

Introduced by: Mayor
Date: May 15, 1984
Hearing: Jun. 19, 1984
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 84-42 (AM)
(SUBSTITUTE)

AN ORDINANCE CLASSIFYING LANDS FORECLOSED BY THE BOROUGH FOR DELINQUENT REAL PROPERTY TAXES AND AUTHORIZING A LAND SALE OF TAX FORECLOSED PROPERTIES.

WHEREAS, certain real properties have been the subject of tax foreclosure proceedings by the Borough for delinquent payment of real property taxes levied in the Borough; and

WHEREAS, said properties have been sold and deeded to the Borough through such proceedings; and

WHEREAS, all of said properties have been held by the Borough for at least one year following sale to the Borough; and

WHEREAS, the KPB Code of Ordinances, Section 5.12.300 provides that all tax foreclosed property shall be classified; and

WHEREAS, the Mayor has presented to the Assembly a plan of classification; and

WHEREAS, AS 29.53.370 requires that the Assembly shall determine whether foreclosed property shall be retained for a public purpose;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the plan of classification submitted to the Assembly by the Mayor is approved and accepted, and the following parcels of property are hereby set aside as properties retained for a public purpose:

<u>Parcel #</u>	<u>Description</u>
058-040-02	Section 26, T5N, R10W, S.M., NE $\frac{1}{4}$ that Por N of Sterling Hwy., containing 4 acres, more or less, Kenai Recording District
058-250-03	Section 22, T5N, R10W, S.M., E $\frac{1}{2}$ NW $\frac{1}{2}$, Exc. Fine Sub., containing 20.00 acres, more or less, Kenai Recording District

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Prior owners of these retained properties have no further claim to these lands from the date of adoption of this ordinance.

Section 2. That the list of properties submitted by the Mayor in his plan of classification, and certified by the Borough Finance Director as lands available for sale is hereby accepted and approved in classifying these properties as "for sale lands," as it is determined a public need for said lands does not exist. The list of "for sale lands" as classified by the Mayor and certified by the Borough Finance Director and dated June 19, 1984, is incorporated in this ordinance as if fully set forth in this section.

Section 3. A. The Borough Clerk shall send a copy of the published notice of hearing of this ordinance by certified mail to the former record owners of the parcels of property which are the subjects of this ordinance. This notice shall be mailed within five days of the first publication of the hearing on this ordinance and shall be sufficient if mailed to the property owner at the last address of record.

B. In the event that any of the "for sale lands" are sold for more than the amount of taxes, penalties, interest, and other costs, the Borough Finance Director shall provide the former record owner of the property written notice advising of the amount of the excess and the manner in which a claim for the balance of the proceeds may be submitted. Notice is sufficient if mailed to the previous owner at his last address of record. Upon presentation of a proper claim, the Borough shall remit the excess to the former record owner. A claim for the excess filed after six months of the date of sale is forever barred.

Section 4. That the Assembly authorizes the Borough to conduct a land sale to be held on September 8, at 9 A.M. at the Soldotna High School Auditorium, and to cause a public notice according to law to be published in a newspaper of general circulation in the Borough not less than 30 days before the date of the sale.

Section 5. That the Borough will execute and deliver to the buyer of any of the sale lands a tax foreclosure deed which will convey any and all interest the Borough might have in the property without warranty or representation of any kind. Prospective buyers shall be put on notice by this ordinance and by other means of publication in the public notice of the sale that the Borough does not vouch for its right, title, or interest in any of the properties to be sold; and the prospective buyers are put on notice that the Borough shall be held harmless from any and all claims regarding title or possession to any of the properties on the list of lands to be sold. The prospective buyers shall also be advised in the public notice that the Borough reserves the right to withdraw any or all of the parcels listed for sale and that, pursuant to law, any or all of the properties or par-

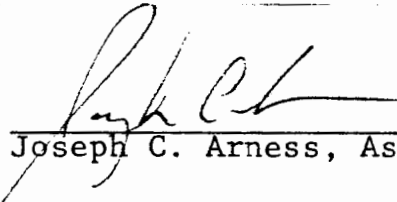
cels listed for sale may be redeemed by the record owners, or their assigns, at any time before the sale.

Section 6. That the Mayor is hereby authorized to sell said "for sale lands" for an amount not less than the judgment amount for taxes, plus penalties, interest, and other costs as shown in the list of lands certified by the Finance Director, for cash at a public outcry auction. Any of the properties from the list of "for sale lands" which are not sold at the public sale may be offered over the counter at the Finance office in the Borough Administration Building beginning on the next business day following the sale at the minimum bid price.

All property in the list of lands for sale is to be sold subject to any and all restrictions of record, zoning ordinances, and any and all plat requirements and covenants.

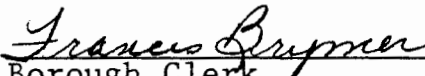
Section 7. This ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
19th DAY OF June, 1984.



Joseph C. Arness, Assembly President

ATTEST:



Borough Clerk

PLAN OF CLASSIFICATION
PROPERTIES TO BE RETAINED FOR
PUBLIC USE

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>OWNER/ADDRESS</u>
	1980 for 1979 - 3KN 80-258	
058-040-02	Section 26, T5N, R10W, S.M., NE $\frac{1}{4}$ that Por N of Sterling Hwy, contain- 4 acres, more or less Kenai Recording District	Campbell, Earnestine 8141 Resurrection Dr., Anchorage, AK 99504
058-250-03	Section 22, T5N, R10W, S.M., E $\frac{1}{2}$ NW $\frac{1}{4}$, Exc. the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Exc. Fine Sub., containing 20.00 acres, more or less, Kenai Recording District	Kramer Trust, Terri Dee & Corky, c/o B. Fine, 6212 26th N.W. Seattle, WA 98107

PLAN OF CLASSIFICATION
PROPERTIES TO BE SOLD

1981 for 1980 3KN 81-175
 (1) Motion to Cause Issuance of Deeds: Mailed 12/22/82
 (2) Deeds signed: 1/12/83
 (3) Recorded: Homer 1/25/83
 Seward 1/24/83
 Kenai 1/24/83

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>OWNER/ADDRESS</u>
Seward Recording District:		
189-270-07	Section 33, T1S, R2E, S.M., ASLS 77-174 Tract G, ADL No. 62294, containing 02.81 acres, more or less	Church, Robert H. 9595 Oneida Street, Ventura, Calif. 93003
144-190-14	Camelot By The Sea Subdivision, Lot 11, Block 10	Griffin, Eunic & Camelot by the Sea, 301 E. Fire- weed Lane, Anchorage, AK 99503
144-190-15	Camelot By The Sea Subdivision, Lot 12, Block 10	Griffin, Eunic & Camelot by the Sea, 2605 Artic Anchorage, AK 99503
189-270-02	Section 33, T1S, R2E, S.M., ASLS 77-174, Tract B, ADL No. 61705, containing 05.00 acres, more or less	Callender, James R., 3401 Hiland Dr., Anchorage, AK 99504
144-050-10	McBride Subdivision Lot 9	Norman, Carl T., Box 496, Seward, AK 99664
Kenai Recording District:		
133-190-28	Cohoe Lakes Subdivision, S ½ Lot 10, Block 3,	Clemens, Billie Rae, 2839 Sunflower St., Anchorage, AK 99504
133-270-63	Cohoe Shores, Lot 3, Block 10	Jenkins, John W. & Suzanne E., Box 3-142, Anchorage, AK 99509

