

HOUSE BILL NO. 179

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SEATON

Introduced: 3/12/09

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act adding certain state-owned land and water to the Kenai River Special**
2 **Management Area."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 41.21.502(a) is amended to read:

5 (a) The surface estate in the land and water presently owned by the state and
6 all land and water acquired by the state in the future, including shore, tide, and
7 submerged land, lying within the parcels described in this section is designated as the
8 Kenai River Special Management Area:

9 (1) the Kenai River at the common section line of Sections 16 and 17,
10 Township 5 North, Range 11 West, Seward Meridian, upstream to and including the
11 waters of the Kenai and Skilak Lakes;

12 (2) the Moose River from its confluence with the Kenai River
13 upstream to the Sterling Highway Bridge;

14 (3) the Funny River from its confluence with the Kenai River upstream

1 to the Funny River Road Bridge;

2 (4) the state land in the Kenai Recording District that is located within
3 the following parcels:

4 (A) Kenai Keys

5 Township 5 North, Range 8 West, Seward Meridian

6 Section 26: General Land Office Lot 9

7 Section 36: According to the Stephenkie Alaska
8 Subdivision, Alaska State Land Survey No. 73-146:

9 Lots 2, 3, 5 - 8 and 12 - 33 of Block 2

10 Tract B

11 A small un-meandered island located within the
12 SE1/4SE1/4 of Section 36 General Land Office
13 Lots 2, 3

14 SW1/4NE1/4

15 NE1/4NW1/4

16 Excluding the Kenai Keys Road Right-of-Way and
17 Stephenkie Alaska Subdivision, Alaska State Land
18 Survey No. 73-146

19 (B) Bing's Landing

20 Township 5 North, Range 8 West, Seward Meridian

21 Section 16: Portion of W1/2W1/2 lying south of the
22 Sterling Highway

23 Section 20: Lot 1

24 Section 21: Lot 3

25 (C) Izaak Walton

26 Township 5 North, Range 8 West, Seward Meridian

27 Section 7:

28 Parcel #1: Starting at the Southwest corner of Lot 6,
29 Section 7, T5N, R8W, go South 0 08' East a distance of
30 888.1 feet to the center of road to corner no. 1, which is
31 the true point of beginning; then North 73 5' West along

the center of the road a distance of 727 feet to corner no. 2; then in a southwesterly direction a distance of 515.6 feet plus or minus, along the line of mean high water of Moose River to point no. 3; then a distance of 108 feet plus or minus, to point no. 4 along the line of mean high water of Moose River to Kenai River; then a distance of 75.3 feet plus or minus, to point no. 5 along that river; then upstream a distance of 808.6 feet plus or minus, at mean high water along Kenai River to point no. 6; then North 0 8' West 150 feet to point no. 7; then south 89 57' East a distance of 208 feet to point no. 8; then North 0 08' West 213.9 feet to point no. 1, which is the true point of beginning.

Parcel #2: Starting at the Southwest corner of Lot 6, Section 7, T5N, R8W, go South 0 08' East a distance of 1102.0 feet to corner no. 1, which is the true point of beginning; then North 89 57' West 208.0 feet to corner no. 2; then South 0 08' East 150 feet plus or minus to corner no. 3, which is a point at mean high water of the Kenai River, then Southeasterly a distance of 238 feet plus or minus, along the line of high water of that river to corner no. 4, which is a point 268 feet plus or minus, South 0 08' East of corner no. 1, then North 0 08' West 268 feet plus or minus to corner no. 1, which is the true point of beginning, containing one acre plus or minus.

