

Introduced by: Mayor  
Date: 04/21/26  
Hearing: 05/05/26  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2026-17**

**AN ORDINANCE RE-AUTHORIZING THE CONVEYANCE OF KPB-OWNED LAND TO THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR A PUBLIC HIGHWAY RIGHT-OF-WAY IN SUPPORT OF THE “STERLING SAFETY CORRIDOR IMPROVEMENTS, MP 82.5 TO 94” PROJECT**

**WHEREAS**, the State of Alaska Department of Transportation and Public Facilities (DOT&PF) has planned project improvements to the Sterling Highway located East of Soldotna and has requested the subject property to be incorporated as right-of-way for said improvements; and

**WHEREAS**, KPB acquired title to the subject property by Clerk’s Deed via a tax foreclosure process; and

**WHEREAS**, Ordinance 84-42 authorized the retention of the tax foreclosure parcel for a public purpose; and

**WHEREAS**, Ordinance 89-13 authorized the disposal of the subject parcel to DOT&PF for highway right-of-way purposes; and

**WHEREAS**, conveying the subject parcel to DOT&PF for the referenced right-of-way will aid in the mitigation of traffic safety concerns along the Sterling Highway benefitting borough residents and visitors; and

**WHEREAS**, the KPB Planning Commission, at its regular meeting held on\_\_\_\_\_, 2026, recommended \_\_\_\_\_;

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

**SECTION 1.** That this is a non -code ordinance.

**SECTION 2.** That the real property described below is owned by KPB and has been identified by DOT&PF as a parcel necessary for right-of-way for completion of the planned Sterling Highway project:

That portion of the NE¼ of Section 26, Township 5 North, Range 10 West, Seward Meridian, in the Kenai Recording District, Third Judicial District, State of Alaska, lying North of the northerly right-of-way line of the Sterling Highway, containing 0.31 Acres more or less, Parcel 058-290-06.

**SECTION 3.** That the Assembly authorizes the conveyance of the KPB-owned parcel identified in Section 2 to DOT&PF and that the Assembly finds the provisions of KPB 17.10.110 and KPB 17.10.120 do not apply to this conveyance based on the following:

- a. That Ordinance 89-13 previously authorized the disposal of the subject parcel to the State of Alaska DOT&PF for highway right-of-way.
- b. Conveyance of subject parcel to DOT&PF is necessary to the planned Sterling Highway improvement project.
- c. The conveyance will result in efficiency and safety upgrades to the Sterling Highway benefitting both residents and visitors of the KPB.
- d. Based on the above, the Assembly therefore finds that the conveyance for less than fair market value is not considered a “sale” and that the conveyance serves a public purpose and public interest.

**SECTION 4.** That based on the foregoing and in support of the planned DOT&PF Highway Improvement Project, the mayor is hereby authorized, pursuant to KPB 17.10.100(I) to convey, through quitclaim deed, the land described in Section 2 above to the State of Alaska Department of Transportation and Public Facilities. DOT&PF shall be responsible for any and all related costs and recording fees. All other applicable terms and conditions of KPB 17.10 shall apply to this conveyance unless inconsistent with this ordinance.

**SECTION 5.** That the Mayor is authorized to sign any documents necessary to effectuate this ordinance.

**SECTION 6.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances will not be affected.

**SECTION 7.** That this ordinance shall become effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY  
OF \*, 2026.**

\_\_\_\_\_  
Ryan Tunseth, Assembly President

ATTEST:

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent: