

Introduced by: Mayor
Date: March 7, 1978
Vote: Unanimous
Action: Enacted, April 4, 1978

KENAI PENINSULA BOROUGH

ORDINANCE 78-10

AN ORDINANCE APPROPRIATING \$3,750 FROM THE UNAPPROPRIATED GENERAL FUND TO REIMBURSE CERTAIN PRIVATE PARTIES FOR MONIES PAID TO THE KENAI PENINSULA BOROUGH TO CLEAR TITLE TO CERTAIN LOTS IN THE IRONS SUBDIVISION.

WHEREAS, the Kenai Peninsula Borough acquired title through foreclosure to a certain parcel of land in Irons Subdivision; and

WHEREAS, subsequent owners were unable to transfer the title to the tract; and

WHEREAS, an overlapped legal description created a cloud on the title to these adjoining lots; and

WHEREAS, the Kenai Peninsula Borough received the sum of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00) in exchange for the land involved in the overlap; and

WHEREAS, Eldon E. and Ruby E. Taylor, who purchased the land from Edward and Alvinia M. Massey, obtained a promissory note in the amount of \$3,750.00 as reimbursement for the sum paid to the Kenai Peninsula Borough under the warranty of title; and

WHEREAS, the Borough obtained a quitclaim deed from Jack and Margaret Irons on September 8, 1977, which rectified the borough's title to the lot; and

WHEREAS, the Kenai Peninsula Borough will be unjustly enriched if it retains the \$3,750.00; and

WHEREAS, the parties in interest have reached a mutually satisfactory agreement to vindicate their interests;

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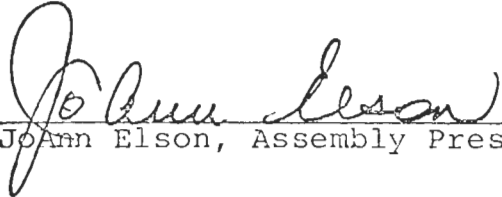
NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE
KENAI PENINSULA BOROUGH:

Section 1: There is appropriated out of the un-
appropriated general fund the sum of Three Thousand Seven
Hundred Fifty Dollars (\$3,750.00), which sum shall be
divided and paid to Eldon E. and Ruby E. Taylor and Edward
and Alvinia M. Massey as their interests require.

Section 2: No reimbursement shall be made to any
party until that party releases the Kenai Peninsula Borough
and all other parties from any further claims, demands,
suits, or other legal liability arising out of this matter.

Section 3: This ordinance shall become effective on
the day of its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS 4th DAY OF April, 1978.


JoAnn Elson, Assembly President

ATTEST:


Borough Clerk

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