

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Wayne Ogle, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Charlie Pierce, Mayor *CP*
Brandi Harbaugh, Finance Director *BH*
Max Best, Planning Director *MB*

FROM: Marcus A. Mueller, Land Management Officer *MAM*

DATE: April 5, 2018

RE: Ordinance 2018-18, Authorizing the Negotiated Sale of Two Tax Foreclosed Retained Parcels to the Last Record Owners at an Amount Equal to Taxes, Fees, Penalties and Interest (Mayor)

Ordinance 2017-20 authorized the sale or retention of certain tax foreclosed properties in accordance with state statutes. Two former record owners have since come forward in an effort to repurchase foreclosed properties which were retained for a public purpose pursuant to AS 29.45.460. However, upon retention the right of repurchase by the property owner terminates pursuant to AS 29.45.470(b). The former record owners have petitioned the administration and their cases have been reviewed. The administration recommends offering to sell these properties back to the former owners of record at an amount equal to what was due plus the current year's estimated taxes. The result will be to address the tax issue and to return the properties to their prior ownership status. AS 29.45.460(b) authorizes the sale of tax foreclosed parcels no longer needed for a public purpose as long as certain criteria is met. This ordinance satisfies this statutory requirement which applies to retained tax foreclosed property under A.S. 29.45 by providing a determination that a public need does not exist to hold the properties.

This matter is scheduled to come before the Planning Commission at its April 23, 2018, meeting. The recommendations of the Planning Commission will be provided to the assembly prior to the scheduled hearing on this ordinance.

Your consideration of this ordinance is appreciated.