

Introduced By Mayor at Request of  
Applicant  
Date: 2/3/98  
Action: Defeated  
Vote: 0 Yes, 7 No, 2 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 98-009**

**A RESOLUTION CLASSIFYING THE S½NE¼SW¼, SECTION 22, T4S, R11W, S. M.,  
ALASKA, AS RURAL. SAID PARCEL CONTAINING APPROXIMATELY 20.00  
ACRES.**

**WHEREAS,** a petition has been received to classify borough land in the Kachemak Bay/Fritz Creek area as Rural, pursuant to 17.10.080(F); and

**WHEREAS,** the borough has received State of Alaska Patent No. 9233 for that portion of Section 22, T4S, R11W, S.M. Alaska, to be classified; and

**WHEREAS,** in accordance with Chapter 17.10.080 public notice was published and notification was sent to land owners and/or leaseholders of record within one-half mile of the land proposed for classification, and to applicable agencies and interested parties; and

**WHEREAS,** the Kachemak Bay Advisory Planning Commission held a public meeting on the proposed classification December 11, 1997 and voted on the following motion: "The Kachemak Bay Advisory Planning Commission requests the Planning Commission and Assembly defer any decision on the sale of this parcel until this parcel and the surrounding borough lands have been classified by the Advisory Planning Commission. To do otherwise could result in an inholding without access, and be inconsistent with the surrounding land uses." Motion was approved unanimously; and

**WHEREAS,** the Planning Commission held a public hearing on the proposed classification January 12, 1998. The motion to approve the petition to classify approximately 20 acres of Borough land located in the Kachemak Bay/Fritz Creek area as Rural failed by unanimous vote of 0-11.

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

**SECTION 1.** That borough land described as the S½NE¼SW¼, Section 22, T4S, R11W, S. M., Alaska containing approximately 20.00 acres, be classified as Rural.

**SECTION 2.** This classification shall take effect immediately upon adoption of this resolution.

**FAILED TO BE ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA  
BOROUGH THIS 3RD DAY OF FEBRUARY, 1998.**

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Jack E. Brown, Assembly President

ATTEST:

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Linda S. Murphy, Borough Clerk