

Introduced by: Mayor  
Date: December 19, 1978  
Hearing: January 16, 1979  
Vote: Unanimous  
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 78-72

TRANSFERRING ALL RIGHT, TITLE AND INTEREST IN THE REAL PROPERTY KNOWN AS OLD SEWARD HIGH SCHOOL, TO THE STATE OF ALASKA FOR USE IN THE STATE'S EDUCATIONAL SYSTEM AS AN ADJUNCT TO THE ALASKA SKILL CENTER AT SEWARD.

WHEREAS, the City of Seward erected a public high school upon certain real property obtained through patent from the United States of America; and

WHEREAS, Kenai Peninsula Borough, upon incorporation, succeeded by operation of law to the City of Seward's right, title and interest in the real property known as Old Seward High School; and

WHEREAS, the Borough subsequently constructed a new high school which will serve all current and projected educational needs at the high school level; and

WHEREAS, the Borough, having no further need for the Old Seward High School facility, leased that facility to the State of Alaska for use in conjunction with the Alaska Skill Center, Seward, Alaska; and

WHEREAS, the voters of the state, in the October, 1978, general election approved a general obligation bond package which included the sum of \$2,175,000 to be expended for educational capital improvements at the Alaska Skill Center, Seward, Alaska; and

WHEREAS, the Borough must transfer the Borough's right, title and interest in the Old Seward High School to the State of Alaska before the state may expend bond funds for the necessary improvements to the property and buildings; and

undersigned does hereby certify that the Ord 78-72  
true and correct copy of the official record of this  
Ordinance is on file in the Clerk's office.

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Kenai, Alaska 6 day of February, 1979

Frances Bremer  
Borough Clerk

WHEREAS, the continued operation and expansion of the Alaska Skill Center is vital to the educational and economic needs of the City of Seward, the Borough and State of Alaska;

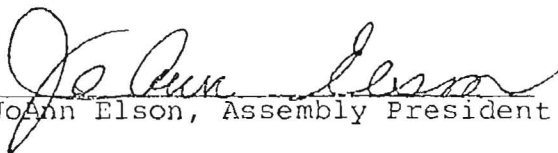
NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the real property described as Block 15, Federal Addition to Seward, Alaska, United States Survey 1116, together with all buildings and improvements, and otherwise known as the Old Seward High School, is hereby declared to be surplus to the current or projected Borough educational requirements and available to the State of Alaska's education system for continued use as an educational facility.

Section 2. That the Mayor is authorized to convey to the State of Alaska all right, title and interest of the Borough in Block 15, Federal Addition to Seward, Alaska, together with all buildings and improvements, for the sum of \$1.00, or other nominal consideration, so long as the property shall be used in the educational system of the State of Alaska, and such other terms and consideration as the Mayor deems advisable to carry out this ordinance.

Section 3. That this ordinance shall become effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 16th DAY OF January, 1979.

  
JoAnn Elson, Assembly President

ATTEST:

  
Francis Byrnes  
Borough Clerk

**17.10.130. Conveyance of the land.**

- A. The mayor shall execute all conveyance documents authorized by ordinance and said documents shall be recorded in the appropriate recording district.
- B. The purchaser shall be responsible for acquiring title insurance.
- C. The purchaser or lessee shall be responsible for all fees, which may include recording fees, closing fees, escrow setup fees, annual escrow fees, collection fees, surveying and platting fees if applicable, or other associated fees unless otherwise authorized.
- D. Land shall be conveyed without deed restrictions unless otherwise provided by the assembly by ordinance.
- E. An instrument conveying land or an interest in land for agricultural use shall prohibit subdivision.
- F. Where the conveyance instrument contains deed restrictions, those restrictions may be modified by:
1. Submittal of a petition and accompanied by the appropriate fee to the land management officer requesting modification and stating the justification for the request;
  2. Within 60 calendar days from the date of receipt of the petition, notice of the petition shall be published two times in a newspaper of general circulation in the local area in which the property is located. In areas not served by daily newspapers, the notice shall be posted in the post office of the impacted community and sent to the appropriate advisory planning commission. The notice shall contain the description of the property, the general location, proposed restriction modification, where written comments may be submitted, the last date for which written comments may be submitted, and the date, time and location of the planning commission meeting. At the beginning of the notice period a copy of the notice shall be sent by regular mail to all owners and/or leaseholders of record of property located within a radius of one-half mile of the lands under petition. Notice shall also be sent to applicable local, state or federal government agencies, advisory planning commission and other interested groups. The public comment period shall not be less than 30 calendar days from the date of the first publication of the notice.
  3. The planning commission shall consider the petition and recommend an appropriate action to the assembly.
  4. The assembly may by ordinance authorize the repeal of any restriction and cause the appropriate document to be filed in the appropriate recording district based upon findings of fact which may include: the location of the lands, surrounding uses and ownership, existing and future access, property characteristics including topography, soils and availability of utilities, any known encumbrances or permits, physical examination where necessary and feasible, and comments from an appropriate advisory planning commission, and be compatible with any land use plan adopted under the borough comprehensive plan or another plan approved by the assembly.