

NON-CODE ORDINANCE

By: Borough Manager
Introduced: 06/17/14
Public Hearing: 08/05/14
Amended: 08/05/14
Adopted: 08/05/14

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 14-093**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE SALE OF CERTAIN BOROUGH-WIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAX YEARS 2005 AND PRIOR, 2006 AND PRIOR, 2007 AND PRIOR, AND 2008 AND PRIOR, AND DELINQUENT SPECIAL ASSESSMENT FOR THE YEAR 2009 AND PRIOR, AND NOT NEEDED FOR PUBLIC PURPOSE.

WHEREAS, the Matanuska-Susitna Borough proposes a sale of properties acquired through foreclosure for taxes and special assessments for which the Borough has held Clerk's deed for more than two years and are not needed for a public purpose; and

WHEREAS, those properties listed in the attached Exhibit "A" have been transferred to the Matanuska-Susitna Borough for delinquent real property taxes for the years 2005 and prior, 2006 and prior, 2007 and prior, 2008 and prior, and delinquent special assessment for 2009 and prior; and

WHEREAS, those properties listed in Exhibit "A" are not needed for a public purpose and have not been repurchased by the former record owner or any party allowed by law to acquire their interest.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Properties for sale. The foreclosed properties authorized for sale by this ordinance are described in Exhibit "A."

Section 3. Procedures. The following procedures are established for the sale of certain real property acquired through tax and special assessment foreclosure.

(A) Approval of sale. The Assembly approves the sale of real properties described in attached Exhibit "A" by sealed bid submitted to the Manager, by outcry auction if the properties do not receive a responsive sealed bid, or by subsequent over-the-counter sales on a first come, first served basis until sold or the 10-year repurchase rights expire. Sealed bids shall be opened on October 22, 2014. Successful bidders will be announced on Saturday, October 25, 2014, at the Dorothy Swanda Jones Building, 350 East Dahlia Avenue, Palmer, Alaska; followed immediately by the outcry auction at the same location.

(B) Minimum sale price. The Manager shall publish a list of properties for sale to include the minimum bid price for each property, as described in Alaska Statute 29.45.470(a) (1-4). The minimum bid price shall not be less than the sum of:

(1) the full amount applicable under the judgement and decree plus interest as specified therein from the date of entry of the judgement of foreclosure to the date of repurchase; and

(2) delinquent taxes and special assessments assessed and levied against the property as though it had continued in private ownership; and

(3) penalties and interest associated with such delinquent taxes and special assessments; and

(4) costs of foreclosure, management, maintenance, and sale incurred by the Borough applicable to the property. The costs of sale may include:

(a) title reports, review, and due diligence; and

(b) notice letters and schedule of fees; and

(c) newspaper display advertisements and postal card mailings; and

(d) property inspections, photographs, and posting notices; and

(e) personnel costs associated with the sale including custodial, security, and facility costs; and

(f) deed preparation and recording fee.

(C) Conditions of sale. Property profiles will be available for review in the Land and Resource Management Division and packets containing bid information shall be available in the Purchasing Division at the Matanuska-Susitna Borough Administration building on borough business days during regular business hours September 26, 2014, through October 24, 2014. Sealed bids will be accepted in the Purchasing Division during

regular borough business hours beginning September 26, 2014, through October 21, 2014, at 2 p.m. Outcry bid cards may be purchased in the Purchasing Division during regular borough business hours beginning September 26, 2014, through October 24, 2014, at 12 noon.

(D) Properties that do not sell will be offered in subsequent over-the-counter tax and special assessment foreclosure sales on a first come, first served basis until sold or the 10-year repurchase rights expire.

(E) Terms of sale. All sales shall be on the following terms:

(1) a bid deposit in the form of a certified check, cashier's check, or money order in an amount equal to and not less than 25 percent of the bid amount rounded up to the next whole dollar shall be submitted with each sealed bid.

(2) the successful bidder shall sign a promissory note for the balance due, to be paid by certified check, cashier's check, or money order not later than two borough business days after the date of the tax and special assessment foreclosure sale. After the payment in full has been received, the Manager shall execute a Tax and LID Foreclosure Sale Deed in favor of the purchaser.

