

**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Mining, Land and Water**

**APPLICATION FOR EASEMENT**  
**AS 38.05.850**

ADL# 234689  
(to be filled in by State)

Applications that are submitted with unfilled sections or inadequate explanation and/or without application fees, a location figure and/or a completed Division of Mining, Land and Water (DMLW) Environmental Risk Questionnaire will be deemed incomplete. Incomplete applications will be returned without review. See DMLW's current fee regulations (11 AAC 05) and associated Director's Fee Order for applicable non-refundable fee amounts. The filing of an application does not guarantee processing or approval of the requested authorization.

Applicant: City of Kenai Doing Business As: City of Kenai  
Agent: (if applicable; attach record of authorization to represent) Terry Eubank, City Manager  
Mailing Address: [REDACTED] Email: [REDACTED]  
City/State/Zip: [REDACTED]  
Primary Phone: [REDACTED] Alternate Phone: [REDACTED]  
General Location: Mile 7.5 Kenai Spur Highway Municipality: City of Kenai  
Section(s): 35 Township: 6 North Range: 11 West Meridian: Seward  
Section(s): \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Meridian: \_\_\_\_\_

Attach a location figure, plan drawing or survey that shows the detailed location of the requested easement in relation to adjoining property boundaries and reference points. All features must be labeled.

Dimensions requested (Complete line 1 for a lineal easement or line 2 for an easement with an irregular shape):

1. Length: (feet) 785.75 Width: (feet) 50  
2. Area: \_\_\_\_\_ Are units in ☐ square feet or ☐ acres? (check one)

Term requested and rationale: In Perpetuity - City of Kenai water main section

Are you applying for a ☐ public or a ☒ private easement? (check one) Rationale:

City water main location. City personell are the only ones needing access for maintenance or upgrades of utility.

Development plan summary/specific purpose of easement: (e.g., electric utility, fiber-optic cable, road, bridge, airstrip/airport, driveway, trail, drainage). This information will be used to determine the scope of use of the easement.

A wellhouse and water main were installed on the subject parcel in 1970 while under lease by City of Kenai from DNR. The wellhouse has since been removed, leaving the City water main. The lease expires March 10, 2026 and the City does not intend to renew the lease, but requests an easement for the existing water main.

Is this an existing use? ☒ Yes ☐ No. If yes, explain extent and duration of use to date:

The water main was installed in 1970, upgraded and modified in 1978, and remains in place as of the date of this request. Land initially leased by City of Kenai for site of wellhouse. Wellhouse since removed. Lease expires March 10, 2026.

Describe plans for initial construction. Be detailed. Include a list of authorizations for portions of the project that are proposed for construction on adjoining lands, other permitting, and/or third-party non-objections: (Use extra sheets as needed)

Initial water main installation took place in 1970, system upgraded in 1978. See attached Asbuilts.

Anticipated construction timeframe: All construction complete since 1970.

If this authorization is granted, I agree to construct and maintain the authorized improvements in an acceptable manner, and to keep the area in a neat and sanitary condition; to comply with all the laws, rules, and regulations pertaining thereto; and provided further that upon termination of the easement for which application is being made, I agree to remove or relocate the improvements and restore the area without cost to the State and to the satisfaction of DMLW.

Applicant's Signature



Date:

5/15/25

This form must be filled out completely and submitted with the applicable fees. Failure to do so will result in a delay in processing. AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(8) and confidentiality is requested, AS 43.05.230, or AS 45.48). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210.

In submitting this form, the applicant certifies that he or she has not changed the original text of the form or any attached documents provided by the Division. In submitting this form, the applicant agrees with the Department to use "electronic" means to conduct "transactions" (as those terms are used in the Uniform Electronic Transactions Act, AS 09.80.010 – AS 09.80.195) that relate to this form and that the Department need not retain the original paper form of this record: the department may retain this record as an electronic record and destroy the original.

For Department Use Only  
Application received date stamp

Receipt Types:

- ☐ 13A Pipeline Easement  
☐ 13 Other Easement

ADL # \_\_\_\_\_

Easement Application Form 102-112 (Rev. 09/23)



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2025-27**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES FOR A UTILITY EASEMENT FOR THE CITY WATER MAIN.

WHEREAS, the City of Kenai entered into a Lease Agreement with the State of Alaska Department of Natural Resources Division of Lands on March 11, 1971 to lease 4.13 acres of land described as T 6N R 11W Sec 35 Seward Meridian KN 0860072 Alaska State Land Survey 84-157 Tract A (KBP Parcel 04103040); and,

WHEREAS, the lease is expiring on March 10, 2026; and,

WHEREAS, the City constructed, operated, and subsequently decommissioned Well House 1 between 1971 and 2023; and,

WHEREAS, the City deconstructed the former Well House 1 and removed all above ground structures from the site in 2023; and,

WHEREAS, the City no longer needs access to the full 4.13-acre parcel; and,

WHEREAS, the City requires a utility easement to allow for monitoring, maintenance, and repairs to the water main remaining along the northern boundary of the parcel; and,

WHEREAS, it is in the best interest of the City to obtain an easement from the State of Alaska Department of Natural Resources to monitor, maintain, and repair water utility infrastructure in perpetuity or until such time that the proposed easement is no longer needed by the City.

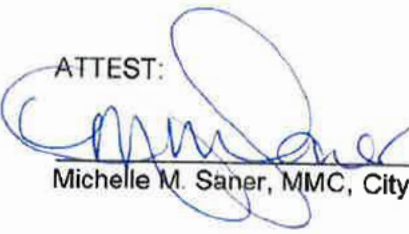
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

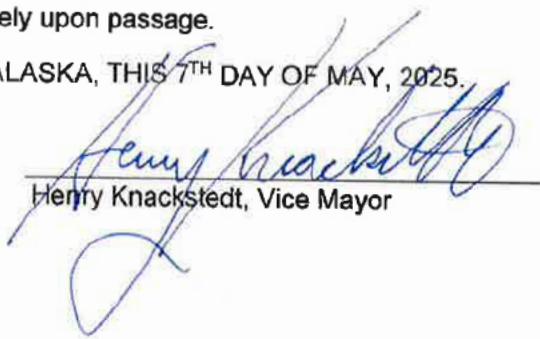
**Section 1.** That the City Manager is authorized to enter into an agreement for a utility easement on KPB Parcel 04103040 as shown on the attached map.

**Section 2.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7<sup>TH</sup> DAY OF MAY, 2025.

ATTEST:

  
Michelle M. Saner, MMC, City Clerk

  
Henry Knackstedt, Vice Mayor