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| Introduced by: | Mayor |
| Date: | 5/16/95 |
| Hearing: | 6/20/95 |
| Action: | Enacted as Amended |
| Vote: | Unanimous |

**KENAI PENINSULA BOROUGH
ORDINANCE 95-18**

**AUTHORIZING THE SALE OF CERTAIN LANDS OBTAINED BY THE KENAI
PENINSULA BOROUGH THROUGH TAX FORECLOSURE PROCEDURES**

WHEREAS, certain real properties have been obtained by the Borough through tax foreclosure proceedings for delinquent payment of taxes on real property; and

WHEREAS, said properties have been deeded to the Borough through tax foreclosure proceedings; and

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

WHEREAS, these properties have been reviewed by the Kenai Peninsula Borough School District, all Kenai Peninsula Borough Departments and Divisions, advisory planning commissions, service areas and the Kenai Peninsula Borough Planning Commission; and

WHEREAS, the administration recommends that no properties be retained;

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

SECTION 1. That the following real properties, certified by the Kenai Peninsula Borough Finance Director as lands available for sale, are hereby accepted, approved and designated as foreclosed lands for sale as it is determined that a public need for said real properties does not exist:

| Parcel Number | Base Map | Legal Description | Last Owner of Record |
|----------------------|-----------------|--|-----------------------------|
| 012-050-26 | NK20 | Lot 2 Block 6 Aurora Heights Subdivision, 00.17 acres more or less, plat # K-1510, Kenai Recording District | Glaves, Gregory E. |
| 012-060-24 | NK20 | Lot 4 Block 14 Aurora Heights Subdivision, 00.17 acres more or less, plat # K-1510, Kenai Recording District | Devault & Eckert |
| 012-131-32 | NK20 | Lot 2 Wik Bluff Subdivision, 4.51 acres more or less, plat # 82-54, Kenai Recording District | Andrews, Jerry C. |
| 012-410-31 | NK20 | Lot 9 Block 3 Forest Subdivision Part Two, 00.91 acres more or less, plat # 82-104, Kenai Recording District | Porter, Joan |

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| 013-043-01 | NK16 | That portion of Government Lots 10 and 11 lying West of Kenai Spur Road, Section 26, Township 8 North, Range 11 West, Seward Meridian, Alaska, 01.00 acres more or less | Andrews, Jerry |
| 013-161-16 | NK21 | Lot 16 Block 1 Georgine Lake Subdivision, 00.78 acres more or less, plat # K-1482, Kenai Recording District | Bailey, Patricia Lou |
| 013-161-17 | NK21 | Lot 17 Block 1 Georgine Lake Subdivision, 00.68 acres more or less, plat # K-1482, Kenai Recording District | Bailey, Ira Stancil |
| 013-200-20 | NK17 | Tract A Navarre's Homestead Subdivision Number One, 00.60 acres more or less, plat #87-76, Kenai Recording District | Olsen, Carmen |
| 013-200-70 | NK21 | Lot 1 Block 1 Rector Subdivision, 01.66 acres more or less, plat # 79-16, Kenai Recording District | Boanerges Ventures |
| 013-200-71 | NK21 | Lot 2 Block 1 Rector Subdivision, 1.66 acres more or less, plat # 79-16, Kenai Recording District | Boanerges Ventures |
| 013-200-77 | NK21 | Lot 8 Block 1 Rector Subdivision, 1.66 acres more or less, plat # 79-16, Kenai Recording District | Muleshoe Ventures |
| 013-200-84 | NK21 | Lot 5 Block 2 Rector Subdivision, 1.54 acres more or less, plat # 79-16, Kenai Recording District | Boanerges Ventures |
| 013-214-53 | NK21 | Lot 10 Block 4 Don's Place Subdivision, 1.26 acres more or less, plat # 83-236, Kenai Recording District | Grandstaff, Michael & Debb |
| 014-060-12 | NK20 | Lot 12 Block 1 Galen Gray Subdivision, 00.31 acres more or less, plat # K-899, Kenai Recording District | Seahawks Realty |
| 014-180-57 | NK20 | Lot 12 Block 3 Ross Subdivision, 02.17 acres more or less, plat # 77-46, Kenai Recording District | Porter, Harold & Joan |
| 015-060-19 | NK26 | Lot 5 Block 1 Forelands Acres Subdivision, 0.44 acres more or less, plat #K-1481, Kenai Recording District | Day & Adams |
| 015-191-04 | NK26 | Lot 2B Block 7 Foley Estates Subdivision Part Two, 00.92 acres more or less, plat # 82-12 Kenai Recording District | Strom, Virginia E. |
| 017-332-04 | NK30 | Tract 8 Konovalof Lake Subdivision Amended, 52.01 acres more or less, plat # 86-203, Kenai Recording District | Andersen, Bonnie D. et al |
| 025-442-14 | NONE | Lot 142 Moose Point Subdivision, 11.60 acres more or less, plat # 84-65, Kenai Recording District | Burger, Hanna |
| 055-220-78 | KR20 | Lot 4 Woodwill Subdivision, acres more or less, plat # 83-280, Kenai Recording District | Stillwell, Dorance C. |
| 055-251-32 | KR18 | Lot 2 Block 2 Castaway Cove Subdivision Amended, 00.10 acres more or less, plat # 84-140, Kenai Recording District | Hills, David W. |
| 055-253-41 | KR18 | Lot 36 Block 9 Castaway Cove Amended, 00.10 acres more or less, plat # 84-140, Kenai Recording District | Castaway Cove |

