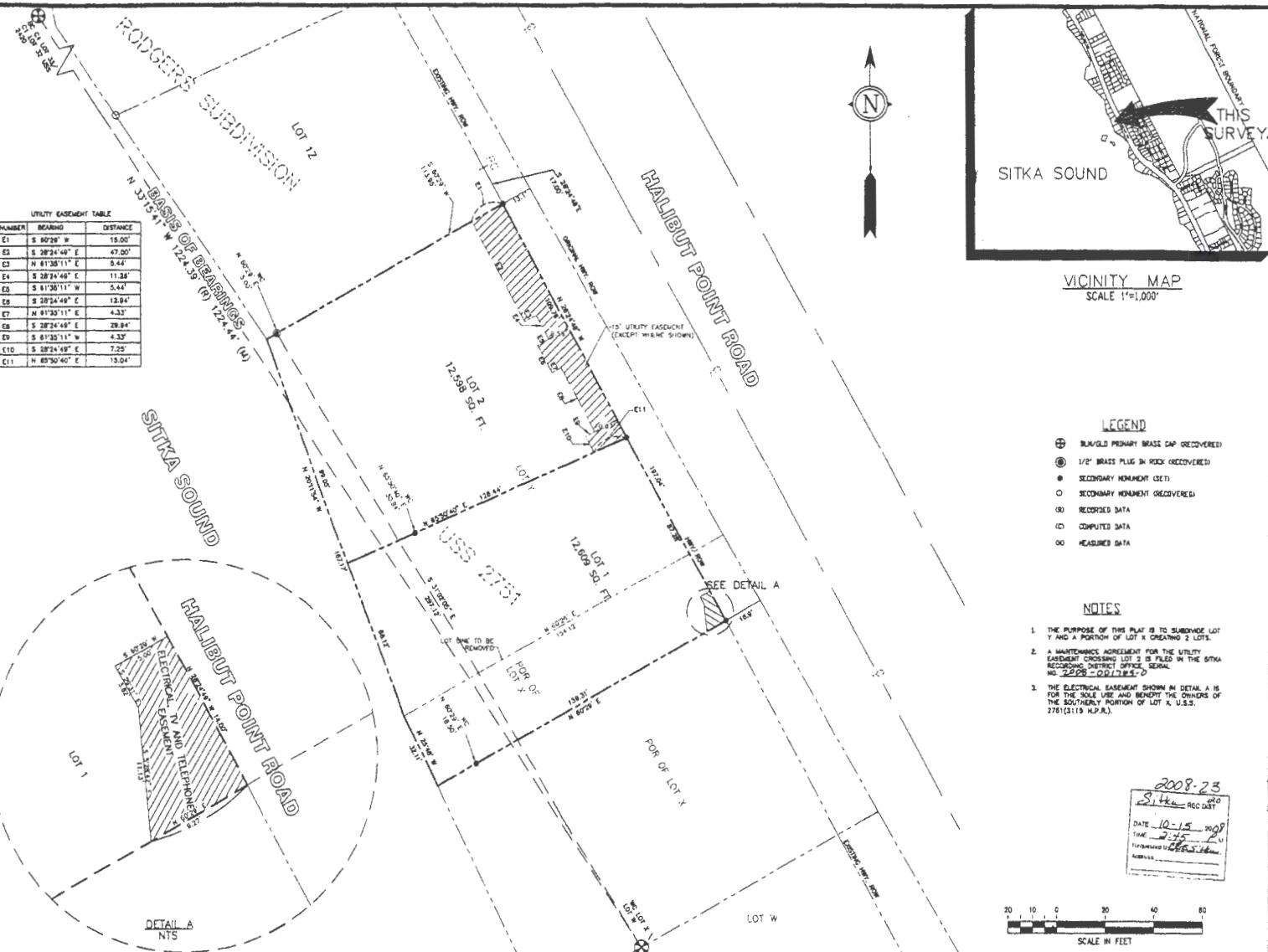












O'NEILL
SURVEYING AND ENGINEERING

| SI | DATE | REV | DESCRIPTION OF CHANGE |
|---------------------|------|-----|-----------------------|
| RECORD OF REVISIONS | | | |



DESIGNED BY: O'NEILL
DRAWN BY: O'NEILL
CHECKED BY: O'NEILL
DATE OF PLAT: SEPT 26, 2008, 11:15
SCALE: 1" = 20'
DRAWING NAME: 30673-01
PROJECT NO. 30673-01

SURVEYOR'S CERTIFICATE
CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN
ALASKA, AND THAT IN ANNE'S EDGE, A SURVEY OF THE
DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION.
THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE
FACTS OF SURVEY, AND THAT ALL DIMENSIONS AND OTHER
DATA ARE CORRECT ACCORDING TO THE FIELD NOTES.

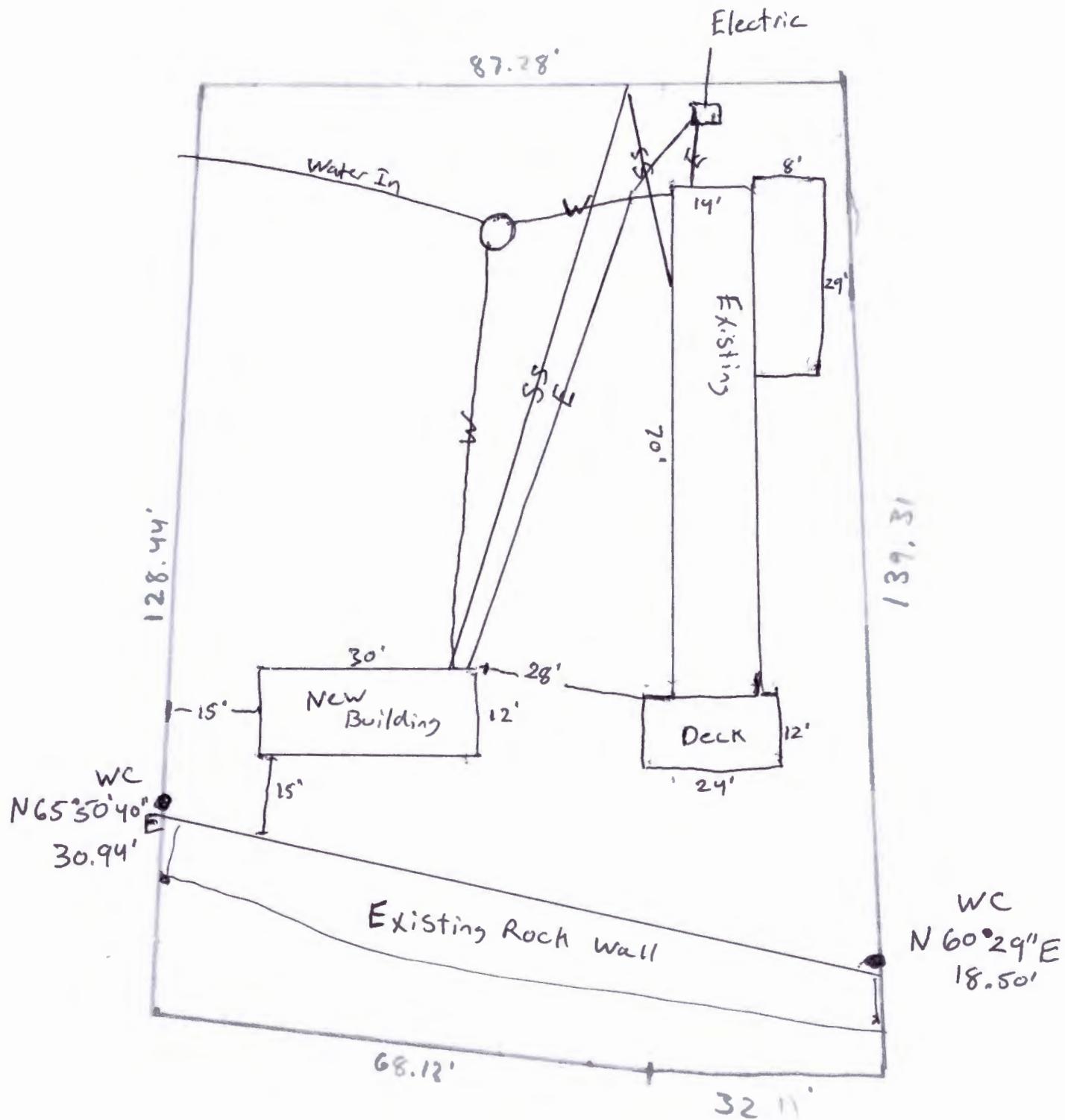
PATRICK K. O'NEILL, LS 4344

KINBERG/STURM SUBDIVISION

LOT Y AND NORTHERLY POR LOT X USS 2751

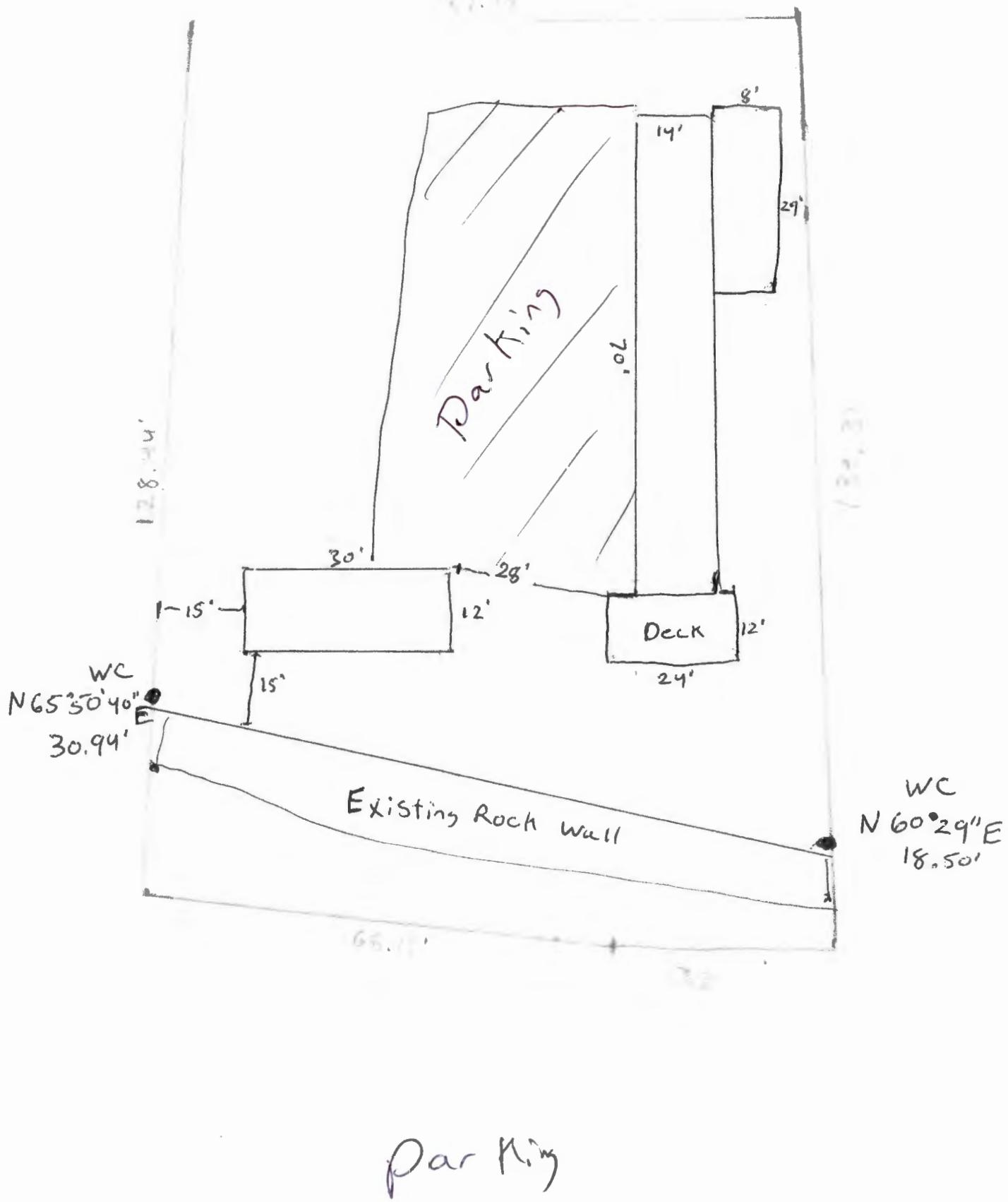
