

Submitted by: Chair of the Assembly at the
request of the Mayor

Prepared by: Real Estate Services

Reading Date: August 9, 2005

CLERK'S OFFICE

APPROVED

Date: 9-13-05 ANCHORAGE, ALASKA

No. AO 2005- 106

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTIES FORECLOSED BY THE
MUNICIPALITY FOR DELINQUENT TAXES AND/OR SPECIAL ASSESSMENTS.

THE ANCHORAGE MUNICIPAL ASSEMBLY ORDAINS:

Section 1. The real property described in Exhibit A, attached hereto, deeded to the Municipality of Anchorage for non-payment of real property taxes and/or assessments pursuant to AS 29.45.450 and under the provisions of AS 29.45.460 is determined to have no public purpose or need.

Section 2. The properties described in Exhibit A may be sold on November 7, 2005 or such later date as determined by Real Estate Services under the provisions of AS 29.45.460 in any manner not prohibited by law.

Section 3. Minimum bid for these properties shall be the sum of the full amount applicable under the judgment and decree with interest as specified therein from the date of entry of the judgment of foreclosure to the date of repurchase, all other delinquent taxes and special assessments levied against the property as though it had continued in private ownership, all penalties and interest associated with such delinquent taxes and special assessments, and administrative costs applicable to the property.

Section 4. This ordinance shall be effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this 13th day of September, 2005.

Anna J. Fairclough
Chairman of the Assembly

ATTEST:

Brian S. Dumas
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number 2005-106 Title: AO for the sale of tax & special assessment foreclosed property
Sponsor: Real Estate Services
Preparing Agency: Real Estate Services
Others Impacted: Treasury

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY04	FY05	FY06	FY07	FY08
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
400 Debt Service					
5000 Capital Outlay					

COSTS WILL BE RECOVERED AT SALE

TOTAL DIRECT COSTS:

6000 IGCs

FUNCTION COST:

REVENUES:

CAPITAL:

POSITIONS:

PUBLIC SECTOR ECONOMIC EFFECTS:

The sale of these properties will enable the Municipality to recover delinquent unpaid tax and special assessment revenue. Under AS 29.45.480 (b) the Municipality is allowed to keep only that amount consisting of the delinquent taxes, assessments, penalties, interest, costs of foreclosure and sale, and administrative costs. Amounts exceeding these municipal debts are required by AS 29.45.480 (b) to be returned to the former owner of record if claimed.

The sale of these properties to new owners may ensure that future tax obligations are paid in a timely manner. Also, by selling these properties, the expense of securing and maintaining them is eliminated, thus saving the Municipality substantial funds.

PRIVATE SECTOR ECONOMIC EFFECTS:

The most positive effect on the private sector is the placement of properties in private ownership where they will be properly developed and maintained. Changes of this nature tend to increase property values within the immediate neighborhoods.

Prepared by: Tammy R. Oswald, Manager, Real Estate

Tax Deeded Property
2005 Sale List
Case 3AN-03-04871

Tax Parcel	Legal Description	Physical Address	Location	Former Owner
004-144-07-000	City View #2 Blk 7 Lt 18	1830 Kuskokwim St	Anchorage	Green, Carolyn Sue Knowles
005-011-28-000	Nels Kleven Blk 1 Lt 2 S3 W2	4609 Thompson Ave	Anchorage	Wille, Charles E Estate of
005-011-29-000	Nels Kleven Blk 1 Lt 2 M3 W2	525 N Bliss St	Anchorage	Wille, Charles Edmund IVR Trust Wille, Charles Edmund Trustee
005-011-30-000	Nels Kleven Blk 1 Lt 2 N3 W2	541 N Bliss St	Anchorage	Wille, Charles Edmund IVR Trust Wille, Charles Edmund Trustee
005-011-31-000	Nels Kleven, Blk 1 Lt 3 S3 W2	601 N Bliss St	Anchorage	Wille, Charles Edmund IVR Trust Wille, Charles Edmund Trustee
005-011-32-000	Nels Kleven, Blk 1 Lt 3 M3 W2	607 N Bliss St	Anchorage	Wille, Charles Edmund IVR Trust Wille, Charles Edmund Trustee
006-093-33-000	Turpin Blk 2 Lt 6	6540 E 8th Ave	Anchorage	Bryner, Morris W
006-212-05-000	Chester Valley Blk 7 Lt 5	7108 E 17th Ave	Anchorage	Gould, James V and Valerie A
007-011-23-000	College Heights Blk 8 Lt 14	3025 Rose St	Anchorage	Perkins, James F and Debora G
007-012-12-000	College Heights Blk 7 Lt 3	3024 Rose St	Anchorage	Perkins, James F and Debora G
010-334-42-000	Windemere Blk 4 Lt 11	1075 Southampton Dr	Anchorage	Rothgery, Frank A and Karen M
011-221-49-009	Seacliff Plaza TR A Seacliff Terrace Unit #B-09	5410 W Dimond Blvd	Anchorage	Oleyer, Piama aka Oleyer, Piama Robinson
012-141-33-007	Woodland Lakes Unit #2 Blk 2 Lt 6 Northwest Village Phase 1 Unit #34	7075 Weimer St	Anchorage	Maeder, Edgar N
012-502-29-000	Laurel Acres, Blk 1 Lt 4	1420 W 97th Ave	Anchorage	Awana, James and Est. of Hattie L
014-134-73-000	Chugach Meadows Blk 4 Lt 7A	1831 E 75th Ave	Anchorage	Gregg, Warren M
050-501-44-000	Glacier View Heights #4, Blk 3 Lt 11	22707 Columbia Glacier Lp	Eagle River	Christensen, Kevin R and Susan M



