

Introduced by:	Mayor
Date:	3/16/93
Hearing:	4/20/93
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 93-13**

**AN ORDINANCE AMENDING CHAPTER 5.12 OF THE KENAI PENINSULA
BOROUGH CODE OF ORDINANCES BY REVISING PROCEDURES FOR
DISPOSITION OF TAX FORECLOSED REAL PROPERTY**

WHEREAS, the existing language of Sections 5.12.300, 310, 320 and 330 refers to procedures contained in former KPB Chapter 17.04, now repealed; and

WHEREAS, the assembly enacted a new Chapter 17.10 entitled Borough Lands and Resources on February 2, 1993; and

WHEREAS, there are certain provisions in KPB 17.10 which are applicable to the sale of tax foreclosed lands; and

WHEREAS, the disposition and sale of foreclosed property is governed by AS 29.45.460; and

WHEREAS, the procedures for disposition of tax foreclosed properties should be current with any other applicable provisions contained in the Borough Code;

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

SECTION 1. That KPB Code is hereby amended by repealing Sections 5.12.300-330.

SECTION 2. That KPB Code is hereby amended by enacting new Sections 5.12.300, 5.12.310 and 5.12.320 to read as follows:

5.12.300. Dispositions of Tax Foreclosed Property.

A. After expiration of the redemption period the mayor shall recommend to the assembly a plan for disposition of tax foreclosed properties in accordance with AS 29.45.450.

B. The assembly, by ordinance, shall designate the lands acquired under this chapter as either Foreclosed Lands Retained for a Public Purpose, as provided in 5.12.310; or Foreclosed Lands for Sale, as provided in 5.12.320.

5.12.310. Foreclosed Lands Retained for a Public Purpose - Classification.

The mayor shall cause a review of the foreclosed properties to determine in any of the lands are potentially suitable for a public purpose. If any such parcels are identified the mayor shall recommend to the assembly which lands should be retained for an applicable classification if accordance with the procedures under KPB 17.10.080.

5.12.320. Foreclosed Lands for Sale - Disposal Procedure.

A. Foreclosed properties not retained for public purpose shall be disposed of in accordance with the requirements of AS 29.45 and the following procedure:

1. A copy of the notice of sale shall be sent by certified mail to the record owner at the time of the tax foreclosure. The mailed notice shall include advice to the record owner of his right to repurchase the property.

2. The notice of sale shall be published in a newspaper(s) of general circulation in the borough no less than 30 days before the date of the sale and posted within that time in at least 3 public places in the borough.

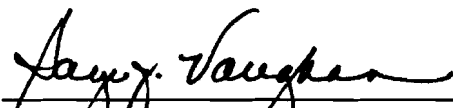
3. Disposal shall be at public outcry auction conducted by the Director of Finance, or his designee unless the assembly has provided otherwise in the ordinance authorizing the sale.

B. Foreclosed lands sold under the provisions of this section are not subject to the classification procedures contained in KPB Chapter 17.10.

ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 20th DAY OF APRIL, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye Vaughan, Borough Clerk