

Introduced by: Mayor  
Date: 6/15/04  
Action: Adopted as Amended  
Vote: 8 Yes, 1 No

**KENAI PENINSULA BOROUGH  
RESOLUTION 2004-065**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF THE UNDERLYING  
INTEREST OF CERTAIN LANDS ADJACENT TO THE CENTRAL PENINSULA  
GENERAL HOSPITAL**

**WHEREAS,** certain lands adjacent to the Central Peninsula General Hospital are currently encumbered by easements in favor of the City of Soldotna for road, sewer or water purposes only; and

**WHEREAS,** the underlying interest of those lands vests in the Estate of Eleanor Faa Carver; and

**WHEREAS,** a portion of the encumbered lands are needed for construction of the current proposed hospital expansion project, with portions of the remainder needed for future expansion projects; and

**WHEREAS,** the City of Soldotna has agreed to vacate said easements if the borough obtains title to the land to allow for uses other than road, water or sewer; and

**WHEREAS,** the borough has offered \$15,786 to the estate of Eleanor Faa Carver to acquire the underlying interest in the land; and

**WHEREAS,** the estate of Eleanor Faa Carver has accepted the offer; and

**WHEREAS,** KPB 17.10.040 requires assembly approval for the acquisition of lands or interest in lands upon receipt of a planning commission recommendation; and

**WHEREAS,** sufficient funds for this acquisition are available in Account No. 401.81111.04CHB.48610; and

**WHEREAS,** the KPB Planning Commission at its regularly scheduled meeting of June 14, 2004 recommended enactment by unanimous consent;

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

**SECTION 1.** That the purchase of the following described real property for \$15,786 plus closing costs not to exceed \$1,000 is in the best interests of the borough:

Located in the Kenai Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

Commencing from the USGLO ¼ monument common to Sections 29 and 30, T5N, R10W, Seward Meridian, proceed East along the center line of said Section 29 a distance of 1650.5 feet; thence South 0°08' East a distance of 30 feet to the true point of beginning; thence South 0°08' East a distance of 270 feet; thence West a distance of 60 feet; thence North 0°08' West a distance of 270 feet; thence East a distance of 60 feet to the true point of beginning; containing 0.37 acres more or less;

Together with the South 60 feet of the North 360 feet of the NE ¼ of the SW ¼ of Section 29, T5N, R10W, Seward Meridian, containing 1.82 acres, more or less; and together with a parcel 60 feet in width lying 30 feet on each side of a line which begins at a point which lies South 0°08' East a distance of 360 feet and East a distance of 660 feet from the Center-West 1/16<sup>th</sup> corner of Section 29, T5N, R10W, Seward Meridian, and which ends South 0°08' East, 600 feet from the point of beginning, containing 0.83 acres, more or less.

**SECTION 2.** That the mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 for the price of \$15,786 and pay up to \$1,000 in closing costs in accordance with the terms and conditions contained in this resolution and applicable provisions of KPB Chapter 17.10. In addition to the purchase price, the borough will pay for all closing costs up to a maximum of \$1,000, including without limitation all escrow fees, title insurance charges, recording fees, and bank charges. All costs will be paid in full at the time of closing. The borough will not pay a real estate commission. Unless otherwise agreed in writing, closing will occur within 90 days of the enactment of this resolution.

**SECTION 3.** The purpose of this acquisition is to allow for expansion of the Central Peninsula General Hospital.

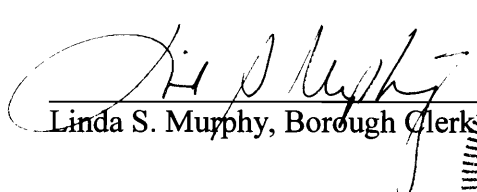
**SECTION 4.** The proposed classification for this land is government.

**SECTION 5.** That this resolution shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF JUNE, 2004.**

  
Pete Sprague, Assembly President

ATTEST:

  
Linda S. Murphy, Borough Clerk