(3) a bidder shall forfeit the down payment to the Borough if a property is offered to the bidder and the bidder

fails to fully comply with the terms and conditions of the sale. In the event of forfeiture, the property will be offered to the next highest bidder.

(4) all successful bidders or their agents are required to be present on Saturday, October 25, 2014, at 9 a.m., to accept the property and sign the promissory note. Low or non-responsive bids will be returned to the unsuccessful bidders on the day of the sale or may be picked up at the borough offices during borough business hours after the sale date.

(5) the date and time each bid is received shall be recorded. In the event of a tie bid, the bid received first will be the successful bid.

(F) Outcry auction. The properties not receiving a sealed bid will be offered at outcry auction immediately following the signing of the promissory notes for the sealed bids.

(1) all outcry bidders must purchase a bid card.

(2) bid cards may be purchased for \$350.


(G) Qualification of bidders. A bidder shall meet the qualifications of MSB 23.10.090.

(H) Authority of the Manager. The Assembly directs the Manager to publish such sale procedures, as he shall deem advisable. All bidders must comply with said procedures to be considered responsive bidders. The Manager shall have the sole discretion to determine if a bidder has complied with bid and sale

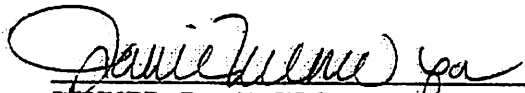
procedures. The Manager is hereby authorized to sell the property described in Exhibit "A" to disburse the funds received as required by Alaska Statute 29.45.480, and in the best interest of the Borough to reserve the right to withdraw any property from the sale.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 5 day of August, 2014.


LARRY DEVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Sykes, Beck, Arvin, Colligan, Salmon,
Colver, and Halter

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
543010000000	TS031-01	SORENSEN KENNETH L EST	YA 10	MOUNT YENLO AREA

Alaska State Land Survey No. 91-239, according to Plat Number 94-73, located in the Anchorage Recording District, Third Judicial District, State of Alaska.

56465000T00M	TS031-02	DWYER THOS J & IRENE C	SL 9	SHELL LK AREA
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Alaska State Land Survey No. 72-43 Tract M, located in Section 2, Township 21 North, Range 12 West, Seward Meridian, according to the official plat thereof, filed under Plat Number 73-77, located in the Anchorage Recording District, Third Judicial District, State of Alaska.

52048B04L002	TS031-03	BELLINGER THOMAS MICHAEL EBERT RHONDA	SK 6	SKWENTNA AREA
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Alaska State Land Survey No. 79-205, Skwentna Station Alaska Subdivision, Block 4, Lot 2, according to Plat Number 80-129 recorded September 29, 1980, located in the Anchorage Recording District, Third Judicial District, State of Alaska.

52048B04L001	TS031-04	WALTZ CAROLYN E	SK 6	SKWENTNA AREA
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Alaska State Land Survey No. 79-205, Skwentna Station Alaska Subdivision, Block 4, Lot 1, according to Plat No. 80-129 recorded September 29, 1980, located in the Anchorage Recording District, Third Judicial District, State of Alaska.

52135B11L009	TS031-05	JUVETTE EUGENE S	CV 7	DENALI PK AREA
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Alaska State Land Survey No. 80-131, Indian River Subdivision, Block 11, Lot 9, according to Plat No. 81-50, located in the Talkeetna Recording District, Third Judicial District, State of Alaska.

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
4U03075000L00	TS031-06	DAVIDSON ROSEMARY EST	CV 8	DENALI PK AREA

U.S. Survey No. 3075, situated on the Northeasterly side of the Alaska Railroad at Mile Station 276.5, located in the Talkeetna Recording District, Third Judicial District, State of Alaska.

52244B31L001	TS031-07	LUTE MARY KATHLEEN	BA 41	LARSON LK AREA
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Alaska State Land Survey No. 80-176, Bald Mountain Subdivision, Block 31, Lot 1, according to Plat No. 81-116, located in the Talkeetna Recording District, Third Judicial District, State of Alaska.

