



## **KENAI PENINSULA BOROUGH**

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**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

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

**THRU:** David R. Carey, Mayor *DR Carey*  
Max Best, Planning Director *MB*

**FROM:** Marcus Mueller, Land Management Officer *MM*

**DATE:** August 25, 2011

**SUBJECT:** Ordinance 2011-33, Authorizing a negotiated sale at fair market value of certain borough lands located in the Kasilof Area to Elizabeth and Michael Chase

The Kenai Peninsula Borough recently acquired patent title to lands lying between Government Lot 9 and Coho Loop Road. Government Lot 9 is owned by Elizabeth and Michael Chase who are commercial set-net fishers and who operate a commercial fishing tour service from this location. The site contains a beach access which was constructed in approximately 1958. The Chases at one time held a State issued land use permit to use the public land adjacent to their property and set net sites. Once the borough received patent to the surrounding land, the Chases submitted an application for a negotiated sale.

Through the classification process, it was identified that the historic beach access is considered a public access which is required to be preserved by the State of Alaska in accordance with State Patent #18756 and AS 38.05.127. Therefore, a 130-foot wide strip was classified as Utility/Transportation by Resolution 2011-084 as it provides public access to public resources being the shore and waters of the Cook Inlet.

The bluff in this vicinity is actively eroding at approximately six inches annually as can be seen by the map in exhibit A. The purchase of the 3.17 acre parcel (parcel A) will provide the Chases additional property farther from the bluff. The 1.83 acre parcel the Chases are requesting is a portion of the larger parcel that existed prior to the borough reserving the 130-foot public access strip.

The attached ordinance would authorize the sale of 5-acres of land to Elizabeth and Michael Chase which most resembles their application less the property reserved for public access.