

KENAI PENINSULA BOROUGH

ORDINANCE 87-15

AUTHORIZING THE LEASE OF BOROUGH PATENTED LANDS TO LOYD AND SHERRON COLLINS FOR A SHORE FISHERY SUPPORT SITE LOCATED IN THE KALIFORNSKY BEACH AREA.

WHEREAS, the Borough has selected and received patent to Gov't. Lot 4, Section 1, Township 4 North, Range 12 West, S.M., Alaska by Patent No. 4424 on September 27th, 1979; and

WHEREAS, the lease of these Borough lands has been requested in support of an adjacent shore fishery beach site for beach access and equipment storage and maintenance facility; and

WHEREAS, the Planning Commission at its regularly scheduled meeting of February 9, 1987 recommended approval of an ordinance authorizing this lease;

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

Section 1. That a 55 year lease to Loyd and Sherron Collins is authorized for that certain Borough patented real property described as:

S½ Gov't Lot 4, Section 1, Township 4 North, Range 12 West, S.M., Alaska, lying west of Kalifonsky Beach Road containing ± 2.65 acres.

Section 2. That this authorization is subject to the conditions contained in this ordinance and the lease documents shall implement these provisions and such other provisions as the Mayor deems in the best interest of the Borough.

Section 3. That the lease shall have an annual rental to be based on 10% of the fair appraised value of the land only, as determined by an independent fee appraiser. The annual rental shall be adjusted at 5 year intervals in proportion to the new appraised value of the land only, as determined by an independent fee appraiser. The Borough and the lessee shall mutually agree upon the independent fee appraiser prior to the appraisal. The lessee shall be responsible for all costs involving the appraisals.

Section 4. That the lessee shall hold a valid State shore fishery lease. The lease maybe reassigned, but only to a party who also holds a valid State shore fishery lease in close proximity.

Section 5. That the term of this lease is for 55 years. This lease creates no preference right upon termination.

Section 6. That the Mayor is authorized to sign such documents necessary to effectuate this lease.

Section 7. That this ordinance takes effect immediately upon its adoption.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 1987.

Jonathan W. Sewall, Assembly President

ATTEST:

Borough Clerk

Kenai Peninsula Borough
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