

Introduced by: Martin  
Date: Nov. 20, 1979  
Hearing: Dec. 18, 1979 Moratorium  
Vote:  
Hearing:

KENAI PENINSULA BOROUGH

ORDINANCE 79-73

PERMITTING PARTICIPANTS IN BOROUGH LAND LOTTERY NO. 1 TO  
TERMINATE THEIR PARTICIPATION AND WITHDRAW THEIR APPLICATION  
FEE.

WHEREAS, the Borough Assembly, by Ordinance 79-53,  
provided for the disposal of Borough-selected lands by lot-  
tery; and

WHEREAS, participants in the lottery were required  
to pay an application fee of \$10.00 for every application  
that each participant filed; and

WHEREAS, the land lottery has been enjoined by the  
Superior Court for an indefinite period of time pending  
a final determination of the validity of the proposed sale;  
and

WHEREAS, the Assembly finds that it is desirable to  
permit withdrawal from the lottery of those persons who  
wish to terminate their participation prior to a final de-  
termination of the pending litigation;

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

Section 1. That the land lottery requirements estab-  
lished by Ordinance 79-53 are modified so as to permit the  
immediate withdrawal of any or all of the applications made  
by a participant.

Section 2. That the Borough shall promptly refund  
to every participant who withdraws an application the \$10.00

application fee paid for each and every withdrawn application, and shall pay interest upon the amount withdrawn at the annual rate of 9% from October 20, 1979, through the date of withdrawal.

Section 3. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1979.

\_\_\_\_\_  
JoAnn Elson, Assembly President

ATTEST:

\_\_\_\_\_  
Borough Clerk