1 / 25 / 1984

3201 16th



Site plan

3201 H.P.R



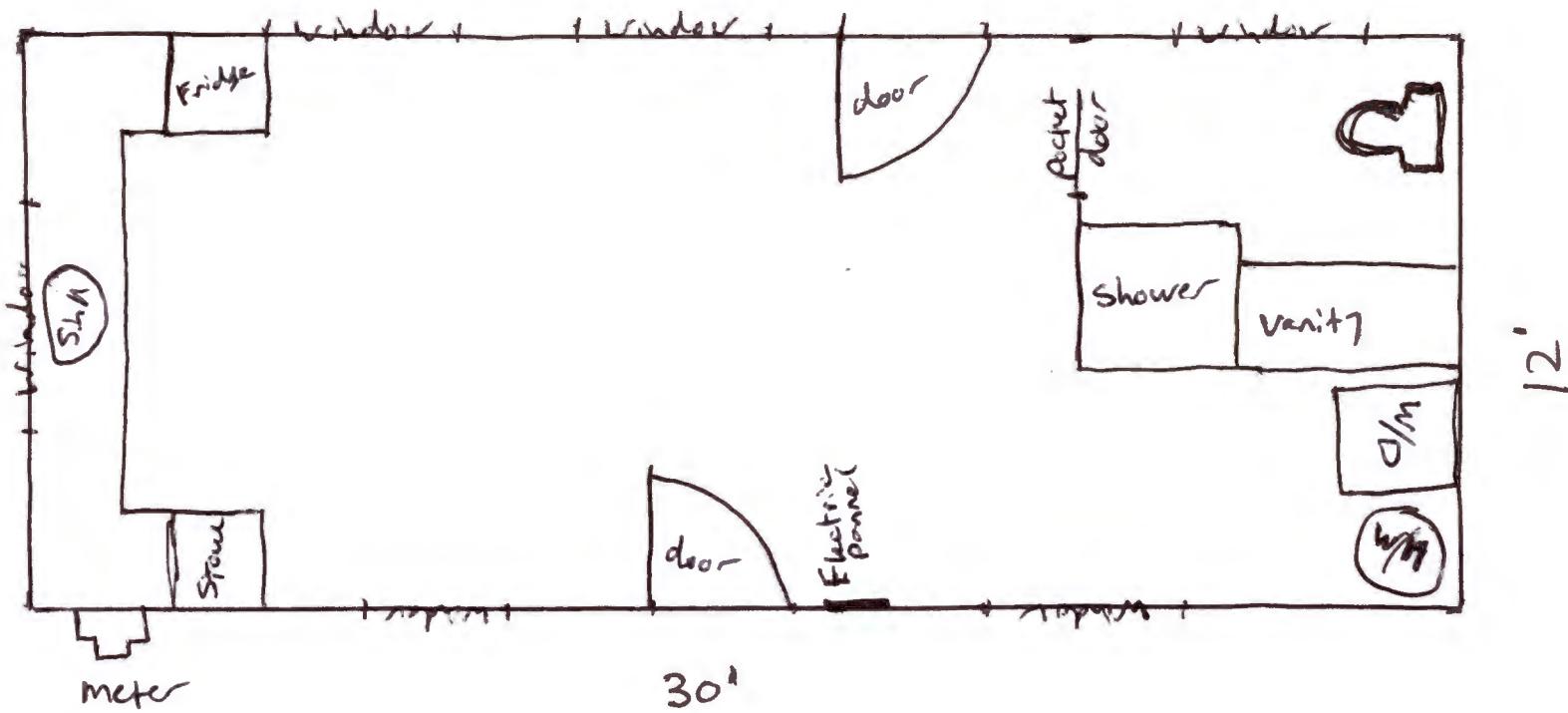
Narrative
10-25-2016

I would like to put this accessory dwelling unit on my lot to help offset the rising costs of living in Sitka.

I am planning to use this dwelling for 3-5 years, to help save enough money to build a house on my lot.

