

Introduced By: Mayor
Date: August 19, 1975
Vote: Unanimous (122)
Action: Enacted

KENAI PENINSULA BOROUGH
RESOLUTION 75-42

A RESOLUTION WITHDRAWING THE BOROUGH SELECTION OF CERTAIN LANDS WITHIN THE BRIDGE CREEK WATER PROJECT OF THE CITY OF HOMER TO PROVIDE FOR THE USE OF THESE LANDS BY THE CITY OF HOMER

WHEREAS, the City of Homer is proposing to construct the Bridge Creek Water Project which will provide water supply for the City; and

WHEREAS, the City of Homer must protect the watershed area surrounding the water impound areas; and

WHEREAS, the Kenai Peninsula Borough has, under the land selection program with the State of Alaska, applied for T6S, R13W, S.M. Section 5; S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$; and

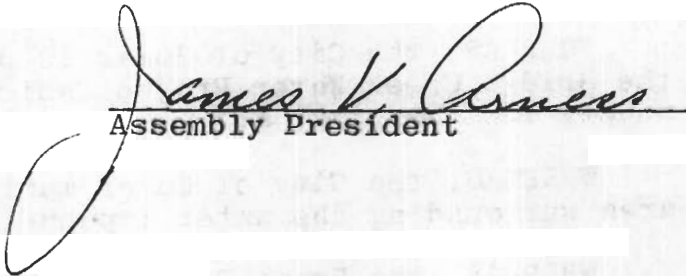
WHEREAS, the Alaska Division of Lands and the University of Alaska will make these lands available for the construction of the dam and maintenance of the reservoir without using part of the borough selection as originally resolved in Kenai Peninsula Borough Resolution 74-20;

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

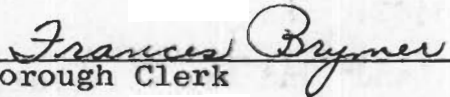
1. The Kenai Peninsula Borough hereby requests the Alaska Division of Lands to withdraw the borough selection of T6S, R13W, S.M. Section 5; S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$.
2. The provisions of Kenai Peninsula Borough Resolution 74-20 be declared null and void upon the above described land being made available for use by the City of Homer by the Alaska Division of Lands or the University of Alaska.
3. The use permit granted to the City of Homer as authorized by Kenai Peninsula Borough Resolution 74-20 shall be automatically terminated upon the previously described land being made available for use by the City of Homer by the Alaska Division of Lands or the University of Alaska.

4. The borough mayor and clerk are hereby authorized to execute the necessary documents to accomplish the purpose of this resolution and containing additional provisions deemed necessary in the interests of the Kenai Peninsula Borough.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS 19 DAY OF August, 1975.


Assembly President

ATTEST:


Borough Clerk