

Introduced by:	Mayor
Date:	02/18/92
Carried over to:	03/03/92
Hearing:	04/07/92
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH  
ORDINANCE 92-12**

**AN ORDINANCE AUTHORIZING DISPOSITION OF LANDS  
TO THE KENAI PENINSULA FOOD BANK, INC.**

**WHEREAS,** application has been received from the Kenai Peninsula Food Bank, Inc. for land on which to construct a warehouse and office; and

**WHEREAS,** the borough selected the subject land pursuant to the Municipal Entitlement Act and has received State of Alaska patent #6113; and

**WHEREAS,** the subject land has not been classified by the borough; and

**WHEREAS,** on January 29, 1992, a memorandum, map and supporting backup was sent out for review and comments to the School District, departments of the borough and services areas; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission is scheduled to review the application at its February 24, 1992, meeting for recommendation to the assembly;

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

**Section 1.** That a parcel of land containing 2 acres, more or less, and located within a portion of Section 1, T4N, R11W, S.M. is hereby classified for public use.

**Section 2.** That the land described herein may be conveyed to the Kenai Peninsula Food Bank, Inc. by a lease for a term of 20 years with an option to renew for 20 years. Any lease shall be subject to the restriction that the property be used for operation of a food bank and the property shall revert to the borough or the lease shall terminate if the property is used for other purposes. The lease shall subject to a minimum lease payment of \$1 per year.

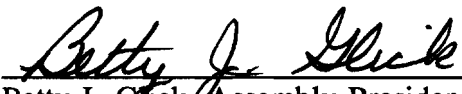
**Section 3.** That the Kenai Peninsula Food Bank, Inc. shall be responsible for the surveying

and platting of the land in accordance with all regulations and that no lease of the land may take place until any required plat is filed in the appropriate recording district.

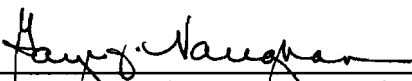
**Section 4.** That this land classification and disposal is subject to the Kenai Peninsula Food Bank, Inc. completing construction of a facility on the property within 30 months of the effective date of this ordinance. Any lease shall contain a provision that if a facility has not been constructed and completed within that time the property shall revert to the borough unless such time be extended by the borough in accordance with all applicable ordinances in effect at the time.

**Section 5.** That the Mayor is authorized to sign any documents necessary to effectuate this ordinance and deemed to be in the best interest of the borough.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7th DAY OF APRIL, 1992.**

  
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Betty J. Glick, Assembly President

ATTEST:

  
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Gaye J. Vaughan, Borough Clerk