

Introduced by: Mayor
Date: August 16, 1977
Hearing: September 20, 1977
Vote:
Action: Failed setting for Hearing 8-16 w/Recon.
Final Action: Not reconsidered - 9-6-77

KENAI PENINSULA BOROUGH

ORDINANCE 77-55

AN ORDINANCE AUTHORIZING OFFER TO SELL AT FAIR MARKET VALUE, BOROUGH LAND ALONG KALIFONSKY BEACH ROAD TO MR. CHARLES MILLER AND MR. ROBERT JACOBS.

WHEREAS, certain Borough owned land along Kalifonsky Road between the road and the bluff, a part of the Karluk Reef Subdivision, is located between lands owned by Mr. Charles Miller and Mr. Robert Jacobs; and

WHEREAS, it is in the best interests of the Borough to transfer Borough owned land to private ownership, when the land is not devoted to a public purpose or other improvement or use; and

WHEREAS, access ways in the Karluk Reef Subdivision have not been resolved or established except on plat; and

WHEREAS, without such access the borough's land would be landlocked between the lands owned by Messrs. Miller and Jacobs; and

WHEREAS, Messrs. Miller and Jacobs have proposed to the Borough that they purchase the Borough lands so that through unity of ownership existing potential problems of access and right-of-way can be resolved, and whereas such disposition of the Borough lands promotes sound planning and land use:

NOW THEREFORE, BE IT ORDAINED BY THE KENAI PENINSULA BOROUGH ASSEMBLY:

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DEFEATED

Section 1. That the Borough offer for sale to Charles Miller that lot of Borough owned land known as Tract B of Karluk Reef Subdivision at its current fair market value as determined for the highest and best use of the land.

Section 2. That the Borough offer for sale to Robert Jacobs the Borough owned land known as Tract A of the Karluk Reef Subdivision and Government Lot 11 and the South one-half of Government Lot 9, T5N, R11W, Seward Meridian, at its current fair market value based on the highest and best use of the land.

Section 3. The Borough's sale of these lands is contingent upon rights of ownership in fee simple by Charles Miller of Tract C of the Karluk Reef Subdivision and adjacent lots along the Cook Inlet shore line approximately parallel to the Karluk Reef Subdivision and on the ownership by Mr. Robert Jacobs of land along the Kalifonsky Beach Road approximately parallel to the Karluk Reef Subdivision.

Section 4. The fair market value of the lands to be sold pursuant to this ordinance shall be determined upon an appraisal satisfactory to the Borough, which shall be made by an appraiser selected by the Borough who shall determine the highest and best use of the Borough lands at the current market value as of the date of the sales. The identity of the selected appraiser shall not be made known until after the appraisal is completed.

Section 5. Public notice of these proposed sales shall be given through publication of this ordinance as required by the Borough's Code of Ordinances, and the sales may be consummated after such publication of notice and after enactment of the ordinance by the assembly.


Section 6. This ordinance takes effect upon its enactment.

~~DEFEATED~~

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH

THIS 6 DAY OF September, 1977.

(item was to be reconsidered 9-6)



Assembly President

ATTEST:



Borough Clerk

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DEFEATED