



## **KENAI PENINSULA BOROUGH**

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**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Milli Martin, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** *Handwritten signature* David R. Carey, Mayor  
*C Chapman* Craig Chapman, Finance Director  
*MB* Max Best, Planning Director  
*MA* Marcus A Mueller, Land Management Officer

**FROM:** John Miller, Land & Resource Coordinator *MA/SM*

**DATE:** June 25, 2009

**SUBJECT:** Ordinance 2009-40 authorizing the sale of substandard-sized lots obtained by the Kenai Peninsula Borough through tax foreclosure proceedings and retained for a public purpose

The attached ordinance would provide for the sale of certain real property that has been obtained by the borough through tax foreclosure proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes. These parcels were retained for a public purpose because of their substandard size of less than the subdivision code requirement of 40,000 sq. ft., which is the standard to support conventional on-site well and septic.

Properties would only be offered for sale to landowners having property adjoining each sale lot with the stipulation that the purchaser would be required to combine the substandard-sized property with their property by plat prior to closing the sale. This requirement to combine the lots by plat would expand the size of the property creating more conforming lot sizes, which is a better public purpose than retaining them as permanently vacant substandard-sized parcels.

Properties would be sold by sealed bid to the highest eligible bidder, with the minimum bid being the assessed value of the property. Any properties not sold through the sealed bid procedure would be offered over-the-counter for the minimum bid amount until January 1, 2011.

Generally, the properties proposed for sale by this ordinance have been held by the borough for a period of 10 years or more. A number of parcels that have been held for less than 10 years are also included where requests were made by adjoining property owners for the lots to be made available.

Your consideration of this ordinance is appreciated.