



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No: P 17-05
Proposal: Final Plat - Minor Subdivision to result in 1 lot
Applicant: Mica Trani
Owner: Mica Trani and City and Borough of Sitka
Location: 403 Alice Loop
Legal Desc.: Lot 1 Sealing Cove Subdivision and portion of right-of-way (metes and bounds)
Zone: WD Waterfront District
Size: Existing Lot 1: 31,890 square feet
Existing portion of right-of-way: 798 square feet
32,688 square feet total
Parcel ID: 19022003
Existing Use: Commercial
Adjacent Use: Commercial, Public Facilities
Utilities: Existing
Access: Alice Loop

KEY POINTS AND CONCERNS:

- Assembly has approved the vacation of the 650 sf. portion of right-of-way adjacent 403 Alice Loop. This request is for 798 sf. The Municipal Attorney has determined that the miscalculation was an administrative error, and the ordinance has been corrected.
- Subdivision process is required to join the vacated portion to the larger property. The code regarding vacation of a street and the minor subdivision process criteria have some deficiencies (e.g. criteria requiring no dedications and common ownership & definition of subdivision).
- Area standards have been met.
- All access, easements, and maintenance agreements will be approved by City and Borough of Sitka Public Works and Electrical Department and will be recorded with the plat.
- Final changes to the plat will need to occur prior to recording; however, staff believe these changes can be addressed as conditions of approval. These changes include showing relocated easements and incorporating easement language from Notes 2 and 3 of Plat 2011-1 onto proposed final plat.

RECOMMENDATION: Approve the final plat subject to the attached conditions or approval.

ATTACHMENTS

Attachment A: Vicinity Map
Attachment B: Aerial Vicinity Map
Attachment C: Approved Vacation Sketch
Attachment D: Ordinance 2017-18
Attachment E: Proposed Plat
Attachment F: Plat 2011-1

Attachment G: Warranty Deed
Attachment H: Zoning Map
Attachment I: Parcel Pictures
Attachment J: Application
Attachment K: Flood Zone Map
Attachment L: Mailing List
Attachment M: Proof of Payment

BACKGROUND:

The process for the applicant to acquire this small portion has taken over one year.

403 Alice Loop was created by Sealing Cove Subdivision, recorded as plat 2011-1. Island Marine operates from the property. This 2011-1 plat includes utility easements.

This initial request was to purchase a 650 square foot portion of municipal right-of-way adjacent 403 Alice Loop to facilitate fencing in the commercial property. The application was filed in late 2016 and originally denied because of concerns for municipal infrastructure. Following the denial, the applicant worked with the Wastewater Division and the Electric Department to determine a plan that would be acceptable to all parties. The applicant agreed that if the vacation was approved, he would grant the municipality an easement for the 650 square foot portion for the purpose of accessing and maintaining utility infrastructure.

The Planning Commission and Historic Preservation Commission recommended approval of the vacation, and the Assembly passed an ordinance to authorize the vacation. The subdivision process will complete the process.

PROJECT DESCRIPTION:

Minor subdivision is intended to join portion of vacated right-of-way with Lot 1 Sealing Cove Subdivision, also known as 403 Alice Loop. Minor subdivision process is required in this scenario because it involves the vacation of a street.¹ The city will have an easement over the entire vacated portion in order to maintain municipal infrastructure, including but not limited to electrical and wastewater infrastructure.

Note the discrepancy in figures between vacation application and subdivision application. In the vacation application, 650 square feet was requested. The subdivision application indicates 798 square feet of right-of-way. It is understandable that a preliminary request will vary from the precise surveyed measurements. The Municipal Attorney has determined that this was an administrative error, and the ordinance has been corrected.

¹ SGC Section 21.12.010 (A)

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying.²

A minor subdivision is applicable where the proposed plat involves the vacation of a street or alley.³ The basic criteria necessary for approval are 1) no dedications are required; 2) monuments exist sufficient to locate all proposed lots on site; 3) the plat includes all contiguous land under common ownership; and 4) maintenance agreements as necessary.⁴ The Director would like to point out that by definition this proposal does not snugly fit into any single title 21 process. For example, the code requires us to follow the minor subdivision process, yet this proposal does not meet the definition of "subdivision" found at SGC 21.08.040 nor the criteria above in that it does require a dedication of a public utility easement to the City and also the land involved is not all owned under common ownership. The Director would like to further point out many if not almost all minor subdivision do not always meet criteria 1 when dedications are required. Perhaps the better view is that no further dedications are required.

Please note: The final plat shall be uniquely named, flagged 10 days prior to review, shall submit in line with the requirements of 21.32, and follow the design and improvement guidelines of 21.40.⁵

Title 22:

The minimum lot area for the Waterfront District is 6,000 square feet. Minimum lot width is 60 feet. At 32,688 square feet and 125 foot width, proposed Lot 1 exceeds both of these requirements.

Project Analysis

Site: Project area is flat. Property abuts municipal right-of-way Alice Loop, Sealing Cove Harbor parking lot, and undeveloped property owned by Sealing Cove Heated Storage.

