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2011-000516-0

Recording Dist: 314 - Seward
5/9/2011 12:01 PM Pages: 1 of 4



APPURTENANT DRIVEWAY EASEMENT

The GRANTOR, KENAI PENINSULA BOROUGH, an Alaska Municipal Corporation, whose address is 144 N. Binkley Street, Soldotna, Alaska 99669, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Marjorie A. Van Kooten Trust, Marjorie A. Van Kooten, Trustee; Jacqueline A. Greenman, Trust, Jacqueline A. Greenman Trustee; Anna Belle Engbers Trust, Anna Belle Engbers Trustee, PO Box 629 Cooper Landing, AK 99572 and Grantees' heirs, successors and assigns, forever, an appurtenant easement for driveway purposes upon, over and across Tract E of ASLS 2003-5 as shown on Plat SW 2006-21 Sheet 4, located within protracted Section 28, Township 5 North Range 3 West, Seward Meridian, AK, owned by Grantors within the Seward Recording District, Third Judicial District, State of Alaska.

LOCATION OF THE EASEMENT. The centerline of the 25- foot- wide strip of land constituting the easement extends across the above described land and is shown on Exhibit A as "Easement 1", attached to and made a part hereof, and is more particularly described as 12.5 feet on either side of the following described line:

Commencing at the found Department of Interior, General Land Office Brass Cap monument, marked C4 USS 2525/C3 lot 8, which is also corner 1 of Tract E of Alaska State Land Survey (ASLS) No. 2003-5 thence along the common property line of Tract E of ASLS No. 2003-5 and the property line of US Survey No. 2525, North 84 degrees 53 minutes 01 second West (N 84°53'01" W) as the Basis of Bearing, a distance of four hundred twenty-nine and 52/100 feet (429.52') to the True Point of Beginning which also lies South 84 degrees 53 minutes 01 second East (S 84°53'01" E) a distance of one hundred fifty-four and 39/100 feet (154.39') from the found aluminum monument marked C4 TR E ASLS 2003-5; thence South 12 degrees 50 minutes 26 seconds West at distance of thirty-nine and 62/100 feet (39.62') to the Point of Terminus at the southerly property line of Tract E of ASLS No. 2003-5, which lies North 70 degrees 07 minutes 43 seconds West (N 70°07'43" W) a distance of fifty and 32/100 feet (50.32') from the aluminum monument marked C3 TR E ASLS 2003-5 and which also lies South 70 degrees 07 minutes 43 seconds East (S 70°07'43" E) a distance of one hundred fifty-four and 15/100 feet (154.15') from the aluminum monument marked C4 ASLS 2003-5. Said side lines are to be shortened or prolonged to meet at the property lines of Tract E of ASLS No. 2003-5. All of which are shown on the drawing which accompanies this description and is a part of this description.

PROPERTY BENEFITED BY THE EASEMENT. The easement shall be appurtenant to and for the benefit of the following described real property:

Lot 9 U.S. Survey 2525 excepting the east 50 feet

GRANTEES' RIGHT TO USE. The Grantees shall have the right to use the easement for construction, operation, maintenance and repair of a driveway for vehicular and pedestrian access to the real property benefited by the easement.

GRANTORS' RIGHT TO USE. The Grantor its successors and assigns, forever shall have the right to use the easement for purposes that will not interfere with the Grantees' full use and enjoyment of grantees' rights granted by this Easement; including but not limited to use for driveway purposes.

ENTIRE AGREEMENT. It is understood and agreed that this agreement as written covers all the agreements and stipulations between the parties and that no statements or representations, oral or written, have been made modifying, adding to, or changing the terms of this Easement.

DATED this 21st day of March, 2011.

KENAI PENINSULA BOROUGH

GRANTEE

David R. Carey
David R. Carey, Mayor

Marjorie A. Van Kooten
Marjorie A. Van Kooten, as Trustee of the
Marjorie A. Van Kooten Trust.

