

Introduced by: McGahan, Fischer  
Date: Dec. 15, 1981  
Vote: 9 Yes, 5 No  
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-207

APPROVING THE USE OF A PART OF SECTION 13 FOR SOLID WASTE DISPOSAL AT THE SOLDOTNA LANDFILL AND DECLARING THE ASSEMBLY'S INTENTION TO RECLASSIFY ADJACENT LAND IN SECTION 13 FOR DISPOSITION TO THE PUBLIC BY BOROUGH LAND SALE.

WHEREAS, the Alaska Department of Environmental Conservation (ADEC) has authorized by permit, after public hearing, the use of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, T4N, R11W, S.M., as a part of the Soldotna Landfill; and

WHEREAS, the land contained in Section 13 adjoins land in Section 12 constituting a pothole resulting from a drained lake which will be used for the landfill operation; and

WHEREAS, the Soldotna Landfill has been planned to include as solid waste disposal areas and cover material source areas the lands described as:

"E $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  plus SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ , plus SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12 plus NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , plus NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 13 all of Township 4 North, Range 11 West of the Seward Meridian, Alaska."

WHEREAS, considerable controversy has arisen over the use of that part of the pothole located in Section 13;

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

Section 1. That the Assembly approves the use of approximately ten acres in Section 13, T4N, R11W, S.M., as part of the solid waste disposal area and described as follows:

"Commencing at the section corner common to Sections 12 & 13 T4N, R11W, S.M., and Sections 7 & 8 T4N, R10W, S.M.

Thence westerly along the section line between Sections 12 & 13, T4N, R11W, S.M., to the E.-E. 1/64 corner of Section 13, T4N, R11W, S.M., the true point of beginning.

Thence westerly along the section line between Sections 12 & 13 to the W.-E. 1/64 corner of Section 13.

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Thence southeasterly to the C.N.-N.E. 1/64 corner of Section 13.

Thence northeasterly to the E.-E. 1/64 corner of Section 13, T4N, R11W, S.M., the true point of beginning containing 10 acres more or less."

The remainder of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, T4N, R11W, S.M., containing approximately ten acres is approved for use as cover material source areas of the Soldotna Landfill in accordance with the permit issued.

Section 2. That the Assembly approves the reclassification for sale to the public the following described property:

"S $\frac{1}{2}$ , SE $\frac{1}{4}$ , Section 12 plus the NE $\frac{1}{4}$  of Section 13 all of T4N, R11W of the S.M., Alaska, except the land authorized and approved for use at the Soldotna Landfill for solid waste disposal areas and cover material source areas and excluding the E $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12 for an access road right of way."

Section 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON  
THIS 15th DAY OF December, 1981.

  
John S. Davis, Assembly President

ATTEST:

  
Borough Clerk