

Introduced by: Mayor  
Date: Jul. 20, 1982  
Vote: Unanimous  
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 82-137

AUTHORIZING THE DEEP CREEK STATE RECREATION AREA MANAGEMENT AGREEMENT BETWEEN THE STATE OF ALASKA, DIVISION OF PARKS, AND THE BOROUGH.

WHEREAS, the Borough recognizes the unique natural features of the Deep Creek area and desires to preserve the habitat and protect the stream from any detrimental development; and

WHEREAS, the Borough has retained and classified for public use a 39.73 acre land parcel near the mouth of Deep Creek, and the State has available adjacent land for park purposes; and

WHEREAS, the State of Alaska has the capability to manage this site for the recreational use of the public as a state park and has the capacity for improving and maintaining this site for such use; and

WHEREAS, pursuant to Resolution 80-13, adopted on January 22, 1980, the Assembly expressed its willingness to negotiate with the State to make Borough land available for these park purposes; and

WHEREAS, the State has proposed a Deep Creek State Recreation Area Management Agreement covering the use of State and Borough land for the park; and

WHEREAS, the Assembly finds this arrangement to be in the best public interest because of the recreational and natural preservation commitments;

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

Section 1. That the Assembly authorizes the Deep Creek State Recreation Area Management Agreement between the Borough and the State of Alaska, Division of Parks for a 55-year period for the use of the described land as a public recreation area.

Borough lands covered by this agreement are described as:

Government Lot 4, Section 4, Township 2 South,  
Range 14 West, Seward Meridian.

State lands covered by this agreement are described as:

Parcel No. 1

All of Block One (1), Fisherman's Haven Subdivision, according to the official plat recorded as Plat No. 78-1, in the Homer Recording District, Third Judicial District, State of Alaska.

Parcel No. 2

That portion of the northeast one-quarter of the southeast one-quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ), Section 4, Township 2 South, Range 14 West, Seward Meridian, lying southeasterly of the Sterling Highway, in the Homer Recording District, Third Judicial District, State of Alaska.

As part of this Agreement, the State of Alaska will vacate Fisherman's Haven Subdivision and prepare a new legal description for recording.

Section 2. That the Deep Creek State Recreation Area Management Agreement is incorporated by reference in this resolution, and the Mayor is authorized to execute the agreement for the Borough.

Section 3. That this resolution takes effect on the date of its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON  
THIS 20 DAY OF July, 1982.

  
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John C. Davis, Assembly President

ATTEST:

  
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Borough Clerk