

Introduced by: Mayor  
Date: December 6, 1988  
Hearing: January 3, 1988  
Vote: 9 Yes, 4 No  
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 88-52

AUTHORIZING THE SALE OF TRACT C OF BELUGA TERRACE ADDITION NO. 1 TO ARCO FOR THE PURPOSE OF ESTABLISHING A CONSOLIDATED DRILL MUD WASTE DISPOSAL SITE IN THE BELUGA AREA

WHEREAS, the assembly previously authorized the sale of five acres of land to Chevron for a landfill, and ARCO, as Chevron's successor operator, does not desire to complete the purchase; and

WHEREAS, assembly Resolution 88-90, authorized the mayor to enter into negotiations and reach agreement with ARCO and other persons affected for the sale of lands in the Beluga area to allow establishment of a consolidated drill mud disposal site; and

WHEREAS, agreement has been reached between the mayor, ARCO and other persons as to the location of the consolidated drill mud disposal site and a public access easement; and

WHEREAS, the planning commission reviewed the plat of Beluga Terrace Addition No. 1 Tracts A-1, C and D at its November 21, 1988 meeting and recommended conditional approval; and

WHEREAS, the Planning Commission at its November 21, 1988 meeting, also reviewed and recommended assembly approval of the proposed sale of Tract C of Beluga Terrace Addition No. 1 to ARCO and the granting of the 40 feet wide public access easement as depicted on the referenced plat;

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

Section 1. That the sale of the following described lands to ARCO is hereby authorized:

Tract C, Beluga Terrace Addition No. 1 Tracts A-1, C and D, Containing 7.87 acres, more or less, located within Section 4, T12N, R10W, S.M.

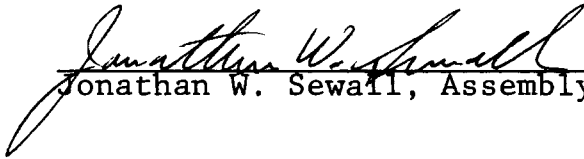
Section 2. That the sale price of the above referenced parcel shall be \$33,000 as determined by the borough assessor. Upon receipt of the full payment, the borough shall issue a warranty deed to ARCO which shall contain a clause that ARCO will hold the borough harmless from liability arising out of ARCO's use of the property.

Section 3. That the 40 feet wide public access easement as depicted on the referenced plat and located within a portion of Tract C, Beluga Terrace Addition No. 1 Tracts A-1, C & D and Section 4, T12N, R10W, S.M. is hereby granted.

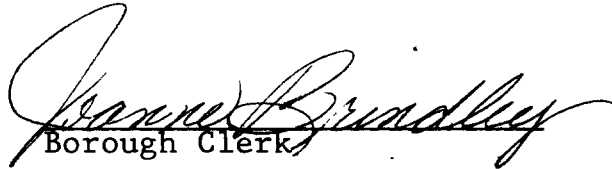
Section 4. That the mayor is authorized to sign any documents necessary to effectuate this ordinance.

Section 5. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS  
3rd DAY OF January, 1989.

  
Jonathan W. Sewall, Assembly President

ATTEST:

  
Borough Clerk