



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: September 15, 2016

From: PCDD Staff

To: Planning Commission

Re: P 16-09 Final Plat for Minor Subdivision at 204 Jeff Davis Street

GENERAL INFORMATION

Applicant: Randy Hitchcock

Property Owner: Randy Hitchcock

Property Address: 204 Jeff Davis Street

Legal Description: Lot 17 Sheldon Jackson Campus Subdivision

Parcel ID Number: 1-8562-013

Size of Existing Lot: 17,165 square feet

Zoning: R-2

Existing Land Use: Residential

Utilities: Full city services

Access: Jeff Davis Street

Surrounding Land Use: Residential and Public

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 the final plat

ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: Aerial Vicinity Map

Attachment C: Zoning Map

Attachment D: Flood Map

Attachment E: Parcel Pictures

Attachment F: Proposed Plat

Providing for today...preparing for tomorrow

Attachment G: Current Plat
Attachment H: Application
Attachment I: Comments
Attachment J: Mailing List
Attachment K: Proof of Payment
Attachment L: Warranty Deed

BACKGROUND

The subject property has numerous plats and agreements that reference it. The Sheldon Jackson College aka the Sheldon Jackson Campus is an important Historic Landmark for the community. Development should be careful to respect not only the various legal constraints, priorities, rights, and liabilities, but also the important character it has to the entire community and future generations.

The subject property is referenced in Plats 2008-9 (pages 1 & 2), 2008-29, and 2009-8 among others (see attached).

The subject property is also bound by the 2007 Grant of Permanent Access and Utility Easement agreement. This agreement granted an access and utility easement to CBS as the Grantee (see Document 2007-001016-0). Important language includes **“shall not be construed to prohibit the Grantor from developing any adjoining property, constructing and maintain paved or gravel driveways and parking areas, lawns, flowers, shrubs, walkways, landscaping, etc., along, upon, over or across said easement or any portion thereof”** (emphasis added). In this case, the applicant/owner is now partially in the shoes of the Grantor.

The subject property is further the subject of the 2009 Declaration of Easements and Access rights Re Sheldon Jackson Campus Subdivision (Grantor SJC and Grantee SJ C Sub – see Doc 2009-000578-0). This details more fully the scope of the 40 foot access and easement agreement and also emergency access.

Most importantly, is it incumbent upon the interested parties, especially the applicant/owner, to seek legal counsel as to the rights and liabilities associated with any applicable plats and controlling land use agreements – ultimately the landowner is the legally responsible party. The City is not the enforcer of private property rights, but wherever and whenever possible staff makes every effort to respect those.

The existing land use is residential where lot B will be located with an undeveloped portion where lot A is to be located. There is a 40 foot wide access and utility easement, with approved utility structures within a portion of the access easement, which result in restricting access to 20 feet. In addition, portions of SJ and other lots also have a legal interest in the access easement for emergency access. All of SJC has a legal interest in the utility easement in perpetuity.

PROJECT DESCRIPTION

This request is to subdivide Lot 17 of the Sheldon Jackson Campus Subdivision into two lots: lot A (gross area 8,763.82 s.f.) and lot B (8,401.34 s.f.). The proposal would result in two lots for the development of single-family homes, with access off of Jeff Davis, served by a gravel driveway and paved parking within the said easements. The zone is multifamily residential, which does envision higher-density residential use and multi-family housing as permitted land uses.

Note: The access easement reduction is no longer a part of the request. The applicant/owner feels that the 2007 agreement supports his right to pave and develop parking, while otherwise respecting the utility easement. Though he has concern about the net lot size that negates access easements from the minimum lot size.

ANALYSIS

Project/Site: Development has occurred on Lot B. Lot A has had some stub outs of utilities and some grading, but is largely undeveloped.

Traffic: No concerns.

Parking: Two parking spaces are required per dwelling unit.¹

Noise: No concerns.

Public Health or Safety: No concerns.

Habitat: No concerns.

Property Value or Neighborhood Harmony: Area has been zoned for multifamily residential and higher density use; and this would enable another lot to come onto the market in a desirable area close to downtown.

Conformity with Comprehensive Plan: The proposal follows the Comprehensive Plan by proposing a reasonable development of adequate size and with proper access (absent the variance) that would utilize desirable land for housing near downtown through a public process to identify conflicts. These followed sections include: Section 2.4.19: Use subdivision regulation for orderly development; Section 2.5.7: Assure lots of adequate size and access; 2.4.4 Resolve residential land use conflicts through public Process; and 2.4.6: Promote efficient residential development.

Flagging of Lot: The lot has been flagged pursuant to code to demonstrate lot lines to community and adjacent property owners (see Pics).

FINDINGS OF FACT: That the proposal is not detrimental the public's health, safety, and welfare nor injurious to nearby parcels, because it is a reasonable development of adequate size, access, appropriate for surrounding land use, has adequate utilities, and complies with all applicable regulations and the comprehensive plan.

RECOMMENDATION

It is recommended that the Planning Commission adopt the staffs' analysis and move to approve the final plat for a minor subdivision at 204 Jeff Davis. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision.

RECOMMENDED MOTIONS

- 1) I move to adopt the staffs' analysis and approve the findings of fact that the final plat for a minor subdivision request for 204 Jeff Davis Street, in the R-2 zone, is not detrimental the public's health, safety, and welfare nor injurious to nearby parcels and that it complies with all applicable development standards and the comprehensive plan. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.
- 2) I move to approve the final plat for a minor subdivision request for 204 Jeff Davis Street, in the R-2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock

¹ Section 22.20.100.G.1—Residential Uses

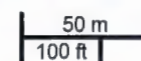




City & Borough of Sitka, Alaska

Selected Parcel: 204 JEFF DAVIS ID: 13562013

Printed on 6/28/2016 from <http://www.mainstreetmaps2.com/ak/sitka/internal.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

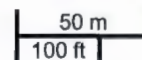
Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



City & Borough of Sitka, Alaska

Selected Parcel: 204 JEFF DAVIS ID: 18562013

Printed on 6/28/2016 from <http://www.mainstreetmaps2.com/ak/sitka/internal.asp>



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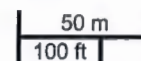
Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



City & Borough of Sitka, Alaska

Selected Parcel: 204 JEFF DAVIS ID: 18562013

Printed on 6/28/2016 from <http://www.mainstreetmaps2.com/ak/sitka/internal.asp>

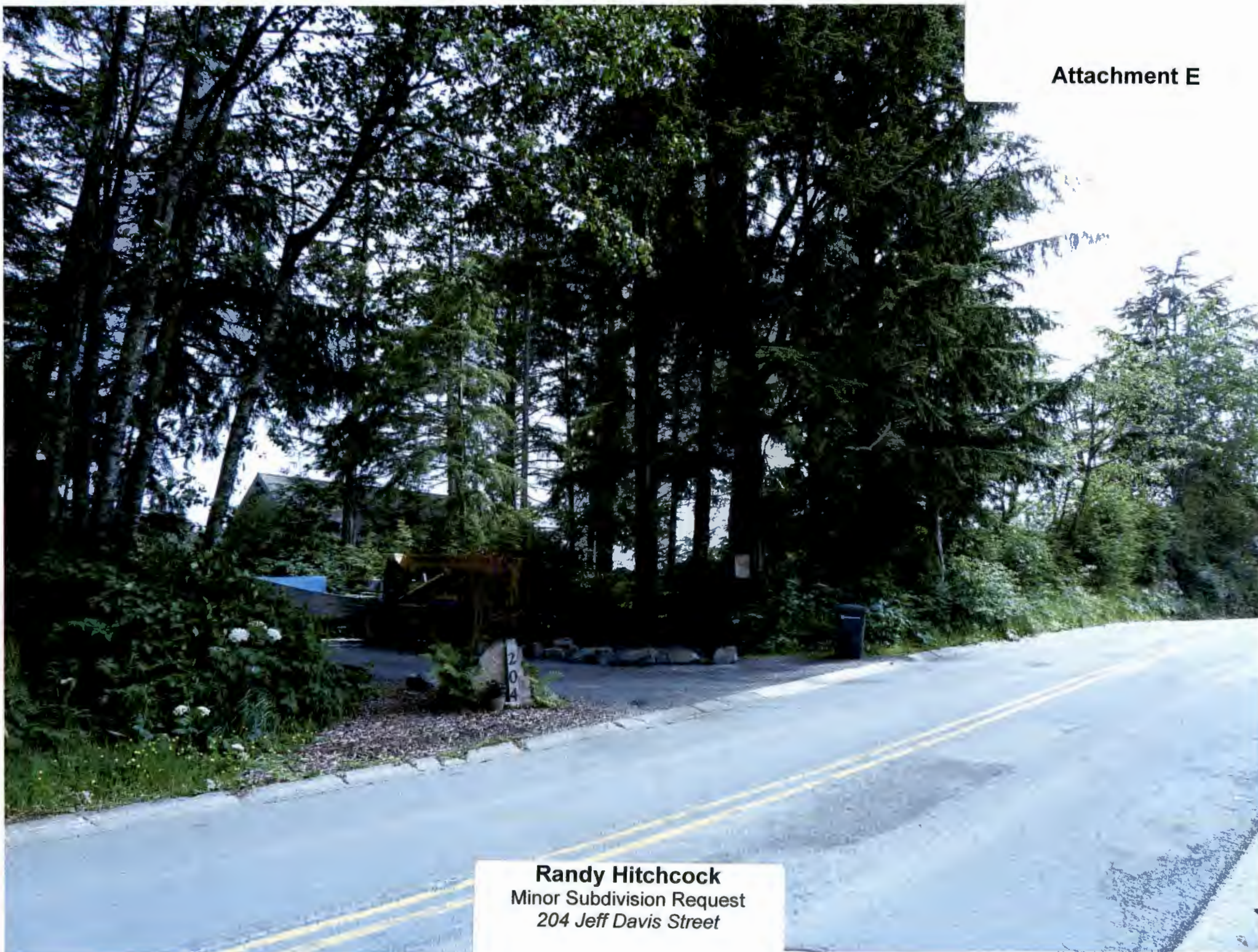


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Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street

Attachment E



Attachment E



Attachment E



Attachment E



Attachment E



Attachment E



Attachment E





Attachment E





Attachment E



Attachment E



Attachment E



Attachment E



Attachment E



Attachment E



Attachment E





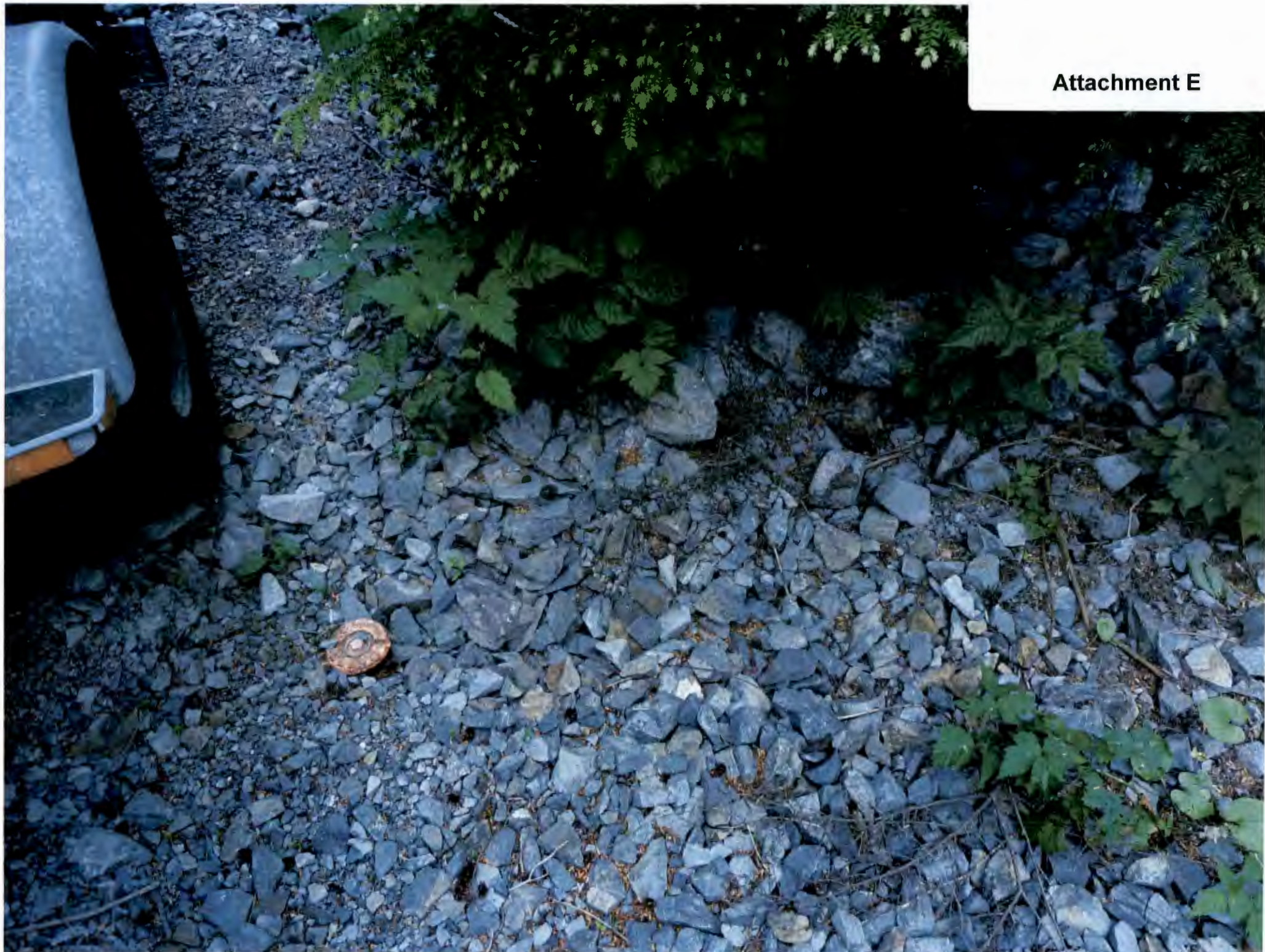
Attachment E



Attachment E



Attachment E



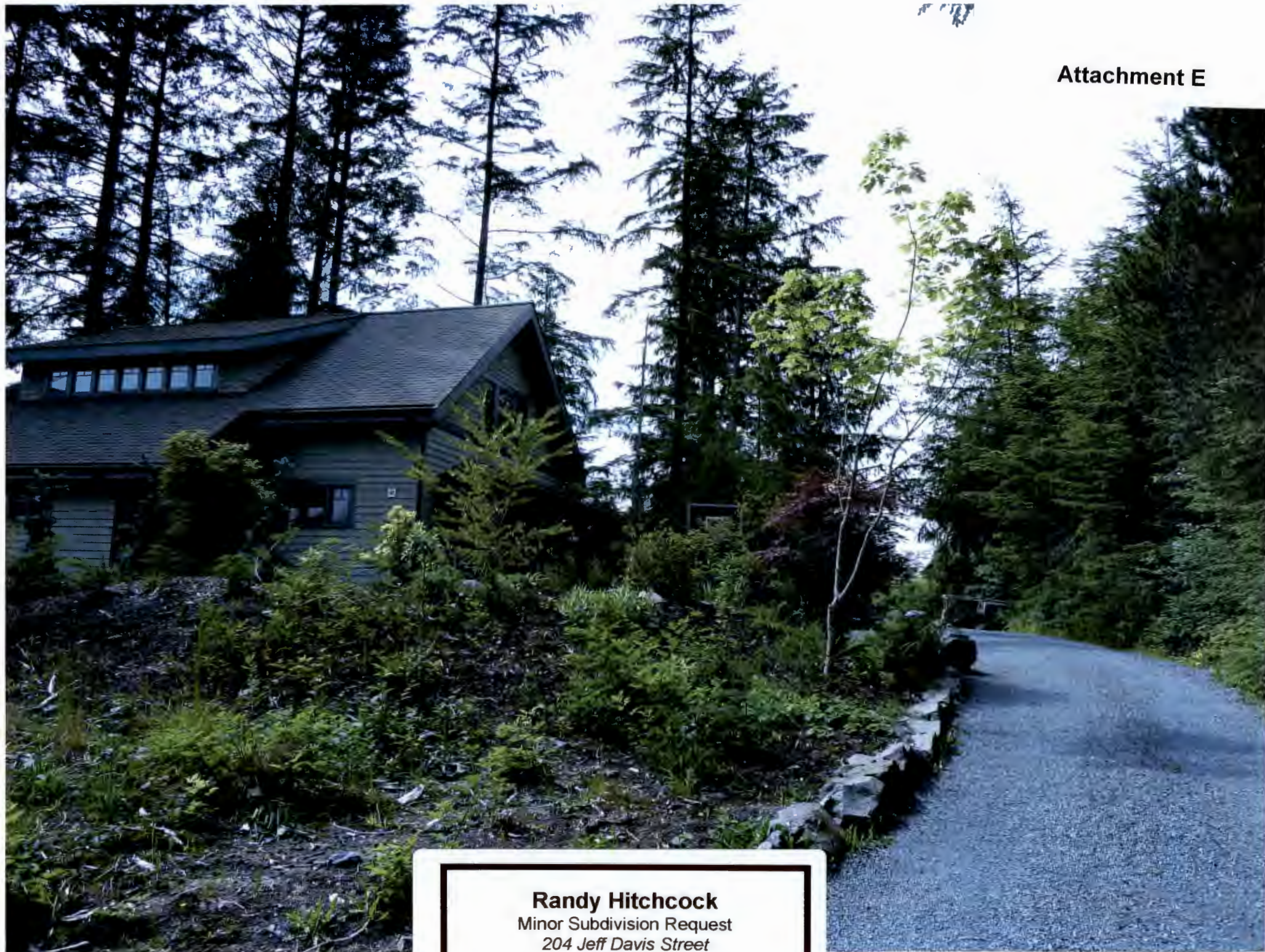
Attachment E







Attachment E



Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE) _____

DATE _____ OWNER _____ (SIGNATURE) _____

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE AUGUST 31, 20____ DATED THIS _____ DAY OF _____

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY _____

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR _____

CITY AND BOROUGH CLERK _____

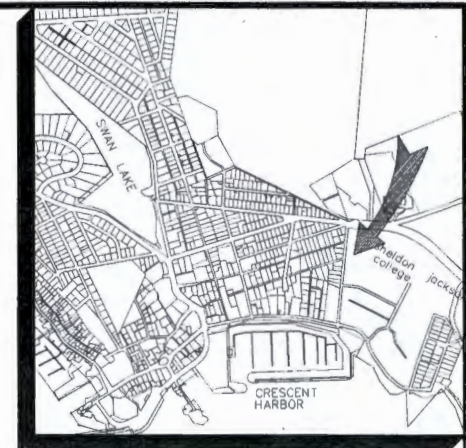
CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF _____

(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS _____ DAY OF _____, 20____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA



VICINITY MAP

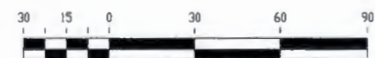
LEGEND

- ⊕ PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- ⊕ BLU/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

NOTES

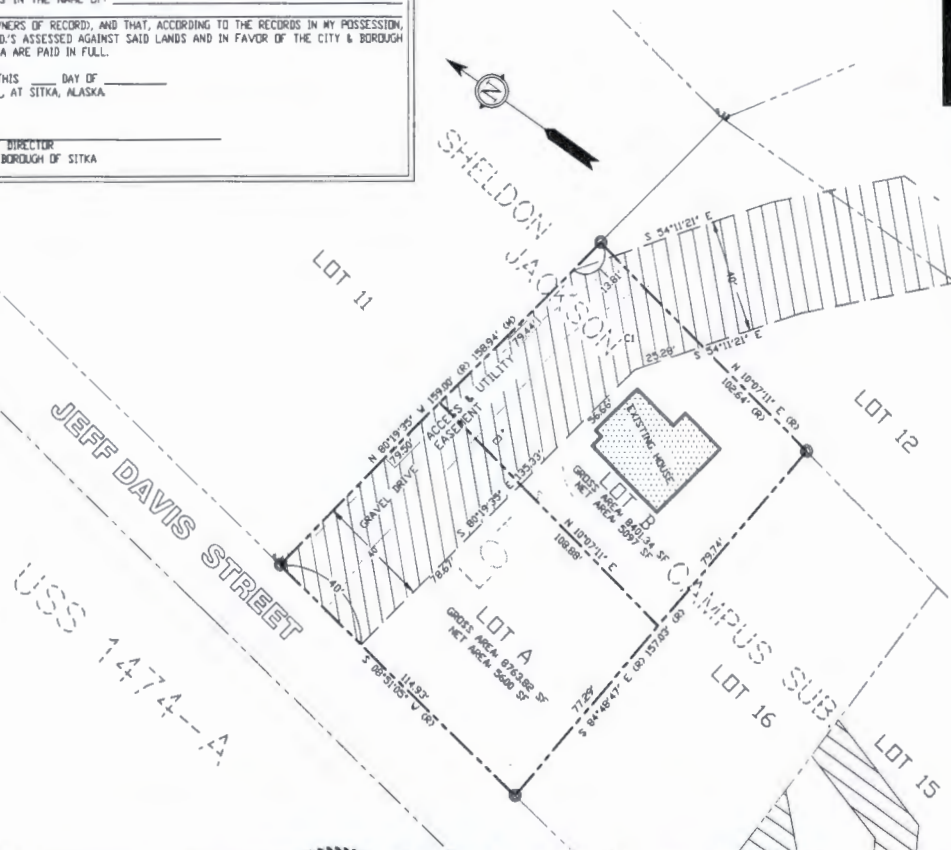
1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 17 OF THE SHELDON JACKSON CAMPUS SUBDIVISION INTO 2 LOTS.
2. SEE THE ACCESS AND UTILITY EASEMENT AGREEMENT RECORDED UNDER SERIAL NO. _____
3. THE 40 FT. ACCESS EASEMENT IS RESTRICTED TO LOTS 12 AND 17 (NEW LOTS A AND B) ONLY, AND FOR EMERGENCY USE BY "SHARED PARKING" USERS.

PRELIMINARY



SCALE IN FEET

SITKA RECORDING DISTRICT



O'NEILL

SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99835
PHONE: (907) 747-6700
FAX: (907) 747-7590
EMAIL: onellengr@aol.net

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED: P. O'NEILL
DRAWN: J. WACAR
CHECKED: PNO
DATE OF PLATTING: 12.20.2016
SCALE: 1" = 30'
DRAWING NAME: 30406-09
PROJECT NO. 30406-09

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT ON _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ PATRICK N. O'NEILL, L.S. 6304

CAMPUS VIEW SUBDIVISION

Subdivision of Lot 17
SHELDON JACKSON CAMPUS SUBD.
PLAT NO. 2009-B

SHEET 1 OF 1

Return to: Randy Hitchcock
204 Jeff Davis St.
Sitka, AK 99835

Sitka Recording District

ACCESS AND UTILITY EASEMENT MAINTENANCE AGREEMENT

The current and future owners of Lot 17 of the Sheldon Jackson Campus Subdivision (Plat #2009-8, Sitka Recording District), upon Subdivision into Lots A and B of the Campus View Subdivision, (Plat No. _____, Sitka Recording District) agree to abide by the terms and conditions regarding the access and utility easement crossing Lot 17 (Lots A and B Campus View Subdivision) as further described in the following paragraph. The grant of this easement is in perpetuity and shall run with the land and shall be binding and be effective on all future owners.

Access through this easement is exclusively for the use of Lots 17 (Lots A & B, Campus View Subdivision) and 12 with restricted use by Lot 9 for emergency ingress and egress to the parking area southerly of the Hames PE Center. Specific details regarding access as well as maintenance, repair, and renovation within the access and utility easements is as specified in the "Declaration of Easements and Access Rights" filed under Serial No. 2009-000578-0.

All parties shall keep the access easement clear of obstructions, i.e., fences, materials, vehicles, equipment.

OWNERS

Owner Lot 17, Sheldon Jackson Campus Sub.
(Lots A & B Campus View Subdivision)

Date

Owner Lot 17, Sheldon Jackson Campus Sub.
(Lots A & B Campus View Subdivision)

Date

ACCESS EASEMENT AND MAINTENANCE AGREEMENT

Lots 17, 12 and 9, Sheldon Jackson Campus Subdivision

Page 2 of 2

NOTARY

On this _____ day of _____, 2016, before me, the undersigned, a notary public in and for the State of Alaska, duly commissioned and sworn, personally appeared

to me known to be the persons described in and who executed the above and foregoing instrument, and acknowledged to me that they signed and sealed the same freely and voluntarily for the uses and purposes herein mentioned.

In witness whereof, I hereunto set my hand and official seal.

Notary Public for Alaska

My commission Expires: _____

Attachment G

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADAPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: 24 April 2009
 BY: Randy Hitchcock, President
Sheldon Jackson College

DATE: _____
 BY: _____
 CITY AND BOROUGH OF SITKA

NOTARY'S ACKNOWLEDGMENT

STATE OF ALASKA
 CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 24th DAY OF April, 2009, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND PERSONALLY APPEARED Randy Hitchcock, President of Sheldon Jackson College.

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUALS MENTIONED AND WHO EXECUTED THE VOTER PLAT AND, AND, ACKNOWLEDGED TO ME THAT HE SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SET FORTH.

WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR FIRST HEREIN WRITTEN.

Randy Hitchcock
 NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
 MY COMMISSION EXPIRES 7/1/11

CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA) (FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF Sheldon Jackson College.

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL FOR THE YEAR 2008. WILL BE PAID ON OR BEFORE August 21, 2009.

DATED THIS 24th DAY OF April, 2009, AT SITKA, ALASKA.

James A. Brook
 ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT REGULATION NO. 2008-11, DATED 04/17/2009, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT REGISTRAR, DISTRICT RECORDS SECTION, SITKA.

DATE: 4/17/2009
Randy Hitchcock
 CHAIRMAN, PLATING BOARD

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN PRIVATE BOOK _____ PAGE _____ DATED 4/15/2009.

DATE: 4/15/2009
Sara Peterson Acting Municipal Clerk
 CITY AND BOROUGH CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF Sheldon Jackson College.

ALL TAXES ASSESSED TO SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 24th DAY OF April, 2009, AT SITKA, ALASKA.

Randy Hitchcock
 FINANCE DIRECTOR
 CITY & BOROUGH OF SITKA

O'NEILL
 SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99833
 PHONE: (907) 747-4700
 FAX: (907) 747-2990
 EMAIL: onell@onell.net



VICINITY MAP
 SCALE 1"=1,000'

LEGEND

- PRIMARY CONTROL MONUMENT (RECOVERED)
- PRIMARY CONTROL MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- SECONDARY MONUMENT (SET)
- RECOVERED DATA
- COMPUTED DATA
- MEASURED DATA

REFERENCE DATA FOR SET MONUMENTS

POINT	DATE	BY	REMARKS
1	11-27-08	RH	SET MONUMENT
2	11-27-08	RH	SET MONUMENT
3	11-27-08	RH	SET MONUMENT
4	11-27-08	RH	SET MONUMENT
5	11-27-08	RH	SET MONUMENT
6	11-27-08	RH	SET MONUMENT
7	11-27-08	RH	SET MONUMENT
8	11-27-08	RH	SET MONUMENT
9	11-27-08	RH	SET MONUMENT
10	11-27-08	RH	SET MONUMENT

SHELDON JACKSON CAMPUS SUBDIVISION

POINT	DATE	BY	REMARKS
1	11-27-08	RH	SET MONUMENT
2	11-27-08	RH	SET MONUMENT
3	11-27-08	RH	SET MONUMENT
4	11-27-08	RH	SET MONUMENT
5	11-27-08	RH	SET MONUMENT
6	11-27-08	RH	SET MONUMENT
7	11-27-08	RH	SET MONUMENT
8	11-27-08	RH	SET MONUMENT
9	11-27-08	RH	SET MONUMENT
10	11-27-08	RH	SET MONUMENT

SCALE IN FEET

0 10 20 30 40 50 60 70 80 90 100

Sitka Recording District

DESIGNED: J. O'NEILL
 DRAWN: J. O'NEILL
 CHECKED: J. O'NEILL
 DATE OF PLOTTING: 4/28/2009
 SCALE: 1"=100'

PROJECT
 SHELDON JACKSON CAMPUS SUBDIVISION
 30665-03-00

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN A RECENT SURVEY, A SURVEY OF THE SHELDON JACKSON CAMPUS SUBDIVISION WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

Randy Hitchcock
 SURVEYOR

SHELDON JACKSON CAMPUS SUBDIVISION

LOTS 2 AND 4 OF THE SHELDON JACKSON CAMPUS SUBDIVISION OF U.S.S. 407-B (PLAT # 2008-11), THE REMAINING PORTION OF LOT 1 OF THE SHELDON JACKSON CAMPUS SUBDIVISION OF U.S.S. 407-B AS SHOWN ON THE EAST SJ CAMPUS SUBDIVISION (PLAT # 2008-11), AND LOTS 1, 2A, 2B, 2C, AND 2D OF THE SJC-LINCOLN SUBDIVISION (PLAT # 2008-11).

CLIENT: SHELDON JACKSON COLLEGE

Randy Hitchcock
 Minor Subdivision Request
 204 Jeff Davis Street



CITY AND BOROUGH OF SITKA

Attachment H

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least FOURTEEN (14) 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

BRIEF DESCRIPTION OF REQUEST: 1) MINOR SUBDIVISION
AND CHANGE IN EASEMENT

PROPERTY INFORMATION:

CURRENT ZONING: R2 PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: PANDY AND BRIDGET HITCHCOCK

PROPERTY OWNER ADDRESS: 204 JEFF DAVIS STREET

STREET ADDRESS OF PROPERTY: SAME

APPLICANT'S NAME: PANDY HITCHCOCK

MAILING ADDRESS: 204 JEFF DAVIS ST.

EMAIL ADDRESS: oceansidecustomcarpentry DAYTIME PHONE: 738-2172
@hotmail.com

PROPERTY LEGAL DESCRIPTION:

TAX ID: 18562013 LOT: 17 BLOCK: _____ TRACT: _____

SUBDIVISION: SHERIDAN JACKSON SUBDIV. US SURVEY: 407-B

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:**Attachment H**

- ☐ 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
- ☐ Topographic information (If Pertinent to Application)
- ☐ Landscape Plan (If Pertinent to Application)
- ☐ Drainage and Utility Plan (If Pertinent to Application)
- ☐ Parking Plan (For Conditional Use Permit)
- ☐ Floor Plan (For Conditional Use Permit)
- ☐ Three (3) copies of concept plat (For Plat)
- ☐ Plat Certificate from a title company (For Plat)

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.

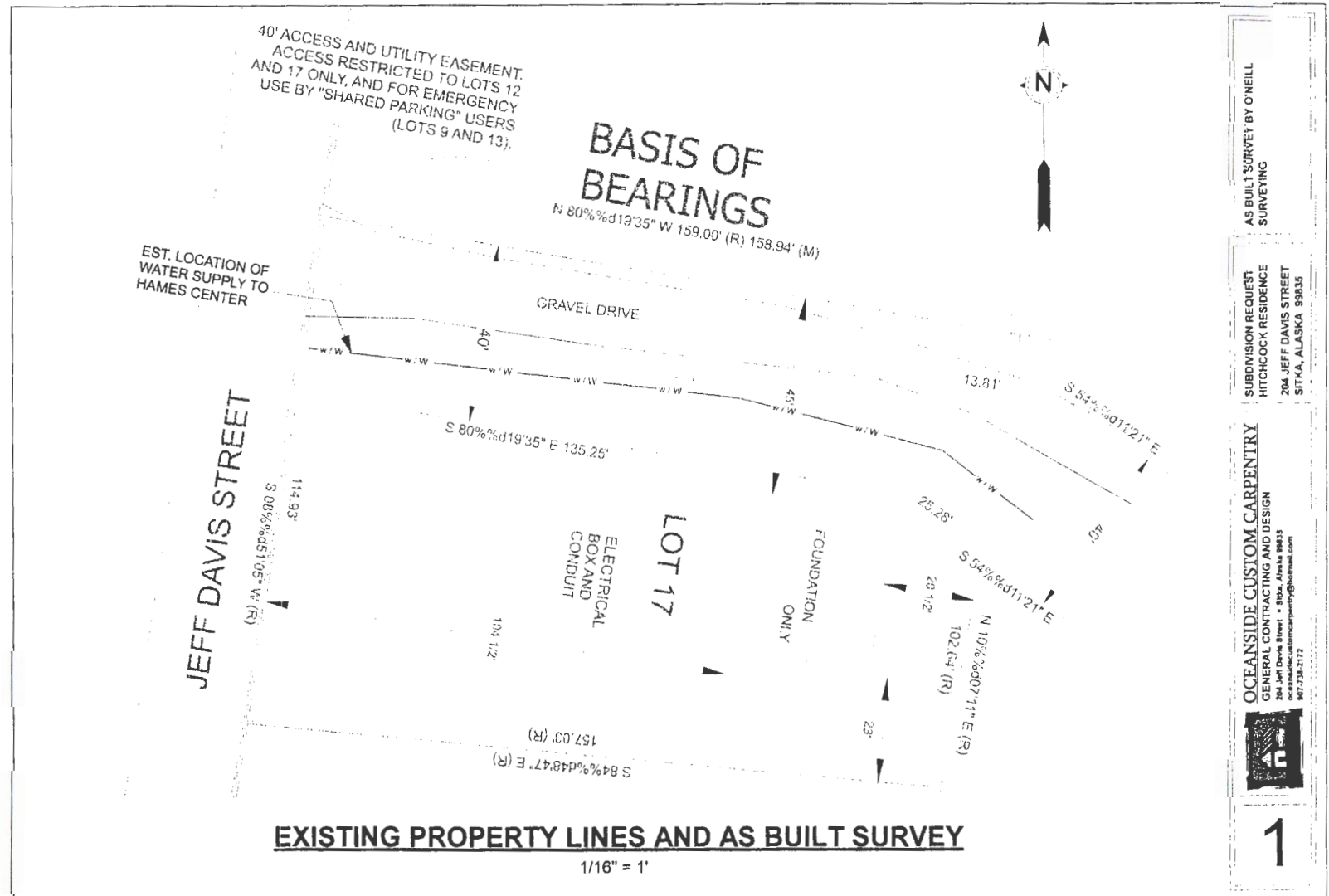
Randy Hitchcock
Owner

MS H/K
Applicant (If different than owner)

6/24/2016
Date

6/24/2016
Date

Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street



OCEANSIDE CUSTOM CARPENTRY

204 Jeff Davis Street Sitka, Alaska 99835 (907)738-2172
oceansidecustomcarpentry@hotmail.com

6/24/2016

Michael Scarcelli
City and Borough of Sitka
Planning and Community Development Department
100 Lincoln Street
Sitka, Alaska 99835

Re: 204 Jeff Davis Street, Request For Minor Subdivision

Dear Michael,

This is a formal request for permission to subdivide my current property at 204 Jeff Davis Street (Lot 17, Sheldon Jackson Subdivision) into two separate lots. There are two drawings attached to this request. Attachment 1 shows the existing property lines along with the as-built of the existing principal structure. Attachment 2, drawn by O'Neill Surveying, shows the new proposed property lines, along with the proposed change in the existing easement.

This Application is requesting:

1. Permission to subdivide 204 Jeff Davis Street into 2 separate lots, as shown in the Subdivision Concept Drawing by O'Neill Surveying,
2. Permission to change the existing 40' Access and Utility Easement into 2 separate, 20' easements, as shown in the Subdivision Concept Drawing by O'Neill Surveying, and contingent upon agreement by all beneficiaries of the easement,
3. A Variance to reduce the required minimum lot size, net area minus access easements, from 8,000 square feet down to 5,090 square feet.

The long term plan for this property has been to build two principal structures for residential use. Since this property falls within the R-2 zoning classification, that will continue to be the plan regardless of the ability to subdivide the property. The main purpose for this request to subdivide is to allow for future flexibility in the sale and/or distribution of the separate dwellings.

If the existing property (approximately 17,164 square feet in size) can be subdivided along the new proposed property line, it would create two new properties (one totaling approximately 8,763 SF and one approximately 8,401 SF). Both would be above the minimum lot size requirement of 8,000 SF, except for the access easement. The new property would be granted access through the existing access easement that runs through my property. This easement currently serves access to one other property besides mine (Lot 12).

It is understood that the City requires a minimum net area of a lot (minus access easements) to be 8,000 square feet, and that the two lots would fall under that minimum area when the existing 40' wide access and utility easement is taken into account. However, I would argue that the only reason for the oversized 40' wide easement was to contain the main water supply line that serves the Hames Center (see Attachment 1). If the water line had been put under the center of the drive, there would be no need for the excessive width. A 20' wide access easement would be plenty wide enough to serve its purpose, thus resulting in the two proposed properties being much closer to the City's minimum size requirements. The request for a reduction of the "Access and Utility"

easement to 20', and a separate "Utility" easement of 20' for the remaining width (to protect the Hames Center water supply line) would keep the overall easement width of 40' the same, increase the "net area" of the property much higher than the requested reduction to 5,090 square feet, and allow for flexibility in the parking design of the new structure. All existing access, emergency use, and utility rights enjoyed by the shared users would remain the same. As far as "access" is concerned, that is the current width of the access easement that runs from the Hames Center parking lot to the back of the facility. Jeff Davis Street is barely 24' wide and serves 17 homes, the Sheldon Jackson Campus, and much more.

In relation to the issues of minimum lot sizes in this neighborhood, there are already multiple lots that fall under the 8,000 SF minimums. Three of them are directly on the other side of Jeff Davis Street from me. 201 Jeff Davis has about 5,017 SF, 203 Jeff Davis has 7,196 SF, and 205 Jeff Davis has only 4,686 SF. These small lots don't negatively impact the residential feel of the neighborhood. That higher density should be the welcomed result of a charming downtown community.

I'd like to make one more argument in favor of a subdivision. The property is already zoned R-2, which is intended to provide for higher density housing while still maintaining the residential feel of a neighborhood. I do not feel that the end product (two principal structures) would result in anything different than what is already permitted in the R-2 zone. If anything, the proposed development is minor compared to the possibilities. An example of this is the Monastery Towne Home Subdivision. It's a roughly 25,525 SF parcel packed with 9 residential units.

I feel that this request is not unreasonable, nor is it without precedent. The downtown area, and this neighborhood in particular, is perfectly suitable for this type of development proposal.

Thank you very much for your time. I look forward to answering any questions you may have related to this request.

Sincerely,



Randy Hitchcock

Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street

From: Becky Martello <beckymartello@gmail.com>
Sent: Tuesday, July 19, 2016 2:58 PM
To: Planning Department
Subject: 204 Jeff Davis/Agenda Items J, K

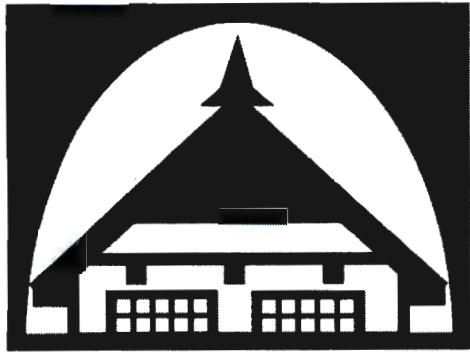
I was hoping to get some more information, or at least have this comment considered before acting on items J and K on tonight's planning committee agenda.

My question is: if Randy Hitchcock's Lot 17 becomes a substandard size lot for this R-2 zone, will each of those new lots become R-1? If it is substandard than it seems they couldn't remain R-2 individually. I ask this because it could potentially mean having 4 units on our shared property line. We bought our lot and home in this R-2 zone and understood that any of these surrounding lots could have 2 dwellings (we hope we can one day add a small cottage on our property) and we enjoy our current neighbors very much, however, if the subdivision of Lot 17 means the creation of 2 R-2 lots, that means there is a potential for 4 units to be built...netting us 4 dwellings on our shared property line in the same square footage that was formerly only 2. Also, if that is the case, it sets precedent where we, and others, could subdivide our lots and basically trade in our 1 R-2 lot for 2. This would greatly change the population density and character of this small neighborhood. Thank you for the consideration of my comment/question.

If this is moot and the 2 new lots will be converted to R-1, then please disregard. I was unable to reach anyone by phone today to answer the question.

Respectfully,
Becky Martello
204 Jeff Davis

Sent from my iPhone



ALASKA ARTS SOUTHEAST

Michael Scarcelli
City and Borough of Sitka
Planning and Community Development Department
100 Lincoln Street
Sitka, Alaska 99835

July 14, 2016

Re: 204 Jeff Davis Street, Support for changing 40 foot easement.

Dear Michael,

This is a letter of support for Randy Hitchcock's proposed lot subdivision (Lot 17 Sheldon Jackson Subdivision) and proposed change to the 40' access and utility easement that connects our Lot 12 to Jeff Davis Street and contains the city waterline to Hames Recreation Center.

Our Board executive committee, executive director Roger Schmidt, and building committee chair, James Poulson, have reviewed the proposed changes and after discussion with Dave Longtin, City Engineer, we are not opposed to changing the 40' easement to (2) 20 footers. Doing so does not change our access to repair our water line, and still provides for emergency access to and from the Campus.

We also support in principle, the development of R-2 property to provide for higher density living in downtown Sitka. Should you have any questions, please contact my cell phone 907 321 1013.

Sincerely,

A handwritten signature in red ink, appearing to read "Sam Skaggs", is written over the typed name.

Samuel D Skaggs
President, Alaska Arts SE, Sitka Fine Arts Camp

P.O. Box 3086
Sitka, AK 99835

cc: Randy Hitchcock, Oceanside Custom Carpentry, Roger Schmidt

RE: 204 Jeff Davis

Attachment I

Samuel D Skaggs

Reply |

Tue 2:20 AM

You; james poulson (photo@sitkasentinel.com)

Photos

Sounds good Randy- I will make up a packet and send this out to the Board. I will be in Sitka this coming weekend myself and will hopefully walk the easement with Roger so I can get his weigh in too.

I will get back to you as soon as I get a Board voice vote.

Regards, Sam

From: Randy Hitchcock [mailto:oceansidecustomcarpentry@hotmail.com]

Sent: Monday, June 27, 2016 6:52 PM

To: Samuel D Skaggs <sam@skaggsinvestments.com>; james poulson <photo@sitkasentinel.com>

Cc: Roger Schmidt <rschmidt@fineartscamp.org>; Bridget Hitchcock <bridgethitchcock@hotmail.com>

Subject: Re: 204 Jeff Davis

Thanks for the email Sam. I appreciate your time on this.

As far as the exact location of the water line, the location on the drawing is an estimate based on a locate the City did back in 2012 when I started the process of building the current house. It's definitely within the overall 40' easement. I'm including a surevey here from Dave Longtin at the City. This shows the water line entering the property about 25' in from the NW property corner. Since the whole "utility" easement will remain 40', it really won't matter if that service moves back and forth between the two easements.

I'm turning the paperwork into the City tomorrow. It's a slow process since this request will have to go through two Planning Commission meetings. Hopefully that will give you some time to run it by your full Board. Also, as soon as O'Neill Surveying gives me a sample of how the language of the Plat would change in relation to the easements, i'll forward that along as well. In the meantime, feel free to contact me with any questions you may have.

Thank you,
Randy

RANDY HITCHCOCK



OCEANSIDE CUSTOM CARPENTRY

204 JEFF DAVIS STREET SITKA, ALASKA 99835
(907) 738-2172

From: Samuel D Skaggs <sam@skaggsinvestments.com>
Sent: Saturday, June 25, 2016 4:39 AM
To: Randy Hitchcock; james poulson
Cc: Roger Schmidt; Bridget Hitchcock
Subject: RE: 204 Jeff Davis

Attachment I

Hi Randy- I spoke with James this evening after reviewing what you just sent, and on the surface we don't see any objections to your proposal. I still need to talk to Roger about this and run it by the full Board to give a final green light.

I do know we support creating more housing in downtown Sitka around the campus and this proposed subdivision keeps within the residential feel and density.

Maybe I missed it but it would be good to see the existing water line drawn on the proposed 20 foot utility easement just to show that it is within that easement (and it looks that way based on the existing as drawn). I also assume that the City has verified that this is the location of the water center line? I only say this because the water line on our lot on Charteris St was 10 feet further into our lot than drawn on the plat map.

Let me know what happens on Tuesday.

Sam

From: Randy Hitchcock [<mailto:oceansidecustomcarpentry@hotmail.com>]
Sent: Friday, June 24, 2016 5:42 PM
To: james poulson <photo@sitkasentinel.com>
Cc: Roger Schmidt <rschmidt@fineartscamp.org>; Samuel D Skaggs <sam@skaggsinvestments.com>; Bridget Hitchcock <bridgethitchcock@hotmail.com>
Subject: Re: 204 Jeff Davis

James,

Attached is the paperwork I plan on turning in to the City on Tuesday. The formal letter explaining the request has been edited a bit to reflect my reasoning for the request for the change in the wording of the easement. The attachment also contains a Subdivision Concept Drawing by O'Neill Surveying, which was requested by Michael Scarcelli. The application will be for permission to subdivide our current property into two separate lots. The second part of the application will be to change the easements as shown in the attachment (contingent upon agreement from owners of Lots 12, 9, and 13). I've spoken to the owner of Lot 12 and he has no concerns about the proposals.

O'Neill Surveying is also drawing up the wording in the plat notes that would accompany the easement change. I'm supposed to have it from them by Monday. I will forward that to you when I receive it.

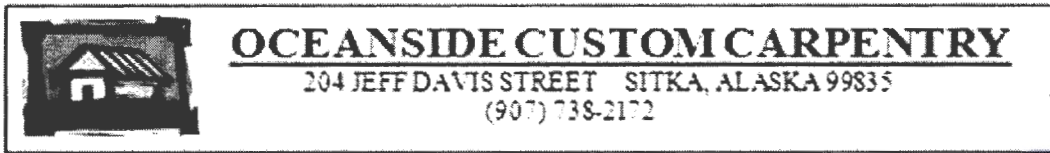
I understand that this is a busy time for you and all involved with Alaska Arts Southeast and I apologize for the inconvenience. It would be great to get some positive feedback from you about my proposal before Tuesday, but I realize that may not happen due to the timing and your busy schedules. I am fully aware and supportive of the fact that there can be **no change in the easement** without the agreement of all parties who benefit from it. Also, I hope you've seen that I have no interest in changing the basic structure and intent of the easement. The overall easement width of 40' would remain, all emergency use rights would remain, and the water line to the Hames Center would be protected within the easement.

If it would be helpful to meet face to face with any of you, please let me know. I'd be happy to do it at a time that's most convenient for you. Thanks again for your time on this.

-Randy

Attachment I

RANDY HITCHCOCK



From: james poulson <photo@sitkasentinel.com>

Sent: Wednesday, June 22, 2016 1:10 AM

To: Randy Hitchcock

Cc: Roger Schmidt; Samuel D Skaggs

Subject: Re: 204 Jeff Davis

Howdy Randy,

I am ccing our president and director.

From an Alaska Arts Southeast standpoint we need to maintain the emergency access to the back of Hames. Speaking for myself and maybe others on the board, we would like to maintain the character of the neighborhood with its fairly low density and generous green spaces.

That said, I think re-categorizing a 20-foot-wide strip of the 40-foot-wide access and utility easement into a utility easement doesn't give me too much heartburn, as long as nothing is built, except landscaping, in the reclassified utility easement, I think it would be in keeping with the original land sale agreement. Our board just met and so we won't be meeting again very soon, which is not much help to you since making a change in the easement agreement would take a board vote, I think.

Putting on my other hat:

About the historic preservation commission vote: in order to pass, the motion needed 4 yes votes (majority of the 7-person panel) in favor to recommend the subdivision proposal, since there were only 4 people at the meeting the motion failed, even though three of us voted in favor. - James

On Jun 21, 2016, at 1:44 PM, Randy Hitchcock wrote:

Hi James,

I'm sorry, but I'd like to add a bit more to the previous email. I spoke with Kelly O'Neill this afternoon about drawing up an official plat to include in the final paperwork. For a variety of reasons, he suggested that I include the request for the change in easements at this time. Would you please include your thoughts on such a request? The request would look as follows: 1) reduce the existing 40' wide "Access and Utility" Easement to 20', 2) create a 20' wide "Utility" Easement that borders and runs parallel to the "Access and Utility" Easement. Again, except for changing the official "Access" width, it would keep the overall 40' wide easement in place, protecting all utility and access rights.

I'm still unsure if I will ask for such a change at this time, but it would be nice to hear if the Fine Arts Camp has any objections to such a proposal.

Thanks again,
Randy

<OutlookEmoji-1457393986700_email.jpg>

I wanted to touch base with you about my request to the City to subdivide my property at 204 Jeff Davis Street into two separate lots. I've attached a drawing that shows the proposed subdivision, as well as the letter I provided to the City outlining my request. I'm contacting you because I've been told you are the representative for the Sitka Fine Arts Camp in relation to these matters. The Sitka Fine Arts Camp benefits from the access/utility easement that runs through the property. There exists "Emergency Use" rights, as well as the main water supply line to the Hames Center within this easement. It would be great to get some feedback in writing about any objections or concerns you may have related to this request. Some words of support would be greatly appreciated as well. The only other property that benefits from the easement is Lot 12, which is owned by Kim Rickert. I have also shared this proposal with him.

I want to make clear that I have no interest in changing the 40' wide "Access and Utility" Easement. However, I'd like to keep open the future possibility of reducing the "Access" Easement to 20' wide while still maintaining the 40' wide "Utility" Easement. This would essentially maintain the existing easements, but allow the new home to meet the City's requirement for "parking" spaces. Please keep in mind that the only reason for such a wide easement is because of the water line. A 20' wide "Access" Easement is standard.

In order to meet application deadlines for the next Planning Commission meeting, I need to submit all of my paperwork into the City by next Monday, June 28. It would be nice to get some feedback from you before then if possible. I greatly appreciate your time on this. Please call or email with any questions you may have.

-Randy

Re: City Application for Minor Subdiv.

Attachment I

Kim Rickard

Reply |

Tue 7:59 AM

You

You replied on 6/29/2016 12:43 AM.

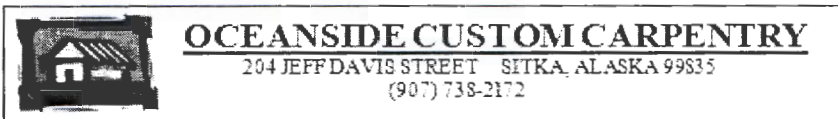
Randy, I have considered all of the detailed data you forwarded to me regarding the potential subdivision of your Lot # 17. The project shows great merit in the utilization of space on the property as well as helping to standardize the various easements in the area. As the City of Sitka has shown great flexibility in helping those who seek to make improvements in the community, I'm positive those who oversee this project will consider it worthwhile as I do. . Kim Rickard, owner of Lot # 12.

On Monday, June 27, 2016 3:50 PM, Randy Hitchcock <oceansidecustomcarpentry@hotmail.com> wrote:

Kim,

Here is the application i'm turning in tomorrow to the City. It would be great to get an email of support back from you if you don't mind. Something short will be just fine.

Thanks so much,
Randy

RANDY HITCHCOCK

Parcel ID: 11415000
ANDREW/TERESA THOMS/LORENTE
THOMS, ANDREW & LORENTE,
TERESA
121 JEFF DAVIS ST
SITKA AK 99835-7619

Parcel ID: 11795000
SCOTT/NIECHOLE ROBINSON
ATTN: JENNY
ROBINSON, SCOTT/NIECHOLE
315 SEWARD ST, STE B
SITKA AK 99835

Parcel ID: 11810001
STEVEN/SHIRLEY DALQUIST
DALQUIST, STEVEN, J./SHIRLEY, M.
P.O. BOX 45
SITKA AK 99835-0045

Parcel ID: 11815000
STEVEN/SHIRLEY DALQUIST
DALQUIST, STEVEN, J./SHIRLEY, M.
~~P.O. BOX 45~~
~~SITKA AK 99835-0045~~

Parcel ID: 11830000
PETER THIELKE
THIELKE, PETER, L.
1656 HAPPY LANE
OJAI CA 93023

Parcel ID: 11850000
NATHANIEL MONAHAN
MONAHAN, NATHANIEL, J.
P.O. BOX 875
SITKA AK 99835-0875

Parcel ID: 11855000
BARTH HAMBERG
HAMBERG, BARTH, T.
500 LINCOLN ST, #B-5
SITKA AK 99835

Parcel ID: 11860000
IRVIN KEILMAN TRUST
KEILMAN, IRVIN, W.
825 WILLANA ST
MILAN MI 48160

Parcel ID: 11870000
EVELYN CICI
CICI, EVELYN, J.
P.O. BOX 635
SITKA AK 99835-0635

Parcel ID: 18562010
STANLEY/NANCY BARGE
BARGE, STANLEY & NANCY
124 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562011
DANIEL/MARY PALOF
PALOF, DANIEL/MARY BETH
200 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562012
MICHAEL/REBECCA MARTELLO
MARTELLO, MICHAEL & REBECCA
202 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562013
RANDY HITCHCOCK
HITCHCOCK, RANDY
204 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562014
NANCY/WILLIAM DAVIS JOINT
REVOCABLE TRUST
DAVIS REV. TRUST, NANCY &
WILLIAM
P.O. BOX 6494
SITKA AK 99835-6494

Parcel ID: 18562015
CITY & BOROUGH OF ~~SITKA~~
~~RECYCLING CENTER~~
~~C/B OF SITKA~~
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 18562016
KIM/MARY RICKARD
RICKARD, KIM & MARY
3315-A HALIBUT POINT RD
SITKA AK 99835-9525

Parcel ID: 18562017
ALASKA ARTS SOUTHEAST, INC.
HAMES CENTER
ALASKA ARTS SOUTHEAST, INC.
110 COLLEGE DR, STE 111
SITKA AK 99835

Attachment J

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THOMS, ANDREW & LORENTE,
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HAMBERG, BARTH, T.
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SITKA AK 99835

Parcel ID: 18562010
STANLEY/NANCY BARGE
BARGE, STANLEY & NANCY
124 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562013
RANDY HITCHCOCK
HITCHCOCK, RANDY
204 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562016
KIM/MARY RICKARD
RICKARD, KIM & MARY
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THIELKE, PETER, L.
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OJAI CA 93023

Parcel ID: 11860000
IRVIN KEILMAN TRUST
KEILMAN, IRVIN, W.
825 WILLANA ST
MILAN MI 48160

Parcel ID: 18562011
DANIEL/MARY PALOF
PALOF, DANIEL/MARY BETH
200 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562014
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REVOCABLE TRUST
DAVIS REV. TRUST, NANCY &
WILLIAM
P.O. BOX 6494
SITKA AK 99835-6494

Parcel ID: 18562017
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HAMES CENTER
ALASKA ARTS SOUTHEAST, INC.
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SITKA AK 99835

Parcel ID: 11810001
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MONAHAN, NATHANIEL, J.
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CICI, EVELYN, J.
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SITKA AK 99835-0635

Parcel ID: 18562012
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MARTELLO, MICHAEL & REBECCA
202 JEFF DAVIS ST
SITKA AK 99835

Parcel ID: 18562015
CITY & BOROUGH OF SITKA
RECYCLING CENTER
~~C.B. OF SITKA~~
100 LINCOLN ST
SITKA AK 99835

Randy Hitchcock
Minor Subdivision
204 Jeff Davis Street

P&Z Mailing
August 5, 2016

Attachment J

Parcel ID: 11415000
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THOMS, ANDREW & LORENTE,
TERESA
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Parcel ID: 11795000
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ATTN: JENNY
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Parcel ID: 11830000
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THIELKE, PETER, L.
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HAMBERG, BARTH, T.
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KEILMAN, IRVIN, W.
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DANIEL/MARY PALOF
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CITY & BOROUGH OF SITKA
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KIM/MARY RICKARD
RICKARD, KIM & MARY
3315-A HALIBUT POINT RD
SITKA AK 99835-9525

Parcel ID: 18562017
ALASKA ARTS SOUTHEAST, INC.
HAMES CENTER
ALASKA ARTS SOUTHEAST, INC.
110 COLLEGE DR, STE 111
SITKA AK 99835

P&Z Mailing
July 8, 2016

Randy Hitchcock
Minor Subdivisor Request
204 Jeff Davis Street

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

DATE:

6/28/16

To: Randy Hitchcock

ACCOUNT # 100-300-320-3201.002
PLANNING & ZONING

Variance.....	PAID	JUN 28 2016	CITY & BOROUGH OF SITKA	75.00
Conditional Use Permit.....				
Minor Subdivision.....				50.00
Major Subdivision.....				
Zoning Map Change.....				
Zoning Text Change.....				
Lot Merger.....				
Boundary Line Adjustment.....				
General Permit.....				
Appeal of Enforcement Action (Pending).....				
Other.....				125.00
Sales Tax.....				7.50
TOTAL.....				132.50

Thank you

Randy HitchcockMinor Subdivision Request
204 Jeff Davis Street

ALASKA

2010 000557 0

Recording
5/13/2010

Attachment L



File for Record at Request of:

First American Title Insurance Company

AFTER RECORDING MAIL TO:

Name: Randy Hitchcock

Address: 322 Wachusett St

Sitka, AK 99835

File No.: 0241-1567117 (JRN)

STATUTORY WARRANTY DEED

THE GRANTOR, **Sheldon Jackson College**, whose mailing address is **801 Lincoln St, Sitka, AK 99835**, for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid, conveys and warrants to **Randy Hitchcock**, residing at **322 Wachusett St, Sitka, AK 99835**, the following described real estate, situated in the **Sitka** Recording District, **First** Judicial District, State of **Alaska**:

Lot 17, SHELDON JACKSON CAMPUS SUBDIVISION, subdivision of U.S. Survey 407B, according to Plat 2009-8, Records of the Sitka Recording District, First Judicial District, State of Alaska.

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

Dated: 11 May, 2010.

Sheldon Jackson College

David Dobler president
By: David Dobler, President

Randy Hitchcock
Minor Subdivision Request
204 Jeff Davis Street

0241-1567117 (TLS)

Statutory Warranty Deed-continued

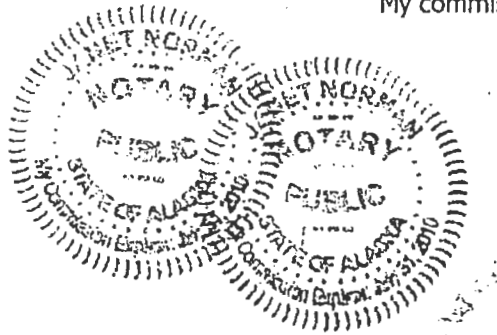
April 27, 2010

STATE OF Alaska)
) ss.
First Judicial District)

THIS IS TO CERTIFY that on this **Eleventh day of May, 2010**, before me the undersigned Notary Public, personally appeared **David Dobler, President, Sheldon Jackson College**, known to me and to me known to be the individual(s) described in and who executed the foregoing instrument and he/she/they acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Notary Public in and for Alaska
My commission expires 7/31/2010



OK

Interest

- 10T (1) (9) (2) (13) →

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2009

Attachment L

Recording I

4/27/2009 11:38 AM Pages: 1 of 12



- GRANTS

- II. c. 1

- other specific language used for negative reservation

DECLARATION OF EASEMENTS AND ACCESS RIGHTS

RE SHELDON JACKSON CAMPUS SUBDIVISION

GRANTOR: SHELDON JACKSON COLLEGE

GRANTEE: SHELDON JACKSON CAMPUS SUBDIVISION

Record in the Sitka Recording District
After recording, return to:
Michael C. Geraghty
DeLisio Moran Geraghty & Zobel, P.C.
943 West Sixth Avenue
Anchorage, AK 99501

View this as A NON-EXCLUSIVE
EXPRESS, AFFIRMATIVE, APPURTENANT EASEMENT
for Access and Utilities - therefore

Seems more likely servient estate MAY Subdivide,
in General.

DECLARATION OF EASEMENTS AND ACCESS RIGHTS
RE SHELDON JACKSON CAMPUS SUBDIVISION

THIS DECLARATION OF EASEMENTS AND ACCESS RIGHTS ("Declaration") for the Sheldon Jackson Campus Subdivision is made this 24th day of April, 2009, by Grantor **SHELDON JACKSON COLLEGE**, by and through its authorized representatives, with an address of 801 Lincoln Street, Sitka, Alaska, 99835 ("Grantor").

I. RECITALS

A. Grantor is the Owner of certain real property in Sitka, Alaska consisting of approximately 34.5 acres of land bordered by Davis Street on the west, Sawmill Creek Road on the north, Metlakatla Street and the Sitka National Monument on the east, and Lincoln Street on the south.

B. Grantor has submitted a plat to subdivide these properties into various parcels for marketing and sale, entitled the Sheldon Jackson Campus Subdivision ("Subdivision"). Collectively the properties within the Subdivision shall be known as the "Subject Properties."

C. Grantor recognizes that for the most favorable development of the Subject Properties, it is desirable that Grantor identify and convey certain easements and access rights as they are substantially depicted on the plat for the Subdivision dated April 8, 2009 ("SJC Plat"), along with the rights, obligations and duties relating to same, as more particularly described below.

*MOST
FAVORABLE
Develop.*

II. SPECIFIC GRANTS

NOW, THEREFORE, for and in consideration of the Recitals herein, which are deemed a material and substantive part of this Declaration, and TEN DOLLARS (\$10) and other good and valuable consideration, Grantor hereby declares, grants, covenants and agrees as follows:

A. Sage Building/Hatchery.

1. Wood Stave Easement. Grantor hereby grants and conveys to the Owner of Lot 7 of the Subdivision (where the Sage Building/Hatchery is located) an exclusive use easement ("Wood Stave Easement") that crosses several of the Subject Properties. The Wood Stave Easement is approximately 30 feet in width and runs in a southerly direction from the



Creek as depicted on the SJC Plat for a distance of approximately 600 feet until it crosses under Lincoln Street to Lot 7.

The easement, rights, and privileges conveyed with the Wood Stave Easement are exclusive to the Owner of Lot 7 and his successors in interest who shall not be authorized to convey any other easement or conflicting rights within the area covered by the Wood Stave Easement except as conditioned or described by this Declaration.

The Owner of Lot 7 shall have the duty to repair and maintain the Wood Stave Easement and keep it free and open for the benefit of Lot 7 including, without limitation, removing vegetation and cutting or trimming trees or vegetation that may encroach on the Easement or obstruct the flow of water through it.

2. Hatchery Water Line Easement. Grantor hereby grants and conveys a 20 foot Water Line Easement which starts at the edge of Sawmill Creek Road where it is encompassed, and included within, the course of the Water Canal Easement described below and as depicted on the SJC Plat. It continues southerly within the course of the Water Canal Easement for a distance of approximately 650 feet until it branches off at or near the location where the Water Canal Easement bends to the east. The Water Line Easement then continues south within its own course for approximately 700 feet where it crosses underneath Lincoln Street to serve Lot 7, as more particularly depicted on the SJC Plat. The Water Line Easement contains a 12 inch water line throughout its course that provides a source of water for the exclusive use and benefit of Lot 7.

The easement, rights and privileges conveyed with the Hatchery Water Line Easement are exclusive to the Owner of Lot 7 and his successors in interest who shall not be authorized to convey any other easement or conflicting rights within the area covered by the Hatchery Water Line Easement except as conditioned or described by this Declaration.

The Owner of Lot 7 shall have the duty to repair and maintain the water line within the Easement, including repair of leaks, mitigation and prevention of damage from flooding caused by disrepair, and shall at all times keep the Easement free and open for the benefit of Lot 7.

3. Water Canal Easement. The Creek has developed into an anadromous fish stream below the penstock intake. Grantor hereby grants



and conveys a 40-foot easement to protect the Creek and its status as an anadromous fish stream as more particularly depicted on the SJC Plat. The Creek shall serve as the mid-line of the Easement.

The Water Canal Easement is for the use and benefit of the Subject Properties affected including, without limitation, Lot 7.

Unless otherwise dictated by operation of law or the terms of this Declaration, the Subject Properties affected by the Water Canal Easement shall have the duty to maintain the Creek and the Water Canal Easement, including any necessary maintenance, clearing and cleaning of debris, organic or otherwise, and otherwise take such actions as may be necessary to protect the Creek's status and use as anadromous fish stream.

With respect to the Wood Stave Easement and the Hatchery Line Water Easement, The Owner of Lot 7 shall assume responsibility for such upkeep and maintenance of the Water Canal Easement as may be necessary to assure the integrity and flow of water through the aforementioned Easements.

4. Reservation of Riparian Rights. All of the easements providing access to water including, without limitation, the grants described in subparagraph II.A., along with all the rights, obligations and duties accompanying same, are subject to such pre-existing water rights that have been previously conveyed to the Grantor including, without limitation, that Certificate of Appropriation (Amended) bearing designation ADL 43671, dated December 31, 1996 and recorded at Book 123, Page 770 in the Sitka Recording District.

B. Lincoln Street Properties.

1. Lincoln Electrical Line Easement. Grantor hereby grants and conveys a 12-foot utility easement along the southern edge of Lots 3, 4, 5 and 6 of the Subdivision which runs along Lincoln Street for a distance of approximately 450 feet, for the benefit of CBS ("Lincoln Easement").

The Lincoln Easement is made expressly for the use and benefit of CBS and shall be binding on its successors in interest and assigns.

It is expressly agreed that the rights and privileges conveyed with the Lincoln Easement are limited to construction, maintenance and repair of electrical power lines within the easement by CBS.



CBS shall at all times maintain the electrical power lines associated with this easement, and shall enjoy any necessary rights of access, ingress and egress reasonably necessary for the repair and maintenance of the electrical power lines. CBS shall bear any and all expense associated with same.

2. Kelly Street Access. Grantor hereby grants and conveys a 20-foot access easement along the eastern boundary of Lot 6 of the Subdivision for the exclusive use and benefit of Lot 6 and Lot 1 of the Kelly Street Subdivision, as more particularly depicted on the SJC Plat ("Kelly Street Easement").

It is the intention of this Declaration that the Kelly Street Easement be appurtenant to the above-described properties in that the easement benefits the use and enjoyment of the owners of Lot 6 of the Subdivision and Lot 1 of the Kelly Street Subdivision in providing access to those properties only.

The Kelly Street Easement shall be binding on the Owners of those lots and their heirs, personal representatives, successors in interest and assigns. The Kelly Street Easement shall be used only for the purposes of access to those two lots. The same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public, nor shall it affect any real property outside of the Subject Properties.

The Owners of Lot 6 of the Subdivision and Lot 1 of the Kelly Street Subdivision shall have the duty to repair and maintain the property subject to the Kelly Street Easement at all times. The easement is limited to a right of access, ingress and egress by vehicles and pedestrians duly authorized by the Owners of Lot 6 and Lot 1 and for no other use. The Owners shall have the obligation to maintain access by removing vegetation and/or by cutting or trimming trees or vegetation that may encroach on the easement property.

C. Hames PE Center.

1. Jeff Davis Street Easement. The Hames PE Center is located on Lot 9 of the Subdivision. Grantor hereby grants and conveys a 40 foot access and utility easement running in an easterly direction from Jeff Davis Street along the northern border of Lot 17 and crossing the northern portion

Access
and utility



of Lot 12 to the eastern border of Lot 12, as more particularly depicted on the SJC Plat.

Except for the purpose of emergency access, as more particularly described in subparagraph D.2 herein, it is the intention of the Grantor that this easement is exclusively for the use and benefit of the Owners of Lots 17 and 12 of the Subdivision for access and utility purposes, as herein described. The Owners of those lots shall be responsible for all repair, maintenance, and renovation of the access easement, and shall share expenses on an agreed basis. Absent an agreement, the Owners of those lots shall share the expenses on a pro-rata basis based upon the linear feet of the easement within their respective properties.

The Declarant does further grant a perpetual non-exclusive utility easement on, over and through this Easement for the purposes of installing, maintaining and/or repairing gas, electric, phone and cable utility lines, storm drains, water and sewer mains, pipes and services and all necessary appurtenances thereto, subject to the covenants and conditions contained herein.

The Easement shall be for the benefit of, but not restricted solely to, the Owners and Permittees for the duration of their occupancy, but same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public, nor shall it affect any real property outside of the two lots in questions.

Notwithstanding any other provision of this Declaration, emergency ingress and egress to the parking areas southerly of the Hames PE Center (Lot 9 of the Subdivision) shall be permitted at all times provided, however, that such use does not interfere with access rights granted to the Owners of Lots 17 and Lot 12.

2. Hames Emergency Access. Declarant grants and conveys a 20 foot access easement along the western boundary of Lot 9 of the Subdivision (Hames PE Center) for the exclusive purpose of providing emergency ingress and egress to the parking areas located southerly of the Hames PE Center ("Emergency Access"). This Emergency Access shall be kept open and unobstructed at all times, and nothing shall allow any Owner, or invitee thereof, any right to work on or otherwise obstruct access within the Emergency Access. The Emergency Access shall be for the benefit of the CBS and the Hames PE Center, but same is not intended nor shall it be

exclusively

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not exclus

shall not restricted solely to

shall not affect any real property outside 2 lots in question



construed as creating any rights in or for the benefit of the general public, nor shall it affect any real property outside of the Emergency Access.

3. Hames Access and Utility Easement. Declarant hereby grants and conveys a 40-foot Access and Utility Easement starting at Jeff Davis Street and running in an easterly direction along the southern boundary of Lot 13 of the Subdivision until it veers north along the eastern edge of the existing parking area and reaches Lot 9 of the Subdivision (Hames PE Center).

The beneficiaries of this easement shall be the Owners of Lot 9 and Lot 13, as well as Lot 1 of the Subdivision, also known as the Core Campus Area. The purpose of this easement is to primarily access parking areas south of the Hames PE Center, but there are utility service lines running within this easement area for the benefit of Lot 9. Nothing in this agreement shall impair or prejudice the Owner of Lot 9 from using this easement for purposes of repairing, replacing or maintaining the services to that property.

There shall be a Shared Parking Agreement by and between the Owners of Lots 13, 9 and 1 of this Subdivision concerning the use and maintenance of the parking areas, as more particularly described in that agreement dated April 24, 2009, and recorded in the Sitka Recording District at 2009-000577-0.

4. Jeff Davis Utility Easements. Declarant hereby grants and conveys the following easements, as more particularly described in the SJC Plat ("Jeff Davis Utility Easements"):

(a) a 15 foot water and sewer service easement crossing the northwest corner of Lot 14 of the Subdivision and continuing across Lot 15 to the border of Lot 16, which easement shall be for the exclusive use and benefit of Lots 15 and 16 of the Subdivision;

(b) a 15 foot easement crossing the southwest portion of Lot 15 of the Subdivision for a water service line to Lot 14 of the Subdivision, which easement shall be for the exclusive use and benefit of Lot 14; and

(c) a 15-foot easement running along the northwest corner of Lot 15 for a water service line to Lot 16 in the Subdivision, which easement shall be for the exclusive use and benefit of Lot 16.

The Declarant does grant and convey to the beneficiaries a perpetual non-exclusive easement on, over and through the Jeff Davis Utility Easements depicted on the SJC Plat for the purposes of installing,



maintaining and/or repairing water and service lines serving the affected properties, subject to the covenants and conditions contained herein.

The easements, rights, privileges and obligations conveyed by the Declarant are limited to the construction, maintenance and repair of the water and service lines as described above, for the exclusive use and enjoyment of the Owners of Lots 14, 15 and 16 and their successors in interest.

The Owners of Lots 14, 15 and 16 and their successors in interest shall reasonably allow rights of access, ingress and egress on their properties as necessary for the maintenance and repair of these water and sewer lines, but shall not bear the cost of any expenses necessary to effectuate the repair and maintenance of those water and service lines except for damage occasioned by their individual fault.

5. Steam Lines.

A boiler located on Lot 10 of the Subdivision currently provides steam to the Hames PE Center. The steam lines originate in the utility corridor located on Lot 10, as depicted in the SJ Plat and proceed in a southerly direction until veering off the existing utility corridor to an area between the utility corridor and the Hames PE Center. Steam heat is currently being provided to the Hames PE Center pursuant to a cooperative agreement between the lessee of Lot 9 and the CBS.

Nothing in this Agreement shall prevent or hinder the owners or lessees of Lots 9 and 10 from entering into agreements for the provision and expense of providing steam heat to Lot 10 including, without limitation, the allocation of rights and obligations for the maintenance, upkeep and service of the steam lines that serve Lot 9.

However, nothing in this Agreement shall obligate or require Grantor to incur any expense with respect to the provision of steam heat to Lot 9, or any other expense associated with the maintenance and upkeep of the steam lines that serve Lot 9. Grantor does grant and convey an easement between those two lots for the purposes of allowing the steam lines to exist and serve Lot 9 but Grantor undertakes no on-going obligation with respect to same.

6. Hostel Parking.



Pursuant to a Letter of Understanding dated October 19, 2005, Grantor allows the owner of the youth hostel located on Lot 4 of the Jeff Davis Subdivision according to Plat No. 94-24 dated November 10, 1994, to utilize six (6) parking spaces in the paved parking lot located at the south-east corner of John Brady Drive and Jeff Davis Street on Lot 1 of the Subdivision, also known as the core campus area. ("Parking Lot"). The spaces shall be available to visitors and staff of the hostel. For so long as the benefited property is operated as a hostel, and its visitors and staff abide by the rules and regulations governing the use of the Parking Lot, Grantor conveys a parking lot easement and permission for the continuing use of the six (6) parking spaces in question. However, this parking easement, and permission to use these parking spaces, will terminate and extinguish at such time that the benefited property is no longer used as a youth hostel. Nothing in this Agreement shall permit or allow visitors and staff at the hostel to use other parking spaces located within the Subdivision including, without limitation, parking available for users of the Hames PE Center (Lot 9) or the Day-Care Center (Lot 13).

7. Existing Easements and Agreements.

The Sheldon Jackson Museum Subdivision has its own access and utility easement and two parking easements, as depicted on the plat for that subdivision and in the accompanying documents to that subdivision. Nothing in this Declaration shall be construed so as to create any conflict or disagreement with that pre-existing plat and associated agreements.

There are easements as part of utility corridors that existed within the campus area prior to the creation of this Subdivision and the SJC Plat. These include, but are not limited to, water, sewer, electrical and communication lines that were previously dedicated to CBS as more particularly described in that Grant of Permanent Access and Utility Easement dated June 22, 2007 and as recorded in the Sitka Recording District at 2007-001016-0. Nothing in this Declaration shall be construed as creating any conflict or disagreement with that previous Grant.

III. **GENERAL CONDITIONS**

A. Running with the Land. It is the intention of the Declarant that all of the easements, rights and obligations reflected in this Declaration are pertinent to the properties described and that the rights, obligations and duties attendant to



these easements are the obligation of the Owners of those properties, their Permittees, heirs, personal representatives, successors in interest and assigns, unless otherwise noted.

Permittees

B. **Rights Reserved.** Grantor retains, reserves and shall continue to enjoy the use of surface of the lands subject to the easements described in this Declaration provided, however, that Grantor's use shall not interfere with, impair or prevent the use of the easements for the specific purposes reflected in this Declaration.

C. **Conflicting Rights.** Unless otherwise noted, Grantor covenants not to convey any other easement or conflicting rights within the areas covered by the easements described in this Declaration.

D. **General Public Use.** Unless otherwise noted, none of the easements and grants described in this Declaration are intended, nor shall they be construed as creating, any rights in or for the benefit of the general public, nor shall they affect any real properties outside of the Subject Properties.

E. **Binding.** This Declaration shall be binding upon and inure to the benefit of Declarant, the Owners and Permittees of the individual Lots within the Subdivision and their respective personal and/or legal representatives, successors and assigns.

F. **Governing Law.** This Declaration shall be governed by the laws of the State of Alaska.

G. **Severability.** If any term or provision of this Declaration or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Declaration shall not be affected thereby, and each term and provision of this Declaration shall be valid and enforceable to the fullest extent permitted by law.

H. **Mortgages.** Any mortgages encumbering all or any portion of the properties included within the Subdivision shall at all times be subordinate to the terms of this Declaration and any party foreclosing any such mortgage, or acquiring title by deed in lieu of foreclosure or trustee's sale, shall acquire title subject to all of the terms and provisions of this Declaration.



[signature page follows]



IN WITNESS WHEREOF, the undersigned has hereunto set its hand as of the date first above written.

SHELDON JACKSON COLLEGE

By: [Signature]
 Printed name: David Dobler
 Its: President

STATE OF ALASKA)
First JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY that on this 24th of April, 2009, before me, the undersigned Notary Public in and for the State of Alaska, personally appeared David Dobler, to me known to be the President of Sheldon Jackson College, and who executed the foregoing Declaration of Easements and Access Rights re Sheldon Jackson Campus Subdivision, and acknowledged to me that he/she has read the document, that he/she believes all statements to be true, that he/she signed the same freely and voluntarily on behalf of Sheldon Jackson College, and that he/she is authorized by the College to execute said instrument for the uses and purposes therein stated.

SUBSCRIBED AND SWORN to or affirmed before me at Seika, Alaska.

Re: document:

Decl of easements &
 Access rights STC

[Signature]
 Notary Public in and for Alaska
 My Commission Expires: 7/11/11

149504 v.5



RETURN TO:

PLANNING & ZONING OFFICE
CITY & BOROUGH OF SITKA
100 LINCOLN ST.
SITKA, AK 99835

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2007-007

Attachment L

Recording Dist: 103
6/28/2007 11:25 AM Pages: 1 of 6



GRANT OF PERMANENT ACCESS AND UTILITY EASEMENT

Sheldon Jackson College Foundation, the current owner of a portion of Tract B, U.S. Survey 407, hereinafter called **GRANTOR**, does hereby agree to grant, to the **City and Borough of Sitka, Alaska 99835** (100 Lincoln Street), hereinafter called **GRANTEE**, a **Permanent Access and Utility Easement**, recorded at Sitka District 103, State of Alaska. The Access and Utility Easement is located within the portion of Tract B, U.S. Survey 407 that is described as being bounded by Lincoln Street on the south boundary, by Jeff Davis Street on the west boundary, by Sawmill Creek Road on the north boundary, and by the National Park Service lands, Kelly Street (in part), and Metlakatla Street (in part) on the eastern boundary.

The Access and Utility Easement is for the use of the City and Borough of Sitka, to locate, construct, reconstruct, operate, repair and maintain facilities including, but not limited to, the electrical, water, sewer, and storm infrastructure established on the Sheldon Jackson College campus in the project described as the Sheldon Jackson College Utilities Infrastructure Project as funded by the US EPA and the US DOE. The attached Utility Easement Exhibits A, B, C, D titled, "Utility Easement Exhibit "A" (B, C, D) Por. U.S. Survey 407 B" by O'Neill Surveying and Engineering, pictorially and by metes and bounds description, describe the utility easements.

Titled access
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The **GRANTEE**, its agents, employees, contractors or subcontractors shall have the right to go upon the above described tract of land in perpetuity unless vacated by the City and Borough of Sitka. Upon completion of any such construction, reconstruction, operation, repair, or maintenance of the above infrastructure, the land of the **GRANTORS** shall be restored to the same or better condition that existed prior to the entry upon it.

to
go upon

entry.

The **GRANTOR**, their heirs, successors or assigns, agree that the tract of land over which the Permanent Easement is being granted shall be kept free from buildings, fences, and any other structure or obstruction that would interfere with the GRANTEE in entering upon said Permanent Easement for the purpose of constructing, reconstructing, operating, repairing and maintaining such improvements and appurtenances.

enter

By the granting of this easement, it shall not be construed to prohibit the **GRANTOR** from developing any adjoining property, constructing and maintaining paved or gravel driveways and parking areas, lawns, flowers, shrubs, walkways, landscaping, etc., along, upon, over or across said easement or any portion thereof.

+

Access, maintenance & 2nd rights.
expense. (often implied).

This easement is effective on the date of the signing of this document.

IN TESTIMONY WHEREOF, the said **GRANTOR** has hereunto set its hand and seal
this _____ day of June, Two Thousand and Seven.

Sheldon Jackson College Foundation
Grantor

James P. Sharpe - President, Sheldon Jackson College Foundation

Typed Name of Representative of Grantor,
and representative's title

James P. Sharpe
Signature of Representative of Grantor

JUNE 22 2007
Date

NOTARY'S ACKNOWLEDGEMENT

**UNITED STATES OF AMERICA
STATE OF WASHINGTON
COUNTY OF MASON**

This is to certify that on this 22nd day of June, 2007, before me, the undersigned, a
notary public in and for the State of Washington, duly commissioned and sworn,
personally appeared

James P. Sharpe

to me known to be the identical individual(s) mentioned in and who executed the above
and foregoing instrument, and acknowledged to me that they signed and sealed the same
freely and voluntarily for the uses and purposes herein mentioned.

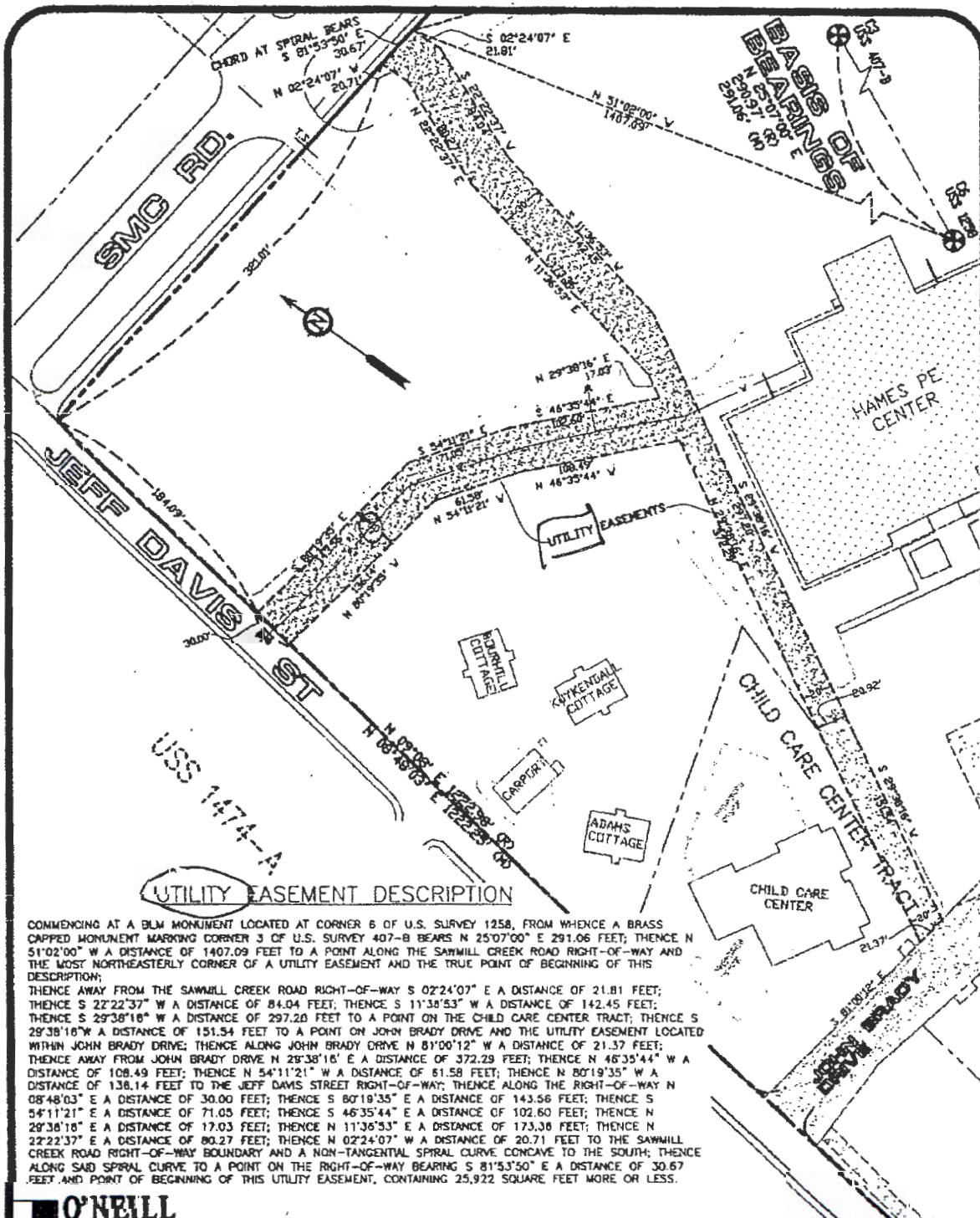
Witness my hand and notary seal the day and year in this certificate first herein written.



Jackie C. L. Ross
Notary Public in and for the State of Washington

My commission expires 9/7/2009



**O'NEILL**

SURVEYING AND ENGINEERING
 BOX 1849 SITKA, ALASKA 99835
 (907) 747-6700

FAX: (907) 747-7590
 EMAIL: oneillengr@aol.net

SCALE: P = 100'

SUBJECT:

UTILITY EASEMENT
EXHIBIT 'A'

FOR U.S. SURVEY 407 B



3 of 6

2007-001016-0