52244B31L003	TS031-08	OLIVEIRAALDEN N ESTATE	BA 41	LARSON LK AREA
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Alaska State Land Survey No. 80-176, Bald Mountain Subdivision, Block 31, Lot 3, according to Plat No. 81-116, located in the Talkeetna Recording District, Third Judicial District, State of Alaska.

56287B03L012	TS031-09	NEUMANN NORMAN R EST	MO 15	MONTANA AREA
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Sportsmen Acres, Block 3, Lot 12, according to Refiled Plat No. 79-433, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56602B04L010	TS031-10	GRAYHORSE THOS R&KIMBERLY CA	2	CASWELL AREA
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Chandalar, Block 4, Lot 10, according to Plat No. 75-39, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56070000L0732	TS031-11	MANEY RODNEY G MANEY LUCILA E	CA 1	CASWELL AREA
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Caswell Lakes Subdivision, Lot 732, according to Plat No. 68-10, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Ordinance Serial No. 14-023
IM No. 14-137

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
56070000L1152	TS031-12	CLEMONS MARK SMALL KRISTIN M	CA 1	CASWELL AREA

Caswell Lakes Subdivision, Lot 1152, according to Plat No. 68-10, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56070000L1153	TS031-13	CLEMONS MARK SMALL KRISTIN M	CA 1	CASWELL AREA
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Caswell Lakes Subdivision, Lot 1153, according to Plat No. 68-10, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56070000L1154	TS031-14	CLEMONS MARK SMALL KRISTIN M	CA 1	CASWELL AREA
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Caswell Lakes Subdivision, Lot 1154, according to Plat No. 68-10, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56070000L0055	TS031-15	REAMER ROBERT N	CA 1	CASWELL AREA
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Caswell Lakes Subdivision, Lot 55, according to Plat No. 68-10, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56598B06L005	TS031-16	COLBERT GARY L EST	CA 8	CASWELL AREA
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Hidden Hills Estates, Block 6, Lot 5, according to Plat No. 75-43, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56598B09L001	TS031-17	HAMILTON DAVID	CA 8	CASWELL AREA
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Hidden Hills Estates, Block 9, Lot 1, according to Plat No. 75-43, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
51230B03L012	TS031-18	SCHADE GARY C & MARIA O	CA 14	CASWELL AREA

Rustic Wilderness, Division No. 3, Block 3, Lot 12, according to Plat No. 76-84, located in the Palmer Recording District, Third Judicial District, State of Alaska.

53189B07L010	TS031-19	BOWELL RICHARD II	WI 10	WILLOW AREA
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Silverwoods Acres, Phase I, Block 7, Lot 10, according to Plat No. 86-22, located in the Palmer Recording District, Third Judicial District, State of Alaska.

52251B05L007-1	TS031-20	LEHECKA GARY R	FH 22	FLAT HORN AREA
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Alaska State Land Survey No. 80-133. Dinglishna Hill Alaska Subdivision, Block Five (5), Lot Seven (7) and Lot (8), according to Plat Number 81-281, located in the Anchorage Recording District, Third Judicial District, State of Alaska.

51218B02L009	TS031-22	LEA SHAUN	HO 11	BEAVER LKS AREA
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Old Toby Town Subdivision, Block 2, Lot 9, according to Plat No. 76-82, located in the Palmer Recording District, Third Judicial District, State of Alaska.

51311B01L006	TS031-23	CONNER REBA M	HO 12	BEAVER LKS AREA
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Huskie Retreat, Block 1, Lot 6, according to Plat No. 77-67, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56124B07L006	TS031-24	LITTLE DONNA L	HO 12	BEAVER LKS AREA
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Freeman Subdivision Addn. No. 1, Block 7, Lot 6, according to Plat No. 71-34, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
56123B03L003	TS031-25	TRENT HERMAN	HO 12	BEAVER LKS AREA

Freeman Subdivision, Block 3, Lot 3, according to Plat No. 71-6, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56297000T00A	TS031-26	HAYES JOEL	HO 12	BEAVER LKS AREA
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Beaverhouse Lake Estates, Tract A, according to Refiled Plat No. 2006-58, located in the Palmer Recording District, Third Judicial District, State of Alaska.

