

**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 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

WHEREAS, Pursuant to the provisions of Homer City Code 18.06.030, 18.06.042, and 18.06.044 Real property acquisitions, designation for public use, and authorization for the appropriation, the Council finds that there is no public need for KPB tax parcel number 179-080-50 and determines that the property should be offered for sale.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The City of Homer hereby appropriates funds as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
256-378/379	Purchase / KPB Parcel Number 179-080-50	\$386.83

Section 2. The City Manager is hereby authorized to execute the appropriate documents for the purchase of property described as follows:

Record Owner	KPB Tax Parcel Number	Legal Description	Borough Assessed Property Value	Acreage
Kenai Peninsula Borough	179-080-50	T 6S R 13W Sec 14 Seward Meridian HM S1/2 of Govt Lot 30 Lying West of Kachemak Dr	\$2,300.00	0.49 acre


Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 24th day of May, 2010.

CITY OF HOMER


 JAMES C. HORNADAY, MAYOR

ATTEST:

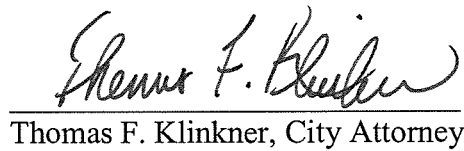

 JO JOHNSON, CMC, CITY CLERK

YES: 6
 NO: 0
 ABSTAIN: 0
 ABSENT: 0

First Reading: 5/10/10
 Public Hearing: 5/24/10
 Second Reading: 5/24/10
 Effective Date: 5/25/10

Reviewed and approved as to form:


 Walt Wrede, City Manager


 Thomas F. Klinkner, City Attorney

Date: 5/27/10

Date: 6-2-10

Fiscal Note: Fiscal Information included in body of Ordinance.