



KENAI PENINSULA BOROUGH

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DAVID R. CAREY
BOROUGH MAYOR

MEMORANDUM

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

THRU: *WR* David R. Carey, Mayor
CChapman Craig Chapman, Finance Director
MB Max Best, Planning Director

FROM: *MA* Marcus A Mueller, Land Management Officer

DATE: July 7, 2009

SUBJECT: Ordinance 2009-40 (Mayor) Substitute, Authorizing the sale of substandard sized lots retained for public purpose or authorized by Ordinance 2009-39

A proposed amendment to the tax foreclosure ordinance 2009-39 would transfer nine substandard lots from the retention list in Section 1 to the sale list in Section 2 and would further authorize those lots to be sold through substandard lot sale procedures. If that amendment is passed it becomes necessary to amend this substandard lot sale ordinance to include those nine parcels and to differentiate them by the terms provided by Ordinance 2009-39, which include provisions for notice, excess proceeds, and setting the minimum bid on the lots to taxes, penalty, interest, and costs as required by statute.

In order to manage these amendments, a substitute ordinance is presented for your consideration. This substitute would:

- 1) amend the title;
- 2) add a new 5th Whereas to provide an explanation of the circumstances for inclusion of the amended Ordinance 2009-39 parcels;
- 3) amend Section 1 to exclude two parcels from Ordinance 2009-39 that were proposed for a public purpose designation but now are not to be retained for public purpose but instead sold pursuant to a new Section 2;
- 4) add a new Section 2 listing the nine parcels from Ordinance 2009-39 and include an estimated minimum bid amount of tax, penalty, interest, and costs due to each parcel;
- 5) renumber the remaining sections;
- 6) amend the renumbered Section 8 to address procedures for unsold parcels from the Ordinance 2009-39 list; and
- 7) add a new Section 10 to reference specific applicable provisions of Ordinance 2009-39 which includes notice to the last owner of record, excess proceeds, and the terms of sale for the 2009-39 parcels.

Your consideration of these amendments by substitution is greatly appreciated.