

Introduced by:	Mayor
Date:	07/10/01
Hearing:	08/07/01
Action:	Enacted
Vote:	9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2001-26**

**AN ORDINANCE AUTHORIZING THE SALE TO THE STATE OF ALASKA,
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES PORTIONS OF
THREE PARCELS OF BOROUGH LAND TO PROVIDE RIGHT-OF-WAY FOR THE
HOMER EAST ROAD IMPROVEMENT PROJECT**

WHEREAS, the Alaska Department of Transportation and Public Facilities (DOT/PF) has proposed and received funding to improve the Homer East Road a major rural connector; and

WHEREAS, the borough supports the Homer East Road Improvement Project; and

WHEREAS, DOT/PF has identified three parcels of borough land on which it needs to acquire strips of land for construction and expansion of the roadway; and

WHEREAS, DOT/PF will be compensating the borough for the market value of the land acquired; and

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of July 9, 2001 recommended enactment by unanimous consent;

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

SECTION 1. That the assembly finds that selling the land described below to the Alaska Department of Transportation and Public Facilities at fair market value as identified below is in the public interest:

A. Homer High School, Assessor Parcel No. 177-020-55

A 0.06 acre parcel located within Tract 2, NEW HOMER HIGH SCHOOL NO. 2, according to Plat No. 87-11, Homer Recording District, Third Judicial District, State of Alaska, and more particularly described as Parcel No. 1A on the attached DOT/PF plat, **Attachment A**.
Sale price: \$3,925.00.

B. Homer Flex School, Assessor Parcel No. 177-035-06

A 0.0148 acre parcel located within the remainder portion of Lot 17, AA Mattox Subdivision 1958 Addition, Plat No. HM3746, Homer Recording District, Third Judicial District, State of Alaska, and more

particularly described as Parcel No. 6 on the attached DOT/PF plat,
Attachment B.
Sale price: \$725.00.

C. Paul Banks Elementary School, Assessor Parcel No. 179-030-18

A 0.0974 acre parcel located within that portion of the E½SW¼ of Section 16, Township 6 South, Range 13 West, Seward Meridian, commonly known as the Paul Banks Elementary School, in the Homer Recording District, Third Judicial District, State of Alaska, and more particularly described as Parcel No. 23 on the attached DOT/PF plat,
Attachment C.
Sale price: \$636.45.

SECTION 2. The mayor is authorized, pursuant to KPB 17.10.100(D) providing for cooperative sales, to negotiate the sale of the land described in Section 1 above with the Alaska Department of Transportation and Public Facilities (DOT/PF) for the above-listed prices. The borough land shall be conveyed by quitclaim deed. The authorization is for negotiation solely with DOT/PF, and DOT/PF may not assign any rights to negotiate or enter an agreement for exchange to any other person or entity without the borough's written approval.

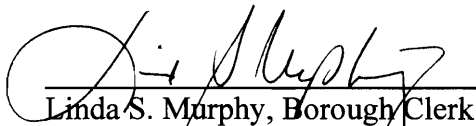
SECTION 3. Conveyance of the borough land shall comply with the provisions of KPB 17.10.130(A), (B), (C) and 17.10.240 where applicable.

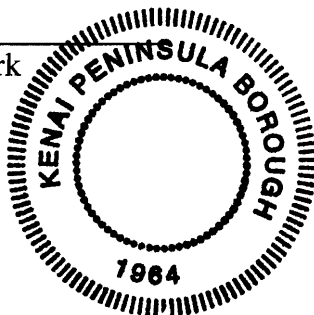
SECTION 4. That this ordinance takes effect immediately upon its enactment.




ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF AUGUST, 2001.


Timothy Navarre, Assembly President

ATTEST:

