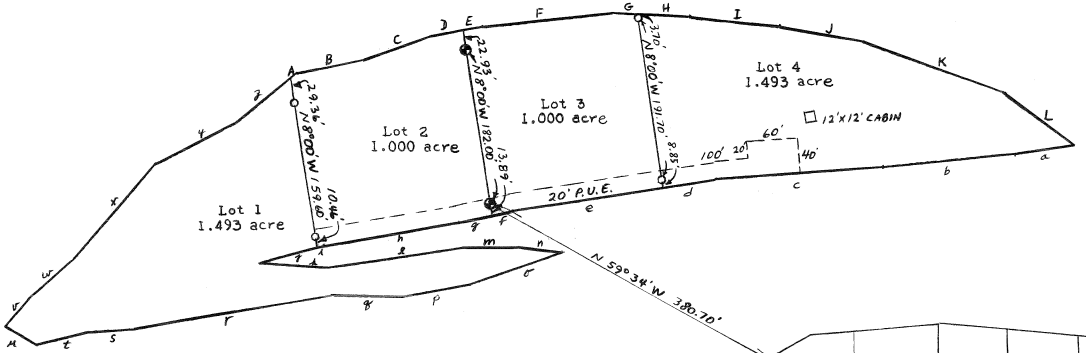
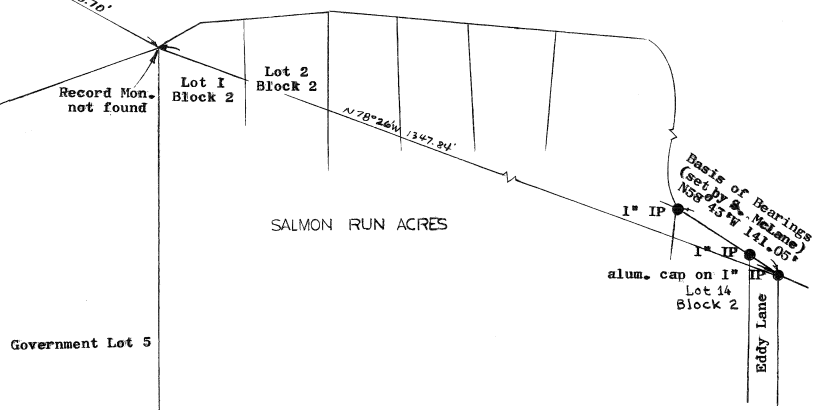
KENAI RIVER



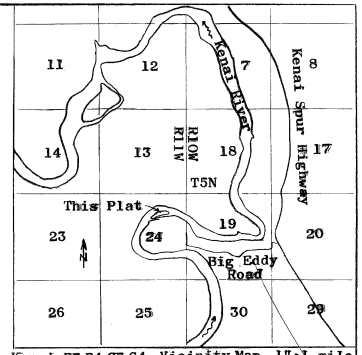
KENAI RIVER



a	S83°25'W	72.03'
b	S85°43'W	154.34'
c	S86°40'W	196.65'
d	S82°00'W	62.73'
e	S82°00'W	177.27'
f	S78°25'W	26.33'
g	S78°25'W	37.79'
h	S80°34'W	160.05'
i	S75°59'W	9.20'
j	S75°59'W	67.22'
k	S84°41'E	78.10'
l	N82°00'E	160.00'
m	N89°08'E	64.50'
n	S80°54'E	54.40'
o	S73°11'W	117.39'
p	S79°08'W	80.10'
q	N86°41'W	81.58'
r	S80°31'W	232.08'
s	S88°07'W	56.32'
t	S76°06'W	58.31'
u	N56°49'W	42.52'
v	N40°49'E	42.52'
w	N50°10'E	68.26'
x	N41°24'E	147.51'
y	N64°15'E	105.00'
z	N50°49'E	78.14'
A	N50°49'E	10.70'
B	N79°08'E	80.10'
C	N70°41'E	81.58'
D	N80°13'E	37.74'
E	N80°13'E	26.29'
F	N85°01'E	152.21'
G	S85°12'E	25.91'
H	S85°12'E	64.33'
I	S83°14'E	105.26'
J	S78°07'E	99.96'
K	S69°23'E	175.42'
L	S52°13'E	103.25'

77-84

RECORDED - FILED
Kenai REC. DIST.
DATE 6-23 1977
TIME 3:37 P M.
Requested by KPB
Address



Kenai B3 B4 C3 C4 Vicinity Map 1":1 mile

Certificate of Ownership and Dedication

We hereby certify that we are the owners of the property shown and described hereon and we hereby adopt this plan of subdivision and dedicate the public utility easements shown hereon to public use.

Roger C. Laber Magnea S. Laber by Roger C. Laber attorney in fact, 1977

Roger C. & Magnea S. Laber, SRA Box 365 Anchorage 99507

Victor Spratt Patsy Spratt, 1977

Victor & Patsy Spratt 4218 Irene Dr. Anchorage 99504

Notary's Acknowledgement

On this 14 day of June, 1977, before me, a Notary Public for the State of Alaska, personally appeared Roger C. & Magnea S. Laber and Victor & Patsy Spratt, known to me, who acknowledged to me that they executed the foregoing certificate of ownership and dedication as their own free and voluntary act. Witness my hand and official seal the date hereinabove written.

Notary Public for Alaska. My commission expires 3-10-81

Legal Description

Subdivision of Government Lot 4, Section 24, T5N, R11W, SM, Kenai Peninsula Borough, Alaska, being 4.986 acres

Plat Approval

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of June 6, 1977, is hereby acknowledged and accepted as the official Plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

Kenai Peninsula Borough

by Philip Warren

Legend

- ● Monument recovered
- ◕ Set brass cap on 2" pipe
- ○ Set 5/8" rebar with cap

Notes

1. All wastewater disposal systems shall comply with existing law at time of construction.
2. The entire subdivision is subject to flooding.
3. Building set-back is 20' from property line.
4. All construction, dredging, or other activity within the mean high water line requires a permit from the U.S. Army Corps of Engineers.

STATE OF ALASKA 49TH
DOUGLAS A. STARK
No. 3140-S
REGISTERED PROFESSIONAL LAND SURVEYOR

Eagle Island
Subdivision of Government Lot 4
Section 24, T5N, R11W, SM
Kenai Peninsula Borough, Alaska

Douglas A. Stark, Land Surveyor
957 Westbury Dr., Anchorage 99503

Scale 1"=100' | May 1, 1977

KN 77-84

K-19252-13

GI-58374-SC1

DECLARATION OF PROTECTIVE COVENANTS CONDITIONS AND RESTRICTIONS FOR EAGLE ISLAND SUBDIVISION

Roger Laber
Box 765
Anchorage, AK 99507

On the date hereinafter set forth, for the purpose of restricting and protecting certain real property located in the Kenai Peninsula Borough, Third Judicial District, State of Alaska, more particularly described as follows:

> EAGLE ISLAND SUBDIVISION, of Government lot 4, Section 24, T5N, R11W, SM, according to the official plat thereof on file in the Office of the District Recorder for the Kenai Recording District, Third Judicial District, State of Alaska, under Plat No. 77-84 which is comprised of four (4) lots.

The Declarant, Roger C. Laber, Magnea S. Laber, Pasty Spratt, Victor Spratt, are the owners of said real property described above and does hereby restict the use of said property.

Declarant hereby makes and declares that all of the real property described above, shall be held, sold and conveyed subject to the following limitations, restrictions and uses upon and of such real property as restrictive and as protective covenants which are for the purpose of protecting the value and desirability of said real property,and which shall run with the land and be binding upon all parties having any right, title or interest in the above described real property or part thereof, their heirs, successors and assigns and shall inure to the benefit of each such party.

GENERAL CONDITIONS

1. These protective covenants, conditions and restrictions upon the real property described above and any amendments thereto, shall run with the land from the recorded date of this Declaration of Protective Covenants, Conditions and Restrictions for EAGLE ISLAND SUBDIVISION, for all time.

2. These protective covenants, conditions and restrictions upon the real property described above are subject in all instances to compliance with State of Alaska and Kenai Peninsula Borough health ordinances, restrictions and regulations, zoning regulations, or other established pertinent restrictions.

3. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, condition or restriction, either to restrain such violation (s) or to recover damages. Failure by the declarant or any other owner or beneficiary to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

4. The covenants, conditions and restrictions are severable and the invalidation of one shall not invalidate any other covenant, condition or restriction which shall remain in full force and effect.

5. These protective covenants, conditions and restrictions shall not be amended, altered or changed except by the filing of an amendent thereto upon the public records of the Kenai Peninsula Borough, Kenai Recording District, State of Alaska, approved by an affirmative vote of seventy-five percent (75%) of the lot owners of the EAGLE ISLAND SUBDIVISION in this and all other actions requiring a percentage vote the owner ('s) of each lot will represent 25% of the vote.

6. Roger C. Laber, Magnea S. Laber, Patsy Spratt, Victor Spratt, owners of the real property described above, shall be free of all liability regardless of the cause or source, as to all of the real property described above, whether sold or transferred to others, whether dedicated to public use or whether left or maintained for the common use of all owners within the Subdivision.

USE CLASSIFICATIONS AND RESTRICTIONS ESTABLISHED

1. Lot use. No lot shall be used except for private residential or recreational purposes. No building shall be commenced, erected, altered, placed, moved or maintained upon an individual lot other than one single family dwelling, except for accessory buildings.

2. Set back requirements. Structures shall be set back a minimum of twenty (20') feet from any other lot line.

3. Building specifications.

A. The exterior of any structure, with the exception of an accessory building must be completed within eighteen (18) months of the start of construction. The exterior of accessory building must be completed within six (6) months of the start of construction.

B. Accessory building shall be allowed on all lots and include storage buildings and animal shelters, but may not include more than one (1) guest house, small cabin, habitable building or dwelling per lot. Accessory buildings shall not include any type of trailer house or mobile home.

C. Exteriors of all structures must be finished and exposed tar paper, asphalt paper or reflective material of any kind shall not be allowed.

4. Temporary living quarters. During the construction of any dwelling structure permitted herein, a motorized travel home, motorized recreational vehicle, or travel or camp trailer may be utilized as temporary living quarters with affirmative vote of 75% of the lot owners.

5. Trailer houses. No trailer houses, mobile homes, shacks or quonset huts shall be permitted on any lot, at any time.

6. Sewage disposal. All on-site sewage systems shall conform to the statutes and regulations of the State of Alaska or any other municipality, borough or government agency.

7. Garbage and refuse.

A. No lot shall be used or maintained as a dumping ground either above or below the surface, for rubbish, trash, garbage or other waste material.

B. All garbage and trash shall be kept in sanitary containers.

C. No incinerators shall be permitted and any equipment for storage or disposal of waste material must be kept in clean safe condition.

D. It is the responsibility of all lot owners to take all garbage, trash and other waste material to a government approved land fill until such time as garbage pickup service is available.

8. Water. All individuals or community drinking water supply systems shall be located, constructed and equipped in accordance with the requirements, standards and recommendations of the State of Alaska and the Kenai Peninsula Borough, as applicable.

9. Utilities. All oil tanks and lines, electrical and telephone wires and gas or other utility lines shall be placed underground, except where they enter a structure. This provision does not apply to the main subdivision power lines provided for through utility easements.

10. Animals.

A. Animals other than house pets shall not be allowed unless approved by 75% of the owners of EAGLE ISLAND SUBDIVISION.

B. All animals other than housepets must be properly cared for and housed, fenced and kept in clean sanitary condition and must not create an offensive odor.

11. Dog kennels.

A. No dog kennel shall house more than two (2) dogs, such animals may only be used as family pets, and not bred or maintained for any commercial purpose.

B. Any vicious dog must be kept restrained on a chain, leash or in a kennel or fenced yard.

12. Small business restrictions. A small business may be conducted on any lot as long as it is completely contained within the home.

13. Signs. No billboards of any kind shall be erected, posted, painted or displayed on or about any lot. No signs of any kind except those used by the owner thereof to advertise the property for sale or to prevent trespassing, shall be displayed to the public view. Said declarant shall have the right to remove or have removed any signs erected or displayed without said prior approval. The restriction set forth herein shall not apply to a sign not to exceed twelve (12") by eighteen (18") inches utilized by the lot owner to advertise a small business permitted in the home.

14. Noxious activity. No noxious or offensive or illegal activity shall be carried on upon any lot, nor shall anything be done or permitted which shall constitute a nuisance, public or private therein.

15. Firearms. No shooting of firearms including air guns, sling shots, bow and arrows, etc. shall be permitted within EAGLE ISLAND SUBDIVISION.

16. Landscape. To maintain the maximum natural beauty and aesthetic value of the land contained in the EAGLE ISLAND SUBDIVISION, the only trees which may be removed are those that must be removed from building sites, garden sites or that are not safe.

17. Land use. Further subdivision of lots is permitted providing each lot has a minimum of 40,000 square feet.

IN WITNESS WHEREOF, this Declaration of Protective Covenants, Conditions and Restrictions for EAGLE ISLAND SUBDIVISION is made and executed this 12th day of January, 1978.

Roger C. Laber

Roger C. Laber

Magnea S. Laber

Magnea S. Laber

Patsy Spratt

Patsy Spratt

Victor Spratt

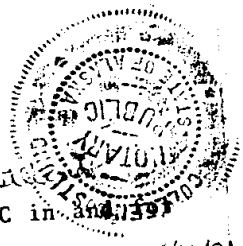
Victor Spratt

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

BOOK 119 PAGE 719
Recording District

THIS IS TO CERTIFY that on this 12th day of January, 1978, before me, the undersigned, a notary public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared before me, Roger C. Laber, Magnea S. Laber, Patsy Spratt, Victor Spratt, known to me to be the individual named in and who executed the foregoing instrument and who acknowledged that they signed the same freely and voluntarily for the uses and purposes therein stated.

WITNESS my hand and official seal the day and year first above written.



Colleen Cutler
NOTARY PUBLIC in and for
Alaska
My commission expires: 7/12/81

78-000404

FILED
REC.

Jan 16 11 21 AM '78

REQUESTED BY Qty

ADDRESS