

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 15-03

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
APPROVING THE SALE OF THE CITY'S INTEREST IN LOT 6-A-1,
NILS O. SVEDLUND SUBDIVISION 2013 REPLAT FOR \$1,655.50 TO
DRAGONFLY, LLC, AND ESTABLISHING THE TERMS OF THE SALE.

WHEREAS, Dragonfly, LLC owns property on Pioneer Avenue described as Lot 6-A-1,
Nils O. Svedlund Subdivision 2013 Replat, according to Plat No. 2013-52, Homer Recording
District ("Lot 6-A-1"), which is the site of the Pioneer Building; and

WHEREAS, Plat No. 2013-52 moved the boundary between the property owned by
Dragonfly, LLC and City-owned property to the west to cause a triangular piece of that City-
owned property fronting on Pioneer Avenue and having an area of 385 square feet to become
part of Lot 6-A-1; and

WHEREAS, The City joined in Plat No. 2013-52 to resolve an encroachment of the
Pioneer Building into a required building setback as required for the redevelopment project
for the Pioneer Building and new site plan approved by the Planning Commission through
Conditional Use Permit 13-06; and

WHEREAS, Notwithstanding the recording of Plat No. 2013-52, the City retains its
ownership interest in the 385 square foot triangular area that Plat No. 2013-52 incorporated
into Lot 6-A-1, and Dragonfly, LLC has requested that the City sell its interest in this property
to remove a cloud on the title of Dragonfly, LLC to Lot 6-A-1; and

WHEREAS, The property proposed for sale is not needed by the City and disposal will
not impede future development by the City of the adjacent City-owned property; and

WHEREAS, The Homer City Council approved the sale of this 385 square foot area in
concept through adoption of Resolution 13-069; and

WHEREAS, The area proposed for sale is too small to be developed and would be of no
use to anyone other than Dragonfly, LLC, and therefore a public sale is not warranted and
direct negotiation of the sale between the City and Dragonfly, LLC is necessary and
appropriate; and

WHEREAS; HCC 18.12.020 provides that an appraisal is not required if property does
not exceed \$1,000 in value in the current tax assessment records of the Kenai Peninsula

43 Borough, and the current assessed value of the parcel to be sold is \$1,655.50.

44

45 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

46

47 Section 1. Notwithstanding anything to the contrary in Homer City Code Chapter
48 18.12, the City Manager is authorized and directed to negotiate the sale of the City's interest
49 in Lot 6-A-1 to Dragonfly, LLC for a price not less than \$1,655.50, and to execute the
50 appropriate documents.

51

52 Section 2. The execution and delivery of Plat No. 2013-52 on behalf of the City is in all
53 respects ratified and confirmed.

54

55 Section 3. This is a non-Code ordinance of a permanent nature.

56

57 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 23rd day of
58 February, 2015.

59

60

61

62

CITY OF HOMER

63

64

65

Mary E. Wythe
MARY E. WYTHE, MAYOR

66

67

68 ATTEST:

69

70

71

72

Jo Johnson
JO JOHNSON, MMC, CITY CLERK

73

74

75

76

77

78

79

YES: 6

80

NO: 0

81

ABSTAIN: 0

82


ABSENT: 0

83

84 First Reading: 2/09/15
85 Public Hearing: 2/23/15
86 Second Reading: 2/23/15
87 Effective Date: 2/24/15

88
89
90

91 Reviewed and approved as to form.

92 
93 _____
94 Marvin Yoder, City Manager

95
96 Date: March 3, 2015

97
98

99 Fiscal Note: NA



Thomas F. Klinkner, City Attorney

Date: 3-6-15