

KENAI PENINSULA BOROUGH

RESOLUTION 81-93

OPPOSING THE EXCHANGE OF STATE LANDS FOR CERTAIN PRIVATELY OWNED LANDS ADJACENT TO THE CLAM GULCH WAY SIDE.

WHEREAS, the State of Alaska Department of Natural Resources has given notice to the Borough that it proposes to exchange certain State lands lying westerly of Coho Loop Road for privately owned lands adjacent to the Clam Gulch wayside and owned by CIH Investments; and

WHEREAS, the State lands lie west of Coho Loop Road in a Section 36, T3N, R12W, SM and contain approximately 150 acres valued at \$1,000 per acre; and

WHEREAS, the privately owned lands amount to 74.5 acres lying in Section 28, T2 and R12W, SM between the Sterling Highway and the Clam Gulch state park wayside area and are valued at \$1,600 per acre; and

WHEREAS, the Assembly finds that the value of the State owned lands exceeds that of the privately owned land by approximately 25% and that the willingness of the State of Alaska Department of Natural Resources to exchange land valued in excess of the privately owned lands is an unauthorized compromise of the public interest; and

WHEREAS, the Assembly finds that the failure to exchange these lands in a value for value basis favors the private land owner at the expense of the citizens of this state; and

WHEREAS, the Borough Planning Commission, at its regular meeting of May 18, 1981 voiced no objection to the exchange, but expressed concern that the exchange of lands with the private land owner was not on a value for value basis; and

WHEREAS, it is the intent and desire of the Assembly to express its opposition to the proposed exchange as being violative of the public interest;

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

Section 1. That the Assembly opposes the proposed exchange of certain State lands in the Coho Loop area for certain private lands owned by CIH Investments adjacent to the Clam Gulch state park wayside upon the terms and conditions set out in the April 21, 1981 notice to the Borough.

Section 2. That the statement of nonobjection to the proposed land exchange issued by the Kenai Peninsula Borough Planning Commission at its May 18, 1981 regular meeting is superseded by this declaration of the Borough Assembly.

Section 3. That the Clerk shall serve a copy of this Resolution upon the Honorable Donald E. Gilman, State Senator, upon the Honorables Bette Cato, Hugh Malone and Pat O'Connell, State Representatives, and upon Mr. Jim Peterson, Area Manager, State of Alaska Department of Natural Resources, South Central District.

Section 4. That this Resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS _____ DAY OF MAY, 1981.

Paul Fischer, Assembly President

ATTEST:

Borough Clerk