

Introduced by: Mayor  
Date: 12/06/11  
Hearing: 01/03/12  
Action: Postponed Until 02/14/12  
Date: 02/14/12  
Action: Enacted as Amended  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2011-42**

**AN ORDINANCE AUTHORIZING A LAND EXCHANGE WITH THE CITY OF  
SEWARD IN SUPPORT OF THE CITY'S PUBLIC UTILITY SERVICES**

**WHEREAS,** the City of Seward has developed plans for an office warehouse, electrical extension and site drainage in support of its public utility services; and

**WHEREAS,** the project design would be facilitated by redrawing common property boundaries of certain city and borough owned land; and

**WHEREAS,** the borough land is part of the Seward school campus which includes the Seward Elementary, Seward Middle and Seward High schools; and

**WHEREAS,** this project would result in improved pedestrian access between the Seward Elementary and Seward High schools; and

**WHEREAS,** the exchanged lands are of approximately equal area and are considered to be of approximately equal value; and

**WHEREAS,** the completion of this land exchange is subject to survey and plat; and

**WHEREAS,** the KPB Planning Commission at its regularly scheduled meeting of February 13, 2012, recommended enactment by unanimous consent;

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

**SECTION 1.** That the Assembly finds that exchanging a 0.56-acre +/- portion of Lot 8A-1 for an 0.56-acre +/- portion of Lot 6A-1, Fort Raymond Subdivision Replat No. 2, with the City of Seward pursuant to KPB 17.10.100 (C) & (D) is in the best interest of the borough.

**SECTION 2.** That the best interest of the borough finding is based on the following facts:

a) That the property being exchanged is of equal size and value.

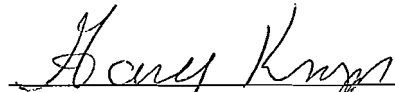
- b) That the city's project facilitated by this exchange includes trails and sidewalk improvements that would benefit the Seward school campus.
- c) That the exchange has been negotiated fairly and is mutually beneficial for the residents of the Kenai Peninsula Borough and the City of Seward.

**SECTION 3.** That the City of Seward shall be responsible for all surveying and platting costs associated with this exchange.

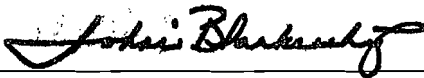
**SECTION 4.** That the mayor is authorized to execute the exchange agreement substantially in the form of the one accompanying this ordinance and any and all additional documents necessary to effectuate this ordinance.

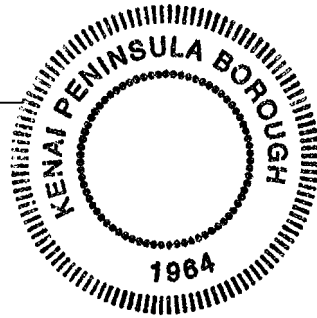
**SECTION 5.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 14TH DAY OF FEBRUARY, 2012.**

  
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Gary Knopp, Assembly President

ATTEST:

  
\_\_\_\_\_  
Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Knopp  
No: None  
Absent: Murphy