

Introduced by:	Mayor
Date:	06/07/11
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2011-065**

**A RESOLUTION OF NONOBJECTION TO ANNEXATION OF 39.966 ACRES OF
PROPERTY ACCESSED BY MORNING STAR ROAD WITHIN THE KENAI
PENINSULA BOROUGH TO THE CITY OF KACHEMAK**

- WHEREAS,** property owners and registered voters outside the City of Kachemak within the boundaries of the Kenai Peninsula Borough have unanimously consented to annexation by the City of Kachemak pursuant to AS 29.06.040(c); and
- WHEREAS,** Morning Star Road begins within the city limits of the City of Kachemak and extends outside city boundaries to properties within the Kenai Peninsula Borough; and
- WHEREAS,** the Kenai Peninsula Borough does not maintain Morning Star Road within its boundaries; and
- WHEREAS,** the City of Kachemak does not provide road maintenance services but does reimburse citizens who perform private maintenance on Morning Star Road within the city limits; and
- WHEREAS,** if the additional properties along Morning Star Road were annexed by the City of Kachemak the property owners would also be eligible for reimbursement for private maintenance; and
- WHEREAS,** the Kachemak Estates Subdivision, Addition 2004, along Morning Star Road is partially within the Kenai Peninsula Borough and partially within the city limits of Kachemak; and
- WHEREAS,** the residents of Kachemak Estates Subdivision are governed by the same conditions, restrictions, and covenants whether they are inside or outside the city limits; and
- WHEREAS,** the City of Kachemak Comprehensive Plan provides for reliance of subdivision covenants to guide land usage; and
- WHEREAS,** if all the residents of Kachemak Estates Subdivision were in the city limits it would facilitate subdivision projects; and

WHEREAS, the property owners within Kachemak Estates Subdivision within the city limits pay 1 mill for emergency and fire services which is provided through contract with the City of Homer; and

WHEREAS, the property owners within Kachemak Estates Subdivision outside the city limits pay 2.25 mills in property tax for KESA services; and

WHEREAS, the KESA station is 7.5 miles from the entrance to Morning Star Road while the City of Homer Station is 4.5 miles from the entrance of Morning Star Road; and

WHEREAS, annexation would provide consistent emergency responses and taxation for residents along Morning Star Road; and

WHEREAS, annexation would facilitate road and other subdivision improvement projects for property owners within Kachemak Estates; and

WHEREAS, annexation would reduce the inefficiencies of dealing with two different political subdivisions for residents; and

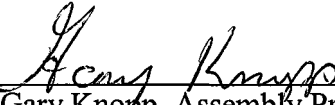
WHEREAS, the land within the area proposed for annexation has lot sizes consistent with Kachemak Ordinance 09-03 and consistent with Kachemak City Comprehensive Plan;

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

SECTION 1. The Kenai Peninsula Borough Assembly does not object to the City of Kachemak filing a petition for annexation of the 39.966 acres accessed by Morning Star Road as defined in the proposed petition to the Local Boundary Commission.


SECTION 2. That this resolution takes effect immediately upon its adoption.

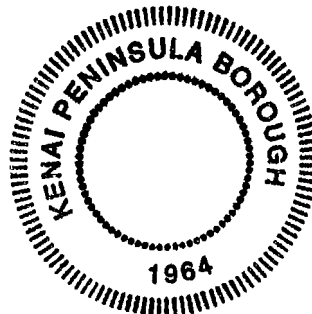
ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF JUNE, 2011.



Gary Knopp, Assembly President

ATTEST:


John Blankenship, Borough Clerk



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