Floor plan

Water



Road



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR: VARIANCE CONDITIONAL USE ZONING AMENDMENT PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: To Add additional dwelling To
Property

PROPERTY INFORMATION:

CURRENT ZONING: R1 M1 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: James Warren Sturm

PROPERTY OWNER ADDRESS: 1709 HPR #13 sitka AK 99835

STREET ADDRESS OF PROPERTY: 3201 H.P.R.

APPLICANT'S NAME: James Warren Sturm

MAILING ADDRESS: P.O. Box 1546 Sitka AK 99835

EMAIL ADDRESS: james.wsturm@yahoo.com DAYTIME PHONE: 907-738-8260

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 18 BLOCK: _____ TRACT: _____

SUBDIVISION: Kinberg/Sturm US SURVEY: 2751

OFFICE USE ONLY

| | | | |
|-----------------------|--|--------------|--|
| COMPLETED APPLICATION | | SITE PLAN | |
| NARRATIVE | | CURRENT PLAT | |
| FEE | | PARKING PLAN | |

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- Completed application form
- Narrative
- Site Plan showing all existing and proposed structures with dimensions and location of utilities
- Proof of filing fee payment
- Proof of ownership
- Copy of current plat

For Conditional Use Permit:

- Parking Plan
- Interior Layout

For Plat/Subdivision:

- Three (3) copies of concept plat
- Plat Certificate from a title company
- Topographic information
- Proof of Flagging

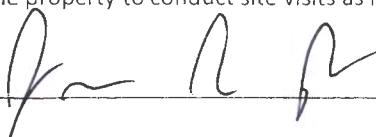
If Pertinent to Application:

- Landscape Plan
- Drainage and Utility Plan

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner



10-25-2016
Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner)

Date

Samantha Pierson

From: Dan Tadic
Sent: Wednesday, November 09, 2016 5:18 PM
To: Samantha Pierson; Michael Scarcelli
Cc: Maegan Bosak
Subject: P&Z in your Neighborhood...November 16th Planning Commission Agenda

Good afternoon Sam,

I would like to offer the following comments on the upcoming Planning Commission agenda Item N.

Sitka General Code requires the applicant to submit a utility permit application and pay \$730 connection fee for both water and sewer services to a new structure:

15.04.100 Service connection charge. Revised 8/16    ... (SEWER)

- A. At the time the applicant files for a connection permit where no service previously existed; or, if the applicant is filing for a change in service connection, or size, or to serve a new structure, the applicant shall submit with the application the service connection charge of seven hundred thirty dollars. This charge is to cover the costs to the CBS of locating the stub-out from the sewer main (if available), inspection of the sewer service line, administrative costs, and permit fees. Upon approval of the connection, the property owner may proceed in accordance with the provisions in Section 15.04.130.
- B. The connection of a sewer service line to a sanitary sewer main located in the state highway right-of-way may be subject to state utility permit fees. Said fees shall be paid by the property owner.

(Ord. 16-25 § 4 (part), 2016; Ord. 15-10 § 4 (part), 2015; Ord. 14-20 § 4 (part), 2014; Ord. 05-15 § 4(B) (part), 2005.)

15.05.240 Service connection charge. Revised 8/16    ... (WATER)

- A. At the time the applicant files for a connection permit where no service previously existed; or, if the applicant is filing for a change in service location, or size, or to serve a new structure, the applicant shall submit with this application the service connection charge of seven hundred thirty dollars. This charge is to cover permit fees, inspection and administrative costs.
- B. The connection of a water service line to a water main located in the state highway right-of-way may be subject to state utility permit fees. Said fees shall be paid by the property owner.

(Ord. 16-25 § 4 (part), 2016; Ord. 15-10 § 4 (part), 2015; Ord. 14-19 § 4 (part), 2014; Ord. 05-15 § 4(C) (part), 2005.)

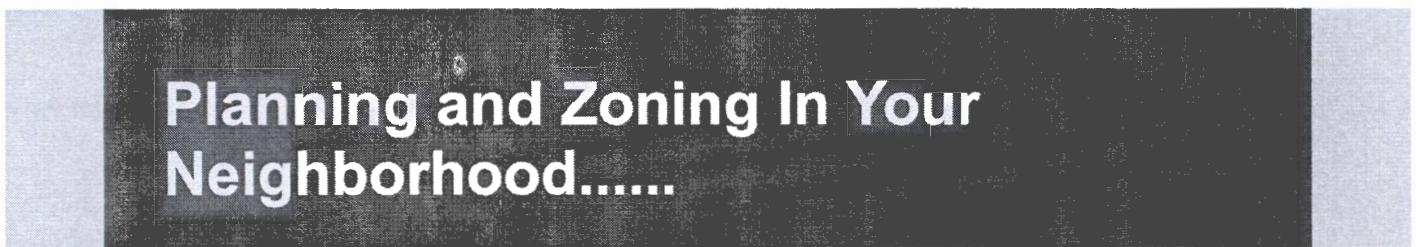
The applicant should also be aware that the State of Alaska Department of Environmental Conservation (ADEC) asserts jurisdiction over any water or sewer line that serves more than one building. ADEC requirements are often stricter than those of the City & Borough of Sitka Public Works Department. The Public Works Department does not accept any responsibility for determining the applicability of ADEC jurisdiction with regard to this project nor for enforcing ADEC regulations.

Please feel free to contact me if you have any questions.

Thanks,

Dan Tadic, P.E.
Municipal Engineer
City and Borough of Sitka
Department of Public Works
100 Lincoln Street
Sitka, AK 99835
P (907) 747-1807
F (907) 747-3158
dan.tadic@cityofsitka.org

From: City of Sitka [<mailto:sitka@service.govdelivery.com>]
Sent: Friday, November 04, 2016 12:27 PM
To: Dan Tadic <dan.tadic@cityofsitka.org>
Subject: P&Z in your Neighborhood...November 16th Planning Commission Agenda



Parcel ID: 25475002
TOM/ANITA MATTINGLY/BERGEY
MATTINGLY, TOM/BERGEY, ANITA
P.O. BOX 624
SITKA AK 99835-0624

Parcel ID: 25480000
LESLIE STURM
STURM, LESLIE, J.
3113 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 25485002
JASON ANDERSEN
ANDERSEN, JASON, T.
1939 DODGE CIRCLE
SITKA AK 99835

Parcel ID: 25490000
IVAN GRUTTER
GRUTTER, IVAN, T.
3205 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 25492000
NUTTING FAMILY REV.LIVING TRUST
NUTTING, RODNEY/FAYRINE
708 BIORKA ST
SITKA AK 99835

Parcel ID: 25493000
THOMAS/CHERYL JORDAN
JORDAN, THOMAS, E./CHERYL, A.
P.O. BOX 632
SITKA AK 99835-0632

Parcel ID: 25500002
KENNETH/RACHEL FATE
FATE, KENNETH/RACHEL
115 SOMER DR.
SITKA AK 99835

Parcel ID: 25500003
THEODORE/CAROL FALKNER
FALKNER, THEODORE, W./CAROL SUE
111 SOMER DR.
SITKA AK 99835

Parcel ID: 25508000
LARRY/LEE ROGERS
ROGERS, LARRY, G./LEE, L.
715 N.W. 23RD AVE
CAMSAS WA 98607-9092

Parcel ID: 25509000
DAN BINGHAM
BINGHAM, DAN, D.
P.O. BOX 120
EVERETT WA 98208-0120

Parcel ID: 25510000
MICHAEL/IKUKO SULLIVAN
SULLIVAN, MICHAEL, B./IKUKO, F.
P.O. BOX 2396
SITKA AK 99835-2396

Parcel ID: 25511000
CHARLES/TANE SKULTKA
SKULTKA, CHARLES, JR./TANE
3114 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 25515000
SCOTT/ANN WINNOP
WINNOP, SCOTT, W./ANN, T.
P.O. BOX 6500
OCEAN VIEW HI 96737-6500

Parcel ID: 25516000
SCOTT/ANN WINNOP
WINNOP, SCOTT, W./ANN, T.
P.O. BOX 6500
OCEAN VIEW HI 96737-6500

Parcel ID: 25517002
MICHAEL/IKUKO SULLIVAN
SULLIVAN, MICHAEL/IKUKO
P.O. BOX 2396
SITKA AK 99835-2396

Parcel ID: 25518000
CINDY/GARY VAZNIS/GOUKER
VAZNIS, CINDY & GOUKER, GARY
103 KINCROFT ST.
SITKA AK 99835

Parcel ID: 25518005
NORMAN/VIRGINA WOOD
WOOD, NORMAN/VIRGINA
P.O. BOX 2304
SITKA AK 99835-2304

Parcel ID: 25519052
SAMUEL SHELL
SHELL, SAMUEL, J.
141 PATTERSON WAY
SITKA AK 99835

Parcel ID: 25525000
BARTON/DEBRA/L.
SOLLARS/CHAPPELL
CHAPPELL, LORNA & SOLLARS,
BARTON/DEBRA
P.O. BOX 265
MATLOCK WA 98560-0265

City and Borough of Sitka, AK
100 Lincoln St
Sitka, AK 99835

Date: 10/25/2016
Receipt: 2017-00020341
Cashier: Front Counter
Received From: JAMES STURM

PLAN - Planning Permits/Zo
ning 100.00
STL - Sales Tax 4th quarte
r CY 5.00
Receipt Total 105.00
Total Check 105.00
Total Remitted 105.00
Total Received 105.00

U
CITY & BOROUGH

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

DATE: 10/25/16

To: James Sturm

ACCOUNT # 100-300-320-3201.002

PLANNING & ZONING

| | |
|---|---------------|
| Variance..... | |
| Conditional Use Permit..... | <u>100.00</u> |
| Minor Subdivision..... | |
| Major Subdivision..... | |
| Zoning Map Change..... | |
| Zoning Text Change..... | |
| Lot Merger..... | |
| Boundary Line Adjustment..... | |
| General Permit..... | |
| Appeal of Enforcement Action (Pending)..... | |
| Other..... | |
| Sales Tax..... | <u>5.00</u> |
| TOTAL..... | <u>105.00</u> |

Thank you

AFTER RECORDATION RETURN TO:

James Warren Sturm
PO Box 1546
Sitka, AK 99835

| | |
|---|--|
| RECORDED ELECTRONICALLY | |
| ID <u>2015-001314-0</u> | |
| Date <u>11/9/2015</u> Time <u>9:24 am</u> | |
| Alaska Escrow & Title 907-225-9077 | |

WARRANTY DEED
A.S. 34.15.030

AETI 51848

The GRANTOR, **KEYSTONE ASSOCIATES, INC.**, whose mailing address is 107 Littlebyrd Way, Sitka, AK 99835, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, conveys and warrants to GRANTEE, **JAMES WARREN STURM, a(n) Individual person**, whose mailing address is PO Box 1546, Sitka, AK 99835, the following described real estate located in the Sitka Recording District, First Judicial District, State of Alaska:

Lot 1 of Kinberg/Sturm Subdivision, according to Plat No. 2008-23, records of the Sitka Recording District, First Judicial District, State of Alaska.

EXCEPTING THEREFROM any portion within Notice of Utilization recorded August 6, 1963 in Book 7 at Page 12 and Notice of Utilization recorded August 6, 1963 in Book 7 at Page 13

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

DATED this 6th day of November, 2015.

GRANTOR:

KEYSTONE ASSOCIATES, INC.

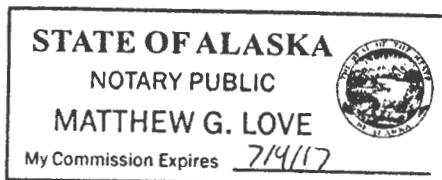
By: Caron K. Nelson

Its: PRES.

STATE OF ALASKA)
THIRD JUDICIAL DISTRICT)
FIRST)
ss.

THIS IS TO CERTIFY that on this 6th day of November, 2015, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Connor K. Nelson, to me known and known to me to be the President of **KEYSTONE ASSOCIATES, INC.**, and known to me to be the person who signed the foregoing instrument, on behalf of said corporation, and he acknowledged to me that he signed and sealed the same as a free act and deed of the said corporation for the uses and purposes therein expressed pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal on the day and year in this certificate first above written.



A handwritten signature in black ink that appears to read "Matthew G. Love".

Notary Public in and for Alaska
My Commission Expires: 7/4/17