

Introduced Bagley
Date: January 6, 1998
Action: Withdrawn from
Agenda by Sponsor
Vote: NO ACTION

**KENAI PENINSULA BOROUGH
RESOLUTION 98-002**

**A RESOLUTION AUTHORIZING A FIFTEEN PERCENT DISCOUNT
FOR THE CASH PURCHASE OF A 10-ACRE PARCEL OF PROPERTY IN
QUARTZ CREEK FLATS**

- WHEREAS,** Ordinance 91-20 authorized the lease with an option to purchase of approximately 10 acres of borough selected-land located in the Cooper Landing vicinity to Sherman C. ("Red") Smith, for commercial or light industrial development, presently described as Tract B, Quartz Creek Subdivision, according to Plat No. 94-11, on file in the Seward Recording District, Third Judicial District, State of Alaska; and
- WHEREAS,** according to Ordinance 91-20, the option to purchase was exercisable at the "current fair market value" upon receipt of state patent to the lands; and
- WHEREAS,** after the subject property was surveyed to the satisfaction of the state, the borough acquired an independent, professional appraisal of the subject property which valued the property at \$79,000 as of December 18, 1993; and
- WHEREAS,** as authorized in Ordinance 91-20 the borough and Mr. Smith entered a Real Property Lease agreement February 2, 1996 which contained an option to buy the land upon receipt of patent by the borough; and
- WHEREAS,** Mr. Smith's interest in the lease agreement was assigned to his daughter, Pixie Smith, with borough approval, on March 8, 1996; and
- WHEREAS,** after the borough received patent to the property in Patent No. 15658 on March 4, 1997, Pixie Smith sent a notice of her intent to exercise the option to purchase the property, and then the borough obtained an appraisal from the same appraiser, who valued the property at \$120,000 as of October 22, 1997; and
- WHEREAS,** in Ordinances 97-36 and 97-37 the borough assembly authorized the sealed bid and over-the-counter sale of other borough lands with a 15% discount given for lump sum cash offers; and
- WHEREAS,** Pixie Smith is offering to pay cash to purchase the subject property if she can be given a 15% discount from the appraised value;

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

SECTION 1. In selling the property at fair market value pursuant to Ordinance 91-20, the Mayor is authorized to allow a 15% discount for cash off the appraised value, where the appraised value is based on an independent professional appraisal accepted by both the Mayor and Ms. Smith.

SECTION 2. This resolution takes effect immediately upon its adoption.

NO ACTION - WITHDRAWN FROM AGENDA BY SPONSOR ON 01/06/98.

Jack Brown, Assembly President

ATTEST:

Linda S. Murphy, Borough Clerk