

Introduced by:	Mayor
Date:	05/21/02
Action:	Adopted
Vote:	9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2002-065**

**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 lease for the Seldovia Landfill expires June 30, 2002;
and

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

WHEREAS, the borough is evaluating options for future landfill development which include
purchasing land for a new landfill, conducting a land exchange in efforts to acquire
the current landfill parcel, and other waste management methods; and

WHEREAS, the new lease term will expire June 30, 2004; and

WHEREAS, funds are available in the Solid Waste account for Landfills, Hauling and Waste
Programs and contingent upon passage of FY03 and FY04 operating budgets;

**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 0E
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 29E 12' 25" W, a distance of 151.25 feet; thence,
bearing due west, a distance of 59.47 feet; thence, bearing N 60E 47' 33" W,
a distance of 286.59 feet to a point on the west line of said Tract A; thence,
bearing N 0E 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.

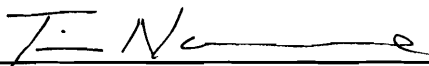
SECTION 2. That pursuant to KPB 17.10.080(B), no classification is proposed as the borough only classifies land owned by the borough.

SECTION 3. The lease term shall be through June 30, 2004, and lease rates shall be \$3,750 per month, as set forth in Exhibit A.

SECTION 4. That expenditures for this lease will be charged to account number 290.32570.43810.

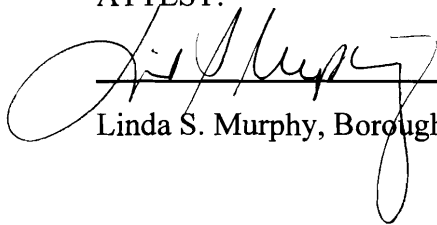
SECTION 5. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 21ST DAY OF MAY, 2002.



Timothy Navarre, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

