

Agenda Item N. 4.

Committee Lands

Page Number 60

**KENAI PENINSULA BOROUGH
RESOURCE PLANNING DEPARTMENT
LAND MANAGEMENT DIVISION**

144 North Binkley Street
Soldotna, Alaska 99669



**APPLICATION TO REQUEST THE NEGOTIATED PURCHASE, LEASE, OR
EXCHANGE OF BOROUGH OWNED LAND**

A \$200 FEE MUST BE SUBMITTED WITH THIS APPLICATION. THE \$200 IS NOT APPLIED TO THE PURCHASE PRICE AND IS REFUNDED ONLY IF THE APPLICATION IS NOT FOUND TO BE IN THE PUBLIC'S BEST INTEREST. IF APPROVED BY THE BOROUGH ASSEMBLY, A \$1,000 EARNEST MONEY PAYMENT MUST BE SUBMITTED WITHIN SEVEN DAYS OF AFFIRMATIVE ASSEMBLY ACTION.

THIS FORM IS TO BE COMPLETED BY INDIVIDUAL(S) OR ORGANIZATION(S) WISHING TO PURCHASE, LEASE OR EXCHANGE BOROUGH LAND PURSUANT TO KP.B 17.10.100(C) or (I). IT IS TO BE COMPLETED, IN FULL, TO THE BEST OF KNOWLEDGE OF THE INDIVIDUAL OR AUTHORIZED REPRESENTATIVE. IF REQUESTED, PROPRIETARY AND FINANCIAL INFORMATION OF APPLICANTS THAT IS SO MARKED, WILL BE KEPT CONFIDENTIAL. THE ASSEMBLY MUST APPROVE, BY ORDINANCE, ANY DISPOSITION OF BOROUGH LAND.

ATTACH SEPARATE SHEETS IF MORE SPACE IS NEEDED FOR EXPLANATION. IF A SECTION (or, portion thereof) IS NOT APPLICABLE, MARK WITH THE ABBREVIATION "N/A". ASK KP.B LAND MANAGEMENT STAFF IF YOU HAVE ANY QUESTIONS ABOUT THE INFORMATION REQUESTED. PLEASE TYPE OR PRINT.

1. NAME OF INDIVIDUAL COMPLETING APPLICATION FORM:

Name Vern Kingsford Phone # (907) 288-3646

Mailing Address P.O. Box 4, Moose Pass, AK 99631

Physical Address 31702 Depot Rd, Moose Pass, Alaska

2. OTHER INDIVIDUAL(S) OR ORGANIZATION(S) PARTY TO THIS APPLICATION:

a) Name Lura Ann Kingsford Phone # () same ↑

Mailing Address same ↑

Physical Address same ↑

Relationship to applicant(s) Spouse

b) Organization name _____

Mailing Address _____

Physical Address _____

Primary Contact: _____ Title: _____

Phone # () _____

3. TYPE OF ORGANIZATION: (CHECK ONE)

- | | | | |
|---------------------|-------------------------------------|------------------------|--------------------------|
| Individual | <input checked="" type="checkbox"/> | Sole Proprietorship | <input type="checkbox"/> |
| General Partnership | <input type="checkbox"/> | Non-Profit Corporation | <input type="checkbox"/> |
| Limited Partnership | <input type="checkbox"/> | Non-Profit Association | <input type="checkbox"/> |
| Other _____ | | Corporation | <input type="checkbox"/> |

Note: Please submit, as appropriate, the following items with this application: 1) current Alaska business license; 2) designation of signatory authority to act for organization or individuals. If non-profit, has IRS Tax Exempt Status been obtained? Yes No If yes, attach letter of determination. If no, please attach certificate, articles of incorporation, by-laws, or other appropriate documentation.

4. LEGAL DESCRIPTION:

Township 5N , Range 1W , Section 25&36 , Seward Meridian

Lot/Block/Subdivision Lot 3 Block 1 Moose Pass Townsite
Plat Number 74-483 Recording District Seward

Assessors Parcel Number(s) 12521054 Size/Acreage 2010 sq. ft. more-or-less

Other description See Attachment 1 for legal description

5. THIS APPLICATION IS BEING MADE FOR THE FOLLOWING: (CHECK ONE)

- Purchase Lease Exchange

Other (specify): _____

6. PROPOSAL:

a) Purchase Price: _____

b) Down Payment Amount (Minimum 10% of Purchase Price): 100%

c) Payment Terms (Maximum 10 years; except for agricultural land where maximum is 20 years) :

d) Interest Rate (Minimum: prime plus 2%): _____

OTHER TERMS AND CONDITIONS: _____

*SEE ATTACHMENT 2 - CONDITIONS REQUIRED TO CONVEY PROPERTY

ARE THERE ANY CONTINGENCIES TO THIS TRANSACTION: YES NO IF YES, LIST:

7. PLEASE DESCRIBE ALL SPECIAL CIRCUMSTANCES AND ANY OTHER REASONS YOU BELIEVE THE BOROUGH SHOULD SELL THIS LAND TO YOU ON YOUR PROPOSED TERMS. BE SPECIFIC.

This fragment of the borough property has been used continuously for the past 70 years by the owners of Lot 3 Block 1 Moose Pass townsite and not by the borough nor the school.

8. IF PROPOSAL IS OTHER THAN FAIR MARKET VALUE, PLEASE STATE WHY IT WOULD BE IN THE "BEST PUBLIC INTEREST" TO APPROVE THIS PROPOSAL. INCLUDE ALL SUPPORTING FACTS AND DOCUMENTS.

N/A

9. LAND STATUS: DESCRIBE ANY EXISTING IMPROVEMENTS; PROVIDE PHOTOGRAPHS IF AVAILABLE.

10. ATTACH SITE PLAN DEPICTING THE PROPOSED USE OF THE PROPERTY.

11. LIST THREE (3) CREDIT REFERENCES. IN ADDITION, AN ACTUAL CREDIT REPORT FROM A LOCAL PROVIDER IS REQUESTED IF BALANCE TO BE FINANCED BY THE BOROUGH EXCEEDS \$50,000.

NAME	ADDRESS	PHONE #
N/A		()
		()
		()

12. HAS APPLICANT OR AFFILIATED ENTITY PREVIOUSLY PURCHASED OR LEASED BOROUGH OWNED LAND OR RESOURCES ? YES NO IF YES, PROVIDE LEGAL DESCRIPTION; TYPE OF PURCHASE OR LEASE; AND CURRENT STATUS:

13. HAS APPLICANT, OR AFFILIATED ENTITY, EVER FILED A PETITION FOR BANKRUPTCY, BEEN ADJUDGED BANKRUPT OR MADE AN ASSIGNMENT FOR THE BENEFIT OF CREDITORS ? YES NO IF YES , EXPLAIN, INCLUDING DATES:

14. IS APPLICANT, OR AFFILIATED ENTITY, NOW IN DEFAULT ON ANY OBLIGATION TO, OR SUBJECT TO ANY UNSATISFIED JUDGEMENT OR LIEN ? YES NO IF YES EXPLAIN:

15. COMPLETE THE FOLLOWING APPLICANT QUALIFICATION STATEMENT FOR EACH INDIVIDUAL APPLICANT OR ORGANIZATION. ATTACH ADDITIONAL STATEMENTS AS NECESSARY.

APPLICANT/BIDDER QUALIFICATION STATEMENT

I Vern Kingsford,
(printed name)

of 31702 Depot Rd,
(address)
Moose Pass, Alaska,
(city, state)

do hereby swear and affirm

I am eighteen years of age or older; and

I am a citizen of the United States; a permanent resident; or a representative of a group, association or corporation which is authorized to conduct business under the laws of Alaska; and

I am not delinquent on any deposit or payment of any obligation to the Borough; and

I am not in breach or default on any contract or lease involving land in which the Borough has an interest; and

I have not failed to perform under a contract or lease involving Borough land in the previous five years and the Borough has not acted to terminate the contract or lease or to initiate legal action.

Unless agreed otherwise in writing and signed by the Borough Mayor, I agree to pay recording fees, closing fees, escrow setup fees, annual escrow fees, collection fees, surveying fees, and acquisition of title insurance. If my proposal is to lease the land, I agree to provide a performance bond, general liability insurance, provide a damage deposit, and pay for remote site inspection, if applicable.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
Applicant Signature /Date

[Signature] 8-3-08
Applicant Signature /Date

Vern Kingstford
Print name

Lura Ann Kingstford
Print name

i:roy\applicat.frm - rev 11/96

**ATTACHMENT 1:
LEGAL DESCRIPTION**

Commencing at the western most corner of Tract A, Survey Of Borough Property Located In Moose Pass, Ak. Filed as Plat 74-483, Seward Recording District, common to Depot Street, and Lot 3, Block 1, Moose Pass Townsite U.S. Survey 2676, all with in Township 5 North, Range 1 West, Sections 25 & 36, Seward Meridian, Alaska; thence N 36° 36' 31"E a distance of 70 feet to the point of beginning for this description thence; N 36° 36' 31"E to the meander of Upper Trail Lake an approximate distance of 160 feet more or less thence; southeast along said lake meander approximately 25 feet thence; southwest to the point of beginning encompassing 2010 square feet more or less, as shown on Exhibit A.

**ATTACHMENT 2:
CONDITIONS REQUIRED TO CONVEY PROPERTY**

- 1) A surveyor retained by the borough will establish the new boundary line between your property and KPBSD property.
- 2) You will be responsible for all survey and platting costs.
- 3) The borough assessor will establish the value (price) of the land in question.
- 4) At your expense, you will install a 6' (minimum) woven wire cyclone fence, with cement posts, on your property, within one foot of the new property line. When installing the fence, you will make a prudent effort to minimize tree impacts, thereby retaining the vegetative buffer between the KPBSD property and your property as much as possible. Additionally, you will agree in writing to maintain the fence as long as a school is operated on the adjacent parcel.
- 5) You will remove the fuel tank, wood box, and plastic sheds identified on the 11/14/07 as-built from KPBSD property (refer to Exhibit A).
- 6) You will hold the borough harmless from all claims arising from or related to your performance of these conditions.
- 7) Conditions must be completed prior to August 20, 2008.
- 8) You will agree in writing to restrain from future encroachments on KPBSD property.
- 9) The conveyance is contingent on assembly approval and other applicable standard borough requirements