

Introduced by:	Mayor
Date:	01/21/25
Hearing:	02/04/25
Action:	Enacted as Amended
Vote:	8 Yes, 1 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-19-24**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF 80 ACRES OF  
REAL PROPERTY LOCATED IN SEWARD, APPROPRIATING FUNDS  
FROM THE LAND TRUST INVESTMENT FUND AND THE LAND TRUST  
FUND FOR THE PURCHASE, AND AUTHORIZING A MEMORANDUM  
OF AGREEMENT FOR THE COMPLETION OF A ROAD ACCESS  
FEASIBILITY STUDY**

**WHEREAS,** the Kenai Peninsula Borough (KPB) has placed an eighty-acre parcel in the Blueberry Hill area of Seward (Blueberry Hill Parcel) under a contract to purchase through the attached Purchase Agreement; and

**WHEREAS,** the Purchase Agreement is contingent upon KPB Assembly approval; and

**WHEREAS,** the Blueberry Hill Parcel provides a potential means of access to approximately 2,300 acres of adjacent KPB-owned and managed lands, and Alaska Mental Health Trust Authority (MHT) land holdings; and

**WHEREAS,** the purchase of the Blueberry Hill Parcel also is contingent upon the completion of a feasibility study to determine the potential for developed road access that complies with KPB road standards (the Study); and

**WHEREAS,** the Blueberry Hill area in Seward has been identified as an important location for long-term future community expansion; and

**WHEREAS,** as an adjacent property owner, MHT likewise will benefit from Study for future road access and land-planning activities in the Blueberry Hill area; and

**WHEREAS,** it is in KPB's best interests to share the Study's cost with MHT through a memorandum of agreement (MOA) to memorialize the obligations of KPB and MHT relating to the Study; and

**WHEREAS,** the MOA therefore provides for KPB and MHT to equally divide the cost of the Study for Blueberry Hill access with a cost not to exceed \$25,000 from each entity; and

**WHEREAS,** the KPB Planning Commission at its regularly scheduled meeting of January 27, 2025, recommended approval by unanimous consent;

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

**SECTION 1.** That pursuant to KPB 17.10.040, the Assembly finds that purchasing the Blueberry Hill Parcel, which is the following-described real property, is in KPB's best interests as it secures potential vehicular access, long term development and community expansion, and increases the value and future utility of KPB-owned and Management Authority Lands:

THE N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ ; THE S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , AND THE N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , ALL SITUATED IN SECTION 24, TOWNSHIP 1 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, RECORDS OF THE SEWARD REORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA. (PARCEL NO. 12535007).

**SECTION 2.** That the terms and conditions of the Purchase Agreement accompanying this ordinance are hereby approved. The purchase price will be \$1,200,000 for the Blueberry Hill Parcel, plus closing and due diligence costs not to exceed \$50,000.

**SECTION 3.** That the Blueberry Hill Parcel will be classified as "RURAL" pursuant to KPB 17.10.080.

**SECTION 4.** That the purchase is conditioned upon the satisfactory completion of the Study confirming the feasibility of constructing roadway access that can meet Road Service Area standards, the completed Study being provided to the Assembly, and final review and approval of the Study findings by the Mayor. The completed Study will be provided to the Assembly prior to final approval by the Mayor.

**SECTION 5.** That the Mayor is authorized to enter into an MOA with the MHT to equally divide the cost of the Study for Blueberry Hill access in a form substantially similar to the draft accompanying this ordinance.

**SECTION 6.** That the Mayor is authorized to execute any and all documents necessary to purchase the Blueberry Hill Parcel described in Section 1 in accordance with the terms and conditions contained in this ordinance, the accompanying Purchase Agreement, and the accompanying First Addendum to the Purchase Agreement consistent with the applicable provisions of KPB Chapter 17.10.

**SECTION 7.** That the appropriation from the Land Trust Investment Account is within KPB 5.20.200(B) and does not exceed 10 percent of the *market value* of the Land Trust Investment Fund in any year or 25 percent in any five-year period.

**SECTION 8.** That \$1,200,000 is appropriated from the Land Trust Investment Fund balance to Account No. 252.21200.25MHT.49999 for the purchase of the Blueberry Hill Parcel located in Seward, Alaska, and estimated due-diligence costs and closing fees.

**SECTION 9.** That \$50,000 is appropriated from the Land Trust Fund balance to Account No. 250.21210.25MHT.49999 for the Study, additional due-diligence costs and closing fees related to the purchase of the Blueberry Hill Parcel located in Seward, Alaska.

**SECTION 10.** That appropriations made in this ordinance are of project nature and as such do not lapse at the end of the particular fiscal year.

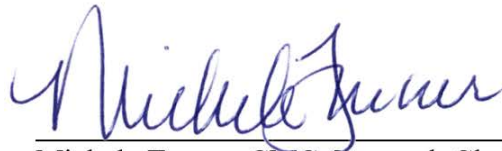
**SECTION 11.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4TH DAY OF FEBRUARY, 2025.**

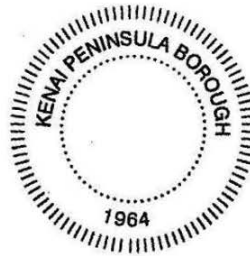


Peter Ribbens, Assembly President

ATTEST:



Michele Turner, CMC, Borough Clerk



Yes: Baisden, Cox, Cooper, Dunne, Johnson, Morton, Tunseth, Ribbens

No: Ecklund

Absent: None