

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 16-17(S)

AN ORDINANCE OF THE HOMER CITY COUNCIL DETERMINING THAT A PUBLIC PURPOSE DOES NOT EXIST FOR CITY PROPERTIES DESCRIBED AS LOT 1, HARRY FEYER SUBDIVISION, AND THE FOLLOWING LOCATED IN SECTION 14, TOWNSHIP 6, RANGE 13, SEWARD MERIDIAN: GOVT. LOT 3 LYING EAST OF KACHEMAK DRIVE, S. ½ OF GOVT. LOT 30 LYING WEST OF KACHEMAK DRIVE, AND GOVT. LOTS 10, 21, 24, 25 AND 36; AND AUTHORIZING THEIR SALE.

WHEREAS, The following properties were conveyed to the City of Homer (“City”) by Clerk’s Deed:

Lot 1, according to the Plat of Harry Feyer Subdivision, filed under Plat 4712, Homer Recording District, Third Judicial District, State of Alaska (KPB Parcel No. 179-110-05); and

Govt. Lot 3 lying east of Kachemak Drive, Section 14, Township 6 South, Range 13 West, Seward Meridian (KPB Parcel No. 179-150-03); and

WHEREAS, The following property was conveyed to the City by the Kenai Peninsula Borough:

S. ½ of Govt. Lot 30 lying west of Kachemak Drive, Section 14, Township 6 South, Range 13 West, Seward Meridian (KPB Parcel No. 179-80-50); and

WHEREAS, The following properties were conveyed to the City by Patent from the State of Alaska:

Govt. Lots 10, 21, 24, 25 and 36, Section 14, Township 6 South, Range 13 West, Seward Meridian (KPB Parcel Nos. 179-080-09, 179-080-15, 179-080-25, 179-080-26 and 179-100-01); and

WHEREAS, The Council has determined that a public purpose does not now exist for the properties described above and designated the properties for sale in the City’s 2015 Land Allocation Plan adopted by Resolution 15-030(A) on April 27, 2015.

43 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
44

45 Section 1. Pursuant to AS 29.45.460(b) and Homer City Code 18.06.042, the City hereby
46 determines that a public purpose does not exist for the following tax-foreclosed property:
47

48 Lot 1, according to the Plat of Harry Feyer Subdivision, filed under Plat 4712,
49 Homer Recording District, Third Judicial District, State of Alaska (KPB Parcel
50 No. 179-110-05)
51

52 Section 2. Pursuant to AS 29.45.460(b) and Homer City Code 18.06.042, the City hereby
53 determines that a public purpose does not exist for the following tax-foreclosed property:
54

55 Govt. Lot 3 lying east of Kachemak Drive, Section 14, Township 6 South, Range
56 13 West, Seward Meridian (KPB Parcel No. 179-150-03)
57

58 Section 3. Notwithstanding Homer City Code 18.12.020(b), because the close of the
59 redemption period for each of the properties described in Sections 1 and 2 occurred more
60 than 10 years ago, this ordinance shall not be subject to the requirements of Homer City Code
61 18.06.042(d) and (e).
62

63 Section 4. The Council confirms its determination in Resolution 15-030(A) that a
64 public purpose does not exist for the following properties:
65

66 S. ½ of Govt. Lot 30 lying west of Kachemak Drive, Section 14, Township 6
67 South, Range 13 West, Seward Meridian (KPB Parcel No. 179-80-50)
68

69 Govt. Lots 10, 21, 24, 25 and 36, Section 14, Township 6 South, Range 13 West,
70 Seward Meridian (KPB Parcel Nos. 179-080-09, 179-080-15, 179-080-25, 179-
71 080-26 and 179-100-01)
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73 Section 5. The City Manager is authorized to offer the property described in Section 1
74 for sale, and that property may be sold, for less than fair market value, in consideration of its
75 development constraints and large water and sewer assessment. Pursuant to Homer City
76 Code 18.12.020(d) and 18.12.040, the Council finds that if a time not exceeding one year that
77 the City Manager determines to be reasonable has passed without the City receiving any
78 acceptable bid for this property, it is in the best interest of the City for the City Manager to
79 offer to convey the property for nominal consideration to any owner of adjacent property that
80 will bear the expense of replatting the property into a combined lot with the owner's adjacent
81 property.
82

83 Section 6. The City Manager is authorized to offer the properties described in Sections
84 2 and 4 for sale in accordance with Chapter 18.12 of the Homer City Code. The City Manager

85 initially shall solicit bids to purchase each property. Pursuant to Homer City Code
86 18.12.020(d), the Council finds that if a time that the City Manager determines to be
87 reasonable has passed without the City receiving any acceptable bid for one or more of these
88 properties it is advantageous to the City for the City Manager to dispose of those properties
89 through sole source negotiations.

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91 Section 7. This Ordinance is not permanent in nature, and shall not be codified.

92

93 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 11th day of April,
94 2016.

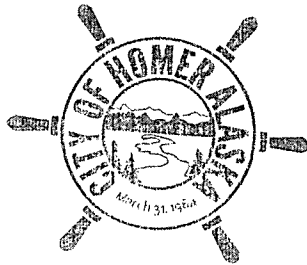
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CITY OF HOMER

Mary E. Wythe
MARY E. WYTHE, MAYOR

100 ATTEST:

101

102

103 Jo Johnson
JO JOHNSON, MMC, CITY CLERK

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105 YES: 6

106 NO: 0

107 ABSTAIN: 0

108 ABSENT: 0

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111 First Reading: 3/29/16

112 Public Hearing: 4/11/16

113 Second Reading: 4/11/16

114 Effective Date: 4/12/16

115

116 Reviewed and approved as to form:

117

118 Mary K. Roester
119 Mary K. Roester, City Manager

120

121 Date: 4.14.16

122

Thomas F. Klinkner
Thomas F. Klinkner, City Attorney

Date: 4-15-16

123 Fiscal Note: Revenues unknown at this time.