

**CITY OF HOMER
HOMER, ALASKA**

ORDINANCE 84-25

AN ORDINANCE ANNEXING CITY OWNED TIDELANDS CONVEYED TO CITY OF HOMER VIA ALASKA STATE PATENT #271 AND ALASKA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF LANDS SURVEY #612.

WHEREAS, the City of Homer through Patent #271 issued by the State of Alaska, December 9, 1974 and Alaska Tidelands Survey #612, dated October 30, 1969, owns the tidelands outside but contiguous to the City of Homer seaward boundary with exception of Alaska Tidelands Survey 798; Tract A and Tracts B-1 & B-2 according to Plat No. H79-51, filed in the Homer Recording District, Third Judicial District, and

Whereas, in accordance with AS 38.10.010, Public Lands, Transfer of Tide and Submerged Lands, the Alaska Division of Lands had surveyed and the City of Homer received patent to tidelands contiguous to City Boundaries with the exception of the exclusion afore stated, and

WHEREAS, AS 29.68.010, regulated by Alaska Administrative Code 19 AAC 10.070, subparagraph (8) & (9) defines and provides for annexation of said properties owned by the municipality, and

WHEREAS, development of the Homer Port and Harbor lies in the City owned Tidelands territory, and

Whereas, annexation of municipal owned land contiguous to existing municipal boundaries does not require an referendum of municipal voters, and

WHEREAS, there lies an area of exclusion to the continuous director's line defining the Tidelands Survey #612 area; the exclusion being Alaska Tidelands Survey 798; Tracts A, B-1 and B-2 held in private ownership and defined on Plat H79-51, attached hereto, and

WHEREAS, it is the intent of the City of Homer to initiate separate action to annex the area of exclusion in the near future;

THE CITY OF HOMER ORDAINS:

Section 1. The City of Homer boundaries are expanded to include all land defined in Alaska Tidelands Survey #612 exclusive of Alaska Tidelands Survey 798; Tracts A, B-1 & B-2, Plat H79-51 which are privately held.

Section 2. Chapter 1.05, City Boundaries, General Provisions of the Homer City Code is created and incorporates Alaska Tidelands Survey 612 and the legal discription stated in the Order Declaring Corporation of the City of Homer, dated March 31, 1964 and recorded in Book 32, Page 169 of the Homer Recording District Office as the boundaries of the City of Homer.

CITY OF HOMER


Erle Cooper, Mayor

Attest:


Kathleen Herold, City Clerk

Approved as to form and content this
_____ day of _____, 1984.

A. Robert Hahn, City Attorney

Approved as to form and content this
26th day of July, 1984.

15/ James C. Sanders
Department of Community and
Regional Affairs, State of Alaska

First Reading: August 13, 1984

Public Hearing: August 27, 1984

Second Reading: September 10, 1984

Effective: September 11, 1984