

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Peter Ribbens, Assembly President
Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PAM*
Robert Ruffner, Planning Director *RR*

FROM: Aaron Hughes, Land Management Officer *AH*

DATE: January 9, 2025

RE: Ordinance 2025-02, Authorizing the Disposal of Real Property Located in Kenai Necessary to Resolve Title Matters Related To The Erroneous Recording Of A 1977 Tax Foreclosure Deed (Mayor)

In 1970, the Kenai Peninsula Borough (KPB) generated a tax bill in error for property owned by the United States Department of the Interior and under lease by a private entity (the Parcel). Believing the Parcel to be in private ownership, KPB applied for a tax foreclosure clerk's deed in 1972. After the clerk's deed was granted in 1975, KPB sold the Parcel at a tax foreclosure land sale in 1977. A deed was issued to the purchasers of the Parcel as a result of that land sale (the 1977 Tax Foreclosure Deed).

In 1984, the State of Alaska received patent to the Parcel from the United States Department of the Interior. KPB selected the Parcel as part of KPB's municipal entitlement selection. In order to expedite the resolution of the title cloud created by the 1977 Tax Foreclosure Deed, KPB requested that the State of Alaska consider the Parcel as a priority for conveyance in 1985. KPB was awarded management authority of the Parcel in 2015.

The Land Management Division applied for patent to the Parcel in 2023. As part of the final title review process, the State of Alaska Division of Mining, Land, and Water Conveyance Section has requested that KPB agree to convey its interest in the Parcel to the current property owner as a condition of the patent being issued. Approval of the Ordinance will satisfy that request. The recording of the patent from the State of Alaska and subsequent recording of a quitclaim deed from KPB to the current property owner will resolve the title cloud and perfect title to the Parcel on behalf of the current property owner.

Your consideration is appreciated.