

**PETERSBURG BOROUGH
ORDINANCE #2021-06**

**AN ORDINANCE DETERMINING THAT PROPERTY CONVEYED TO THE
BOROUGH IN A TAX FORECLOSURE PROCEEDING SHALL NOT BE RETAINED
FOR A PUBLIC PURPOSE AND SHALL HEREAFTER BE SOLD**

WHEREAS, a tax foreclosure proceeding regarding real property taxes for tax year 2017 was initiated by the Petersburg Borough in the Superior Court, First Judicial District at Petersburg, and designated 1PE-19-55 Civil; and

WHEREAS, on November 22, 2019, 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 12, 2020 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 2018 taxes on the property described below 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 March 17, 2021 in the records of the Petersburg Recording District as document number 2021-000212-0; 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.

THEREFORE, the Petersburg Borough ordains,

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

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

Section 3. Substantive Provisions:

A. The following described property, previously owned by Thomas E Cole Jr, was obtained by the Borough pursuant to a tax foreclosure proceeding:

Parcel Number 03-213-040

A parcel of land being Gov. Lot 12, Green Rocks Subdivision, Plat 82-1, Sec. 23, T60S, R79E, CRM, Petersburg Recording District, First Judicial District, State of Alaska. Also being a portion of the land described in Deed recorded in Book 24, Page 653, document number 1985-001090-0. (Physical location: Kupreanof Island, fronting the Wrangell Narrows, South of Papke's Landing Boat Launch)

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. The parcel shall hereafter be sold 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 immediately upon final passage.

PASSED AND APPROVED by the Petersburg Borough Assembly, Petersburg, Alaska this ____ day of _____, 2021.

Mark Jensen, Borough Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective: