

ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 81-51 of the Kenai Peninsula borough, this certification of the actions taken by me conforms with the rules and regulations governing ordinances.

1. Publication: Publication has been made by causing a summary of this ordinance to be inserted one time in a newspaper of general circulation in the borough. One copy of this ordinance as set for hearing, together with Notice of Hearing has been mailed to the city clerks of each first class city in the borough and to each postoffice in the borough with a request for posting on the City Hall and Post Office bulletin boards for 10 days immediately following receipt.
2. After adoption of this ordinance, one copy will be mailed to the city clerk of each first class city in the borough.

This ordinance was Enacted by the assembly of the Kenai Peninsula Borough on the 21 day of July, 1981 and will become effective immediately.

Francis Bryner
Borough Clerk

Date: 7-23-81

Introduced by: Mayor
at request of
Planning Com-
mission

Date: June 16, 1981
Hearing: July 21, 1981
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 81-51

AUTHORIZING TRANSFER OF TITLE TO TRACT D, NU-HOPE ALASKA TOWNSITE, TO HOPE, INC. FOR USE AS A CEMETERY.

WHEREAS, the Hope Village Council and the Hope-Sunrise Advisory Planning Commission have requested that the Borough transfer to Hope, Inc. title to certain Borough owned land for use as a community cemetery; and

WHEREAS, this land, described as Tract D, Nu-Hope Alaska Townsite, and located at the Southwest corner of the Hope Highway and Palmer Creek Road, has been used unofficially as a village cemetery plot for many years; and

WHEREAS, Hope, Inc. has been incorporated as a non-profit corporation to receive this land and to maintain it as a community cemetery; and

WHEREAS, the Borough Planning Commission, at its regular meeting of May 18, 1981, has recommended that title to this land be transferred to Hope, Inc. for use as a community cemetery;

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

Section 1: That the Mayor is authorized to execute a restrictive deed to Hope, Inc., transferring title to Tract D, Nu-Hope Alaska Townsite, Village of Hope, Section 34, T10N, R2W, S.M.

Section 2: The deed shall provide that the land, and any structures or improvements, shall be used only for cemetery and related uses; shall be non-denominational in character, and shall be open to all members of the general public without discrimination or charge. The deed shall provide that title and possession shall revert back to the Borough immediately if any condition is broken or if the permitted use ceases; and such other provisions which the Mayor deems necessary to protect the interests of the Borough, including insurance, indemnity, and hold harmless clauses.

Section 3: This transfer is subject to any prior rights of the federal or state governments, other restrictions of record or use, and the prior rights of persons or corporations; and is further subject to prohibitions against interference with or desecration of cemetery property.

Section 4. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 21 DAY OF July, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Frances Byrnes
Borough Clerk