

Introduced by: Mayor
Date: 05/01/12
Hearing: 06/05/12
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-14**

AN ORDINANCE AMENDING KPB 16.20.010 TO REVISE THE LEGAL DESCRIPTION OF THE KACHEMAK EMERGENCY SERVICE AREA BOUNDARY TO MAKE IT CONSISTENT WITH THE RECENTLY AMENDED KACHEMAK CITY BOUNDARY LEGAL DESCRIPTION DUE TO ANNEXATION

- WHEREAS,** on September 15, 2011, the Local Boundary Commission approved annexation of approximately 50 acres of land by the City of Kachemak; and
- WHEREAS,** on February 9, 2012, the annexation was made effective based on notification of non-objection to the Local Boundary Commission by the U. S. Justice Department; and
- WHEREAS,** a portion of the northern City of Kachemak boundary is shared with a portion of the southern Kachemak Emergency Service Area boundary; and
- WHEREAS,** on April 2, 2012, a Certificate of Amended Boundaries of the City of Kachemak was approved by the Alaska Department of Commerce, Community, and Economic Development, which revised the legal description of the City of Kachemak boundary; and
- WHEREAS,** it is necessary for the Kenai Peninsula Borough to adopt an amended legal description for the Kachemak Emergency Service Area boundary; and
- WHEREAS,** in accordance with law, the Kachemak Emergency Service Area boundary should be amended to align with the new City of Kachemak boundary to prevent the duplication of services and taxation;

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

SECTION 1. That KPB 16.20.010 is amended to read as follows:

16.20.010 Boundaries.

There is established a service area within the borough designated as the "Kachemak Emergency Service Area" in that portion of the borough described as all the following referenced to the Seward Meridian, Alaska:

Beginning at the north 1/16 line of section 35, T5S, R15W, and the mean high water line on the westerly shore of Cook Inlet;

Thence Easterly along the 1/16 line to the north 1/16 corner common to section 32 and 33, T5S, R14W;

Thence north along the section line to the intersection of the thread of Anchor River;

Thence easterly along the thread of Anchor River to the point of intersection with the line common to section 36, T4S, R12W and section 31, T4S, R11W;

Thence north to the Northwest corner of T4S, R11W;

Thence east along the township line to the section corner common to section 35 and 36, T3S, R11W, and section 1 and 2, T4S, R11W;

Thence north to the section corner common to section 1, 2, 11, and 12, T3S, R11W;

Thence east to the section corner common to section 5, 6, 7, and 8, T3S, R9W;

Thence south to the section corner common to section 19, 20, 29, and 30, T3S, R9W;

Thence southeasterly on a projected line toward the section corner common to section 28, 29, 32 and 33, T3S, R9W to the thread of the Fox River;

Thence southwesterly along the thread of the Fox River to the Mean High Water Line of the Kachemak Bay;

Thence southwesterly along the Mean High Water Line also being the north shore of Kachemak Bay to intersection of T6S, R12W, and T6S, R13W also being Kachemak City east boundary;

Thence north along the Kachemak City boundary to the south 1/16 corner common to section 1, T6S, R13W, and section 6, T6S, R12W;

Thence west along the Kachemak City boundary to the center south 1/16 corner [COMMON TO] of Section 1, [AND 2], T6S, R13W;

Thence north to the center ¼ corner of Section 1, T6s, R13W,

Thence west to the center west 1/16 corner of Section 1, T6S, R13W,

Thence south to the northeast corner of Tract A-1 Deitz Home Estates No. 12,

Thence along the northerly boundary of said Tract A-1 to the northwest corner of said Tract A-1, on the easterly edge of China Poot St. Right-of-Way,

Thence along said easterly edge of China Poot St. along a non-tangent curve 74.14 feet,

Thence crossing said China Poot St. Right-of-Way to the southeast corner of Tract A-3 Deitz Home Estates No. 13,

Thence southwesterly along the southern boundary of said Tract A-3 to the northwest corner of Lot 4 Deitz Home Estates No. 4,