217N03W19C025	TS031-27	MCCORMACK TODD E	HO 13	BIG LK AREA
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That portion of Lot 52, Section 19, Township 17 North, Range 3 West, Seward Meridian, located in the Palmer Recording District, Third Judicial District, State of Alaska, more particularly described as follows: Commencing at the Southwest corner of said Lot 52; Thence East along the South line of said lot a distance of 406.00 feet to the Point Of Beginning; Thence continue East along the South line of said lot a distance of 160.00 feet more or less to the meander line of Big Lake; Thence Northerly along the meander line of Big Lake to a point 160.00 feet more or less East of and 50.00 feet North of the Point Of Beginning; Thence West 160.00 feet more or less to a point 50.00 Feet North of the Point Of Beginning; Thence South 50.00 feet to the Point Of Beginning.

216N04W02A009	TS031-28	HENDRICKS R LEE& JOSLYN A	GB 3	BIG LK AREA
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A portion of land lying within United States Government Lot 1, Section 2, Township 16 North, Range 4 West, Seward Meridian, located in the Palmer Recording District, Third Judicial District, State of Alaska, more particularly described as: All of United States Government Lot 1 excepting the East 740 feet of said Lot 1.

53320B04L007	TS031-29	LAVINE DOROTHY A LAVINE STEVEN E EST	HO 15	HOUSTON-PARKS HWY AREA
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Dawn Lake Estates No. 2, Block 4, Lot 7, according to Plat No. 87-4, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Ordinance Serial No. 14-099
 IM No. 14-137

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
52917B02L036	TS031-30	SMITH JAS MARK JR	HO 16	KNIK-GOOSE BAY AREA

Victoria Estates, Phase I, Block 2, Lot 36, according to Plat No. 84-297, located in the Palmer Recording District, Third Judicial District, State of Alaska.

~~50517B01L001 TS031-31 THEODORE PAUL HO 15 KNIK-GOOSE BAY AREA~~

~~Columbia Hills Subdivision, Block 1, Lot 1, according to Plat No. 74-39, located in the Palmer Recording District, Third Judicial District, State of Alaska.~~

~~50540B01L000 TS031-32 SCOTT ANGIE GB 1 KNIK-GOOSE BAY AREA~~

~~Skyline Heights, Block 1, Lot 6, according to Plat No. 75-10, located in the Palmer Recording District, Third Judicial District, State of Alaska.~~

56572B04L003	TS031-34	SNIDER NEIL ALLEN EST	GB 8	KNIK-GOOSE BAY AREA
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Skyline Estates Add. No. 1, Block 4, Lot 3, according to Plat No. 75-18, located in the Palmer Recording District, Third Judicial District, State of Alaska.

~~50234000L003 TS031-35 WINTERROWD RALPH KERMIT 2 GB 8 KNIK-GOOSE BAY AREA~~

~~Old Knik Harbor Subdivision, Lot 3, according to Plat No. 61-38, located in the Palmer Recording District, Third Judicial District, State of Alaska.~~

56234000L002	TS031-36	WINTERROWD RALPH KERMIT 2	GB 8	KNIK-GOOSE BAY AREA
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Old Knik Harbor Subdivision, Lot 2, according to Plat No. 61-38, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Ordinance Serial No. 14-093
 IM No. 14-137

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
51200000T009	TS031-37	TAYLOR CURTIS L	HO 10	HOUSTON-PARKS HWY AREA

Blair Subdivision, Tract 9, according to Plat No. 76-65, located in the Palmer Recording District, Third Judicial District, State of Alaska.

~~51518B06L014 TS031-38 OLD HARBOR CO HO 10 MEADOW LKS AREA~~

~~South Shore Acres, Block 6, Lot 14, according to Refined Plat No. 83-138, located in the Palmer Recording District, Third Judicial District, State of Alaska~~

56429B04L024	TS031-39	WILLIAMS MICHAEL E	HO 10	MEADOW LKS AREA
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Rainbow Park Estates, Block 4, Lot 24, according to Plat No. 73-32, located in the Palmer Recording District, Third Judicial District, State of Alaska.