(D) Nilnunqa

Township 5 North, Range 8 West, Seward Meridian

Section 7: Lot 10

(E) Funny River

Township 5 North, Range 9 West, Seward Meridian

Section 28: SE1/4SE1/4

1 Tract 6, Heistand Subdivision, Addition No. 2
 2 Section 33: Lots 1, 3
 3 SE1/4NW1/4
 4 portion of NE1/4 lying west of the Funny River Road
 5 (F) Morgan's Landing
 6 Township 5 North, Range 9 West, Seward Meridian
 7 Section 21: SW1/4SE1/4
 8 Section 28: Lots 2, 3, 7 - 9, 14, 15
 9 NE1/4NW1/4
 10 NW1/4SW1/4
 11 Section 33: Lot 2
 12 (G) Kenai River Islands
 13 Township 5 North, Range 8 West, Seward Meridian
 14 Section 27: Lots 10, 17
 15 Township 5 North, Range 10 West, Seward Meridian
 16 Section 6: Lots 9 - 10
 17 Section 7: Lots 2 - 4, 8, 11, 16
 18 Section 18: Lots 2, 3, 14
 19 Section 19: Lots 3, 17
 20 Section 30: Lots 2, 8
 21 Section 31: Lots 7, 10
 22 Section 32: Lot 7
 23 Section 33: Lots 5, 8
 24 Section 34: Lot 10
 25 Township 5 North, Range 11 West, Seward Meridian
 26 Section 36: Lot 2 within NE1/4
 27 (H) Slikok Creek
 28 Township 5 North, Range 11 West, Seward Meridian
 29 Section 36: Tract "A", Slikok Creek Alaska Subdivision
 30 (I) Big Eddy
 31 Township 5 North, Range 11 West, Seward Meridian

1 Section 24: Lots 14, 15
 2 NW1/4NE1/4SE1/4
 3 (J) Ciechanski
 4 Township 5 North, Range 11 West, Seward Meridian
 5 Section 24: Lot 1
 6 (K) Kenai River Flats
 7 Township 5 North, Range 11 West, Seward Meridian
 8 Section 15: Lot 8
 9 NW1/4SE1/4
 10 N1/2SW1/4
 11 N1/2S1/2SW1/4
 12 (L) Other Lower River Land
 13 Township 5 North, Range 9 West, Seward Meridian
 14 Section 22: Lots 4, 9, 10, NE1/4SW1/4
 15 Township 5 North, Range 10 West, Seward Meridian
 16 Section 6: Lot 8
 17 Section 7: Lots 5 - 7, 15
 18 Section 18: Lots 1, 2, 4 - 6, Tract A, Larry's Fishing
 19 Hole Subdivision, Plat No. 90-42 Government Lots 4 -
 20 7, 10 - 13
 21 NE1/4SW1/4
 22 E1/2NW1/4
 23 Section 19:
 24 Tracts A and B, Timberland Terrace Phase 1
 25 Subdivision, Plat 97-26
 26 Lot 4, Kobylarz Subdivision, according to the official
 27 plat filed under Plat No. 92-24, Kenai Recording
 28 Office
 29 Beginning at the section corner common to Sections
 30 19, 20, 29, and 30, Township 5 North, Range 10
 31 West, Seward Meridian, traverse west along the

section line common to Sections 19 and 30 a distance of 1320 feet, thence north along the 1/16 section line a distance of 1420 feet to Corner No. 1 and the point of beginning, thence west 100 feet to Corner No. 2, thence north to the thalweg of the Kenai River and Corner No. 3, thence east along the thalweg of the Kenai River to the point of intersection with 1/16 section line and Corner No. 4, thence south along the 1/16 section line to Corner No. 1, and the point of beginning, located in the Kenai Recording District, as may be modified by a record of survey accepted by the state

Lot 16

Section 30: Tracts A, J, and K, Channel Shores Subdivision, Plat No. 85-102

Section 31: Lots 2, 3, and 11, excluding the following subdivisions, as shown in record of survey no. 96-7: Halcyon Subdivision, Lot 1, Block 1, plat of survey no. K-1706; Halcyon Subdivision Lot 5, Block 1, plat of survey no. 73-9; Halcyon Subdivision plat of survey no. 76-75; Halcyon Subdivision Addition No. 4, plat of survey no. 77-47; Halcyon Subdivision Addition No. 5, plat of survey no. 77-82; Halcyon Subdivision No. 3, plat of survey no. 78-25; Halcyon Subdivision Amended Plat Lot 1-B, Block 1, plat of survey no. 78-96; Halcyon Subdivision Addition No. 7, plat of survey no. 79-155; Halcyon Subdivision Addition No. 8, plat of survey no. 83-174; Halcyon Subdivision Addition No. 9, plat of survey no. 84-47; Halcyon Subdivision No. 10, plat of survey no. 84-244; Halcyon Subdivision No. 9, plat of survey no. 86-

98RS; Halcyon Subdivision No. 9, plat of survey no. 86-99RS; Halcyon Subdivision No. 11, plat of survey no. 92-41; Halcyon Subdivision No. 8 Amended, plat of survey no. 92-72; and Halcyon Subdivision No. 12, plat of survey no. 93-8; and excluding that portion of Government Lot 3 east of Daisy Drive conveyed by warranty deed recorded March 10, 1989, in book 343, page 15, Kenai Recording Office.

Section 32: Lot 1-B-1, ASLS No. 97-25, a subdivision of Lot 1-B, Fisherman's Square Subdivision, Addition No. 1, within the W1/2SW1/4;

Section 33: Lot 6-B, Mullen Homestead River Addition Phase 1, Plat No. 97-89;

Section 34: Lot 7, NE1/4SE1/4

Township 5 North, Range 11 West, Seward Meridian

Section 1: Lots 9 and 10; **Government Lot 6**

Section 2: Government Lot 6

Section 10: KN Government Lots 4, 5, 6, 9, and 10 and SW1/4SE1/4

Section 11: Tract A-1A, Cone Tracts; Lot 3, excluding that portion north of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision and SE1/4NW1/4, and the N1/2NW1/4, excluding that portion of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision; **Government Lot 1; Government Lots 5 and 6**

Section 12: Lots 1 - 3, 7 - 10, 13

N1/2SE1/4

SE1/4NE1/4

NE1/4SW1/4

N1/2SW1/4SE1/4

Section 13: Lot 1

SW1/4NW1/4

Section 14: Lots 2, 7

Section 15: Government Lots 2, 3, 5 and

SE1/4NW1/4 and SW1/4NE1/4

N1/2SW1/4 and N1/2S1/2SW1/4 and NW1/4SE1/4

A portion of Government Lot 8 containing 32.2

acres

Section 16: Lots 1 - 10

SE1/4

NW1/4NW1/4

SE1/4SW1/4

Section 24: That portion of Lot 11 within LSH 148

beginning at the point common to Sections 24 and

25, Township 5 North, Range 11 West, Seward

Meridian, and Sections 19 and 30, Township 5

North, Range 10 West, Seward Meridian, thence

Westerly along the section line common to Sections

24 and 25, 1320 feet; thence along the West

boundary of Lot 11, approximately 1125 feet to the

South bank of the Kenai River to the point of

beginning; thence continuing approximately 108

degrees East approximately 1375 feet to a point on

the East boundary of Lot 11, which point is

approximately 750 feet North of the Southeast

corner of Lot 11; thence Northerly along the East

boundary of Lot 11 to the South Bank of the Kenai

River; thence Westerly along the South Bank of the

Kenai River to the point of beginning

Section 25: Lot 3

(M) Other Upper River Land

Township 3 North, Range 2 West, Seward Meridian

Section 5: NW1/4

Section 6: N1/2

N1/2S1/2

Township 4 North, Range 1 West, Seward Meridian

Section 13: 0910009 Alaska State Land Survey 86-6

Tract B (ADL 217604); Government Lot 8; and

S1/2 lying 200 feet West of the natural ordinary

high water line of Trail River

Section 22: S1/2S1/2

Section 23: S1/2S1/2, excluding Lot 3 of U.S. Survey

7391

Section 24: 200 foot wide strip lying West of the

ordinary high water line of Trail River;

NE1/4SW1/4 lying West of Trail River within

Government Lots 3 and 4; and Government Lot 5;

and 200 foot wide strip(s) lying each side of the

ordinary high water line of Trail River within

Government Lots 7, 8, and 11, excluding U.S.

Survey 7391, U.S. Survey 2519, and U.S. Survey

2520

Section 25: 200 foot wide strip lying East of the

ordinary high water line of Trail River within

Government Lots 3 and 5, excluding ASLS 86-6,

ASLS 86-5, Lot 1 Lakeside Estates Plat SW 95-25

and U.S. Survey 2497

Section 26, excluding Lot 3 of U.S. Survey 7391

Section 27, excluding U.S. Survey 2065 (HES 233,

1931)

Township 4 North, Range 2 West, Seward Meridian**Section 18: Uplands within W1/2****Section 19: Uplands within N1/2****NE1/4SW1/4****Uplands within the E1/2****Uplands within the NE1/4****Section 29: Uplands within the SW1/4****Section 30: Uplands within the NE1/4****Uplands within the E1/2SE1/4****Section 31: W1/2, subject to 100-foot easement on
tunnel****Section 32: Uplands within the W1/2****Uplands within the W1/2SE1/4****Township 4 North, Range 3 West, Seward Meridian****Section 1: Uplands lying North of ASLS 97-18 Plat
SW 97-18; uplands within N1/2; uplands within the
N1/2S1/2****Section 2: Uplands within NE1/4****NE1/4SE1/4****SE1/4SE1/4 lying East of Tract A ASLS 97-18,
Plat SW 97-22, subject to 50-foot public access
easement on West Boundary Tract A ASLS 97-
18****Section 12: Uplands, excepting all within ASLS 97-
18, subject to 50-foot public access easement on
South Boundary Tract A ASLS 97-18****Section 13: E1/2NW1/4****Uplands within NE1/4****N1/2SE1/4****SE1/4SE1/4****Section 36: Uplands, subject to 100-foot easement on**

tunnel

Township 5 North, Range 1 West, Seward Meridian

Section 24: Seward Meridian SW Government Lots 5
and 6

Section 25: SW Government Lot 2

Township 5 North, Range 2 West, Seward Meridian

Section 15: That portion of the N1/2 lying South of
the Sterling Highway right-of-way

Township 5 North, Range 3 West, Seward Meridian

Section 30: SW Government Lots 1 through 8
inclusive AKA W1/2, excluding USS 5105

Section 31: SW Government Lot 1; SW of that
portion of Government Lots 7 and 8 known as the
stream corridor lying 200 feet each side of Cooper
Creek

(N) North Side of Kenai Lake

Township 4 North, Range 2 West, Seward Meridian

Section 6, SW Government Lots 1 and 2, excluding
ASLS 85-339

Township 4 North, Range 3 West, Seward Meridian

Section 1

Township 5 North, Range 2 West, Seward Meridian

Section 30, SW that portion of the stream corridor
that lies 200 feet each side of the centerline of
Quartz Creek

Section 31: SW 0870003 East Quartz Creek Unit
Alaska State Land Survey 85-339 Tracts A, C, and
D; SW that portion of NE1/4 and E1/2W1/2 known
as the stream corridor, which is located 200 feet
each side of the center line of Dry Creek;

Township 5 North, Range 2 West and 3 West

Sections 31 and 36: SW 0870003 East Quartz Creek
Unit Alaska State Land Survey 85-339 Tract B
Township 5 North, Range 3 West, Seward Meridian

Sections 26 and 27: SW portion of Government Lots
2, 4, and 5 in Section 26 and that portion of Tract A
USS 5105 within Sections 26 and 27 that lies East of
USS 2934 and East of ASLS 80-103, all lying South
of the Sterling Highway

Section 34: SW 2006021 Alaska State Land Survey
2003-5 Tract B

Section 36: SW 0870003 West Quartz Creek Unit
Alaska State Land Survey 85-339 Tract E

[SECTION 36: THAT STRIP OF LAND BETWEEN
THE LINE OF ORDINARY HIGH WATER OF THE
KENAI RIVER AND EPF 21-11, BLOCK 1].