

Introduced	Brown
Date:	3/04/97
Hearing:	4/08/97
Postponed:	5/20/97
Action:	Tabled
Vote:	Unanimous

**KENAI PENINSULA BOROUGH  
ORDINANCE 97-19**

**AN ORDINANCE AUTHORIZING THE SALE OF A PORTION OF 8,129 ACRES OF  
LAND LOCATED IN THE VICINITY OF POINT POSSESSION  
TO RITTEMAN AND ASSOCIATES, INC.**

**WHEREAS,** the borough has received an offer to purchase approximately 8,129 acres of land in the vicinity of Point Possession from Ritteman and Associates, Inc.; and

**WHEREAS,** the borough has received patent numbers 4734, 4443, and 5110 from the State of Alaska for this land; and

**WHEREAS,** pursuant to Kenai Peninsula Borough Resolution 94-082 and Resolution 94-090 the borough has classified this land rural and resource management; and

**WHEREAS,** as partial consideration for this sale the purchaser has agreed to construct a minimum 24 foot wide gravel road, to borough standards, along the coastline from Captain Cook State Park to Point Possession Inc. properties located within T11N R6W, Seward Meridian;

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

**SECTION 1.** The Kenai Peninsula Borough agrees to sell the following described land to Ritteman and Associates, Inc. for \$1,000,000.00 (one million dollars), subject to all reservations, rights-of-way, inholdings, easements and other restrictions as may be contained in the record and the patents,:

Township 10 North, Range 7 West, Seward Meridian: Section 2 - Lots 1,2,3,4, and S1/2N1/2, S1/2; Section 3 - Lots 1,2,3,4, and S1/2N1/2, S1/2; Section 4 - Lots 1,2,3,4, and S1/2N1/2, S1/2; Section 5 - Lots 1, 2, 3, 4, 5, 6, and SE1/4NE1/4, E1/2SE1/4; Section 6 - Lot 1; Section 7 - Lots 1, 2, 3, 4, and E1/2, E1/2SW1/4, SE1/4NW1/4; Section 8 - All; Section 9 - All; Section 17 - All; Section 18 - Lots 1, 2, 3, 4, and E1/2, E1/2W1/2; and US Survey 1444.

Township 11 North Range 6 West, Seward Meridian: Section 30 - Lots 1, 2, 3, and 4, E1/2, E1/2W1/2.

Township 11 North Range 7 West, Seward Meridian: Section 25 - S1/2, S1/2NE1/4, NE1/4NE1/4; Section 26 - Lots 1, 2, 3, S1/2SE1/4; Section 34 - Lot 5, E1/2E1/2, W1/2SW1/4; Section 35 - N1/2; Subject to Right of Way Lease ADL No 69354; Section 26 - Lot 4; Section 27 - Lot 1; Section 33 - Lots 1, 2, 3, and 4; Section 34 - Lots 1, 2, 3, and 4, SW1/4NE1/4; Section 35 - S1/2.

**SECTION 2.** The mayor is authorized to execute an "Agreement for Purchase" in substantially the form attached hereto and incorporated herein by reference, and to complete the negotiated sale of land pursuant to KPB Chapter 17.10.100(I) in accordance with the terms and conditions contained therein.

**SECTION 3.** This sale is contingent upon the completed construction by purchaser, at purchaser's expense, of a minimum 24-foot wide gravel road, constructed to borough road maintenance standards, running near the coastline from the existing Kenai Spur Highway at Captain Cook State Park and continuing to Point Possession, Inc. properties. The mayor is authorized to provide gravel from borough property in the vicinity of the road construction project as may be reasonably available, at no additional charge, for construction of this road. The quantity and quality of borough gravel available not being known, this shall not be construed as a guarantee that the borough shall provide any particular percentage of gravel needed for this project. Purchaser shall comply with all laws regarding the extraction of gravel, and shall timely complete all reclamation of borrow pits as required by law and to the reasonable satisfaction of the borough mayor.

**SECTION 4.** The mayor is authorized to sign any and all documents necessary to effectuate this ordinance.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1997.**

\_\_\_\_\_  
Jack Brown, Assembly President

ATTEST:

\_\_\_\_\_  
Borough Clerk