Utilities: Utilities are available and existing. A condition of approval is to require the recording of an access, utility, and maintenance agreement that is acceptable to CBS Public Works and the Electrical

² SGC Section 21.04.020

³ SGC Section 21.12.010 (A)

⁴ SGC Section 21.12.010 (B)

⁵ SGC Section 21.12.030

Department to preserve the community's best interests in regards to public infrastructure. Upon staff's request, the applicant's surveyor provided surveyed locations of existing utilities on the site. No utilities are shown crossing through the interior of the lot.

Access, Roads, Transportation, and Mobility: The property is accessed directly from Alice Loop. DOT&PF has advised staff that any development on this property requires input from the DOT&PF Airports Section to ensure that activity does not impact the airport.

Public, Health, Safety and Welfare: Development shall be required to comply with all Building and Engineering standards regarding construction and design. Proposed fencing could screen and protect pedestrians and bicyclists from boats stored and maintained on-site. In addition, see comments above in utilities section.

Rec, Light, Air: Fencing will have minimal impact on light and air access for motorists, bicyclists, and pedestrians. No concerns for proposed subdivision.

Orderly and Efficient Layout and Development: The proposal is in line with the intent and purpose of the Waterfront District zoning, as it provides an avenue for securing the premises of a boat maintenance and repair business in close proximity to harbors. Proposed subdivision complies with Title 21 requirements.

Comprehensive Plan

The proposed minor subdivision is in line with Comprehensive Plan Section 2.4.19 which states, "To consistently follow and enforce land use policies, codes, regulations, and decisions..." by going through the prescribed vacation and subdivision processes.

RECOMMENDATION

It is recommended that the Planning Commission adopt the staff analysis and findings and move to approve the minor subdivision preliminary plat subject to conditions of approval.

1) **I move to find that:**

- a. That the proposed minor subdivision final plat, **as conditioned**, complies with the Comprehensive Plan Section 2.4.19 which states, "To consistently follow and enforce land use policies, codes, regulations, and decisions..." by going through the prescribed minor subdivision process;
- b. That the proposed minor subdivision final plat, **as conditioned**, complies with the subdivision code; and
- c. That the minor subdivision final plat, **as conditioned**, would not be injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public's health, safety and welfare.

2) Move to approve the final plat of the minor subdivision at 403 Alice Loop subject to attached conditions of approval. The property is also known as Lot 1 Sealing Cove Subdivision and a portion of adjacent municipal right of way. The request is filed by Mica Trani. The owners of record are Mica Trani and the City and Borough of Sitka.

a. Conditions of Approval:

1. All applicable subdivision regulations, including but not limited to 21.12.010, 21.12.030, 21.32.160, and 21.40, be followed and any deviations from code be corrected prior to recording of the final plat (e.g. flagging, easements, easement area details, any note language requiring minor amendment, and monumentation).
2. That access, utility, and maintenance agreements be recorded and referenced by a plat notation.
3. That a plat note shall be added to state that the municipality is a party to all easements and easements shall not be amended without municipal approval.
4. The plat shall depict relocated easements and incorporate easement language from Notes 2 and 3 of Plat 2011-1.
5. That all municipal interests in past, present, and future municipal infrastructure be preserved through dedication of appropriate easements and recording of appropriate agreement documents both of which shall be approved by the City and Borough of Sitka prior to recording.
6. The deed conveying the vacated portion of right-of-way shall be recorded prior to recording of the plat.





City & Borough of Sitka, Alaska

Selected Parcel: 403 ALICE ID: 19022003

Printed 12/9/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

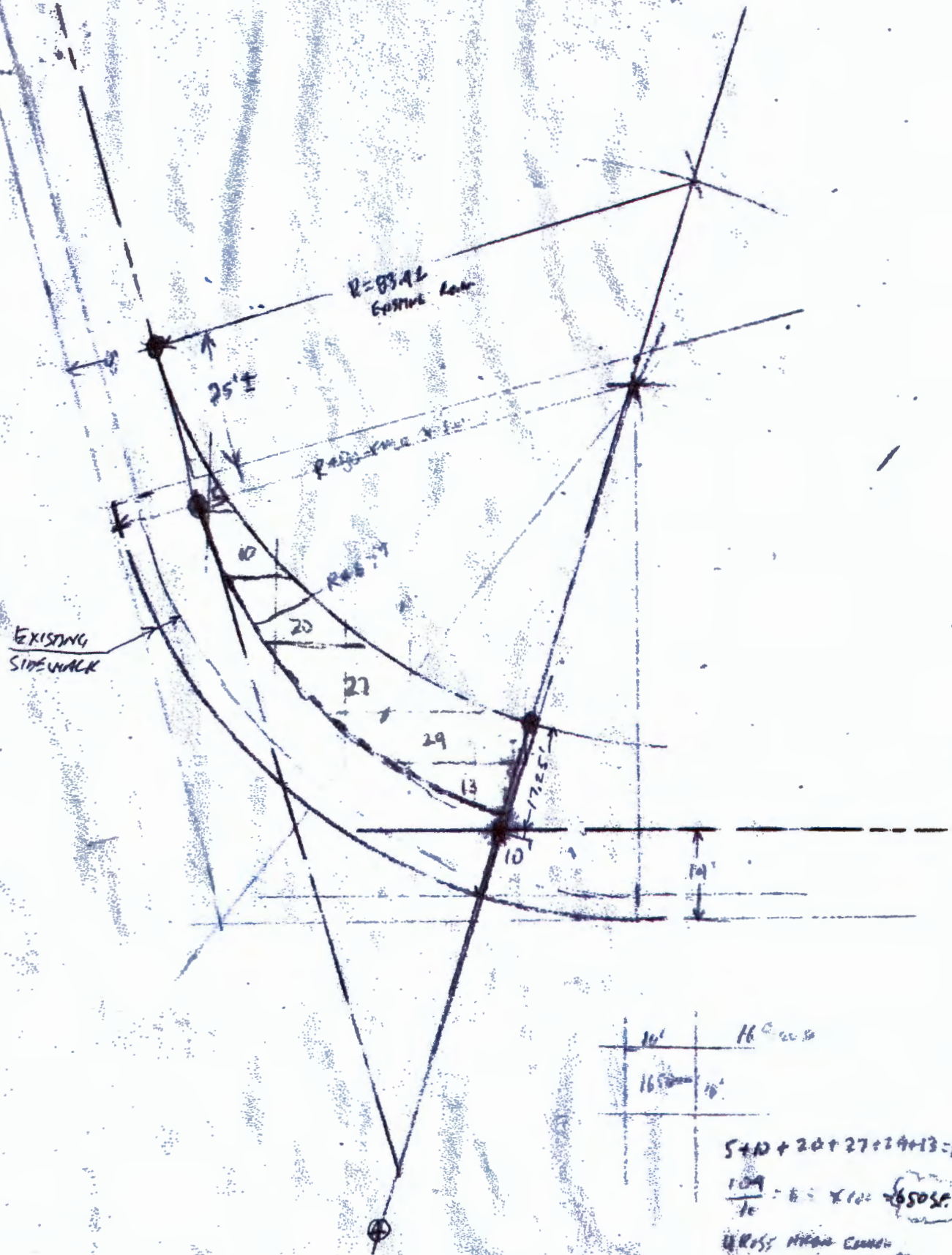
50 m
100 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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.

403 Alice Loop Rd.



$$5 + 10 + 20 + 27 + 29 + 13 = 104$$

$$\frac{104}{16} = 6.5 \times 16 = 104 \text{ SF.}$$

403 Alice Loop Rd.

174/1/18 656 SF

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2017-18

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA
AUTHORIZING THE VACATION OF A 798 SQUARE FOOT PORTION OF RIGHT-OF-
WAY ADJACENT 403 ALICE LOOP**

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person or circumstances shall not be affected thereby.

3. **PURPOSE.** The Assembly has determined this property is excess to municipal needs.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka:

A. The vacation of a 798 square foot portion of right of way adjacent 403 Alice Loop, also known as Lot 1 Sealing Cove Subdivision, to Mica Trani is hereby authorized.

B. The sales price of the 798 square feet of right-of-way, as established by the Municipal Assessor, shall be at \$1000.

C. The City and Borough Assembly finds competitive bidding is inappropriate and unnecessary due to the nature of the property since it can only realistically be used by the adjacent property owner.

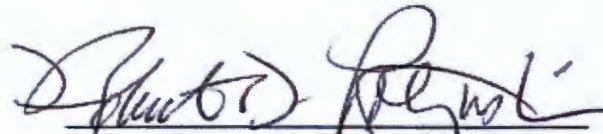
D. The sale is conditional on the recording of the subdivision plat.

E. The transfer shall be by quitclaim deed.

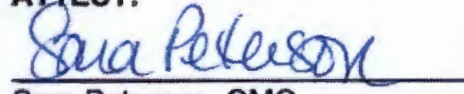
F. Mr. Trani shall grant an access and utility easement to the City and Borough of Sitka for the 798 square foot parcel for the purpose of maintaining municipal infrastructure.

5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 27th day of June 2017.


Robert Potrzuski, Deputy Mayor

ATTEST:


Sara Peterson, CMC
Municipal Clerk

1st reading 6/13/17

2nd reading 6/27/17

Note: In October 2017, the Planning Department notified the Municipal Clerk the square footage originally approved (650 square feet) in this Ordinance was incorrect and should have read 798 square feet. The Municipal Attorney advised the Municipal Clerk to make the correction per Sitka General Code 1.08.030(B)(7). No additional readings were required.

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 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, 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 _____

CALL 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.

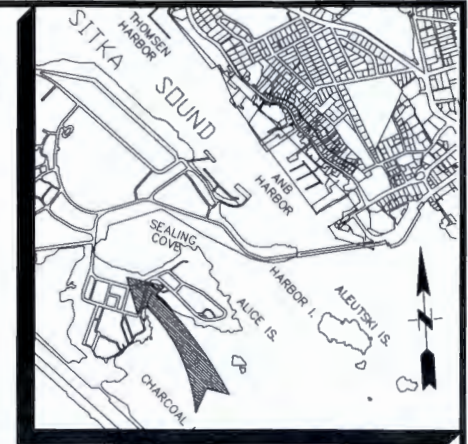
DATED THIS _____ DAY OF _____ 20____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

