

Introduced by:	Mayor
Date:	12/09/14
Action:	Adopted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2014-065**

**A RESOLUTION AUTHORIZING THE ACQUISITION BY DONATION OF REAL
PROPERTY ON BEHALF OF THE SEWARD-BEAR CREEK FLOOD SERVICE AREA
LOCATED IN THE EAST HALF OF U.S. SURVEY NO. 722 MORE PARTICULARLY
DESCRIBED IN DOCUMENT NO. 2004-001665-0, SEWARD RECORDING DISTRICT**

WHEREAS, the Seward-Bear Creek Flood Service Area (SBCFSA) provides for flood protection, planning and mitigation services within the service area boundary; and

WHEREAS, the owner of the east half of U.S. Survey No. 722 more particularly described in Document No. 2004-001665-0, Seward Recording District has offered to donate the land, which is within the SBCFSA, to the borough; and

WHEREAS, the property is mostly classified under FEMA's DFIRM as Flood Hazard Zone AE; and

WHEREAS, the property is within the Seward City Limits, adjacent to the Seward Airport, is zoned Resource Management, and would complement SBCFSA flood protection goals; and

WHEREAS, KPB 17.10.040 provides assembly approval of the acquisition of lands shall be by resolution; and

WHEREAS, the SBCFSA board at its meeting of December 1, 2014 recommended approval by unanimous consent; and

WHEREAS, the KPB Planning Commission, at its regularly scheduled meeting of November 24, 2014 recommended approval by unanimous consent;

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

SECTION 1. That the acquisition of the following described real property on behalf of the Seward-Bear Creek Flood Service Area is in the best interests of the Borough:
That portion of land located in the east half of U.S. Survey No. 722 more particularly described in Document No. 2004-001665-0, Seward Recording District (Assessor Parcel No. 145-022-22).

SECTION 2. That the terms and conditions substantially in the form of the Purchase Agreement accompanying this resolution are hereby approved. The purchase price shall be one dollar (\$1.00) plus closing costs not to exceed five hundred dollars (\$500).

SECTION 3. That this acquisition is for flood protection and mitigation purposes.

SECTION 4. That the proposed classification of this land is government.

SECTION 5. That the Mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 in accordance with the terms and conditions contained in this resolution and the accompanying purchase agreement, consistent with applicable provisions of KPB Chapter 17.10.

SECTION 6. That this resolution shall take effect immediately upon its adoption.

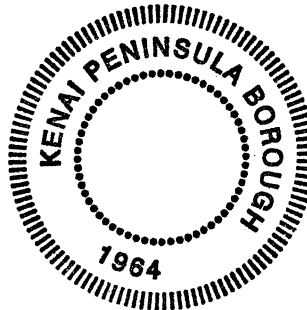
ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 9TH DAY OF DECEMBER, 2014.

Dale Bagley

Dale Bagley, Assembly President

ATTEST:

John Blankenship
John Blankenship, MMC, Borough Clerk



Yes: Cooper, Haggerty, Gilman, Johnson, McClure, Ogle, Welles, Wolf
No: None
Absent: Bagley