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
063-510-34	Timber Lake Estates Subdivision Lot 3, Block 2, containing 01.14 acres, more or less	Langendorf, Arlene, General Delivery, Soldotna, AK 99669
065-230-45	Gregory Subdivision, Addition No. 4 Lot 10, Block 9	Lee, Robert O. & Hilda, 245 Muldoon Road, Anchorage, AK 99504
057-210-14	Matranga Resubdivision No. 2 of Tract 1, Tract 1-A, containing 01.12 acres, more or less	Matranga, Gregory Allan, 801 Airport Heights, Anchorage, AK 99504
014-230-04	Wooded Shores Subdivi- sion, Part 1 Lot 20, Block 2, Containing .94 acres, more or less	Reaves, Thomas A. & Amy D., Box 8359 NRB, Kenai AK 99611
066-111-46	Don Jack Subdivision, Tract 14, containing 9.14 acres, more or less	Sabo, Mikky, 8244 Rainy Pl., Anchorage, AK 99502
013-120-64	"B" & "B" Subdivision, Lot 3, containing 02.00 acres, more or less (Parcel # changed-new # 013-550-04)	Troyer, Marvin L., North Star Route 1, Box 1617, Kenai, AK 99611
013-120-65	"B" & "B" Subdivision, Lot 2, containing 03.00 acres, more or less (Parcel # changed-new # 013-550-03)	Troyer, Marvin L., North Star Route 1, Box 1617, Kenai, AK 99611
Homer Recording District:		
171-102-21	Section 31, T5S, R13W, S.M., N $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, containing 160 acres, more or less (Notice of Sale to Deed of Trust Holder-status unknown)	Arctic Fox Trading Company, Inc., 727 "N" Street #2, Anchorage, AK 99501 LIT REPORT: Twitter Creek Land Club - owner of record

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
Homer Recording District:		
157-180-07	Hylen Subdivision, 1973 Addition, Lot 7, Block 2	Cash, Rex & Joyce, 7343 Bailey Dr., Anchorage, AK 99502
157-180-08	Hylen Subdivision, 1973 Addition, Lot 8, Block 2	Cash, Rex & Joyce, 7343 Bailey Dr., Anchorage, AK 99502
172-300-17	Fox River Estates Lot 1, containing 5.00 acres, more or less	Fox River Investments, Box 903, Homer, AK 99603 LIT REPORT: William M. Larson - owner of record
165-350-04	Chakok Acres Subdivi- sion, Tract 9, contain- ing 09.78 acres, more or less	Tucker, Gordon & Glenna Box 363, Anchor Point, AK 99556
165-420-25	Nikolaevsk Village Sub- division, Tract 52, containing 01.93 acres, more or less, (Parcel # changed-new #165-640-63)	Basargin, Ivan S. & Poluhery, Box 781, Homer, AK 99603

PROPERTIES TO BE SOLD

1980 for 1979 3KN 80-258

(1) Motion to Cause Issuance of Deeds:	Mailed 9/2/82
(2) Deeds signed:	9/9/82
(3) Recorded: Kenai	9/14/82
Homer	9/15/82
Seward:	9/14/82

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
Seward Recording District:		
135-053-27	Caribou Island Subdivision Lot 10, Block 4	Roberts, James R. & Eva M., 5518 Kennyhill Dr., Anchorage, AK 99504 LIT REPORT: Hess, James S. & Bernadin A. - owner of record
135-051-44	Caribou Island Subdivision Lot 7, Block 5	Barnes, Dennis D. & Bell, Vicki K., Box 8926, Anchorage, AK 99508
144-200-08	Camelot By The Sea Subdivision Lot 22, Block 8	Homestead, Bruce J. General Delivery, Moose Pass, AK 99631
144-190-16	Camelot By The Sea Subdivision Lot 13, Block 10	Griffin, Eunice & Camelot by the Sea, 2605 Artic, Anchorage, AK 99504
144-190-17	Camelot By The Sea Subdivision Lot 14, Block 10	Griffin, Eunice & Camelot by the Sea, 2605 Artic, Anchorage, AK 99504
144-050-13	McBride Subdivision Lot 6, containing 1.05 acres, more or less	Norman, Carl T., Box 496 Seward, AK 99664
144-050-12	McBride Subdivision Lot 7	Norman, Carl T. Box 496 Seward, AK 99664
144-050-11	McBride Subdivision Lot 8	Norman, Carl T. Box 496 Seward, AK 99664
144-050-09	McBride Subdivision Lot 10	Norman, Carl T. Box 496 Seward, AK 99664

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
Homer Recording District:		
169-210-15	Cranberry Hills Sub-division, Park, Block 4, containing 02.03 acres, more or less	Roderick, Paul E. & Carolyn E., Box 836, Homer, AK 99603
159-240-19	Happy Valley Homesites Lot 83	Skinner, W. P., 3224 W. 88th Ave., #4, Anchorage, AK 99502
159-240-47	Happy Valley Homesites Lot 97	Wise, Kenneth, Box 427, Homer, AK 99603
Kenai Recording District:		
131-250-11	Goodrich Acres Subdivision, Lot 1, Block 2	Alvarez, Jr., Menchea & Anita R., 8310 Resurrection Dr., Anchorage, AK 99504
013-161-15	Georgine Lake, Lot 15, Block 1	Carney, Denver L., 4836 Blackstone Cricle, Anchorage, AK 99507
057-502-17	Sunset Park Subdivision Lot 8, Block 3	Boyd, Jimmie J. & Frances A., RR Box 413, Chelsea, OK 74016 LIT REPORT: Wilson, Mickey D. - owner of record

PROPERTIES TO BE SOLD

1979 for 1978 3KN 79-225

(1)	Motion to Cause Issuance of Deeds:	Mailed	6/22/82
(2)	Deeds signed:		9/12/82
(3)	Recorded:	Homer	9/13/82
		Kenai	9/12/82
		Seward	9/21/82

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
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Seward Recording District:

144-200-14	Camelot By The Sea Subdivision, Lot 28, Block 8	Capitol Development Co., 505 W. Northern Lights, Anchorage, AK 99503
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Kenai Recording District:

012-220-08	Field Subdivision No. 1, Lot 6, Block 2	Tessier, Delores, 6600 Weimer Dr., #6, Anchorage AK 99502
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PROPERTIES TO BE SOLD

1978 for 1977 3KN 78-168

- (1) Motion to Cause Issuance of Deeds: mailed 1/30/80
- (2) Deeds signed: 2/14/80
- (3) Recorded: Homer & Seldovia 4/3/80
Seward 4/7/80
Kenai 4/2/80

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
Seward Recording District:		
144-190-02	Camelot By The Sea Sub- division, Lot 29, Block 8	Capitol Development Co., 505 W. Northern Lights, Anchorage, AK 99503
144-190-04	Camelot By The Sea Sub- division, Lot 31, Block 8	Capitol Development Co., 505 W. Northern Lights, Anchorage, AK 99503
144-190-10	Camelot By The Sea Sub- division, Lot 17, Block 10	Capitol Development Co., 505 W. Northern Lights, Anchorage, AK 99503
144-190-11	Camelot By The Sea Sub- division, Lot 18, Block 10	Capitol Development Co., 505 W. Northern Lights, Anchorage, AK 99503
Homer Recording District:		
159-270-16	Emil D. Jeske Subdivi- sion, E $\frac{1}{2}$, Tract 4, con- taining 4.51 acres, more or less	Millard, Leonard G., 804 Third Street, Int'l Falls, MN 56649
165-290-05	North Fork Acres Sub- division No. 3, Tract 34, containing 9.55 acres, more or less	Morrison, Kathy, SRA Box 474 M, Anchorage, AK 99507
165-290-06	North Fork Acres Sub- division No. 3, Tract 39, containing 9.55 acres, more or less	Morrison, Kathy, SRA Box 474 M., Anchorage, AK 99507

<u>PARCEL #</u>	<u>DESCRIPTION</u>	<u>PREV. OWNER/ADDRESS</u>
165-290-12	North Fork Acres Sub- division No. 3, Tract 35, containing 9.55 acres, more or less	Morrison, Kathy, SRA Box 474 M., Anchorage, AK 99507
Kenai Recording District:		
057-481-15	Hodgson Subdivision Lot 76	Hodgson, Bernice Carrole Box 374, Soldotna, AK 99669
015-120-02	Sprucewood Manor Lot 2, Block 1	Kollenborn, Byron B. & Robin, Gen. Del., Kenai, AK 99611
015-120-03	Sprucewood Manor Lot 3, Block 1	Kollenborn, Byron B. & Robin, Gen. Del., Kenai, AK 99611
FORECLOSURE 1977 for 1976: 77-15581		
133-270-61	Cohoe Shores, Lot 1, Block 10	Sudduth, James H., Sr., & Lowry, Patricia, 1612 W. 14th Ave., Anchorage, AK 99501
159-120-47	Happy Creek Homesites Lot 33	Segriff, John F. & Sherry L., Box 8525, Mt. View, Anchorage, AK 99504