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| 055-254-04 | KR18 | Lot 20 Block 7 Castaway Cove Amended, 00.06 acres more or less, plat # 84-140, Kenai Recording District | Castaway Cove |
| 055-254-05 | KR18 | Lot 19 Block 7 Castaway Cove Amended, 00.05 acres more or less, plat # 84-140, Kenai Recording District | Castaway Cove |
| 055-254-31 | KR18 | Lot 1 Block 9 Castaway Cove Amended, 00.06 acres more or less, plat # 84-140, Kenai Recording District | Castaway Cove |
| 057-046-20 | KR7 | Lot 9 Block 3 Cottage Estates Subdivision, 00.95 acres more or less, plat # 85-100, Kenai Recording District | Argyropoulos, Argyrios |
| 057-250-10 | KR18 | Lot 18B Lake Estates Subdivision, 01.66 acres more or less, plat # K-1648, Kenai Recording District | Kalar, Lonnie/Robera |
| 058-340-26 | KR17 | Lot 12 Block 2 Southern Bluff Acres, 00.95 acres more or less, plat # 84-252, Kenai Recording District | Kodysz, Lawrence Scott |
| 058-360-09 | KR17 | Lot 9 Forest Hills Lookout Subdivision, 14.05 acres more or less, plat # 86-204, Kenai Recording District | Aloralrea, Juliana |
| 059-150-16 | KN18 | Owner, City of Soldotna Lot 1A, Block 2, Lee Sub. Replat of Addn No 1 & Lee Sub Addn No 2, 0.44 acres more or less, plat # 1756, Kenai Recording District | R L Oilfield Svc & Rental |
| 059-150-17 | KR18 | Owner, City of Soldotna Lot 2A, Block 2, Lee Sub. Addn No 1, 0.33 acres more or less, plat # 1512 Kenai Recording District | Cunningham, Ralph |
| 063-017-76 | KR09 | Lot 9 Block 4 Sterling Crystal Estates, 01.20 acres more or less, plat # 86-40, Kenai Recording District | Gettle, Lance J. |
| 063-760-19 | KR09 | Lot 10 Block 5 Moose Range Homestead Subdivision Part Four, 01.52 acres more or less, plat # 81-154, Kenai Recording District | Kliever, Terry & Melissa |
| 065-310-14 | KR11 | Lot 17 Block 11 Gregory Subdivision Addition No. Five Amended, 00.34 acres more or less, plat # 72-39, Kenai Recording District | Voss, James W. |
| 065-310-15 | KR11 | Lot 16 Block 11 Gregory Subdivision Addition No. Five Amended, 00.31 acres more or less, plat # 72-39, Kenai Recording District | Voss, James W. |
| 065-310-16 | KR11 | Lot 15 Block 11 Gregory Subdivision Addition No. Five Amended, 00.43 acres more or less, plat # 72-39, Kenai Recording District | Voss, James W. |
| 065-310-17 | KR11 | Lot 14 Block 11 Gregory Subdivision Addition No. Five, 00.35 acres more or less, plat # 72-39, Kenai Recording District | Voss, James W. |

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| 065-330-18 | KR13 | Lot 71 Dow Island Subdivision, 01.17 acres more or less, plat # 72-76, Kenai Recording District | Trettevik, Richard |
| 066-244-10 | KR11 | Lot 10 Block 2 Holiday Park Subdivision, 01.29 acres more or less, plat # 75-82, Kenai Recording District | Adams, Richard R. |
| 066-310-12 | KR15 | Lot 22 Block 4 River Bend Ridge Subdivision Part Four, 02.11 acres more or less, plat # 77-30 Kenai Recording District | Riverbend Develop |
| 066-310-13 | KR15 | Lot 23 Block 4 River Bend Ridge Subdivision Part Four, 02.81 acres more or less, plat # 77-30 Kenai Recording District | Riverbend Develop |
| 066-310-14 | KR15 | Lot 24 Block 4 River Bend Ridge Subdivision Part Four, 03.62 acres more or less, plat # 77-30 Kenai Recording District | Riverbend Develop |
| 066-310-15 | KR15 | Lot 25 Block 4 River Bend Ridge Subdivision Part Four, 01.96 acres more or less, plat # 77-30 Kenai Recording District | Riverbend Develop |
| 066-310-26 | KR15 | Lot 3 Block 5 River Bend Ridge Subdivision Part Five, 01.23 acres more or less, plat # 78-126 Kenai Recording District | Snowden, Wes |
| 131-340-50 | KS03 | Lot 5 Truel Knutson Homestead Subdivision No. Two 04.55 acres more or less, plat # 83-84, Kenai Recording District | Medley, Michelle |
| 137-330-36 | KR15 | Lot 8 Block 2 Whispering Spruce Subdivision, 00.93 acres more or less, plat # 84-20, Kenai Recording District | Stewart, Greg & Robin |
| 137-330-41 | KR15 | Lot 18 Block 2 Whispering Spruce Subdivision, 00.93 acres more or less, plat # 84-20, Kenai Recording District | Quint, Ronald |
| 159-070-06 | NL26 | Tract 5 Lawrence Subdivision, 10.00 acres more or less, plat # 76-46, Homer Recording District | Panamerican Investments |
| 159-120-63 | NL41 | Tract 49 Happy Creek Homesites, 05.00 acres more or less, plat # 62-711, Homer Recording District | Frohlich, Frank |
| 159-230-19 | NL62 | Tract 19 Happy Valley 5 Acre Homesites, 05.00 acres more or less, plat # 62-629, Homer Recording District | Farrell Martin, Jr. et al |
| 159-240-40 | NL62 | Tract 105 Happy Valley 5 Acre Homesites, 00.500 acres more or less, plat # 62-629, Homer Recording District | Terraccino, Patrick |
| 165-100-17 | AR02 | Tract 2 Wonderland Subdivision, 09.77 acres more or less, plat # 73-983, Homer Recording District | Gabby, Doug & Peggy |
| 165-270-07 | AR27 | Tract 10 North Fork Acres No. Two, 09.57 acres more or less, plat # 74-485, Homer Recording District | Hartman, Leroy & June |
| 165-270-08 | AR27 | Tract 27 North Fork Acres No. Two, 09.57 acres more or less, plat # 74-485, Homer Recording District | Hartman, Leroy & June |

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| 165-270-09 | AR27 | Tract 26 North Fork Acres No. Two, 08.73 acres more or less, plat # 74-485, Homer Recording District | Hartman, Leroy & June |
| 165-270-16 | AR27 | Tract 25 North Fork Acres No. Two, 08.55 acres more or less, plat # 74-485, Homer Recording District | Hartman, Leroy & June |
| 165-470-35 | AR28 | Lot 16 Block 1 Rivendale Estates Unit Three, 02.63 acres more or less, plat # 77-49, Homer Recording District | Jeppesen, Ida L. |
| 165-470-36 | AR28 | Lot 17 Block 1 Rivendale Estates Unit Three, 02.44 acres more or less, plat # 77-49, Homer Recording District | Jeppensen, Ida L. |
| 165-640-19 | AR27 | Lot 16 Nikolaevsk Village No. Four Subdivision, 06.26 acres more or less, plat # 80-33, Homer Recording District | Martushev, Nikoly/Glafira |
| 171-021-13 | AR33 | East half of Lot 5 Anchor River Ranchos, 08.84 acres more or less, plat #72-328, Homer Recording District | Rushing, David & Mary E. |
| 171-253-16 | AR62 | Lot 17 Kachemak Bay Ranchos Subdivision 10.00 acres more or less, plat # 72-452, Homer Recording District | Win Or Lose, Inc. |
| 171-330-46 | AR34 | Lot 2 Block 4 Hidden Hills Subdivision No. Five, 02.05 acres more or less, plat # 76-43, Homer Recording District | Satterwhite, Carl D. |
| 171-330-67 | AR34 | Lot 8 Block 5 Hidden Hills Subdivision Addition No. Eight, 02.07 acres more or less, plat # 77-03, Homer Recording District | Richards, Ivor B. & Patric |
| 172-270-22 | AR39 | Lot 2-F Block 1 Mountain Glacier Estates Subdivision Part Four Amended, 01.39 acres more or less, plat # 83-20, Homer Recording District | Budd Enterprises, Inc. |
| 191-300-13 | NONE | Lot 20 Block 7 Barabara Heights Subdivision, 03.06 acres more or less, plat # 79-06, Seldovia Recording District | Voss, James W. |
| 193-264-09 | NONE | Alaska State Land Survey No. 77-14, 03.10 acres more or less, plat # 78-88, Homer Recording District | Barbour, William B. |

SECTION 2. A. Notice of hearing of this ordinance shall be sent by certified mail to the former record owners of the real properties which are subject to this ordinance. The notice shall be mailed within five (5) 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 lands are sold for more than the amount of taxes, penalties, interest, and other related costs, the Borough Finance Director shall provide the written notice to the former record owner of the property advising of the amount of excess and the manner in which a claim for the balance of the proceeds may be submitted. Notice is sufficient if mailed to the former record 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 which is filed after six (6) months

of the date of the sale is forever barred.

SECTION 3. That the Assembly authorizes the Borough to conduct an outcry auction land sale to be held on August 19, 1995 commencing at 9:00 a.m. in the Assembly Chambers, 144 North Binkley, Soldotna, Alaska, and to cause a public notice to be published in a newspaper of general circulation in the Borough not less than thirty (30) days before the date of the sale.

SECTION 4. That the Borough will execute and deliver to the buyer of any of the sale lands a tax foreclosure deed without warranty or representation which will convey any and all interest the Borough might have in the property. 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 real properties 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 real properties listed for sale may be redeemed by the record owners, or their assigns or heirs, at any time before the sale.

SECTION 5. That the Mayor is hereby authorized to sell those properties designated as foreclosed lands for sale for an amount not less than the judgment amount for taxes, plus penalties, interest and other related costs as shown in the list of lands, certified by the Borough Finance Director, for cash at a public outcry auction. All properties are to be sold subject to any and all restrictions of record, zoning ordinances, and any and all plat requirements and covenants.

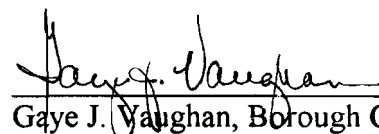
SECTION 6. This ordinance shall take effect at 12:01 a.m. of the day following enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20th DAY OF JUNE, 1995.



Andrew P. Scalzi, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk