

Introduced by: Mayor  
Date: January 20, 1987  
Hearing: February 17, 1987  
Vote: Unanimous  
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 87-05

RECLASSIFYING BOROUGH LANDS, AND APPROVING THE OPTION TO LEASE "LADD LANDING", WITH ACCOMPANYING LEASE, PORT MANAGEMENT AND EASEMENT AGREEMENTS.

WHEREAS, Tidewater Services Corporation has proposed to develop "port facility sites" in the Beluga area to facilitate further resource development; and

WHEREAS, in furtherance of this proposal Tidewater Services Corporation has submitted a request for an option to lease certain borough lands at Ladd Landing together with an easement and port management agreement; and

WHEREAS, the Public Port Study has designated certain borough-owned lands as "Public Port Areas"; and

WHEREAS, Tidewater Services Corporation and other affiliated companies plan to install, maintain, and operate various improvements to facilitate new industrial development; and

WHEREAS, Diamond Alaska Coal Company, an affiliate of Tidewater Services Corporation, has agreed by letter which accompanies this ordinance to open a hiring office in the Kenai Peninsula Borough to further stimulate local economic growth and provide opportunities for its' citizens and in reliance upon this condition and terms proposed in the "Option to Lease" and accompanying documents, the Assembly has determined that the option rights should be granted; and

WHEREAS, the Kenai Peninsula Borough Planning Commission has held public hearings on October 20, November 22, and December 15 and January 5 to solicit public comment on the proposed Option to Lease and recommended approval of the agreements negotiated by the Kenai Peninsula Borough Administration in substantially the form submitted to it; and

WHEREAS, the Option and accompanying documents were submitted to the Assembly upon introduction of this ordinance;

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

Section 1. That certain unimproved real property composed of six (6) parcels described in Exhibit A to the Option to Lease Ladd Landing and that certain easement described in Exhibit A to the Ground Lease Ladd Landing are reclassified from the Rural

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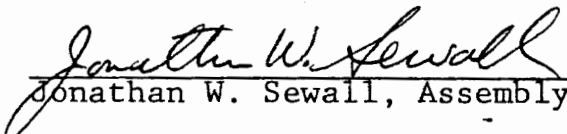
District to an industrial classification to provide for efficient and orderly development of the above described borough-owned lands consistent with Tidewater Services Corporation proposed site development.

Section 2. That the Kenai Peninsula Borough Assembly pursuant to KPB 17.04.180 approves the Option to Lease Ladd Landing including the Exhibits to the Option, which include a lease agreement, a port management agreement, and an easement granting rights at the Ladd Barge landing, substantially in the form of the February 17, 1987 revision.

Section 3. That the Mayor is authorized to sign the Option, Lease, Easements and Management Agreement and other any and all other documents reasonably necessary to effectuate this ordinance and deemed to be in the best interests of the Borough, including changes to terms for removal, excavations, use and payment for soil, sand and gravel that are a part of the option premises.

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

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 17th DAY OF February, 1987.

  
Jonathan W. Sewall, Assembly President

ATTEST:

  
Borough Clerk