

Introduced by: Mayor
Date: Jan. 20, 1981
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-17

RESCINDING A FREE USE PERMIT GRANTED TO THE STATE OF ALASKA DIVISION OF HIGHWAYS FOR THE EXTRACTION OF GRAVEL AND OTHER MATERIALS FROM THE KENAI LANDFILL SITE.

WHEREAS, the Borough has received patent from the State of Alaska to lands upon which the Kenai landfill is located, and to contiguous lands; and

WHEREAS, the Borough previously utilized this site for a landfill by authority of an Alaska Division of Lands Special Use Permit and lease and shared the use of this site with the State Division of Highways, which had been granted a Free Use Permit for materials found at the site; and

WHEREAS, the lands covered by the Free Use Permit have never been utilized by the Division of Highways pursuant to the permit, ADL 22475; and

WHEREAS, these lands are necessary to accomodate future expansion of the Kenai landfill; and

WHEREAS, the Borough now has jurisdiction over the permit through its acquisition of patent to the lands;

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

Section 1. That the Free Use Permit, number ADL 22475, issued to the State of Alaska Division of Highways in 1964 and affecting lands known as the Kenai Landfill, is revoked.

Section 2. That the Clerk shall serve a copy of this resolution upon the Honorable Robert W. Ward, Commissioner of the State of Alaska Department of Transportation and Public Facilities.

Section 3. That the Mayor is authorized to effect this resolution which takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 20 DAY OF January, 1981.

Paula Fischer
Paul Fischer, Assembly President

ATTEST:

Frances Byrner
Borough Clerk