

Introduced by:	Mayor
Date:	06/20/00
Hearing:	07/18/00
Action:	Postponed until 08/01/00
Action:	Amended and Postponed until 08/15/00
Date:	08/01/00
Action:	Postponed until 09/12/00
Action:	Postponed until 01/09/01
Action:	Postponed until 02/20/01
Action:	Enacted as Amended
Date:	02/21/01
Vote:	9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2000-19-07**

AN ORDINANCE AUTHORIZING THE SALE OF RUSSIAN GAP SUBDIVISION IN COOPER LANDING BY SEALED BID AND APPROPRIATING \$450,000 FROM THE LAND TRUST FUND FOR CONSTRUCTING ROADS AND UTILITIES

- WHEREAS,** the Assembly enacted Ordinance 93-35 adopting the 1992 Community Land Use Plan for Borough Lands in Cooper Landing as an element of the Kenai Peninsula Borough Comprehensive Plan; and
- WHEREAS,** the 1996 Cooper Landing Land Use Plan Update included borough land from the 1992 plan; and
- WHEREAS,** Resolution 96-079 classified borough land in Cooper Landing as recommended by the 1996 Cooper Landing Land Use Plan Update and classified Russian Gap Subdivision residential; and
- WHEREAS,** the borough desires to make more land available to the public in Cooper Landing; and
- WHEREAS,** the proposed Russian Gap Subdivision land has been deposited into the land bank pursuant to KPB 17.10.060(B); and
- WHEREAS,** the Russian Gap Subdivision does not have constructed access from the Sterling Highway, and constructing access to, and internal roads and electric and telephone utilities through the subdivision will greatly enhance its marketability; and
- WHEREAS,** the Cooper Landing Advisory Planning Commission recommended 1) proceeding with development and disposal of the Russian Gap Subdivision, 2) classifying Tract 5 as preservation, and 3) forming an R-R local option zoning district for the Russian Gap Subdivision at its June 7, 2000 meeting; and
- WHEREAS,** the KPB Planning Commission recommended enactment by unanimous consent, as amended to reflect the Cooper Landing Advisory Planning Commissions recommendations, during the regularly scheduled June 26, 2000 meeting;

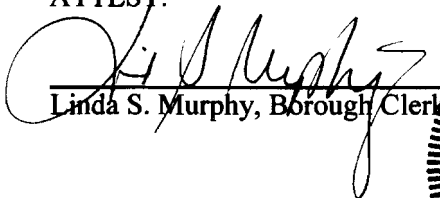
NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

- SECTION 1.** That the land referred to as "Russian Gap Subdivision" in the 1996 Cooper Landing Land Use Plan Update and further described as the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T5N, R2W, S.M., Alaska, is authorized for sale at fair market value as established by the Assessing Department.
- SECTION 2.** The method of disposal shall be by sealed bid pursuant to KPB 17.10.100(F) with the bid opening date being June 1, 2001.
- SECTION 3.** All parcels will be conveyed by Quitclaim Deed. Either title insurance or another similar report must be obtained for all borough-financed sales, at the Buyer's expense, showing the condition of title and that there are no unsatisfied judgments or liens against the Buyer at the time of closing, the later of which shall also be verified by the Buyer. In the event a title report showing a reasonably acceptable condition of title cannot be obtained, then either the Buyer or the KPB may elect to terminate the purchase contract, in which case all monies on deposit will be refunded the buyer.
- SECTION 4.** Upon successfully bidding or entering into an agreement to acquire the land, down payment of ten percent (10%) of the sale price shall be made and the applicable terms and provisions of KPB 17.10.120 and KPB 17.10.130 shall apply.
- SECTION 5.** The sum of \$450,000.00 is appropriated from the fund balance of the Land Trust Fund to Account 250.21210.01GAP.49999 for the purpose of constructing access to, and internal roads and electric and telephone lines through the Russian Gap Subdivision.
- SECTION 6.** The mayor is authorized to sign any documents necessary to effectuate this ordinance and expend funds appropriated in Section 5 of this ordinance.
- SECTION 7.** That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20TH DAY OF FEBRUARY, 2001.


Timothy Navarre, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk