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 556 -2005

MEETING DATE: August 9, 2005

FROM: MAYOR

SUBJECT: AN ORDINANCE AUTHORIZING THE SALE OF TAX AND SPECIAL ASSESSMENT FORECLOSED PROPERTIES

Alaska Statute 29.45.460 provides that property deeded to the Municipality following tax foreclosure may be sold after a determination by the Assembly that a public need for the property does not exist. The proceeds of a tax sale are applied to all taxes, penalties, interest and costs associated with a given parcel. Any resulting surplus is to be made available to the former owner of record under the provisions of AS 29.45.480(b).

All of the properties in Exhibit A have been acquired under a Clerk's Deed. The former record owner of any property approved for sale by the Assembly retains the right to re-purchase the property up to the time of sale by paying all delinquencies associated with the property.

On February 10, 2005 all municipal departments, the Mayor, the Assembly, and the Anchorage School District had an opportunity to identify, prior to March 31, 2005, parcels proposed for retention for public use. No properties were identified for Public Purpose. Accordingly, it is recommended that the attached ordinance be approved.

Prepared by: Tammy Oswald, Manager, Real Estate Services

Recommended by: Robin Ward, Executive Director, Real Estate Services

Concur: Mary Jane Michael., Director of Economic Development

Concur: Denis C. LeBlanc, Municipal Manager

Respectfully submitted: Mark Begich, Mayor

Content Information

Content ID : 003116

Type: Ordinance - AO

Title: Sale of Properties Foreclosed by MOA for Delinquent Taxes and /or Special Assessments

Author: mooredy

Initiating Dept: HLB

Description: Ordinance authorizing the sale of properties foreclosed by the Municipality for delinquent taxes and/or special assessments.

Keywords: Sale of properties foreclosed for delinquent taxes and/or special assessments.

Date Prepared: 7/28/05 10:46 AM

Director Name: Robin Ward

Assembly Meeting Date
MM/DD/YY: 8/9/05Public Hearing Date
MM/DD/YY: 9/13/05M.O.A.
2005 AUG - 1 AM 11:41
CLERKS OFFICE

Workflow History

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	7/28/05 11:11 AM	Checkin	mooredy	Public	003116
HLB_SubWorkflow	7/28/05 2:09 PM	Approve	wardre	Public	003116
ECD_SubWorkflow	7/28/05 2:24 PM	Approve	villareallm	Public	003116
OMB_SubWorkflow	7/28/05 4:21 PM	Approve	mitsonjl	Public	003116
Legal_SubWorkflow	7/29/05 4:46 PM	Approve	fehlenr1	Public	003116
MuniManager_SubWorkflow	7/29/05 5:03 PM	Approve	leblancdc	Public	003116
MuniMgrCoord_SubWorkflow	7/29/05 5:04 PM	Approve	curtiscr2	Public	003116

Sec. 29.45.450. Deed to borough or city.

(a) Unredeemed property in the area of the borough outside all cities is deeded to the borough by the clerk of the court.

Unredeemed property in a city is deeded to the city subject to the payment by the city of unpaid borough taxes and costs of foreclosure levied against the property before foreclosure. The deed shall be recorded in the recording district in which the property is located.

(b) Conveyance gives the municipality clear title, except for prior recorded tax liens of the United States and the state.

(c) If unredeemed property lies in a city and if the city has no immediate public use for the property but the borough does have an immediate public use, the city shall deed the property to the borough. If unredeemed property lies in the borough outside all cities and if the borough does not have an immediate public use for the property but a city does have an immediate public use, the borough shall deed the property to the city.

(d) A deed is not invalid for irregularities, omissions, or defects in the proceedings under this chapter unless the former owner has been misled so as to be injured. Two years after the date of the deed, its validity is conclusively presumed and a claim of the former owner or other person having an interest in the property is forever barred.

Sec. 29.45.460. Disposition and sale of foreclosed property.

(a) The municipality shall determine by ordinance whether foreclosed property deeded to the municipality shall be retained for a public purpose. The ordinance must contain the legal description of the property, the address or a general description of the property sufficient to provide the public with notice of its location, and the name of the last record owner of the property as the name appears on the assessment rolls.

(b) Tax-foreclosed property conveyed to a municipality by tax foreclosure and not required for a public purpose may be sold. Before the sale of tax-foreclosed property held for a public purpose, the municipality, by ordinance, shall determine that a public need does not exist. The ordinance must contain the information required under (a) of this section.

(c) The clerk or the clerk's designee shall send a copy of the published notice of hearing of an ordinance to consider a determination required under (a) or (b) of this section by certified mail to the former record owner of the property that is the subject of the ordinance. The notice shall be mailed within five days after its first publication and shall be sufficient if mailed to the last record owner of the property as the name appears on the assessment rolls of the municipality.

(d) The provisions of (c) of this section do not apply with respect to property that has been held by the municipality for a period of more than 10 years after the close of the redemption period.