

**PETERSBURG BOROUGH
ORDINANCE #2015-09**

**AN ORDINANCE DECLARING THAT PROPERTY CONVEYED TO THE BOROUGH IN A TAX
FORECLOSURE PROCEEDING IS NOT REQUIRED FOR A PUBLIC PURPOSE AND SHALL BE
DISPOSED OF BY THE BOROUGH**

Whereas, a tax foreclosure proceeding regarding real property taxes for tax year 2012 was initiated by the Borough, the successor in interest to the City of Petersburg, in August of 2013 in the Superior Court, First Judicial District at Petersburg, and designated 3PE-13-43 Civil; and

Whereas, on December 9, 2013, the Court entered a Judgment and Decree, in favor of the Petersburg Borough, transferring to the Borough the properties remaining on the foreclosure list, subject only to the statutory rights of redemption; and

Whereas, starting on November 13, 2014 and in compliance with applicable state statutes and borough ordinances, the Borough caused to be published a Notice of Expiration of Redemption Period, once a week for a period of four consecutive weeks; and

Whereas, following expiration of the notice period, the 2012 taxes on two properties (both mobile homes) remained unpaid, and the Borough thereafter sought and received tax conveyance and deed documents from the Clerk of Court, formally transferring ownership of those two properties to the Petersburg Borough; and

Whereas, under A.S. 29.45.460 and PMC 4.26.460, the Borough is now required to determine whether each foreclosed and transferred property shall be retained for a public purpose; and

Whereas, on May 6, 2015, the Borough Building Official inspected the mobile homes, found numerous code violations and safety and health deficiencies in both properties, determined that both were uninhabitable and that the cost of repairs to make sale of either property feasible would exceed the value of that property, and recommended that both mobile homes be destroyed.

Therefore the Petersburg Borough ordains,

Section 1. Classification: This ordinance is of a non-code nature and shall not be codified in the Petersburg Borough Code.

Section 2. Purpose: The purpose of this ordinance is to determine whether certain tax-foreclosed property is to be retained for a public purpose.

Section 3. Substantive Provisions:

A. The following described property (mobile home only) was previously owned by Shane Carnes, and obtained by the Borough pursuant to a tax foreclosure proceeding:

1955 silver Spartan mobile home, serial number 34355477, currently located at 7W Island Court in Petersburg, Alaska.

B. It is hereby determined that a public need for the property does not exist, and that it will not be retained for a public purpose. Based upon the inspection conducted by the Building Official, and the Building Official's recommendations, the mobile home shall be destroyed and disposed of by the Borough.

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective areawide immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this _____ day of _____, 2015.

Mark Jensen, Borough Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective: