

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Gary Knopp, Assembly President
Charlie Pierce, Vice President

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members



FROM: Hal Smalley, Assembly Member

DATE: July 5, 2011

RE: Ordinance 2011-21, An Ordinance Authorizing a Negotiated Sale at Fair Market Value of Lands Described as the Ne1/4 Ne1/4 and the E1/2 Se1/4 Ne1/4 of Section 36, Township 6 North, Range 11 West, Seward Meridian Alaska Containing 60 Acres More or Less to the City of Kenai

I would like to offer the following amendments to Ordinance 2011-21:

Please amend the title to read:

AN ORDINANCE AUTHORIZING A NEGOTIATED SALE AT LESS THAN FAIR MARKET VALUE OF LANDS DESCRIBED AS THE NE1/4 NE1/4 AND THE E1/2 SE1/4 NE1/4 OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 11 WEST, SEWARD MERIDIAN ALASKA CONTAINING 60 ACRES MORE OR LESS TO THE CITY OF KENAI

Amend Sections 1 and 3:

SECTION 1. That the Assembly finds that selling the NE1/4 NE1/4 and the E1/2 SE1/4 NE1/4 of Section 36, T6N, R11W, S.M. Alaska containing 60 acres more or less to the City of Kenai, pursuant to KPB 17.10.100 [(E)] (I) and 17.10.120(D) is in the best interest of the borough as it will provide wellhead protection for the City of Kenai's public water utility for the benefit of borough residents within the city of Kenai.

SECTION 3. Based on the foregoing, the mayor is hereby authorized, pursuant to KPB 17.10.100 (I) to sell the land described in Section 1 above to the City of Kenai for \$2.00 [24,700, WHICH IS THE APPRAISED FAIR MARKET VALUE OF THIS PROPERTY AS DETERMINED BY THE KPB ASSESSING DEPARTMENT ON MAY 11, 2011]. The terms of the sale is cash at closing and the buyer shall pay all closing costs.

Insert a new Section 5:

SECTION 5. That the property conveyed to the City of Kenai is further subject to the restriction that the land conveyed shall be used for public water wells, well head protection, and associated public purposes. In the event grantee does not use, or ceases to use, the land conveyed as herein specified, grantor or grantor's assigns may re-enter and repossess the premises. Grantee may elect to remove this restriction by payment of fair market value as determined by current tax assessment.

Renumber the remaining sections accordingly.