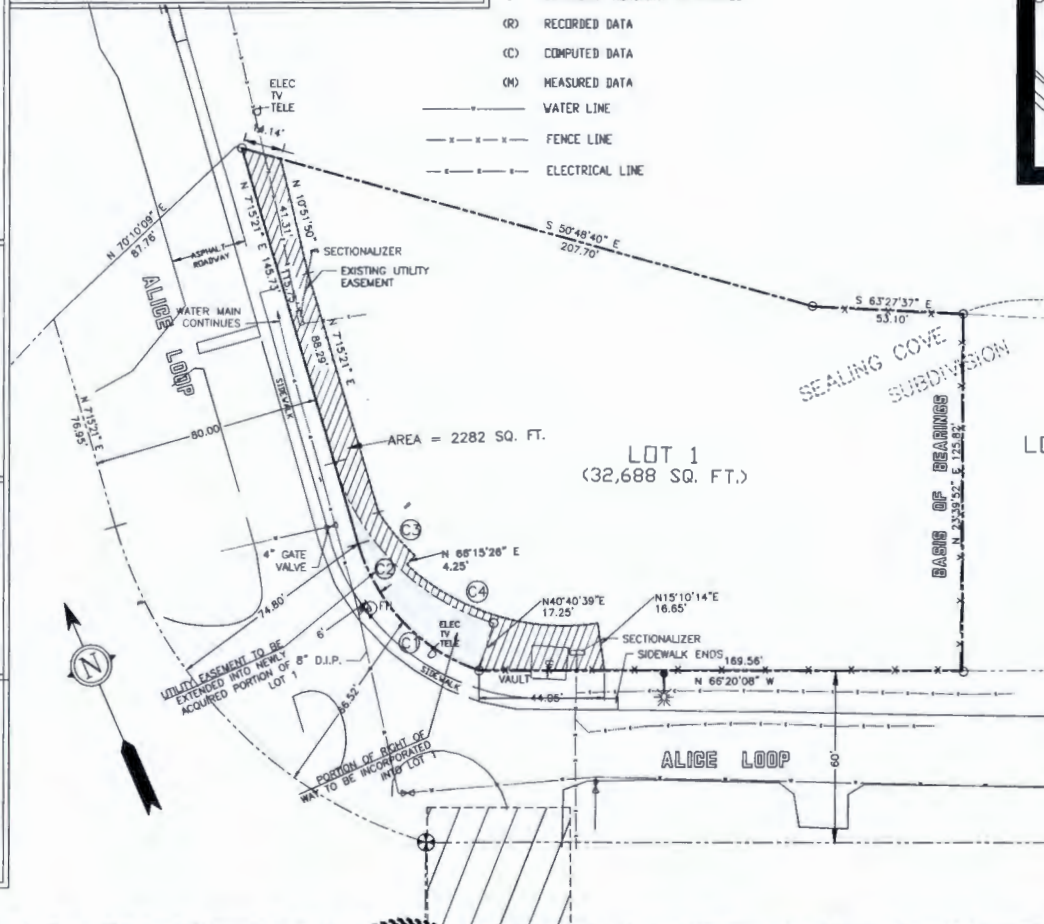
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	54°44'38"	66.68'	63.71'	N 20°07'19" W	61.31'
C2	56°34'44"	83.92'	82.87'	N 21°02'01" W	79.54'
C3	14°56'23"	76.92'	20.06'	N 16°16'22" W	20.00'
C4	51°05'12"	81.17'	72.37'	N 49°17'10" W	70.00'

LEGEND

- ⊕ PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- ⊕ BLN/GLD PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA
- WATER LINE
- FENCE LINE
- ELECTRICAL LINE

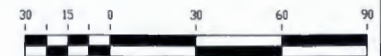


VICINITY MAP
SCALE 1"=1,000'



NOTES:

- 1) THE PURPOSE OF THIS PLAT IS TO INCORPORATE A PORTION OF CITY RIGHT OF WAY INTO LOT 1, SEALING COVE SUBDIVISION.
- 2) THE UTILITY EASEMENT ALONG THE WESTERLY LOT 1 BOUNDARY ADJACENT TO ALICE LOOP ALLOWS FOR THE CONTINUED USE OF EXISTING ELECTRICAL, TELEPHONE, AND TV LINES. MAINTENANCE OF THESE UTILITY LINES WILL BE THE SOLE RESPONSIBILITY OF THE UTILITY COMPANY DERIVING BENEFIT FROM THE LINE.
- 3) BEARING AND DISTANCES SHOWN ARE ALASKA STATE PLANE ZONE 1 GRID BEARINGS AND DISTANCES AS DESCRIBED ON, AND CONSISTENT WITH, THE ALICE AND CHARCOAL ISLAND SUBDIVISION, PLAT #2001-20. THAT SUBDIVISION UTILIZES A PROJECT SCALE FACTOR OF 0.9999735 AND A DELTA GAMMA ANGLE OF 1°24'11" CLOCKWISE DEVIATION TO CONVERT TRUE GRID TO ALASKA STATE PLANE GRID.



SCALE IN FEET
PRELIMINARY
SITKA RECORDING DISTRICT

NORTH 57*
LAND SURVEYING
(907) 747-6700 2807 CASCADE CREEK ROAD, SITKA, AK 99828

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED BY: K. O'NEILL
DRAWN BY: KJH/KACB
CHECKED BY: _____
DATE OF PLAT: AUG. 28, 2017
SCALE: 1" = 30'
DRAWING NAME: 40077-SL-CONCEPT
PROJECT NO. 40077-01

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ 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.

SEALING COVE RESUBDIVISION #1

LOT 1, SEALING COVE SUBDIVISION

CLIENT: MICA TRANI

1
b
1
SHEET

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY AGREE THAT THIS PLAN OF SUBDIVISION INTO FOUR TRACTS AND EASEMENTS, ALL EASEMENTS, RIGHTS, POWERS AND OTHER SUCH RIGHTS TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: 1/12/2011
 BY: *William J. O'Neill*
 SURVEYOR

STATE OF ALASKA
 CITY & BOROUGH OF SITKA

NOTARY'S ACKNOWLEDGMENT

THIS IS TO CERTIFY THAT ON THIS 12th DAY OF JANUARY, 2011, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, SAID CONVEYANCES AND EASEMENTS PERSONALLY APPEARED *William J. O'Neill*, and acknowledged to me that said *William J. O'Neill* 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.

STATE OF ALASKA
 NOTARY PUBLIC
 MELISSA HENNINGSEN
 My Commission Expires 9-1-2012

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

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING FOR THE CITY & BOROUGH OF SITKA, IN HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS TAXED IN THE TWO RECORDS IN THE NAME OF *William J. O'Neill*.

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSIGNED AGAINST THIS LAND AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL, THE SAME TAXES FOR THE YEAR 2010, WILL BE PAID ON OR BEFORE 12-31-2011.

DATED THIS 12th DAY OF JANUARY, 2011, AT SITKA, ALASKA.

REVENUE CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLANNING BOARD, AND THAT SAID PLAN HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 110-20-01, APPROVED FOR THE RECORDS OF THE CITY & BOROUGH OF SITKA, AND THAT THE PLAT SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT CLERK, IN OFFICE RECORDS, SITKA, ALASKA.

DATE: 1/12/2011
 BY: *William J. O'Neill*
 CITY AND BOROUGH CLERK

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSESSMENT AS REQUIRED BY SITKA, AND THAT THE PLAT SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT CLERK, IN OFFICE RECORDS, SITKA, ALASKA.

DATE: 12-21-2010
 BY: *William J. O'Neill*
 CITY AND BOROUGH CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FRANCHISE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, IN HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS TAXED IN THE NAME OF *William J. O'Neill*.

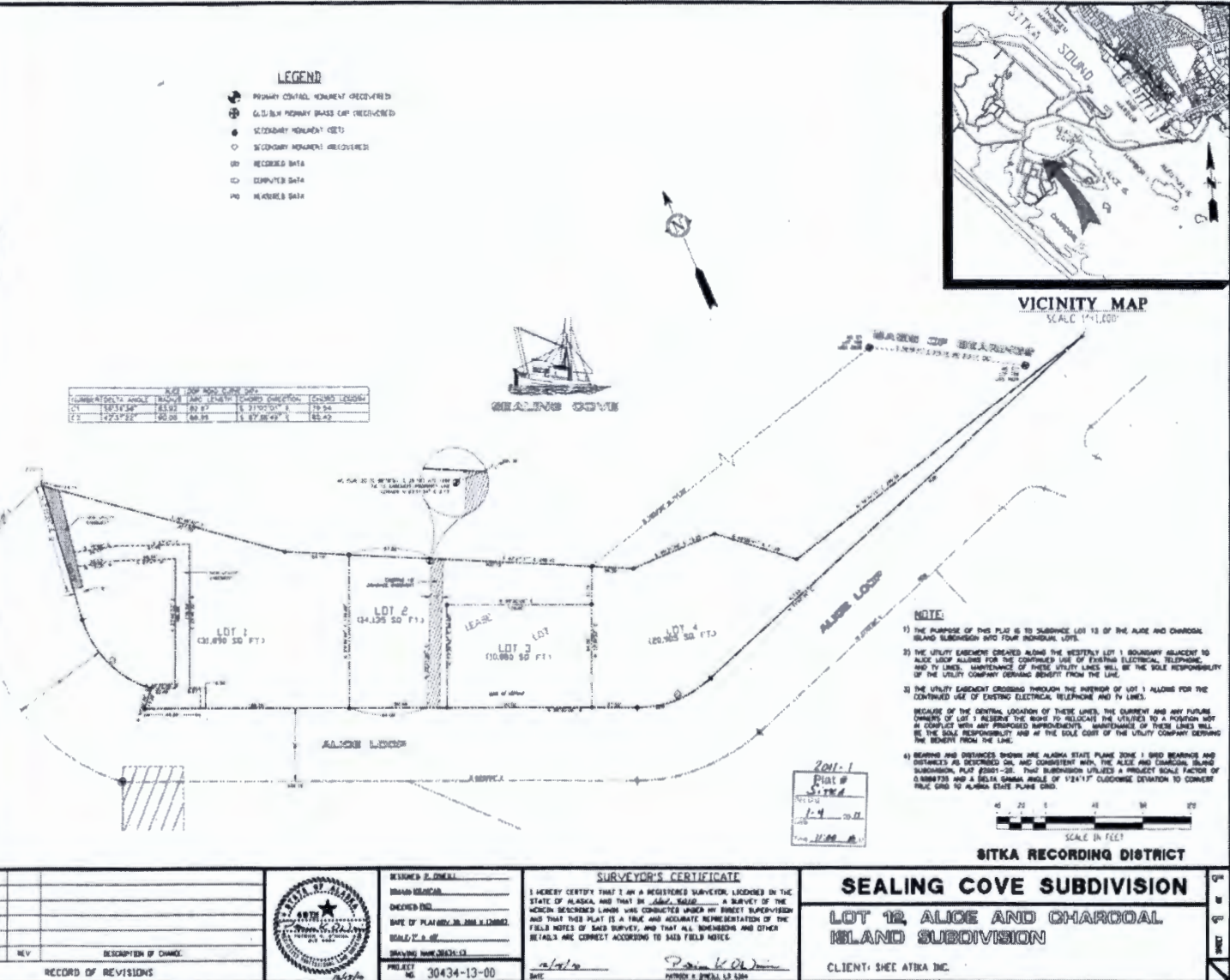
AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSIGNED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 12th DAY OF JANUARY, 2011, AT SITKA, ALASKA.

FRANCHISE DIRECTOR
 CITY & BOROUGH OF SITKA

O'NEILL
 SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99535
 PHONE (907) 347-4700
 FAX (907) 345-1099
 EMAIL: moe@oneillengr.com



2015-000425-0

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Recording District 103 Sitka

04/23/2015 10:35 AM

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WARRANTY DEED

THE GRANTOR SHEE ATIKÁ, INCORPORATED, a corporation organized under the laws of Alaska, 315 Lincoln Street, Suite 300, Sitka, AK 99835, for and in consideration of \$1.00 and other good and valuable consideration, in hand paid, the receipt and sufficiency of which are acknowledged by GRANTOR, does hereby convey and warrant to the GRANTEE MICA TRANI, the address of whom is P.O. Box 3016, SITKA, AK 99835, the following described real estate (the "Property"), as is, where is, in its present condition and subject to all defects, known and unknown, and situated in the Sitka Recording District, First Judicial District, State of Alaska and legally described as follows:

LOT ONE (1), Sealing Cove Subdivision, according to the plat thereof filed January 4, 2011, as Plat Number 2011-1, Sitka Recording District, First Judicial District, State of Alaska.

As to the Property, Grantor makes no representation or warranty, express or implied, as to fitness, use, merchantability, quality of construction, workmanship, or otherwise except as is expressly set forth in this Deed.

The conveyance by Grantor under this Deed is also expressly made subject to all matters described in this Deed, whether or not such matters were created by, through or under Grantor, as follows:

(1) The provisions and reservations contained in Patent # 50-86-0124 from the United States of America, recorded April 1, 1986, at Volume 73, pages 215 - 220, Sitka Recording District, First Judicial District, State of Alaska.

(2) The provisions and reservations contained in Patent # 50-86-0125 from the United States of America, recorded May 7, 1986, at Volume 73, pages 693 - 697, Sitka Recording District, First Judicial District, State of Alaska.

(3) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, water claims, and rights of use, limitations on right use, or of title, as to water and/or tidelands (including without limitation the marine waters and tidelands adjacent to the property).

(4) Covenants, conditions, restrictions, easements, rights of access, assessments and all other matters set forth within Plat 2001-20, filed December 12, 2001, Sitka Recording District, First Judicial District, State of Alaska.

(5) Covenants, conditions, restrictions, easements, rights of access, assessments and all other matters set forth within Plat 2011-1, filed January 4, 2011, Sitka Recording District, First Judicial District, State of Alaska, including without limitation the following:

- (A) An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as shown on the filed map.

Plat No.: 2011-1
For: Utility Easement
Affects: A corridor through subject property

- (B) An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as shown on the filed map.

Plat No.: 2011-1
For: Utility Easement
Affects: Northwest portion of subject property

(6) Limitations, conditions, provisions, restrictions, terms and effects related to the fact that the Property is proximate to the Sitka Airport, that the public has rights to utilize the airspace above the Property without compensation, that aircraft operations may generate considerable noise and odors, and that applicable law, policy and regulations restrict the height of structures upon the Property and the uses to which the Property or portions thereof may be put.

(7) Limitations, conditions, provisions, restrictions, terms and effects related to the fact that the Property is proximate to the Sitka municipal sewage plant and that its operations may generate considerable noise and odors, and that applicable law, policy and regulations may restrict the



uses to which the Property or portions thereof may be put.

(8) Limitations, conditions, provisions, restrictions, terms and effects related to the fact that the Property is proximate to the Sealing Cove Marina and that its operations may generate considerable noise and odors, and that applicable law, policy and regulations may restrict the uses to which the Property or portions thereof may be put.

(9) Limitations, conditions, provisions, restrictions, terms and effects related to the fact that the Property is proximate to tidewater and that applicable law, policy and regulations may therefore restrict the uses to which the Property or portions thereof may be put.

(10) Limitations, conditions, provisions, restrictions, terms and effects related to the fact that the Property is proximate to tidewater and as a result, (a) the boundary between the Property and the tidelands belonging to the State of Alaska cannot be ascertained with certainty, and (b) the boundary between the Property and the tidelands belonging to the State of Alaska reflected on Plat 2011-1, filed January 4, 2011, Sitka Recording District, First Judicial District, State of Alaska, may not in fact be the actual boundary between the Property and such tidelands.

(11) Limitations, conditions, provisions, restrictions, terms and effects related to the fact that materials containing asbestos and other hazardous substances have been previously found upon the Property, and that additional materials containing asbestos or other hazardous substances may continue to exist upon the Property.

(12) Taxes or assessments (i) due and payable at any time after the date of this Deed, or (ii) accruing in any period from and after the date of this Deed.

(13) Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the Property or by making inquiry of any person in possession thereof.

(14) Easements, claims of easements or encumbrances not shown by the public record.

(15) Limitations, conditions, provisions, restrictions, terms and effects of Revised Statutes 2477 including without limitation, any right or claim of right of the state or federal government and/or the public in and to the Property for right of way (whether or not such rights are shown by recordings of maps in public records by the State of Alaska showing the general location of these rights of way).

(16) Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.



(17) Limitations, conditions, provisions, restrictions, terms and effects of the Alaska Native Claims Settlement Act, 43 U.S.C. 1601 et seq., including without limitation, all rights of ways and easements.

(18) Rights of the public and/or governmental agencies in and to any portion of the Property lying within any roads, streets or highways.

DATED this 21 day of April, 2015.

SHEE ATIKA, INCORPORATED

By: _____

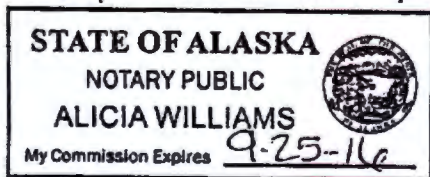
Kenneth M. Cameron
President/CEO

STATE OF ALASKA)

) ss.

FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 21 day of April, 2015, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared KENNETH M. CAMERON, the President/CEO of Shee Atika, Incorporated, a corporation organized and existing under the laws of the State of Alaska, to me known and known to me to be the President/CEO of said corporation, and acknowledged to me that he signed the foregoing instrument freely and voluntarily for and on behalf of said corporation for the uses and purposes therein mentioned.



Alicia Williams
Notary Public
My Commission Expires: 9-25-16

When Recorded, Return To:

MICA TRANI
P.O. Box 3016
SITKA, AK 99835



City & Borough of Sitka, Alaska

Selected Parcel: 403 ALICE ID: 19022003

Printed 12/9/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

50 m
100 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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.

















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: request to purchase a
crescent shaped portion of city land adjacent
to Alice Loop Road.

PROPERTY INFORMATION:

CURRENT ZONING: WD PROPOSED ZONING (if applicable): N/A

CURRENT LAND USE(S): Marine Service Center PROPOSED LAND USES (if changing): not changing

APPLICANT INFORMATION:

PROPERTY OWNER: Mica T. Trani

PROPERTY OWNER ADDRESS: 101 Shuler Dr.

STREET ADDRESS OF PROPERTY: 403 Alice Loop

APPLICANT'S NAME: Mica T. Trani

MAILING ADDRESS: PO Box 3016

EMAIL ADDRESS: islandmarine@gci.net DAYTIME PHONE: 747-0647

PROPERTY LEGAL DESCRIPTION:

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

SUBDIVISION: _____ US SURVEY: _____

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

9-5-17

Date

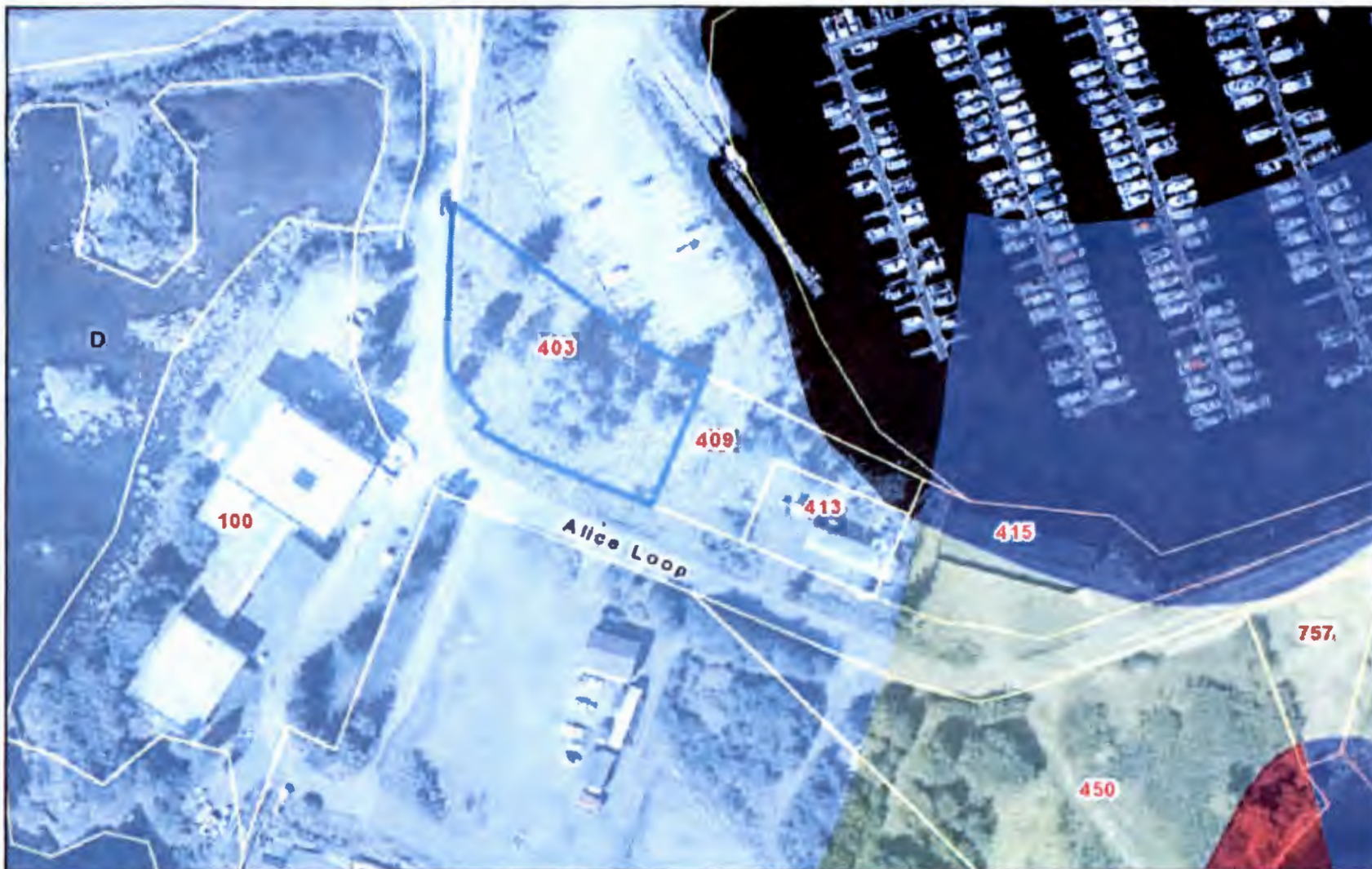
I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee 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

A portion of the Alice Loop right of way lying adjacent to the southwesterly boundary of Lot 1, Sealing Cove Subdivision (plat# 2011-1), Sitka Alaska Recording District, being more particularly described as follows:

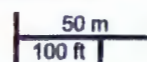
Commencing at an aluminum tablet set in the concrete footing of a fence post, a point which also marks the angle point along the southwesterly corner of said Lot 1 where the Alice Loop right of way changes from an 80 ft. width to a 60 ft. width, said aluminum tablet is also the true point of beginning of this description; thence along the current Lot 1 boundary N 40°40'39" E a distance of 17.25 ft.; thence along a curve 82.87 ft. which is concave to the northeast, has radius 83.92 ft., chord bearing N 21°02'01" W and chord distance 79.54 ft.; thence S 7°15'21" W into the Alice Loop right of way a distance of 30.00 ft. to a curve concave to the northeast, with radius 66.68 ft., chord bearing S 20°07'19" E and chord distance 61.31 ft., thence along said curve 63.71 ft. to the point of beginning encompassing 798 square feet more or less.



City & Borough of Sitka, Alaska

Selected Parcel: 403 ALICE ID: 19022003

Printed 12/9/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



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Parcel ID: 1-9000-002
City and Borough of Sitka
100 Lincoln St
Sitka AK 99835

Parcel ID: 1-9020-000
Shee Atika, Inc
315 Lincoln St, Suite 300
Sitka AK 99835

Parcel ID: 1-9022-001
Shee Atika, Inc
315 Lincoln St, Suite 300
Sitka AK 99835

Parcel ID: 1-9022-002
Sealing Cove Heated Storgae, LLC
107-A Toivo Circle
Sitka AK 99835

Parcel ID: 1-9022-003
Trani, Mica, T
P.O. Box 3016
Sitka AK 99835-3016

Parcel ID: 1-9024-000
Alaska, State of
Alaska, State of
Anchorage AK 99501

Parcel ID: 1-9075-000
City and Borough of Sitka
100 Lincoln St
Sitka AK 99835

P&Z Mailing
November 9, 2017

Parcel ID: 1-9000-002
City and Borough of Sitka
100 Lincoln St
Sitka AK 99835

Parcel ID: 1-9020-000
Shee Atika, Inc
315 Lincoln St, Suite 300
Sitka AK 99835

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Alaska, State of
Anchorage AK 99501

Parcel ID: 1-9075-000
City and Borough of Sitka
100 Lincoln St
Sitka AK 99835

P&Z Mailing
October 6, 2017

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

DATE: 9/16/17

To: Trani

PAID

SEP 06 2017

CITY & BOROUGH OF SITKA

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

Variance.....	
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.....	
Sales Tax.....	

TOTAL..... 50.00

Thank you

Samantha Pierson

From: Haynes, Emily R (DOT) <emily.haynes@alaska.gov>
Sent: Thursday, November 09, 2017 9:50 AM
To: Planning Department; Samantha Pierson
Subject: RE: P&Z In Your Neighborhood... November 21 Planning Commission Agenda

Hello,


For item D on the list, DOT&PF does not have any objection to the right of way relinquishment. We would like to include an advisory to the property owner that any development on this property requires input from DOT&PF Airports section to ensure the activity does not impact the Sitka Airport.

Thank you!

Emily Haynes

Right of Way Agent | Permitting
Department of Transportation & Public Facilities
907.465.2838 | fax: 907.465.8485

From: City of Sitka [mailto:sitka@service.govdelivery.com]
Sent: Thursday, November 09, 2017 9:32 AM
To: Haynes, Emily R (DOT)
Subject: P&Z In Your Neighborhood... November 21 Planning Commission Agenda



Planning and Zoning In Your
Neighborhood.....

A dark grey banner with white text. In the bottom left corner of the banner, there is a small square icon containing a white 'x'.