



City of Homer
Planning & Zoning
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MEMORANDUM

11-053

To: Mayor Hornaday and the Homer City Council
Through: Walt Wrede, City Manager *W. Wrede*
From: Julie Engebretsen, Planning Technician
Date: March 25, 2011
Re: 2011 Draft Land Allocation Plan

No Action Required

RE: Parcel 179-080-50 South ½ of Gvt Lot 30 lying West of Kachemak Drive
Current Designation: Sell

Synopsis

The City acquired a parcel on Kachemak Drive from the Kenai Peninsula Borough, through tax foreclosure. Planning staff received the deed to the land after the draft land allocation plan had been prepared, so the parcel is not part of the draft plan. When council approved the property acquisition from the Kenai Peninsula Borough, Council designated that this lot should be sold (Ord 10-24(S)). When staff prints the final 2011 Land Allocation Plan, this lot will be included as one for sale, unless Council makes another designation.

Attachments

Map
Quitclaim Deed
Ordinance 2010-24(S)



Where the Land Ends and the Sea Begins



KPB Parcel Viewer



Printed: Mar 29, 2011



QUITCLAIM DEED

The GRANTOR, KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, for ten dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to KP B Ordinance 2010-38 enacted November 9, 2010, and City of Homer Ordinance 10-24(S) enacted on May 24, 2010, conveys and quitclaims unto the GRANTEE, CITY OF HOMER, an Alaska municipal corporation, whose address is 491 E. Pioneer Avenue, Homer, AK 99603, as an estate in fee simple, all of the right, title and interest of Grantor, if any, in the following described real property located in the Homer Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

**½ of Govt Lot 30 lying west of Kachemak Drive
Sec 14, T6S, R13W Seward Meridian (KP B Tax Parcel No. 179-080-50)**

TOGETHER WITH all the improvements thereon, if any, and all rights of the Grantor to any and all hereditaments and appurtenances thereto, and

SUBJECT TO any taxes and assessments, exceptions, reservations, restrictions, rights of entry, conditions, covenants, easements, rights-of-way, encroachments either of record or ascertainable by physical inspection.

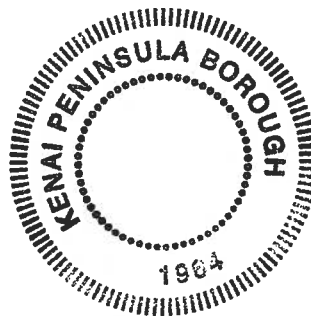
Dated this 5th day of January, 2011.

KENAI PENINSULA BOROUGH:

David R. Carey
David R. Carey
Borough Mayor

ATTEST:

Johni Blankenship
Johni Blankenship
Borough Clerk



NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 5th day of January, 2011 by David R. Carey, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for on behalf of the corporation.



Katie Ring
Notary Public in and for Alaska
My commission expires: w/office

Please return to: Walt Wrede, City Manager
 City of Homer
 491 E. Pioneer Avenue
 Homer, AK 99603



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Published on *City of Homer Alaska Official Website* (<http://www.cityofhomer-ak.gov>)**Ordinance ID:**

10-24(S)

Ordinance Status:

Adopted

Ordinance Summary:

An Ordinance of the City Council of Homer, Alaska, Purchasing Tax Foreclosure Property owned by the Kenai Peninsula Borough (KPB) for the Amount of \$386.83, Legal Description T6S, R13W, Sec 14, Seward Meridian, HM S1/2 of Govt Lot 30 Lying West of Kachemak Drive, Last Owner of Record Elmer Daarud, Located at 4757 Kachemak Drive, Finding That a Public Need for the Property Does Not Exist, Determining to Offer the Property for Sale, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 10-24(S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, PURCHASING TAX FORECLOSURE PROPERTY OWNED BY THE KENAI PENINSULA BOROUGH (KPB) FOR THE AMOUNT OF \$386.83, LEGAL DESCRIPTION T 6S R 13W SEC 14 SEWARD MERIDIAN HM S1/2 OF GOVT LOT 30 LYING WEST OF KACHEMAK DR, KPB TAX PARCEL NUMBER 179-080-50, LAST OWNER OF RECORD ELMER DAARUD, LOCATED AT 4757 KACHEMAK DRIVE, FINDING THAT A PUBLIC NEED FOR THE PROPERTY DOES NOT EXIST, DETERMINING TO OFFER THE PROPERTY FOR SALE, AND DESIGNATING ITS USE FOR PUBLIC PURPOSE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, Homer City Code 18.06.010(a), Real property acquisitions, authority, provides that the City may acquire, own and hold real property within or outside the City boundaries by any lawful means or conveyance, and may exercise all rights and powers in the acquisition, ownership and holding of real property as if the City were a private person; and

WHEREAS, The KPB Land Trust Fund paid \$386.83 to the Borough's General Fund for unpaid taxes and interest upon KPB tax parcel number 179-080-50 and has proposed to convey by quitclaim deed said parcel to the City of Homer for \$386.83; and

WHEREAS, The Kachemak Drive Phase II Water and Sewer Project includes this property, making it advantageous for the KPB to convey the parcel to the City of Homer to avoid a Local Improvement District (LID) assessment; and

Effective Date:

Reviewed and approved as to form:

Walt Wrede, City Manager Thomas F. Klinkner, City Attorney

Date: _____ Date: _____

Fiscal Note: Fiscal Information included in body of Ordinance.

Ordinance Dates

Ordinance Introduction Date:

Mon May 10th, 2010

Ordinance Public Hearing Date:

Mon May 24th, 2010

Ordinance Second Reading Date:

Mon May 24th, 2010

Ordinance Effective Date:

Tue May 25th, 2010

Ordinance Files

 [Ordinance 10-24\(S\)](#)

Source URL (retrieved on 2011-03-09 13:02): <http://www.cityofhomer-ak.gov/ordinance/ordinance-10-24s-approving-purchase-tax-foreclosed-property-owned-kenai-peninsula-borough>