

Introduced by: Mayor
Date: Oct. 8, 1985
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 85-178

GRANTING A RENEWAL OF A SPECIAL LAND USE PERMIT TO PHILLIPS PETROLEUM COMPANY FOR PETROLEUM RELATED FACILITIES AND A HELIPORT PAD ON BOROUGH PATENTED LANDS WITHIN MOOSE POINT SUBDIVISION.

WHEREAS, Phillips Petroleum held a special land use permit originally issued by the State of Alaska; and

WHEREAS, Phillips Petroleum in accordance with the permit constructed certain petroleum related facilities and improvements within the permit area; and

WHEREAS, the Borough subsequently received patent to the permit areas; and

WHEREAS, the permit expired on June 30th, 1985 and needs to be renewed; and

WHEREAS, the permit areas are within the Moose Point Subdivision and during the course of surveying for that subdivision it was determined that a portion of the facilities were outside the permit area; and

WHEREAS, it was also determined that a small portion of the original permit area extends onto a lot which was sold during the Moose Point Subdivision lottery; and

WHEREAS, these require adjustment of the permit area legal description in the grant of a new permit so that all of the permit area is on lands owned by the Borough; and

WHEREAS, Phillips Petroleum is agreeable to the amended description of the permit area;

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

Section 1. That a special land use permit is hereby granted to Phillips Petroleum Company for an initial period of five years commencing July 1, 1985, with options for renewal for three consecutive five-year periods, in accordance with the terms of the agreement attached and incorporated in this resolution.

Section 2. That the lands covered by this special land use permit area are described as follows:

A tract of land located within the BEACH ACCESS TRACT of MOOSE POINT SUBDIVISION, Sheet 11 of 28, located within a

portion of Section 28, T10N, R8W, Seward Meridian, Alaska, Kenai Recording District, Plat file 84-65, more particularly described as follows:

Beginning at a point on the northwesterly right-of-way line of the North Kenai Road common to Lot 177 and BEACH ACCESS TRACT, said point being the starting point of a tangent curve of 20.00 feet radius concave northerly; thence westerly through a central angle of 80°12'45" an arc distance of 28.00 feet; thence N34°40'47"W 155.20 feet along a line common to Lot 177 and BEACH ACCESS TRACT to the true point of beginning; thence S55°19'13"W 250.00 feet; then N34°40'47"W 746.30 feet to a point on the mean high water line of Cook Inlet; thence N54°28'18"E 250.03 feet along said mean high water line to a point common to BEACH ACCESS TRACT and Lot 177; thence S34°49'47"E 750.00 feet along a line common to BEACH ACCESS TRACT to the true point of beginning, thus embracing 4.29 acres of land subject to a 50-foot pedestrian access easement existing along the mean high water mark of Cook Inlet.

Section 3. That the Mayor is authorized to sign any documents deemed necessary to effectuate this resolution and in the best interests of the borough.

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

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 29th DAY OF October, 1985.

Betty Glick
Betty Glick, Acting Assembly Pres.

ATTEST:

Jeanne Brindley
Borough Clerk

by Catherine Y. DeLacee, Dep. Clerk