

Kenai Keys Subdivision consists of three types of access easements/ROW:

- Private road easements (50' Typ.) established by and as shown on the original plat 72-62
- Dedications to public use established by plat 74-85 for Sockeye Lane Extension
- Private access easements (20' Typ.) for the use of the specified properties according to the Declaration of Easements.

Dedication requires both an offer and an acceptance.

Statutory Dedication: There was not a Borough acceptance on plat 74-85 and so the offered dedication was not complete. (?) See AS 40.15.030. Dedication becomes complete when plat is approved and filed.

Sec. 40.15.030. Dedication of streets, alleys, and thoroughfares.

When an area is subdivided and a plat of the subdivision is approved, filed, and recorded, all streets, alleys, thoroughfares, parks and other public areas shown on the plat are considered to be dedicated to public use.

Common Law Dedication: Offer as per plat where no Platting Authority to accept; or by actions such as construction of roads and sale of lots – Acceptance by use and maintenance.

20' Building Setback Line: Dashed line along boundaries of lots adjoining road easements (See Lot 10, Block 2) **Note:** There is no setback line along easterly boundary of Lot 11 adjoining temporary extension of Sockeye Lane according to Plat 72-62.

Channel Easements:

- Non-riparian (man-made); easement boundaries do not change due to erosion or accretion.
- Centerline of physical channel not identified on plat only centerline of easement.
- Lot line extensions to channel centerline not dimensioned – purpose is to indicate a portion of the extended lot subject to the private channel easement.
- Lack of sideline extensions from Lot 11 indicate a desire of original developers to retain control of the Sockeye Lane extension temporary turn around area and channel easement north of the channel centerline until subdivision of Tract A and ultimate design of the cul-de-sac is complete.

Management Authority:

- Homeowner's Association has authority to manage and maintain the private easements.
- The Kenai Borough generally would manage the ROW established by statutory dedication except:
 - **Sec. 29.71.020. Dedication of municipal property.**
Dedication of streets, rights-of-way, easements, or other areas for public use may not be construed to require the municipality to maintain, improve, or provide for municipal services in the area dedicated, and the dedication does not impose any liability on the municipality for the condition of the area dedicated.
 - Where maintenance and management is assigned to another government body or road service district>