



## **KENAI PENINSULA BOROUGH**

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**DAVE CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Pete Sprague, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Gary Knopp, Assembly Member *GK*

**DATE:** January 21, 2010

**SUBJECT:** Ordinance 2010-01, authorizing a land conveyance to the city of Soldotna of a 10-acre borough parcel on West Redoubt to support a city cemetery

The City of Soldotna Council adopted Soldotna resolution 2009-062 requiring the city manager to evaluate Tract 1 of Crystalline Subdivision and proceed to develop it for memorial park purposes if it is suitable. This amendment would require the city to eliminate the boundary line between Tract 1 and the borough parcel proposed for conveyance for a cemetery and subject Tract 1 to the same cemetery deed restriction purposes as the borough parcel.

- Add eighth and ninth whereas clauses as follows:

**WHEREAS,** the city of Soldotna adopted Resolution 2009-062 committing Crystalline Subdivision Tract 1 as a memorial park, subject to an evaluation by the city manager, and instructed the city manager to negotiate the purchase of an adjacent 10 acres south of Crystalline Subdivision from the Kenai Peninsula Borough; and

**WHEREAS,** a memorandum dated November 12, 2009, from the borough assessor estimated the 2010 value of the 10-acre borough parcel to be \$413,800; and

- Add new Sections 4 and 5 as follows:

**SECTION 4.** The administration shall take the steps necessary to seek planning commission approval to vacate the lot lines between Tract 1 of Crystalline Subdivision and the adjacent 10-acre borough parcel to create a parcel for cemetery purposes, excepting that portion of Tract 1 necessary for the City of Soldotna storm drain and access uses. The newly created parcel shall be subject to the deed restrictions set forth in Section 3 of this ordinance.

**SECTION 5.** A deed restriction shall be placed on the deed for the new parcel providing if that portion of the newly created parcel that was previously Tract 1 of Crystalline Subdivision according to KPB Plat No. KN 97-25 is used for other than cemetery purposes, the borough shall be compensated the 2010 value of the ten acres authorized for conveyance by this ordinance, \$413,800.

- Renumber the remaining sections accordingly.