

Introduced by: Mayor
Date: November 4, 1975
Action: Adopted
Vote: 96.33 "Yes" to 28 "No"

KENAI PENINSULA BOROUGH

RESOLUTION 75-53

A RESOLUTION DISPOSING OF CERTAIN LANDS BY SALE AT THE
1961-63 VALUATION

WHEREAS, in January of 1961, Clarence and Pauline March purchased a home, fishing equipment and other chattel located on property herein described as Lots 6 and 7, Section 14, T6N, R12W, S.M., and

WHEREAS, subsequently, the State of Alaska filed application for selection of lands in the surrounding area and then amended its application to include the herein described property, and

WHEREAS, the Bureau of Land Management apparently approved the amended selection without knowledge or inquiry as to occupancy of the land, and

WHEREAS, on May 14, 1965, the Bureau of Land Management granted Land Patent #50-0604 to the State of Alaska because during the 6 years previous no adverse claim had been filed for any portion of land in the patent, and

WHEREAS, on June 16, 1965, Land Preference Sale Applications were filed by Clarence and Pauline March with the Alaska Division of Lands, and

WHEREAS, in a letter to the March's from the Alaska Division of Lands, Lands Disposal Officer, dated February 6, 1967, a preference right negotiated sale of the herein described property was denied, and

WHEREAS, Mr. March contacted the Bureau of Indian Affairs for assistance and was advised the lands were now in selection by the Kenai Peninsula Borough, and

WHEREAS, Mr. March filed a Native Allotment Application for the land under the Native Allotment Act of May 17, 1906, and provided proof of use and occupancy, and

WHEREAS, the application was rejected by the Bureau of Land Management, and

WHEREAS, appeals of the rejection were submitted as well as a request for cancellation of patent, with all attempts failing, and

WHEREAS, the Kenai Peninsula Borough has received State of Alaska Patent No. 1555 which includes the herein described property, and

WHEREAS, the Kenai Peninsula Borough Planning Commission, at its meeting of September 8, 1975, unanimously recommended the assembly convey the herein described property to Clarence and Pauline March for the sum of \$1.00, and

WHEREAS, the staff and administration has reviewed the foregoing and recommends the herein described property be sold to Clarence and Pauline March at the 1961-63 sale value of \$4,000.00 per lot;

NOW, THEREFORE, BE IT RESOLVED by the Assembly of the Kenai Peninsula Borough that:

1. The Kenai Peninsula Borough sell to Clarence and Pauline March the following described property for the sum of \$1.00 per lot:

Lots 6 & 7, Section 14, T6N, R12W,
S.M.

2. The herein described property is not needed for public use purposes.
3. The Borough Mayor is hereby authorized to execute the necessary documents to accomplish the purpose of this resolution, containing additional provisions deemed necessary in the interests of the Kenai Peninsula Borough.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS 4th DAY OF November, 1975.


Assembly President

ATTEST:


Borough Clerk