Jacqueline A. Greenman
Jacqueline A. Greenman, as Trustee of the
Jacqueline A. Greenman Trust

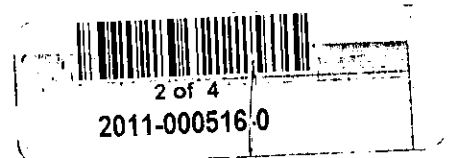
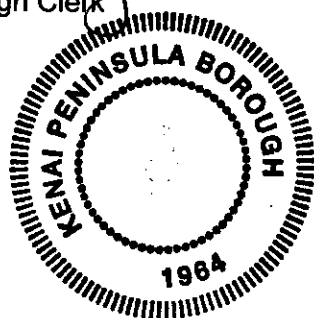
Anna Belle Engbers
Anna Belle Engbers, as Trustee of the
Anna Belle Engbers Trust

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY BY:

Johni Blankenship
Johni Blankenship, Borough Clerk

[Signature]
Deputy Borough Attorney



NOTARY ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 13 day of April, 2011, by **David R. Carey**, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, on behalf of the corporation.



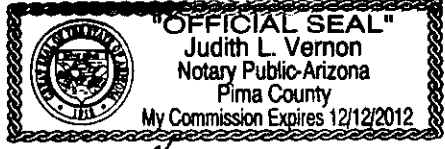
Jessica Bohn
Notary Public for the State of Alaska
My Commission Expires: w/office

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

The foregoing instrument was acknowledged before me this 21st day of MARCH, 2011, by **Marjorie A. Van Kooten**, as trustee of the Marjorie A. Van Kooten Trust.

Judith L. Vernon
Notary Public for the State of Arizona
My Commission Expires: 12-12-2012

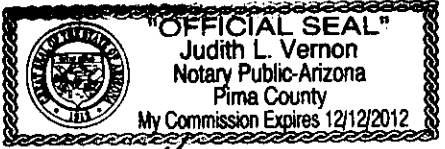
STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)



The foregoing instrument was acknowledged before me this 21st day of March, 2011, by **Jacqueline A. Greenman**, as trustee of the Jacqueline A. Greenman Trust.

Judith L. Vernon
Notary Public for the State of Arizona
My Commission Expires: 12-12-2012

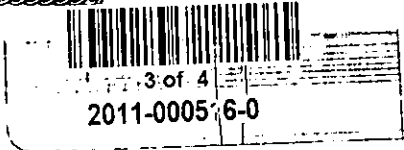
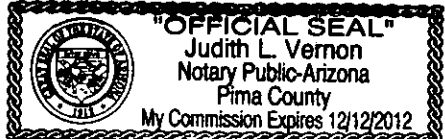
STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)



The foregoing instrument was acknowledged before me this 21 day of March, 2011, by **Anna Belle Engbers**, as trustee of the Anna Belle Engbers Trust.

Judith L. Vernon
Notary Public for the State of Arizona
My Commission Expires: 12-12-2012

Return to: Grantor
Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, AK 99669
KPB/Van Kooten



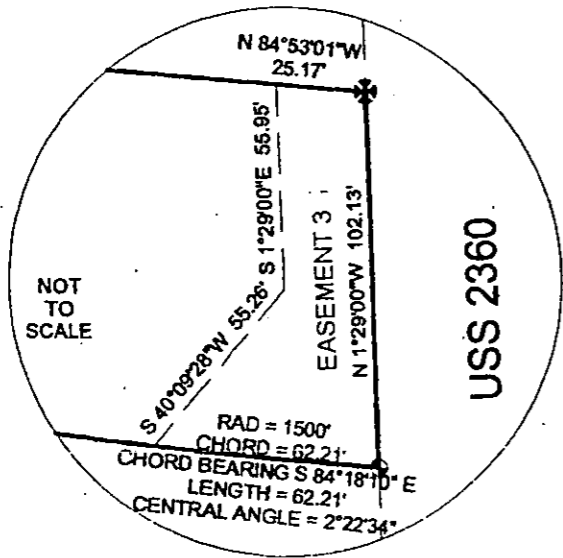
INGRESS/EGRESS EASEMENTS WITHIN TRACT E ALASKA STATE LAND SURVEY No. 2003-5

LEGEND

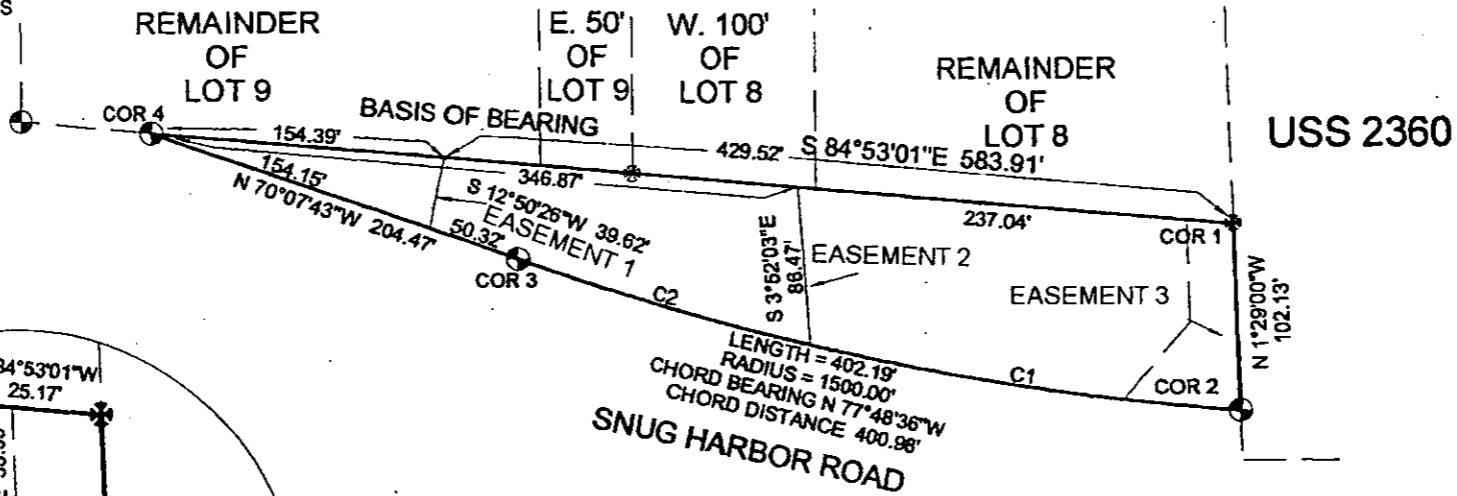
- FOUND GLO BC MONUMENT
- ⊙ FOUND ALUMINIUM MONUMENT
- ⊗ FOUND GLO BC MONUMENT NOT USED

COR 2 TRACT E CORNER NUMBERS

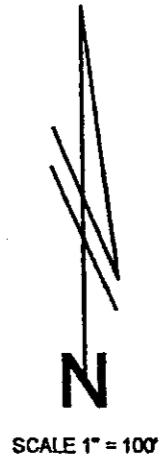
EXHIBIT A



USS 2525

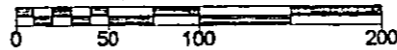


USS 2360



C2
 RAD = 1500'
 CHORD = 166.03'
 CHORD BEARING S 73°18'05" E
 LENGTH = 166.11'
 CENTRAL ANGLE = 6°20'42"

C1
 RAD = 1500'
 CHORD = 235.82'
 CHORD BEARING S 80°58'57" E
 LENGTH = 236.08'
 CENTRAL ANGLE = 9°01'01"



Prepared by
Cooper and Company.
 P.O. Box 709
 Cooper Landing, Alaska 99572
 (907) 248-1924 Anchorage
 (907) 595-1924 Cooper Landing

