

**PETERSBURG BOROUGH  
ORDINANCE #2019-08**

**AN ORDINANCE DETERMINING 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 2016 was initiated by the Petersburg Borough in August of 2017 in the Superior Court, First Judicial District at Petersburg, and designated 1PE-17-35 Civil; and

**WHEREAS**, on December 18, 2017, 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 February 7, 2019 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 2016 taxes on the property described below remained unpaid, and the Borough thereafter sought and received a tax conveyance and deed from the Clerk of Court, formally transferring ownership of that property to the Petersburg Borough, which was recorded on August 12, 2019 in the records of the Petersburg Recording District as document number 2019-00451-0; and

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

**WHEREAS**, the property obtained by the Borough pursuant to a tax foreclosure proceeding is a Mobile Home Trailer only (and does not include land); and

**WHEREAS**; the Trailer has been inspected by a Borough Official, and deemed to be in poor physical condition, that could be unsafe to habitat, and that the cost of repairs to make sale of the property feasible would exceed the value of that property; and

**WHEREAS**, the physical condition makes the property better suited for demolition and removal, rather than to be included in a land sale or retained for public purpose.

**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 a certain tax-foreclosed property is to be demolished and removed.

**Section 3. Substantive Provisions:**

A. The following described property was previously owned by Joseph Brantuas, and obtained by the Borough pursuant to a tax foreclosure proceeding:

Trailer Only, a 1987 White HDME trailer, serial/vin number AK30416, located at space #22 Towne Court, in Section 27 of T58S, R79E, Copper River Meridian, Petersburg Recording District, First Judicial District, State of Alaska (street address: 404 Ira II St #22)

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 a Borough Official, the Trailer shall be demolished and removed.

**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 immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**Mark Jensen, Borough Mayor**

**ATTEST:**

\_\_\_\_\_  
**Debra K. Thompson, Borough Clerk**

Adopted:  
Published:  
Effective: