

Introduced by:	Mayor
Date:	09/21/04
Hearing:	10/26/04
Action:	Enacted
Vote:	9 Yes, 0 No

**KENAI PENINSULA BOROUGH  
ORDINANCE 2004-19-13**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF LOTS 5, 6 & 7, BLOCK 3, HILLCREST SUBDIVISION, PLAT NO. KN 1514, KENAI RECORDING DISTRICT FOR AN ADDITION TO THE CENTRAL EMERGENCY SERVICES FACILITY AND APPROPRIATING \$75,500 FROM THE LAND TRUST FUND TO ACQUIRE THE PROPERTY**

**WHEREAS**, Ordinance 2002-19-35 authorized the acquisition of Lots 3, 4, 5, & 6, Block 2, Airport Subdivision for a future site for a new administrative building for Central Emergency Services; and

**WHEREAS**, lots 5, 6, and 7, Block 3, Hillcrest Subdivision, are adjacent to the above-described Airport Subdivision lots and will provide needed site area and alternative access for a new administrative building for Central Emergency Services; and

**WHEREAS**, no other public purpose for these lots is or will be considered without additional public process; and

**WHEREAS**, the owners have signed an Earnest Money Receipt and Purchase Agreement to sell subject lots for \$73,500.00; and

**WHEREAS**, the KPB Planning Commission at its regularly scheduled meeting of September 27, 2004 recommended adoption by majority vote.

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

**SECTION 1.** That the purchase of the following described real property for \$73,500.00 is in the best interests of the borough:

Lots 5, 6 and 7, Block 3, Hillcrest Subdivision, according to Plat No. K-1514, records of the Kenai Recording District, Third Judicial District, State of Alaska. (Assessor Parcel No. 060-115-05, 06 & 07)

**SECTION 2.** That the terms and conditions of the Earnest Money Receipt and Purchase Agreement accompanying this ordinance are hereby approved.

**SECTION 3.** That the sum of \$75,500.00 is appropriated from the Land Trust Fund to Account 250.21210.00000.43011 for the acquisition, closing costs and 2004 taxes.

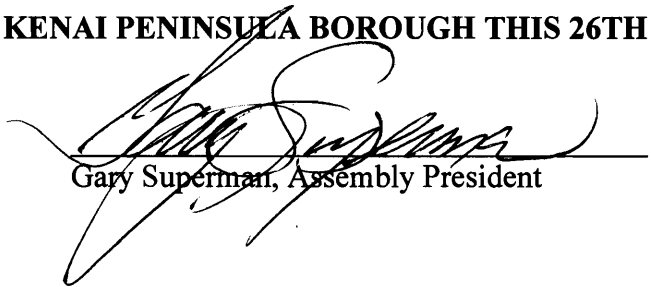
**SECTION 4.** The proposed classification of this land is government.

**SECTION 5.** That the mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 for the price of \$73,500.00 and pay up to \$2,000.00 in closing costs, in accordance with the terms and conditions contained in this ordinance, the above-described Earnest Money Receipt and Purchase Agreement, and consistent with applicable provisions of KPB Chapter 17.10.

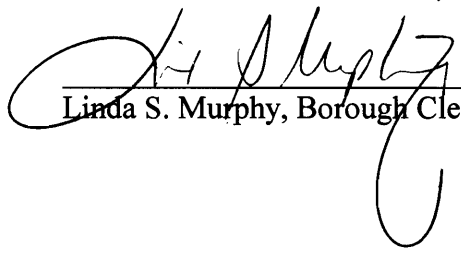
**SECTION 6.** ~~When a facility is constructed on this site and occupied by either a service area or a non-borough entity, the facility owner and/or occupants will reimburse the Land Management Trust Fund for the full cost of this property on terms agreed upon by the parties.~~

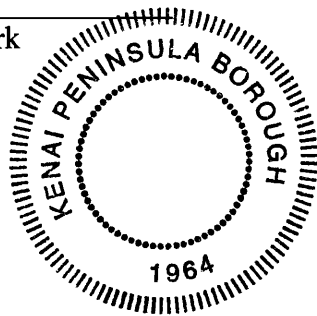
*See below?*  
**SECTION 7.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 26TH DAY OF OCTOBER, 2004.**

  
\_\_\_\_\_  
Gary Superman, Assembly President

ATTEST:

  
\_\_\_\_\_  
Linda S. Murphy, Borough Clerk



Ordinance 2004-19-29, Section 7, repealed and reenacted Section 6 above to read as follows:

The project will refund the land trust fund the amount of \$138,000 based upon total land cost of \$198,000 less \$60,000, which represents the approximate value of the portion to be occupied by the Office of Emergency Management.