

**PETERSBURG BOROUGH
ORDINANCE #2018-13**

**AN ORDINANCE DETERMINING THAT PROPERTY CONVEYED TO THE BOROUGH IN A
TAX FORECLOSURE PROCEEDING SHALL BE RETAINED FOR A PUBLIC PURPOSE**

Whereas, a tax foreclosure proceeding regarding real property taxes for tax year 2015 was initiated by the Petersburg Borough in August of 2016 in the Superior Court, First Judicial District at Petersburg, and designated 1PE-16-35 Civil; and

Whereas, on November 14, 2016, 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 30, 2017 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 2015 taxes on one property remained unpaid, and the Borough thereafter sought and received a tax deed from the Clerk of Court, formally transferring ownership of that property to the Petersburg Borough, which was recorded on April 16, 2018 in the records of the Petersburg Recording District as document number 2018-00154-0; 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, on February 28, 2005, a drainage easement on this property was recorded, as required by Federal Aid Project No. STP-093, in the Petersburg Recording District as document number 2005-000171-0 by the State of Alaska, Department of Transportation & Public Facilities; and

Whereas, on August 18, 2008, an electric easement and right-of-way was recorded in the Petersburg Recording District on this property, as document number 2008-000670-0; and

Whereas, these significant easements, along with the location of the property directly fronting the Mitkof Highway, make the property better suited for retention for a public purpose, rather than to be included in a land sale.

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 retained for a public purpose.

Section 3. Substantive Provisions:

A. The following described property was previously owned by Shelly Martens (a/k/a Shelly Sokol), and obtained by the Borough pursuant to a tax foreclosure proceeding:

Tract C, a Portion of G.L. 2 of Section 10 of T59S, R79E, Copper River Meridian, as shown on the Ted Sokol Subdivision, Plat No. 88-14 Petersburg Recording District, First Judicial District, State of Alaska (street address: 313 Mitkof Highway)

B. It is hereby determined that the property will be retained for a public purpose.

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 4th day of June, 2018.

Mark Jensen, Borough Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective:

CURVE	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	686.62'	01°50'06"	21.99'	S 30°50'09" E
C2	686.62'	05°50'59"	70.07'	S 26°12'18" E

EASEMENT SKETCH

SHOWING EASEMENT C1

WITHIN TRACT C OF G.L. 2

SEC. 10, T59S, R79E, C.R.M.

PETERSBURG RECORDING DISTRICT

0' 30' 60' 90'



PREPARED FOR THE CITY OF PETERSBURG
BY RICK G. BRAUN, L.S., SEPTEMBER 25, 2007

