

## PUBLIC ROAD EASEMENT

This easement is granted by Rolf B. Bardarson and Carol Bardarson whose address is 32511 Moat Way, Seward, AK 99664 hereinafter called GRANTOR, to the Kenai Peninsula Borough, a Municipal Corporation, whose address is 144 N. Binkley Street, Soldotna, Alaska 99669, hereinafter called GRANTEE, for ten dollars and other good and valuable consideration, receipt of and sufficiency of which is hereby acknowledged.

This easement, which shall run with the land, is granted to the Grantee for the purposes of construction, improvement, and maintenance of a public road over and across the following described land owned by Grantor within the Seward Recording District, Third Judicial District, State of Alaska, to wit:

The N $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  Excluding Avalon Subdivision and Avalon Street all within Section 26, Township 1 North, Range 1 West, Seward Meridian, in the Seward Recording District, Third Judicial District, State of Alaska (Grantor's Property).

The land constituting the easement extends along the above described land and is more particularly described as follows:

A strip of land thirty (30) feet in width for a Public Road Easement situated within N 1/2 NE 1/4, Section 26, Township 1 North, Range 1 West, Seward Meridian, Alaska, Kenai Peninsula Borough and Seward Recording District (SW) and more particularly described;

Commencing at the common corner of Lot 9 and 10 Block 6 CAMELOT By THE SEA SUBDIVISION according to SW plat #76 on the section line common to Sections 23 and 26, thence S 89°30'26" W 106.32 ft. along the south line of said Lot 10 identical with the section line to the point of intersection of east edge of the Moat Way Right of Way being the Point the Beginning of this 30' Public Road easement;

THENCE S 89°30'26" W 435.00' along said section line to the point of intersection with the east side of the Avalon Street Right of Way identical to the 30' Public Road Easement;

THENCE S 00°31'56" E 30.00' along the said east right of way line to the south edge of the 30' Public Road Easement;

THENCE N 89°30'26" E 344.97' along a line parallel with said section line to the point of curvature of the 30' Public Road Easement;

Thence along the 30' Public Road Easement on a curve to the left having a Curve Length: 124.93', a Radius: 50.00', a Delta: 143°09'53", a Chord Length: 94.88' and Chord Bearing of N 71°04'27" E to the point of intersection with said section line identical with the Point of Beginning thus embracing an area of 14,074 sq.ft. or 0.321 acres within the N½ of the NE¼ and the SE¼ of the NE¼ Excluding Avalon Subdivision and Avalon Street all within Section 26, T1N, R1W, Seward Meridian as shown on Attachment A attached hereto and incorporated by reference.

The Grantee, its successors, assigns, agents, contractors, subcontractors, and employees are hereby granted the right, without obligation, to construct, improve, and maintain the road. The Grantee is further granted the right to permit activities within the easement, and the Grantor covenants not to conduct any activity within said easement that will in any way interfere with the Grantee's construction, improvement, or maintenance of the road, including but not limited to any activity that impairs or affects the public's use of said road.

It is the intent of the Grantor and Grantee that the general public shall have the right to use the easement for all uses consistent with a public road.

GRANTORS:

  
Rolf B Bardarson

4/11/11  
Date

  
Carol Bardarson

04-11-11  
Date

GRANTEE:

KENAI PENINSULA BOROUGH

\_\_\_\_\_  
David R. Carey, Mayor

ATTEST:

Approved as to form and legal  
sufficiency:

\_\_\_\_\_  
Johni Blankenship, Borough Clerk

\_\_\_\_\_  
Borough Attorney

**MAYOR'S (GRANTEE) NOTARY ACKNOWLEDGMENT**

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

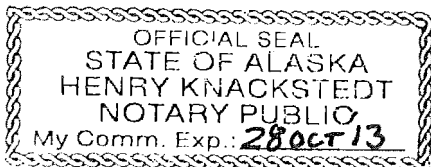
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2011 by David R. Carey, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

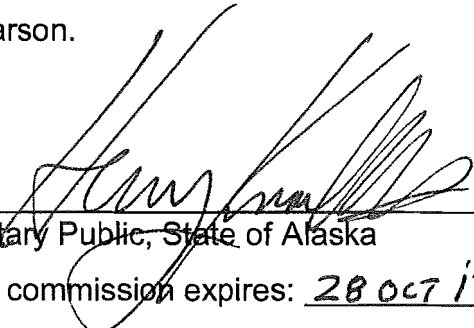
\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: \_\_\_\_\_

**GRANTOR'S NOTARY ACKNOWLEDGMENT**

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this 11 day of APRIL 2011, by Rolf B Bardarson.

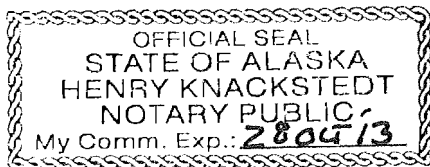


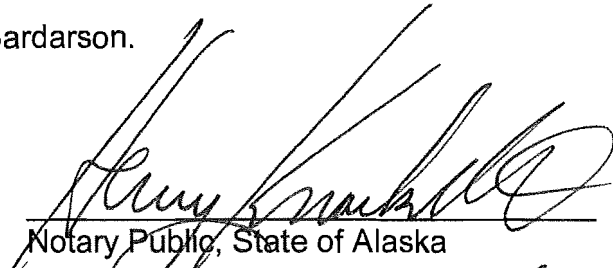
  
\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: 28 OCT 13

**GRANTOR'S NOTARY ACKNOWLEDGMENT**

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this 11 day of  
APRIL 2011, by Carol Bardarson.



  
\_\_\_\_\_  
Notary Public, State of Alaska  
My commission expires: 28 OCT 13