

Introduced by: Davis
Date: May 5, 1981
Vote: Unanimous Consent
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-76

REQUESTING THE PREPARATION OF A PLAN FOR THE DISPOSAL OF LANDS IN THE AREA OF T9N, R9W ALONG COOK INLET TO POINT POSSESSION, T11N, R6W.

WHEREAS, the Borough has obtained title to certain lands pursuant to the municipal selection process and has adopted a comprehensive land disposal ordinance; and

WHEREAS, this Assembly by Ordinance 79-53 and Ordinance 81-23, enacted a program providing for the disposal of certain parcels of Borough land by lottery; and

WHEREAS, the initial disposal program was challenged in the courts of the State of Alaska based on alleged constitutional deficiencies; and

WHEREAS, the Borough has been prevented by the Court from proceeding with the initial land lottery pending resolution of the court action; and

WHEREAS, the Assembly has proceeded to authorize Borough Land Sale Lottery No. 2 which is scheduled for June 6, 1981; and

WHEREAS, the Assembly finds that the public will be served by the disposition of other parcels of Borough land, and such disposition of Borough lands is in keeping with the land policy of the State of Alaska and the conveyance of lands to the Borough under the Municipal Land Selection Act;

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

Section 1. That the Assembly requests the Planning Commission and the Planning and Resource Development Department to identify parcels of land to which the Borough holds title and which will be suitable for disposition, from time to time, to the general public, in the area of T9N, R9W; T9N, R8W; T10N, R8W; T10N, R7W; T11N, R7W; T11N, R6W. The Planning Commission and the Planning and Resource Development Department are further requested to consider appropriate subdivision into parcels, and to hold at least one public hearing upon

any proposed plan of disposition. Results of the planning, subdividing, and the conclusions drawn from the hearing, together with any other recommendations by the Planning Commission, shall be presented for consideration by the Assembly no later than July 6, 1981.

Section 2. The Assembly further requests that the identification of available lands and the planning process include aerial photography, topographic mapping, and the testing of soils for intended land uses, and the suitability of roads and septic systems. The design of subdivisions shall follow acceptable engineering practices, with boundaries of the subdivisions to be surveyed and interior lots staked to accepted engineering and Borough standards.

Section 3. The Assembly requests that the method of sale, and the terms and conditions of sale will be embodied in the ordinance authorizing the disposition of lands.

Section 4. That the Mayor is authorized to effectuate this resolution, which takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 5th DAY OF May, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Fraunce Bryner
Borough Clerk