51310B04L002	TS031-40	MURRAY JOHN B	HO 8	MEADOW LKS AREA
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Sherwood Estates, Block 4, Lot 2, according to Refined Plat No. 2001-14, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56319B07L031	TS031-41	HARRIS WM	HO 8	MEADOW LKS AREA
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Treasure Island Subdivision, Block 7, Lot 31, according to Plat No. 71-33, located in the Palmer Recording District, Third Judicial District, State of Alaska.

51596B03L003	TS031-42	MARMON BILLIE JEAN	HO 8	MEADOW LKS AREA
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Flying Crown Estates Subdivision, Block 3, Lot 3, according to Plat No. 78-188, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
51111B03L003	TS031-43	BERESFORD MARIACRUZ FINE LARRY E	HO 9	WASILLA AREA

Wasilla West Subdivision, Block 3, Lot 3, according to Plat No. 74-63, located in the Palmer Recording District, Third Judicial District, State of Alaska.

51370B04L024	TS031-45	WORTHLEY HERBERT H	WA 5	WASILLA AREA
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Stoneridge Heights, Block 4, Lot 24, according to Plat No. 77-141, located in the Palmer Recording District, Third Judicial District, State of Alaska.

59154B04L014	TS031-46	DENNETT SCOTT	WA 8	SCHROCK RD AREA
		PERGAK DENNETT MARY		

~~DEVON WOOD SUBDIVISION DIV III BLOCK 1 LOT 14, ACCORDING TO PLAT 1985-190, LOCATED IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA~~

51069B08L007	TS031-47	WINLAND RICHARD E SR PERRIGO-WRIGHT ZAIDEE E	WA 11	BOGARD RD AREA
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Williwaw Subdivision No. 2, Block 8, Lot 7, according to Plat No. W-76, filed January 19, 1960, located in the Palmer Recording District, Third Judicial District, State of Alaska.

52754B04L005	TS031-48	MAXSON SUSAN	WA 14	FAIRVIEW LOOP RD AREA
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~~New Haven Subdivision, Block 1, Lot 5, according to Plat No. 84-119, located in the Palmer Recording District, Third Judicial District, State of Alaska.~~

51248B04L005	TS031-49	FINE LARRY E	WA 11	MIDWAY AREA
		BERESFORD FINE MARY BERES FORD MARIACRUZ		

~~Whispering Woods, Block 1, Lot 5, according to Plat No. 76-88, located in the Palmer Recording District, Third Judicial District, State of Alaska.~~

Ordinance Serial No. 14-093
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Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
51145000L008	TS031-50	CULBERTSON CLAY M & RAYMA	WA 10	MIDWAY AREA

L.W. Hartley, Lot 8, according to Plat No. 65-22, located in the Palmer Recording District, Third Judicial District, State of Alaska.

56369B01L001	TS031-51	MEIER STEVE J	WA 7	BOGARD RD AREA
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Frontier Acres, Block 1, Lot 1, according to Plat No. 73-82, located in the Palmer Recording District, Third Judicial District, State of Alaska.

58189000L003	TS031-52	DEAN BRUCE A	WA 2	WASILLA-FISHHOOK RD AREA
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~~Little Susitna Estates, Lot 9, according to Plat No. 72-32, located in the Palmer Recording District, Third Judicial District, State of Alaska.~~

53008B04L001	TS031-53	LEEK LESTER J EST	PA 6	LAZY MTN AREA
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Carl C. Brix Subdivision, Block 4, Lot 1, according to Plat recorded in Deed Book 10 at Page 308, located in the Palmer Recording District, Third Judicial District, State of Alaska; EXCEPTING THEREFROM that portion conveyed to the State of Alaska by Declaration of Taking, recorded November 13, 1961 in Misc. Book 1 at Page 269.

54004B11L005	TS031-54	PARKERSON KEITH	SU 14	TOWN OF SUTTON
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Replat of McPherson Subdivision, Block 11, Lot 5, according to Plat recorded in Book 18 at Page 226, located in the Palmer Recording District, Third Judicial District, State of Alaska.

54004B11L002	TS031-55	PARKERSON KEITH	SU 14	TOWN OF SUTTON
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Replat of McPherson Subdivision, Block 11, Lot 2, according to Plat recorded in Book 18 at Page 226, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Ordinance Serial No. 14-013
 IM No. 14-137

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS031
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
54004B11L001	TS031-56	PARKERSON KEITH	SU 14	TOWN OF SUTTON

Replat of McPherson Subdivision, Block 11, Lot 1, according to Plat recorded in Book 18 at Page 226, located in the Palmer Recording District, Third Judicial District, State of Alaska.

120N05E33C008	TS031-57	HESTER CLARENCE & SUANNA SCHWARTZ JOS A & HESTER W	CN 5	CHICKALOON AREA
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The South one-half of the Southwest one-quarter of the Southwest one-quarter (S1/2 SW1/4 SW1/4), Section 33, Township 20 North, Range 5 East, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska.

4U03485000L42	TS031-58	ORT VERNON	LL 16	LK LOUISE AREA
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U.S. Survey No. 3485, Lot 42, located in the Talkeetna Recording District, Third Judicial District, State of Alaska.

SUBJECT: The sale of certain borough-wide real property acquired through tax and special assessment foreclosure for delinquent real property tax years 2005 and prior, 2006 and prior, 2007 and prior, 2008 and prior, and special assessment for 2009 and prior and not needed for public purpose.

AGENDA OF: June 17, 2014

ASSEMBLY ACTION:
 OR 14-093 was amended & adopted without objection 8-5-14

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
1	Originator	wh	6-3-14
2	Community Development Manager	Φ	
3	Finance Director	JCC	6/5/14
4	Borough Attorney	AS	
5	Borough Clerk	JAM	4/9/14

ATTACHMENT (S): Fiscal Note: Yes X No _____
 Attachments (2 pp) Sale parcel listing
 Ordinance Serial No. 14-093 (6 pp)
 Exhibit "A" (10 pp)

SUMMARY STATEMENT:

The Land and Resource Management Division proposes conducting its 18th annual tax & special assessment (LID) foreclosure sale (TS031) since 1996. TS031 will consist of properties described in Ordinance Serial No. 14-093 Exhibit A that have been foreclosed upon for taxes and special assessments for which the borough has held clerk's deed for more than two years. To be removed from this sale, all delinquencies and costs must be paid.

Title ownership to these parcels was transferred by the Superior Court to the borough by Clerk's Deed. All of the proposed sale properties belong to the borough, not the former record owners. The borough has owned these parcels for at least two years.

When the borough became the owner, every right, title and interest of a person in the tax-foreclosed property was forfeited forever to the borough subject only to repurchase rights of the former owner; that is, the borough may sell the property back to the former owner for delinquent taxes, plus interest, costs of foreclosure and sale, and costs of maintaining and managing the property. The owner had several opportunities to stop the foreclosure process prior to the borough receiving title to the property.

First, the owner was notified of a potential foreclosure action by a pre-foreclosure courtesy notice mailed about 2 months prior to the borough filing its petition in court. This was the easiest and least expensive time to stop foreclosure. Next, legal process began.

The borough presented a petition for judgment and a certified copy of the foreclosure list for taxes that had been delinquent for at least two years and special assessment that had been delinquent for at least one year. At this time the last known owner of each property was mailed a notice advising of the foreclosure proceeding. The foreclosure list was also published for 4 consecutive weeks in the local newspaper. This was the second opportunity for the owner to stop foreclosure and keep their property.

After 60 days, the court signed the judgment and decree of foreclosure on those properties remaining unpaid, which was recorded at the state recorders' offices. The redemption period began when the borough had to hold delinquent properties for at least one year. This did not affect the property owner's right to possession during this time.

At least 30 days before the one-year right of expiration of redemption period ended, the borough was required to publish in the newspaper, a redemption period notice and send a copy of the notice by certified mail to each record owner. The notice stated that "unless redeemed..., all properties...shall be deeded to the Matanuska-Susitna Borough immediately on expiration of the period of redemption...and that every right or interest of a person in the properties will be forfeited forever to the Matanuska-Susitna Borough, subject only repurchase rights..." This was the last time to stop the borough from becoming owner of the property.

The borough received its deed from the clerk of the court. The borough now owned the property and the "former owner's right to possession" allowed during the redemption period, ceased.