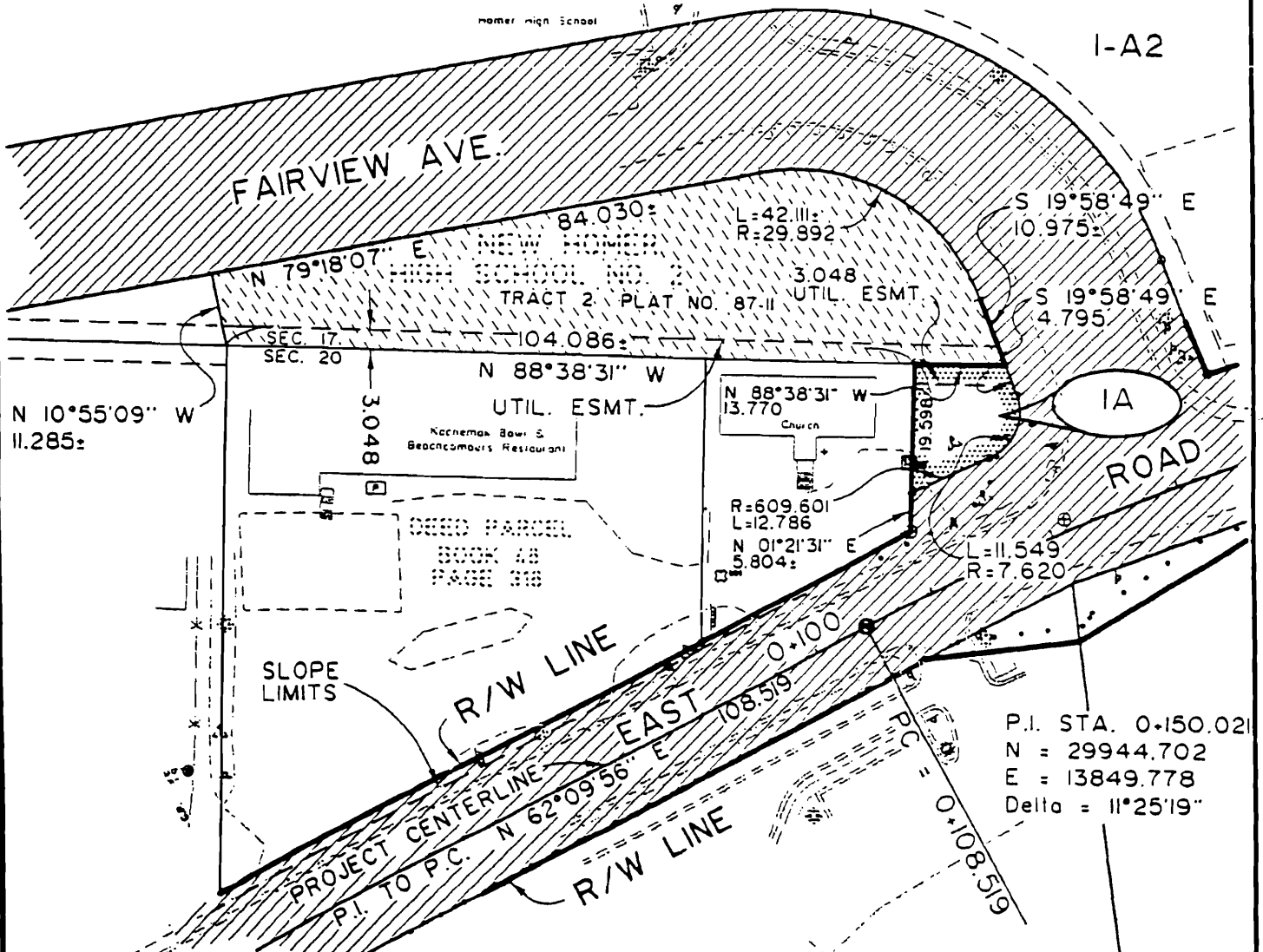

Linda S. Murphy, Borough Clerk



 EXISTING RIGHT-OF-WAY
 RIGHT-OF-WAY REQUIRED
 REMAIN

DIMENSIONS ARE METRIC UNLESS OTHERWISE NOTED.
 BEARINGS ARE STATE PLANE, ZONE 4

T6S R13W
 S. 14.
 SEC. 17 & 20



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
 HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE
 STP-0414(9)

OWNER'S INITIAL _____

ATTACHED TO QUITCLAIM DEED

PAGE 3 OF 3 DATED _____



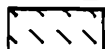
DRAWN BY RK

SCALE 1:1000 DATE 4/10/01 PARCEL NO. 1A

GROSS TAKE 0.02430 ha

NET TAKE 0.02430 ha

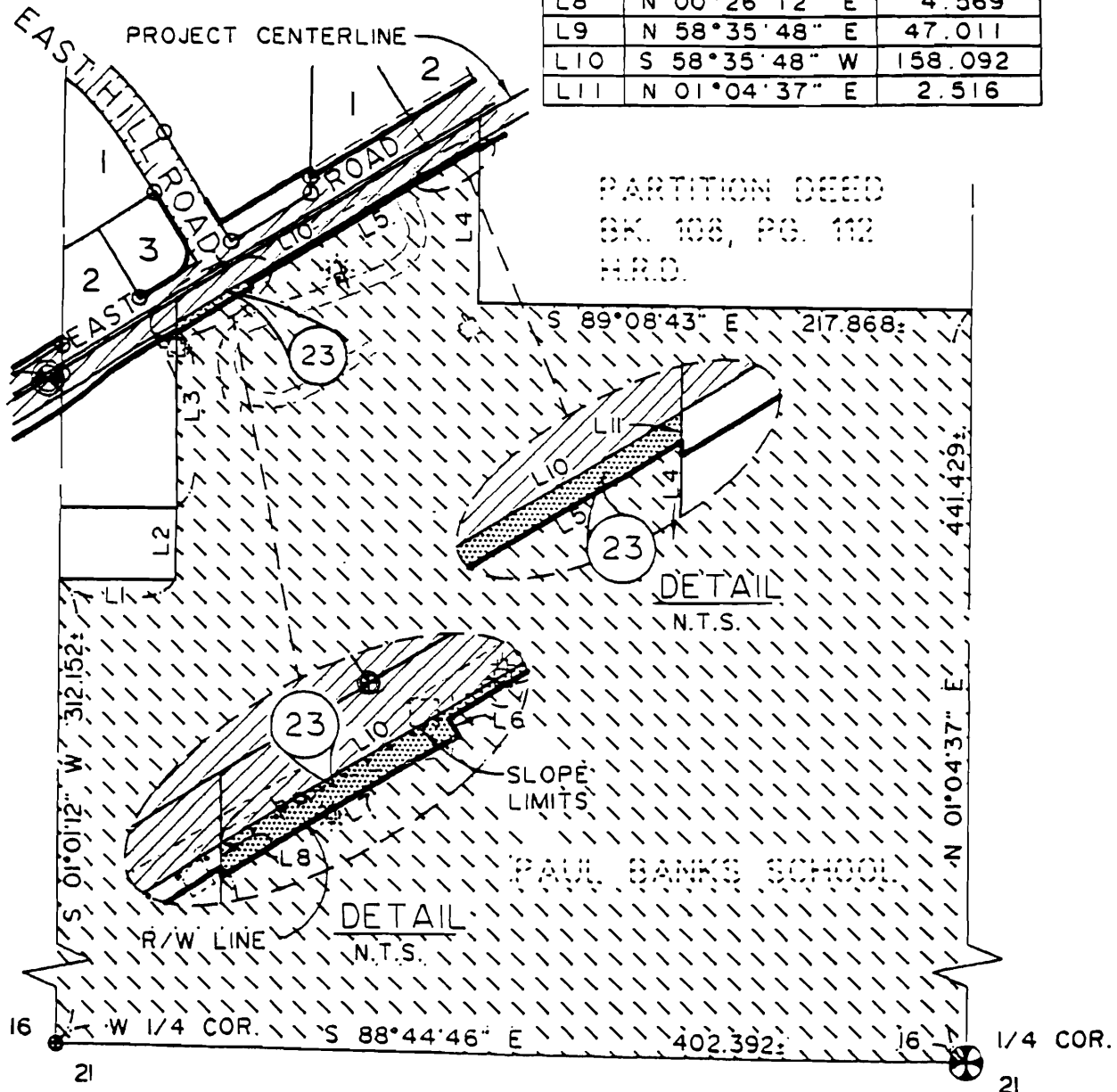
REMAIN 0.24842 ha:

-  EXISTING RIGHT-OF-WAY
 RIGHT-OF-WAY REQUIRED
 AREA REMAINING
 () RECORD

DIMENSIONS ARE METRIC UNLESS OTHERWISE NOTED.
BEARINGS ARE STATE PLANE, ZONE 4

LINE	DIRECTION	DISTANCE
L1	N 89°47'13" W	52.426±
L2	N 00°59'37" E	31.806±
L3	S 00°26'12" W	77.952±
L4	N 01°04'37" E	70.214±
L5	N 58°41'00" E	119.734
L6	S 31°19'00" E	2.000
L7	N 58°41'00" E	39.415
L8	N 00°26'12" E	4.569
L9	N 58°35'48" E	47.011
L10	S 58°35'48" W	158.092
L11	N 01°04'37" E	2.516

T6S R13W
 S. M.
 SEC. 16



ATTACHMENT B

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE
STP-0414(9)

OWNER'S INITIAL _____
 ATTACHED TO QUITCLAIM DEED
 PAGE 3 OF 3 DATED _____

GROSS TAKE 0.03942 ha
 NET TAKE 0.03942 ha
 REMAIN 17.42662 ha±
 DRAWN BY rch
 SCALE 1:3000 DATE 12/14/00 PARCEL NO. 23

- | EXISTING RIGHT-OF-WAY | RIGHT-OF-WAY REQUIRED | AREA REMAINING |
|-----------------------|-----------------------|----------------|
| | | |

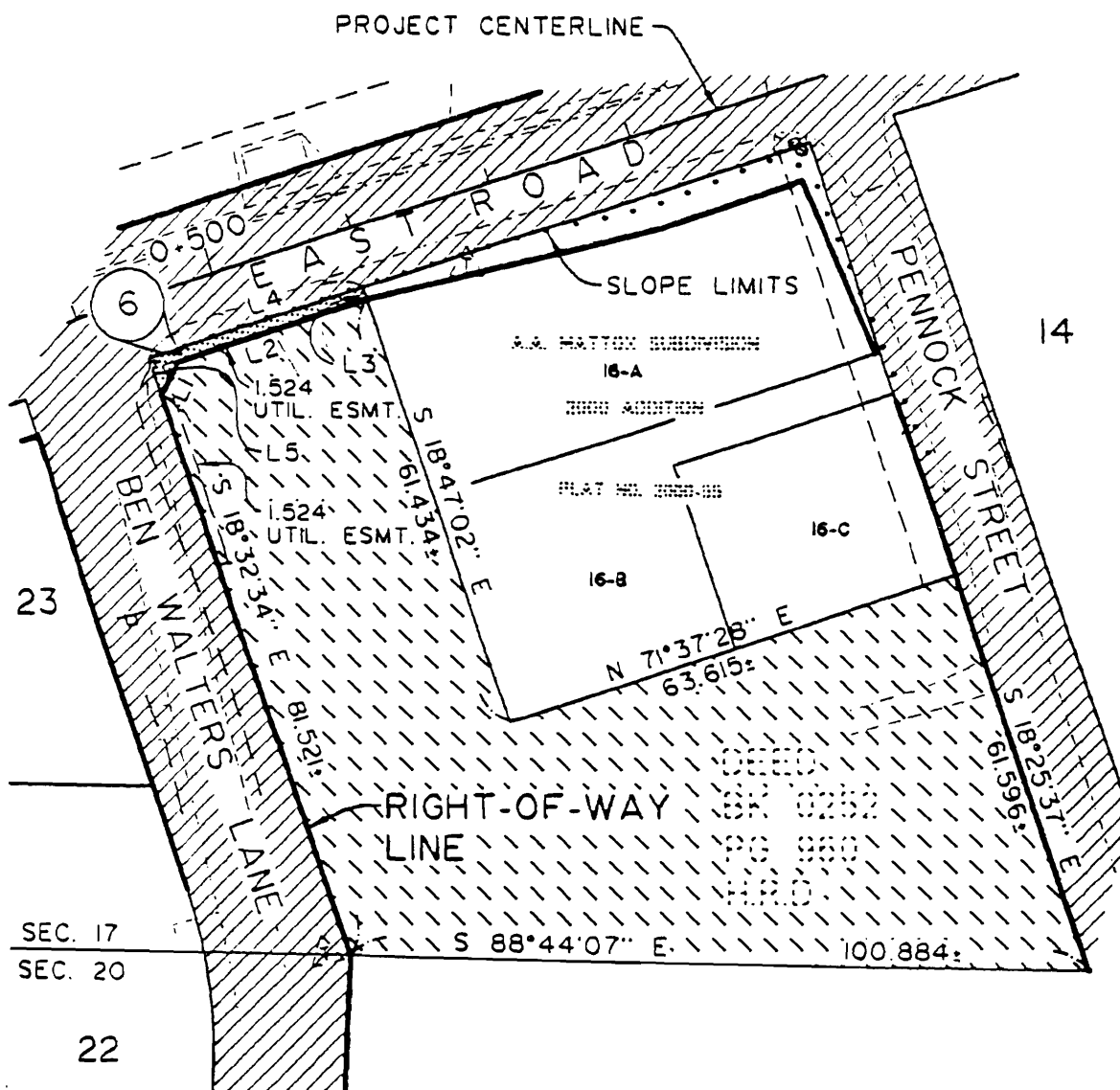
() RECORD

DIMENSIONS ARE METRIC UNLESS OTHERWISE NOTED.
BEARINGS ARE STATE PLANE, ZONE 4

LINE	DIRECTION	DISTANCE
L1	N26°27'26"E	5.104
L2	N71°31'57"E	27.549
L3	S18°47'02"E	1.690
L4	S71°35'45"W	31.151
L5	N18°32'34"W	5.339

T6SR13W
S. M.
SEC. 17

ATTACHMENT C



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE
STP-0414(9)

OWNER'S INITIAL _____

GROSS TAKE 0.00597 ha

ATTACHED TO QUITCLAIM DEED

NET TAKE 0.00597 ha

PAGE 3 OF 3 DATED

DRAWN BY rh

REMAIN 0.57818 ho±

SCALE 1:1000 DATE 1/19/01 PARCEL NO. 6