

KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378


Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

**DAVID R. CAREY
BOROUGH MAYOR**

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

THRU:  David R. Carey, Borough Mayor

FROM:  Max J. Best, Planning Director

DATE: October 27, 2010

SUBJECT: Ordinance 2010-38; An ordinance authorizing conveyance of .49 acres more or less of land to the City of Homer.

The Planning Commission reviewed the subject Ordinance during their regularly scheduled October 25, 2010 meeting. A motion passed by unanimous consent to recommend approval of the ordinance.

In the Ordinance, please make the following amendment to the last WHEREAS:

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of October 25, 2010 recommended approval.

Draft, unapproved minutes of the subject portion of the meeting are attached.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD YES	MARTIN YES	TAURIAINEN YES			9 YES 2 ABSENT

MAIN MOTION VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD YES	MARTIN YES	TAURIAINEN YES			9 YES 2 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

5. Ordinance 2010-38; An ordinance authorizing conveyance of .49 acres more or less of land to the City of Homer.

Staff Report reviewed by Marcus Mueller

PC Meeting: 10/25/10

KPB Tax Parcel No. 179-080-50 was obtained by the borough through tax foreclosure proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes and retained for public purpose by Ordinance 2007-21. The City of Homer Public Works Department is in Phase 2 of the Kachemak Drive Water and Sewer Project and requires use of the property for water and sewer improvements.

This ordinance was similar to what was brought before the Planning Commission a few years ago when the City first initiated this phase of the project. They had approached the Borough for an easement. It was determined that it would be more appropriate to convey the property to the city of Homer rather than granting the easement. At that time, the issue failed to move forward but since that time the City has requested that the Borough move this forward.

The Land Trust Fund paid \$386.83 to the borough general fund for unpaid taxes and interest on this parcel upon enactment of Ordinance 2007-21 and, pursuant to KPB 17.10.100 (I), Land Management proposes to convey by quitclaim deed said parcel to the City of Homer for \$386.83.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Ecklund moved, seconded by Commissioner Martin to recommend approval of Kenai Peninsula Borough Ordinance 2010-38, authorizing the conveyance of .49 acres more or less of land to the City of Homer.

VOTE: The motion passed by unanimous consent.

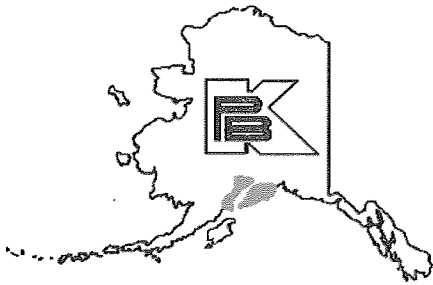
BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD YES	MARTIN YES	TAURIAINEN YES			9 YES 2 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

6. Ordinance 2010-40; Authorizing the Equal Value Exchange of Two Substandard Lots in Kasilof for a 0.69-acre Right-of-way Easement for the Relocation of Woods Drive With Cook Inlet Region, Inc.

Staff Report reviewed by Marcus Mueller

PC Meeting: 10/25/10



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DAVID R CAREY
BOROUGH MAYOR

MEMORANDUM

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

THRU: David R. Carey, Borough Mayor *Michael for D.R. Carey*
Max Best, Planning Director
Ac Marcus A. Mueller, Land Management Officer

FROM: Julie Denison, Land Management Technician *JD*

DATE: September 28, 2010

SUBJECT: Ordinance 2010- 38, Authorizing Conveyance of 0.49 Acres More-or-Less of Land to the City of Homer

KPB Tax Parcel No. 179-080-50 was obtained by the borough through tax foreclosure proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes and retained for public purpose by Ordinance 2007-21. The City of Homer Public Works Department is in Phase II of the Kachemak Drive Water and Seward Project and requires use of the property for water and sewer improvements.

The Land Trust Fund paid \$386.83 to the borough general fund for unpaid taxes and interest on this parcel upon enactment of Ordinance 2007-21 and, pursuant to KPB 17.10.100 (I), Land Management proposes to convey by quitclaim deed said parcel to the City of Homer for \$386.83.

Attachments:

- Aerial Photograph