Two years after clerk's deed is received the borough offers for sale those properties approved by ordinance. The borough has not evicted anyone occupying these borough-owned properties despite the potential risk to the borough during this time, nor has the borough acted as landlord by collecting rent on these tax-foreclosed

properties it owns.

On July 16, 2013, one improved parcel was removed from the competitive sale by the assembly. No money, including any Permanent Fund Dividend funds, has been received since August 15, 2013 to date on this parcel; at that time, \$1,460 was paid toward the balance due on the 2006 taxes.

The sale will be held on October 25, 2014, in the borough building. The sale will be conducted according to Alaska State Statutes (AS29.45.460-480) and Matanuska-Susitna Borough Code (23.10.220). The minimum bid for each property is the sum of the delinquent taxes and special assessments, penalties, interest owed through the date of the sale, costs of the foreclosure(s) through clerk's deed(s) and the costs incurred by the borough to sell the properties. The properties will first be offered by sealed bid, followed by an outcry auction for parcels that did not receive a sealed bid. Properties that do not sell in Tax & LID Foreclosure Sale TS031 will be offered in subsequent over-the-counter tax and LID foreclosure sales on a first come, first served basis until sold or the 10-year repurchase rights expire. At such time as the 10-year repurchase rights expire and the former record owner loses all right to the property, the properties may be sold at fair market value.

RECOMMENDATION OF ADMINISTRATION:

Adoption of Ordinance 14-093 authorizing tax and LID Foreclosure Sale TS031 and the sale of properties described in Exhibit A.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: June 17, 2014

ORIGINATOR: Finance

SUBJECT: The sale of certain borough-wide real property acquired through tax and special assessment foreclosure for delinquent real property tax years 2005 & prior, 2006 & prior, 2007 & prior, and 2008 & prior, and delinquent special assessment for 2009 & prior, and not needed for public purpose.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED *	FUNDING SOURCE
FROM ACCOUNT #	PROJECT #
TO ACCOUNT: <u>Various</u>	PROJECT #
VERIFIED BY: <u>Barbara Baunger</u>	CERTIFIED BY:
DATE: <u>6/5/14</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE		*				
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FUNDING: (Thousands of Dollars)

General Fund		*				
State/Federal Funds						
Other <u>Various</u>		*				
TOTAL		*				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) * Exact amount will be based upon bids on date of sale. The amount is not known at this time.

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: [Signature] DATE: 6/5/14

*****Tax Sale 31 Tentative Sale date 10/25/2014*****

TS #	Tax ID #	LID	assessed value	Improvement	sum of all imprv value	building/structure value	well/septic	other
TS31-01	543010000000		\$2,400	no	\$0	\$0	\$0	\$0
TS31-02	56465000T00M		\$12,800	no	\$0	\$0	\$0	\$0
TS31-03	52048B04L002		\$6,300	no	\$0	\$0	\$0	\$0
TS31-04	52048B04L001		\$6,300	no	\$0	\$0	\$0	\$0
TS31-05	52135B11L009		\$5,500	no	\$0	\$0	\$0	\$0
TS31-06	4U03075000L00		\$5,561	yes	\$1,161	\$0	\$0	\$1,161
TS31-07	52244B31L001		\$3,900	no	\$0	\$0	\$0	\$0
TS31-08	52244B31L003		\$4,400	no	\$0	\$0	\$0	\$0
TS31-09	56287B03L012		\$5,500	no	\$0	\$0	\$0	\$0
TS31-10	56602B04L010		\$13,700	yes	\$3,700	\$200	\$3,500	\$0
TS31-11	56070000L0732		\$5,600	no	\$0	\$0	\$0	\$0
TS31-12	56070000L1152		\$3,800	no	\$0	\$0	\$0	\$0
TS31-13	56070000L1153		\$4,800	yes	\$1,000	\$0	\$0	\$1,000
TS31-14	56070000L1154		\$3,800	no	\$0	\$0	\$0	\$0
TS31-15	56070000L0055		\$5,600	no	\$0	\$0	\$0	\$0
TS31-16	56598B06L005		\$23,000	yes	\$4,000	\$4,000	\$0	\$0
TS31-17	56598B09L001		\$14,600	yes	\$100	\$100	\$0	\$0
TS31-18	51230B03L012		\$1,500	none	\$0	\$0	\$0	\$0
TS31-19	53189B07L010		\$74,000	yes	\$58,800	\$50,300	\$8,500	
TS31-20	52251B05L007-1		\$8,000	no	\$0	\$0	\$0	\$0
TS31-22	51218B02L009		\$30,000	yes	\$16,000	\$16,000	\$0	\$0
TS31-23	51311B01L006		\$38,100	yes	\$25,100	\$16,600	\$8,500	
TS31-24	56124B07L006		\$9,000	no	\$0	\$0	\$0	\$0
TS31-25	56123B03L003		\$24,700	yes	\$16,700	\$15,200	\$0	\$1,500
TS31-26	56297000T00A		\$7,000	no	\$0	\$0	\$0	\$0
TS31-27	217N03W19C025		\$130,200	yes	\$73,400	\$64,900	\$8,500	\$0
TS31-28	216N04W02A009		\$140,500	yes	\$100,100	\$91,600	\$8,500	\$0
TS31-29	53320B04L007		\$35,100	yes	\$22,100	\$18,600	\$3,500	\$0
TS31-30	52917B02L036		\$24,000	no	\$0	\$0	\$0	\$0
TS31-31	56517B01L001		\$20,000	no	\$0	\$0	\$0	\$0
TS31-33	56540B01L008		\$29,800	yes	\$17,800	\$9,300	\$8,300	\$0
TS31-34	56572B04L003		\$51,100	yes	\$40,100	\$40,100	\$0	\$0
TS31-35	56234000L003		\$182,300	yes	\$112,100	\$98,000	\$8,300	\$3,000
TS31-36	56234000L002		\$70,100	no	\$0	\$0	\$0	\$0
TS31-37	51200000T009		\$64,300	yes	\$41,900	\$30,400	\$8,500	\$3,000
TS31-38	51518B00L014		\$50,200	yes	\$1,700	\$100	\$0	\$1,600
TS31-39	56429B04L024		\$24,800	yes	\$6,800	\$6,800	\$0	\$0
TS31-40	51310B04L002		\$16,000	no	\$0	\$0	\$0	\$0
TS31-41	56319B07L031		\$500	no	\$0	\$0	\$0	\$0
TS31-42	51596B03L003		\$119,100	yes	\$76,200	\$67,700	\$8,500	\$0
TS31-43	51111B03L003		\$27,000	no	\$0	\$0	\$0	\$0
TS31-45	51370B04L024		\$46,200	no	\$0	\$0	\$0	\$0
TS31-46	53154B01L014		\$225,000	yes	\$193,000	\$184,500	\$8,500	\$0
TS31-47	51069B08L007		\$12,100	yes	\$100	\$0	\$0	\$100
TS31-48	52754B01L005	gas pd current	\$217,800	yes	\$137,800	\$149,300	\$8,300	\$0

*****Tax Sale 31 Tentative Sale date 10/25/2014 *****

TS #	Tax ID #	LID	assessed value	improvement	sum of all imprv value	building/structure value	well/septic	other
TS31-49	51249B01L005		\$170,000	yes	\$118,000	\$118,000	\$0	\$0
TS31-50	51145000L008		\$165,900	yes	\$10,500	\$0	\$8,500	\$2,000
TS31-51	56369B01L001		\$35,200	no	\$0	\$0	\$0	\$0
TS31-52	58189800L005		\$74,700	yes	\$53,100	\$20,000	\$8,500	\$0
TS31-53	53008B04L001		\$500	no	\$0	\$0	\$0	\$0
TS31-54	54004B11L005		\$15,000	no	\$0	\$0	\$0	\$0
TS31-55	54004B11L002		\$14,000	no	\$0	\$0	\$0	\$0
TS31-56	54004B11L001		\$14,000	no	\$0	\$0	\$0	\$0
TS31-57	120N05E33C008		\$45,100	yes	\$9,100	\$9,100	\$0	\$0
TS31-58	4U03485000L42		\$21,900	yes	\$900	\$900	\$0	\$0