

Introduced by: Mayor
Date: 04/06/99
Vote: Adopted
Action: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 99-028**

**A RESOLUTION APPROVING THE LEASE OF 15.05 ACRES FROM THE SELDOVIA
NATIVE ASSOCIATION, INC. FOR THE SELDOVIA LANDFILL**

WHEREAS, the Kenai Peninsula Borough's 20-year lease for the Seldovia Landfill expires April 15, 1999; and

WHEREAS, continued landfill operations at the current location is necessary to manage waste generated in the Seldovia area; and

WHEREAS, the borough is negotiating a land exchange in efforts to acquire the landfill parcel and needs to accommodate solid waste disposal in the Seldovia area pending negotiations; and

WHEREAS, the new lease term will expire June 30, 2001;

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

SECTION 1. That the Mayor is authorized to execute all documents and make all agreements deemed necessary to lease 15.05 acres from the Seldovia Native Association, Inc. for the purpose of operating the Seldovia Landfill with term substantially similar to those set forth in Exhibit A "Draft Lease" for the below described property:

All of Tract A, according to the plat of Kenai Peninsula Borough Seldovia Landfill filed in the Seldovia Recording District as Plat No. 90-1, Excepting therefrom a specific portion described as follows:

Commencing at the northwest corner of said Tract A; thence, bearing S 0° 01' 06" E, along the west line of said Tract A, a distance of 92.76 feet to the True Point of Beginning of this excepted parcel; thence, bearing due east, distance of 169.05 feet; thence, bearing S 37 01' 41" E, a distance of 356.14 feet; thence, bearing S 29° 12' 25" W, a distance of 151.25 feet; thence, bearing due west, a distance of 59.47 feet; thence, bearing N 60° 47' 33" W, a distance of 286.59 feet to a

point on the west line of said Tract A; thence, bearing N 0° 01' 06" W along the said west line, a distance of 276.50 feet to the True Point of Beginning of this excepted tract; containing 2.45 acres more or less.

The resulting area of real property subject to the Agreement is 15.05 acres, more or less. The above described excepted parcel is depicted as "Parcel T" on the U.S. Department of Health and Human Services' Exhibit II, dated March 27, 1992.

SECTION 2. The lease term shall be through June 30, 2001 and lease rates shall be as called out in Exhibit A.

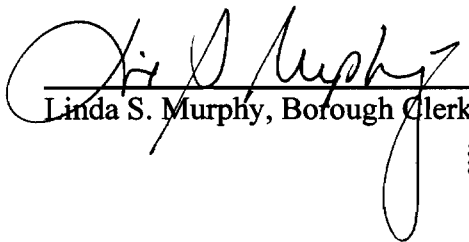
SECTION 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 6TH DAY OF APRIL, 1999.



Ronald Wm. Drathman, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