Thence southeasterly along the western boundary of said Lot 4 to the north edge of Deitz Lane Right-of-Way,

Thence southwesterly along the northern edge of said Right-of-Way to the south 1/16 corner common to Sections 1 and 2, T6S, R13W,

Thence south along the Kachemak City boundary to the section corner common to section 1, 2, 11, and 12, T6S, R13W;

Thence west to the W-W-E 1/256 corner common to Sections 3, 10, T6S, R13W;

Thence south to the C-W-E-NE 1/256 of Section 10, T6S, R13W;

Thence west to northwest 1/16 corner of Section 10, T6S, R13W;

Thence north to the north edge of Skyline Drive right-of-way;

Thence southwesterly along the north edge of Skyline Drive right-of-way to the intersection of the north 1/16 line of Section 10, T6S, R13W;

Thence west to the northwest 1/16 corner of Section 9, T6S, R13W;

Thence north to the west 1/16 corner common to Sections 4, 9, T6S, R13W;

Thence west to the section corner common to Sections 4, 5, 8, 9, T6S, R13W;

Thence south to the ¼ corner common to Sections 8, 9, T6S, R13W;

Thence west to the center east 1/16 corner of Section 8, T6S, R13W;

Thence south to the north edge of Skyline Drive right-of-way;

Thence southwesterly along the north edge of Skyline Drive to the intersection of the south 1/16 line of Section 8, T6S, R13W;

Thence west to the west 1/16 corner of Sections 7, 8, T6S, R13W;

Thence north to the N-N-N 1/256 corner of Sections 7, 8, T6S, R13W;

Thence east to the C-N-N-NW 1/256 corner of Section 8, T6S, R13W;

Thence south to the C-N-NW 1/64 corner of Section 8, T6S, R13W;

Thence east to the N-CN 1/64 corner of Section 8, T6S, R13W;

Thence north to the ¼ corner common to Sections 5, 8, T6S, R13W; Thence east to the W-E 1/64 corner common to Sections 5, 8, T6S, R13W;

Thence north to the SW-SE 1/64 corner of Section 5, T6S, R13W;

Thence west to the S-SC 1/64 corner of Section 5, T6S, R13W;

Thence south to the C-S-S-SW 1/64 corner of Section 5, T6S, R13W;
Thence west to the C-S-S-SW 1/256 corner of Section 5, T6S, R13W;

Thence north to the C-S-SW 1/64 corner of Section 5, T6S, R13W;

Thence west to the S-S 1/64 corner common to Sections 5, 6, T6S, R13W;

Thence north to the N-S-S 1/256 corner common to Sections 5, 6, T6S, R13W;

Thence west to the C-N-S-SE 1/256 corner of Section 6, T6S, R13W;

Thence south to the north edge of Crossman Road right-of-way;

Thence southwesterly along the north edge of Crossman Road right-of-way to the intersection of the north edge of Skyline Drive right-of-way;

Thence southwesterly along the north edge of Skyline Drive right-of-way to the Section line common to Sections 7, 12, T6S, R14W;

Thence south along the section line to the section corner common to Sections 12, 13, T6S, R14W and Sections 7, 18, T6S, R13W;

Thence west to the west 1/16 corner common to Sections 12, 13, T6S, R14W;

Thence south to the northwest 1/16 corner of Section 13, T6S, R14W;

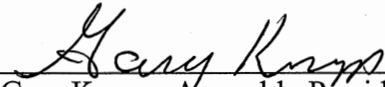
Thence west to the north 1/16 corner of Sections 15, 16, T6S, R14W;

Thence south along the section line to the intersection of the Mean High Water Line of Cook Inlet;

Thence Northwesterly along the Mean High Water Line and the Cook to intersection of the north 1/16 line of section 35, T5S, R15W, the point of beginning.

SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF JUNE, 2012.



Gary Knopp, Assembly President

ATTEST:



John Blankenship, Borough Clerk



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