

Introduced by: Mayor
Date: 5/05/92
Hearing: 6/02/92
Postponed to: 6/16/92
Amended: 6/16/92
Enacted: 6/16/92
Vote: 13 yes, 1 no

**KENAI PENINSULA BOROUGH
ORDINANCE 92-25**

**AN ORDINANCE CLASSIFYING LANDS AND AUTHORIZING AN
AGRICULTURAL/GRAZING LEASE ON BOROUGH LANDS TO WARD FARMS**

WHEREAS, an application to lease borough lands for agricultural/grazing was received from Bill Ward dba Ward Farms; and

WHEREAS, the borough holds title to those lands under application by Ward Farms; and

WHEREAS, requests for review and comments were distributed to borough departments and service areas; and

WHEREAS, the borough Solid Waste Division responded to the request for review and comments stating that the right to enter the property for soils borings and testing be reserved by the borough and that if the property is needed for landfill activities the lease may be terminated; and

WHEREAS, the Kenai Peninsula Borough Planning Commission met April 20, 1992 and recommended that an agricultural/grazing lease be approved for Ward Farms;

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

SECTION 1. That the following described lands are hereby classified for disposal by an agricultural/grazing lease to Bill Ward dba Ward Farms:

NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14 excluding Echo Lake Road, and W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying westerly of the Sterling Hwy of Sec. 13, all within T4N, R11W, S.M., containing a total of 384.13 acres, more or less.

SECTION 2. That the lease shall commence on the date the lease document is first signed and subject to the borough's receipt of a grazing management plan, shall provide for

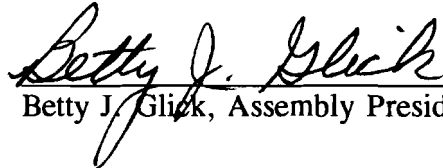
the right to enter on the property for soils boring and testing as may be required, and provide for termination of all or a portion of the leased area with one year's written notification.

SECTION 3. That the annual lease rate shall be established by utilizing a formula based on current federal, state and area rates for like land uses.

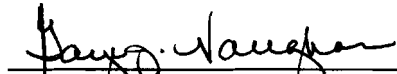
SECTION 4. That this classification and offer to lease shall terminate one year after the date of enactment of this ordinance if no lease document is completed.

SECTION 5. That the Mayor is authorized to sign any documents necessary to effectuate this ordinance, however, the lease agreement must be approved by assembly resolution prior to becoming effective.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16th DAY OF JUNE, 1992.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk