

Introduced by: Mayor
Date: 7/21/92
Hearing: 8/04/92
Enacted: 8/04/92
Vote: Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 92-41**

**AN ORDINANCE CLASSIFYING LANDS AND
AUTHORIZING A LEASE ON BOROUGH APPROVED LANDS
TO CHUGACH ELECTRIC, ASSOCIATION, INC.**

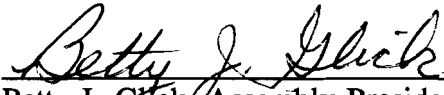
- WHEREAS**, an application to lease borough land for erecting a 35 foot tower for microwave transmission and a 10' x 8' communication building has been received from Chugach Electric Association, Inc.; and
- WHEREAS**, the borough received selection approval to those lands on August 23, 1989; and
- WHEREAS**, requests for review and comments were distributed to borough departments and the Cooper Landing Advisory Planning Commission; and
- WHEREAS**, Cooper Landing Advisory Planning Commission responded to the request for review and recommended the lease be approved for the alternative site as agreed by Chugach Electric Association, Inc.; and
- WHEREAS**, the Kenai Peninsula Borough Planning Commission considered this matter at their June 22, 1992 meeting and recommended a lease be approved for Chugach Electric Association, Inc.;

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

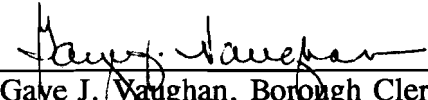
- Section 1.** That the following described lands are hereby classified for a public utility lease:
- A 50 feet by 50 feet portion of the SE $\frac{1}{4}$ Section 26, T5N, R3W, S.M., Alaska, containing a total of 0.05 acres, more or less as depicted on Attachment "A".
- Section 2.** That the mayor is authorized to negotiate and execute these lands with Chugach Electric Association in accordance with the provisions of this resolution and upon such other terms and conditions he deems in the best interest of the borough.

- Section 3.** That any lease shall be for 35 years commencing on the date the lease document is first signed and subject to the borough's receipt of an as-built of the established structures.
- Section 4.** That any lease will include the right of access on the established road intersecting the Sterling Highway.
- Section 5.** That an annual lease rate shall be established at one dollar per year.
- Section 6.** 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 and signed.
- Section 7.** That the Mayor is authorized to sign any documents necessary to effectuate this ordinance.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4th DAY OF AUGUST, 1992.


Betty J. Glick, Assembly President

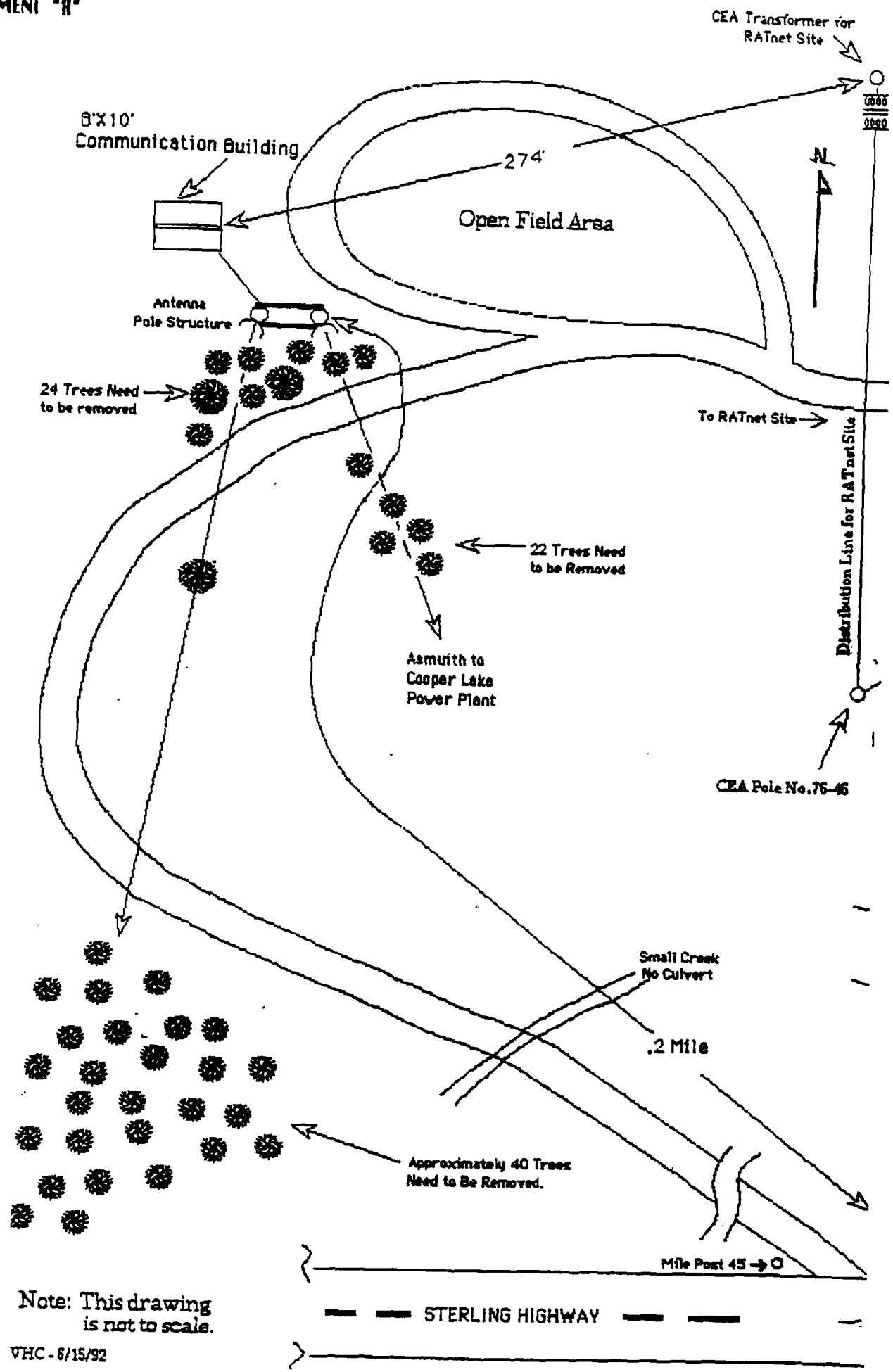
ATTEST:


Gaye J. Vaughan, Borough Clerk

NEW CEA REPEATER SITE LOCATION

ATTACHMENT "R"

GILMAN
AYOR



Note: This drawing
is not to scale.

VHC - 6/15/92

STERLING HIGHWAY