

Introduced	Mayor
Date:	5/07/96
Hearing:	6/04/96
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 96-19**

**AN ORDINANCE AUTHORIZING RETENTION AND SALE OF CERTAIN LAND
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, and administration recommends certain parcels be retained for the public purpose;

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

SECTION 1. That the following real properties are approved, accepted and hereby designated as foreclosed land retained for public purpose with a recommended applicable classification:

Parcel Number	Legal Description	Last Owner of Record	Reason For Retention	Applicable Classification
055-253-40	Lot 35 Block 9 Castaway Cove Subdivision Amended, 0.08 acres more or less, plat #84-140, Kenai Recording District	Castaway Cove Owners Association	High Environmental quality per KPB Ord. 87-48, KPB Coastal Mngt. Program and located in floodplain and hazard prone area per KPB 21.06	Government

Parcel Number	Legal Description	Last Owner of Record	Reason For Retention	Applicable Classification
055-254-04	Lot 20 Block 7 Castaway Cove Subdivision Amended, 0.06 acres more or less, plat #84-140, Kenai Recording District	Castaway Cove Owners Association	High Environmental quality per KPB Ord. 87-48, KPB Coastal Mngt. Program and located in floodplain and hazard prone area per KPB 21.06	Government
055-254-05	Lot 19 Block 7 Castaway Cove Subdivision Amended, 0.05 acres more or less, plat #84-140, Kenai Recording District	Castaway Cove Owners Association	High Environmental quality per KPB Ord. 87-48, KPB Coastal Mngt. Program and located in floodplain and hazard prone area per KPB 21.06	Government
055-255-41	Lot 14 Block 6 Castaway Cove Subdivision Amended, 0.08 acres more or less, plat #84-140, Kenai Recording District	Goodwin-Ireland, Jan	High Environmental quality per KPB Ord. 87-48, KPB Coastal Mngt. Program and located in floodplain and hazard prone area per KPB 21.06	Government
055-255-42	Lot 15 Block 6 Castaway Cove Subdivision Amended, 0.08 acres more or less, plat #84-140, Kenai Recording District	Goodwin-Ireland, Jan	High Environmental quality per KPB Ord. 87-48, KPB Coastal Mngt. Program and located in floodplain and hazard prone area per KPB 21.06	Government
066-090-09	Lot 25 Block 1 River Bend Ridge Subdivision Part 1, 0.73 acres more or less, plat #74-81, Kenai Recording District	Riverbend Development	Note on plat: access to Kenai River for property owners of subdivision	Utility/ Transportation

SECTION 2. That the following real properties, certified by the Kenai Peninsula Borough Finance Director as land available for sale, are hereby accepted, approved and designated as foreclosed land 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
012-060-23	NK20	Lot 3 Block 14 Aurora Heights Subdivision, 0.17 acres more or less, plat #K-1510, Kenai Recording District	Klum, Joe & Joyce Denise
012-160-20	NK20	Lot 17 Block 5 Timber Hills Subdivision, 1.79 acres more or less, plat #77-114, Kenai Recording District	Boles, Benjamin R.
012-160-22	NK20	Lot 10 Block 5 Timber Hills Subdivision, 1.86 acres more or less, plat #77-114, Kenai Recording District	Boles, Woodrow J. & Cunningham
012-160-23	NK20	Lot 11 Block 5 Timber Hills Subdivision, 1.86 acres more or less, plat #77-114, Kenai Recording District	Boles, Woodrow J. & Cunningham
012-160-24	NK20	Lot 12 Block 5 Timber Hills Subdivision, 1.86 acres more or less, plat #77-114, Kenai Recording District	Boles, Woodrow J. & Cunningham
013-218-03	NK21	Lot 8 Block 3 Centennial Shores Subdivision No 1, 1.13 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-04	NK21	Lot 9 Block 3 Centennial Shores Subdivision No 1, 1.37 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-05	NK21	Lot 10 Block 3 Centennial Shores Subdivision No 1, 1.27 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-07	NK21	Lot 2 Block 3 Centennial Shores Subdivision No 1, 1.37 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-08	NK21	Lot 3 Block 3 Centennial Shores Subdivision No 1, 1.12 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-17	NK21	Lot 8 Block 2 Centennial Shores Subdivision No 1, 1.96 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-22	NK21	Lot 3 Block 2 Centennial Shores Subdivision No 1, 1.47 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-23	NK21	Lot 2 Block 2 Centennial Shores Subdivision No 1, 1.28 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-25	NK21	Lot 1 Block 1 Centennial Shores Subdivision No 1, 1.56 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-26	NK21	Lot 2 Block 1 Centennial Shores Subdivision No 1, 1.06 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-27	NK21	Lot 3 Block 1 Centennial Shores Subdivision No 1, 1.09 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-28	NK21	Lot 4 Block 1 Centennial Shores Subdivision No 1, 1.00 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-29	NK21	Lot 5 Block 1 Centennial Shores Subdivision No 1, 1.40 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep
013-218-30	NK21	Lot 6 Block 1 Centennial Shores Subdivision No 1, 1.35 acres more or less, plat #85-157, Kenai Recording District	Shriver, Gloria Personal Rep

Parcel Number	Base Map	Legal Description	Last Owner of Record
013-218-31	NK21	Lot 7 Block 1 Centennial Shores Subdivision No 1, 2.22 acres more or less, plat #85-157, Kenai Recording District	Button, Gloria
013-240-51	NK21	Lot 22 Block 2 Wik Lake Terrace Subdivision Addition No 1, 1.39 acres more or less, plat #85-121, Kenai Recording District	Traxinger, Paul V.
013-700-57	NK21	Lot 5 Block 2 Parsons Lake Shores Subdivision, 1.05 acres more or less, plat #84-205, Kenai Recording District	Lewis, Brian G.
014-060-24	NK20	Lot 12 Block 2 Galen Gray Subdivision, 0.31 acres more or less, plat #K-899, Kenai Recording District	Counsellors Investment Company
014-080-05	NK20	Lot 5 Block 1 Marion Subdivision Amended, 0.87 acres more or less, plat #74-108, Kenai Recording District	Covell, Loren Keith
014-080-06	NK20	Lot 6 Block 1 Marion Subdivision Amended, 0.87 acres more or less, plat #74-108, Kenai Recording District	Covell, Loren K.
014-080-07	NK20	Lot 7 Block 1 Marion Subdivision Amended, 0.87 acres more or less, plat #74-108, Kenai Recording District	Covell, Loren K.
014-330-07	NK20	Lot 4-C Ross Subdivision Gibson Addition, 1.00 acres more or less, plat #83-262, Kenai Recording District	Gibson, Danny Joe & Hoy Bun
015-030-11	NK26	Lot 4 Block 2 Miller Subdivision No 2, 0.29 acres more or less, plat #K-1527, Kenai Recording District	Dinger, Wilbur D.
015-030-21	NK21	Lot 2 Block 1 Miller Subdivision No 2, 0.29 acres more or less, plat #K-1527, Kenai Recording District	Dinger, Wilbur D.
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
015-100-05	NK26	Lot 11 Block 3 Baranoff Terrace Subdivision, 0.30 acres more or less, plat #K-1556, Kenai Recording District	Palmer, Shelly S.
015-100-19	NK26	Lot 9 Block 5 Baranoff Terrace Subdivision, 0.36 acres more or less, plat #K-1556, Kenai Recording District	Dollinter, Mike & Loraine
025-144-04	KR04	Tract 12 Strawberry Acres Subdivision, 21.30 acres more or less, plat #85-185, Kenai Recording District	Sacaloff, Nicky R.
025-390-12	NK05	Lot 327 Gray Cliff Subdivision, 4.43 acres more or less, plat #82-80, Kenai Recording District	Fidler, Jerry D.
063-190-05	KR16	Lot 5 Smith-Slater Subdivision No 1, 0.52 acres more or less, plat #K-1352, Kenai Recording District	Shedd, Raymond
063-330-05	KR10	Lot 5 Grandview Subdivision, 9.75 acres more or less, plat #73-60, Kenai Recording District	Larrow, Eva
063-510-34	KR16	Lot 3 Block 2 Timber Lake Estate Subdivision, 1.14 acres more or less, plat #76-164, Kenai Recording District	Langendorf, Arlene
063-580-33	KR16	Lot 19 Block 3 Marriott Subdivision Addition 1 Part 2, 3.16 acres more or less, plat #78-83, Kenai Recording District	Hart, Norbert
065-500-43	KR13	Lot 15 Block 1 Sterling Hills Subdivision, 0.96 acres more or less, plat #79-175, Kenai Recording District	McShea, Roger A.

Parcel Number	Base Map	Legal Description	Last Owner of Record
066-310-16	KR15	Lot 1 Block 4 River Bend Ridge Subdivision Part 5, 1.06 acres more or less, plat #78-126, Kenai Recording District	Kovacs, John & McMillen, George
066-310-17	KR15	Lot 2 Block 4 River Bend Ridge Subdivision Part 5, 1.35 acres more or less, plat #78-126, Kenai Recording District	Kovacs, John & McMillen, George
066-310-18	KR15	Lot 3 Block 4 River Bend Ridge Subdivision Part 5, 1.57 acres more or less, plat #78-126, Kenai Recording District	Kovacs, John & McMillen, George
066-310-24	KR15	Lot 9 Block 4 River Bend Ridge Subdivision Part 5, 1.05 acres more or less, plat #78-126, Kenai Recording District	Kovacs, John & McMillen, George
066-310-25	KR15	Lot 10 Block 4 River Bend Ridge Subdivision Part 5, 1.12 acres more or less, plat #78-126, Kenai Recording District	Kovacs, John & McMillen, George
066-310-28	KR15	Lot 1 Block 5 River Bend Ridge Subdivision Part 5, 1.35 acres more or less, plat #78-126, Kenai Recording District	McMillen, George & Kovacs, John
066-444-52	KR15	Lot 7A Block H Lupine Subdivision No 2, 1.05 acres more or less, plat #84-296, Kenai Recording District	Johnson, Mary E.
131-480-47	KS04	Lot B-5 Char Subdivision Wallace Addition, 1.00 acres more or less, plat #88-30, Kenai Recording District	Lacava, Mike
137-140-49	KS15	Lot 1 Block 5 Youngstown Subdivision 1982 Addition, 0.92 acres more or less, plat #83-55, Kenai Recording District	Laber, John & Blackburn, Lisa
137-330-16	KS15	Lot 12 Block 3 Whispering Spruce Subdivision, 0.93 acres more or less, plat #84-20, Kenai Recording District	Bowlin, Veronica
137-331-17	KS15	Lot 19 Block 5 Whispering Spruce Subdivision, 0.93 acres more or less, plat #84-20, Kenai Recording District	Bollinger, Ronald & Sally
157-030-52	NL10	Lot 1 Block 1 Grandview Estates Subdivision, 8.58 acres more or less, plat #75-31, Homer Recording District	Marascola, Dennis/Sunset et al
157-030-55	NL10	Lot 4 Block 1 Grandview Estates Subdivision, 9.58 acres more or less, plat #75-31, Homer Recording District	Tracy, Richard
159-120-40	NL41	Tract 41 Happy Creek Homesites Subdivision, 5.00 acres more or less, plat #62-711, Homer Recording District	Field, David D.
159-190-21	NL63	Lot 3 Block 2 Bishop Subdivision, 6.58 acres more or less, plat #86-83, Homer Recording District	Bishop, George William, Jr. &
159-190-22	NL63	Lot 4 Block 2 Bishop Subdivision, 6.58 acres more or less, plat #86-83, Homer Recording District	Bishop, George William, Jr.
159-240-40	NL62	Lot 105 Happy Valley 5 Acre Homesites, 5.00 acres more or less, plat #62-629, Homer Recording District	Terraccino, Patrick
165-111-19	AR03	Lot 3 Block 3 Stina Creek Subdivision, 37.07 acres more or less, plat #73-148, Homer Recording District	Pierce, Greg
165-270-07	AR27	Tract 10 North Fork Acres Subdivision No 2, 9.57 acres more or less, plat #74-485, Homer Recording District	Hartman, Leroy & June
165-270-08	AR27	Tract 27 North Fork Acres Subdivision No 2, 9.57 acres more or less, plat #74-485, Homer Recording District	Hartman, Leroy & June
165-270-09	AR27	Tract 26 North Fork Acres Subdivision No 2, 8.73 acres more or less, plat #74-485, Homer Recording District	Hartman, Leroy & June
165-270-16	AR27	Tract 25 North Fork Acres Subdivision No 2, 8.55 acres more or less, plat #74-485, Homer Recording District	Hartman, Leroy & June
165-280-12	AR27	Tract 17-A North Fork Acres Subdivision No 4, 0.67 acres more or less, plat #82-68, Homer Recording District	Hill, Virginia B., et al

Parcel Number	Base Map	Legal Description	Last Owner of Record
165-470-31	AR28	Lot 8 Block 1 Rivendale Estates Subdivision Unit 3, 4.61 acres more or less, plat #77-49, Homer Recording District	Jeppesen, Ida L.
165-470-32	AR28	Lot 9 Block 1 Rivendale Estates Subdivision Unit 3, 6.23 acres more or less, plat #77-49, Homer Recording District	Jeppesen, Ida L.
172-103-03	AR59	Lot 19 World View Subdivision, 1.10 acres more or less, plat #64-75, Homer Recording District	Colclasure, Arlen & Carol
172-103-06	AR59	Lot 14 World View Subdivision, 1.10 acres more or less, plat #64-75, Homer Recording District	Colclasure, Arlen & Carol
172-311-29	AR38	Lot 1 Block 1 Dufour Subdivision Addition No 1, 7.40 acres more or less, plat #90-50, Homer Recording District	Koontz, Merrit D.
185-211-13	AR21	That portion lying northeasterly of Chorus Drive, Voznesenka Subdivision, 0.75 acres more or less, plat #85-31, Homer Recording District	Basargin. E. Dmitre, et al
185-240-15	NONE	North 40 acres of the W 1/2 of U S Survey 3386, 40 acres more or less, T4S, R10W, Sec. 01, Homer Recording District	Yakunin, Nikolai, et al
185-496-04	NL20	T2S, R12W, Sec. 04, NW1/4 NE1/4 portion at corner of Steik Avenue & Lemman Street except portion in streets, 0.38 acres more or less, Homer Recording District	Arneson, Wendell Scott
185-501-02	NL19	T1S, R12W, Sec. 27, NE1/4 NW1/4 excluding that portion within ROWs, 36.10 acres more or less, Homer Recording District	Cooper, Cory K., et al
185-506-07	NL19	T1S, R12W, Sec 27, SW1/4 SE1/4 excluding that portion within ROWs, 36.10 acres more or less, Homer Recording District	Cooper, Vanessa M., et al
191-290-14	NONE	Lot 6 Block 6 Barabara Heights Subdivision, 3.09 acres more or less, plat #79-06, Seldovia Recording District	Osborne, Maren Stella
191-300-13	NONE	Lot 20 Block 7 Barabara Heights Subdivision, 3.06 acres more or less, plat #79-06, Seldovia Recording District	Voss, James W.
191-360-13	NONE	Lot 13 Block 18 Barabara Heights Subdivision, 3.16 acres more or less, plat #79-06, Seldovia Recording District	Moonin, Jessie
191-360-19	NONE	Lot 11 Block 19 Barabara Heights Subdivision, 3.00 acres more or less, plat #79-06, Seldovia Recording District	Hansen, Todd D.

- SECTION 3. A.** Notice of hearing of this ordinance shall be sent by certified mail to the former owners of record 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 owner of record 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 owner of record at his last address of record. Upon presentation of a proper claim, the Borough shall remit the excess to the former owner of record. A claim for the excess which is filed after six (6) months of the date

of the sale is forever barred.

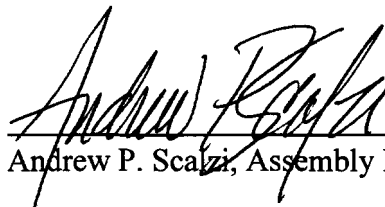
SECTION 4. That the Assembly authorizes the Borough to conduct an outcry auction land sale to be held on August 17, 1996 commencing at 9:00 a.m. in the Assembly Chambers, 144 N. Binkley, Soldotna, Alaska and to cause a public notice to be published in a newspaper of general circulation in the Borough not less than thirty (30) days before the date of the sale.

SECTION 5. 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 rights, 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 owners of record, or their assigns or heirs, at any time before the sale.

SECTION 6. That the Mayor is hereby authorized to sell those properties designated as foreclosed land 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 land, 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.

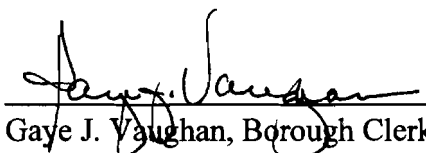
SECTION 7. This ordinance shall take effect at 12:01 a.m. of the day following enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4th DAY OF JUNE, 1996.



Andrew P. Scalzi, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk