



City of Homer

www.cityofhomer-ak.gov

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

Memorandum 20-079

TO: Mayor Castner and Homer City Council
THROUGH: Rick Abboud, AICP, Acting City Manager
FROM: Julie Engebretsen, Deputy City Planner
Dan Gardner, Public Works Superintendent
DATE: June 5, 2020
SUBJECT: Donation of Lot 2

Background

Sunset View Estates LLC would like to donate Lot 2 to the City of Homer. The property is just north of West Homer Elementary, on Soundview Ave. When the subdivision was developed in 2006, one condition from the Army Corps of Engineers was the construction of a storm water detention pond to serve the whole subdivision. The pond was built as part of the first phase of the subdivision. Years later, the developers decided not to build phase two, or the remained of the subdivision. They recently sold this land to another developer. In the interest of divesting themselves of any further interest in the subdivision, Sunset View Estates LLC would like to donate the storm water retention lot to the City of Homer. The parcel has an assessed value from the Kenai Peninsula Borough of \$0.

Public Works supports accepting the donation as part of the city storm water system. The anticipated long term maintenance includes clearing brush and removing sediment from the pond. This maintenance will be accomplished about once every 10 years at an anticipated cost of approximately \$5000.

Requested Action: Accept the land donation and authorize the City Manager to execute the appropriate documents

Attachments

2020 Photograph

Letter from property owner



Lot 2, Detention Pond

Dan Gardner,

City of Homer Public Works Superintendent

In 2007 when Sunset View Estates LLC developed the 31 residential lots in Foothills subdivision addition 2. In the subdivision agreement with the Army Corp of Engineers permit number POA 2006-153-4 lot 2 Block 2 is designated for storm water retention and is not to be used for residential purposes.

As the City of Homer needs to have access to maintain and inspect this lot it makes sense to transfer ownership to the City of Homer.

I have enclosed a quit claim document and have signed and notarized our part, could you hand this off to the city manager and check if this will work for getting the lot transferred. We talked about transferring this lot several years ago but because we had a loan attached to the subdivision development the lot was part of the collateral and could not be transferred before the loan was paid off. The lot is now free and clear.

If you or anyone has questions please contact me at llcabana@yahoo.com or phone 907-202-1029

My mailing address is Leroy L Cabana, box 49, Homer Alaska 99603

Sincerely

Leroy Cabana

QUITCLAIM DEED
A.S. 34.15.040

The Grantor(s), Sunset View Estates LLC
whose mailing address is: Box 49, Homer Alaska 99603

for and in consideration of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, conveys and quitclaims to Grantee(s),

City of Homer - Marvin Yoder city manager
whose mailing address is:
491 East Pioneer

all of Grantor(s) interest, if any, in the following described real property:

Lot 2, Block 2, Foothills Sub Sunset View Estates, according to Plat No. 2005-68 HRD, located in the City of Homer Recording District, Third Judicial District, State of Alaska.

Date: May 19 2020

[Signature]
(Grantor)

(Grantor)

STATE OF ALASKA }
3rd JUDICIAL DISTRICT }

The foregoing instrument was acknowledged before me on the 19 day of May, 2020 by LEROY L CABANA.



Kathleen B Scott
Notary Public for Alaska
My Commission Expires: 08/16/2020

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