

**CITY OF HOMER
HOMER, ALASKA**

Howard

RESOLUTION 13-096

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA REQUESTING THAT THE KENAI PENINSULA BOROUGH ASSEMBLY AMEND RELEVANT AGREEMENTS AND THE QUITCLAIM DEED REGARDING THE TRANSFER OF OWNERSHIP OF THE OLD MIDDLE SCHOOL PROPERTY TO PERMIT THE CITY TO SELL THE PROPERTY AND DEDICATE THE PROCEEDS FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC.

WHEREAS, The Kenai Peninsula Borough transferred ownership of the Old Intermediate School property to the City of Homer via a Quitclaim Deed dated July 7, 2000; and

WHEREAS, The property is described as Tract 2, Homer School Survey 1999 City Addition according to Plat 2000-22; and

WHEREAS, The City Attorney advises that the only currently operative restriction on the use or disposal of the property is a restriction contained in the Deed which states “ the site shall be owned in perpetuity by the City of Homer or its successor and managed for the use and benefit of the general public”; and

WHEREAS, The City cannot afford to operate and maintain the buildings nor bring them up to current code requirements and a suitable future use has not been identified; and

WHEREAS, The City Council has concluded that it is in the best interest of the community to demolish the buildings and use the site for the proposed new public safety building; and

WHEREAS, The Council wishes to expand the options available to it in the event that it is determined the site is not suitable for a public safety building; and

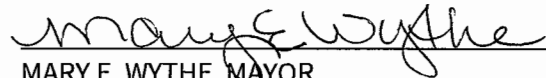
WHEREAS, Permitting the City to sell the property provided that the proceeds of the sale are directed to the use and benefit of the general public would be in the best interest of the community and would be consistent with the original intent of the Borough when it conveyed the property.

NOW THEREFORE BE IT RESOLVED that the Homer City Council hereby requests that the Kenai Peninsula Borough Assembly amend relevant agreements and the Quit Claim Deed on the transfer of ownership of the Old Middle School Property to allow the City to sell the property and dedicate and direct the sale proceeds to the use and benefit of the general public.

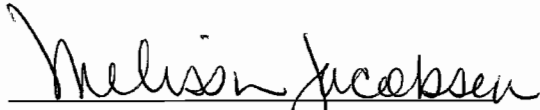
PASSED AND ADOPTED this 23rd day of September, 2013.

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CITY OF HOMER


MAYOR

ATTEST:



MELISSA JACOBSEN, CMC
DEPUTY CITY CLERK

Fiscal Note: NA

