

Introduced by:	Mayor
Date:	10/11/94
Hearing:	11/29/94
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH  
ORDINANCE 94-51**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF 1,295.57 SQUARE FEET  
OF THE HOPE LIBRARY SITE TO THE ADJACENT OWNER  
TO RESOLVE AN ENCROACHMENT**

**WHEREAS,** the Borough is the owner of the Hope library site, and a building on the adjacent parcel has unintentionally encroached on the library site for many years; and

**WHEREAS,** the Borough desires to have the Hope library site platted; and

**WHEREAS,** sale of the 1,295.57 sq. ft. of the Hope library site will not affect the most appropriate use or the highest and best use of the site, and the parcel is less than one acre in size so that it does not need to be classified prior to conveyance; and

**WHEREAS,** the Borough Planning Commission in its regular session on September 12, 1994 recommended enactment by unanimous consent;

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

**SECTION 1.** That pursuant to KPB Code of Ordinances Subsection 17.10.100 (I) a conveyance of a portion of the Hope library site by quit claim deed described on Attachment A is hereby authorized.

**SECTION 2.** That the conveyance authorized by this ordinance shall be executed within four months of the effective date of this ordinance or authorization contained herein terminates.

**SECTION 3.** That the Borough shall pay one-third of the survey and platting costs, and the owner of the adjacent parcel shall pay two-thirds of the survey and platting costs. No other compensation is to be paid to the Borough.

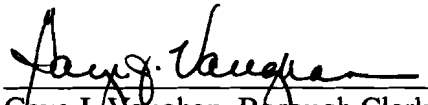
**SECTION 4.** That the Mayor is authorized to sign any documents necessary to effectuate this ordinance.

**SECTION 5.** That this ordinance shall become effective immediately upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 29th  
DAY OF NOVEMBER, 1994.**

  
Drew Scalzi, Assembly President

ATTEST:

  
Gaye J. Vaughan, Borough Clerk