

Introduced by:	Mayor
Substitute Introduced:	07/03/12
O2012-24 (Mayor):	See Original for Prior History
Hearing:	07/03/12
Action:	Enacted
Vote:	7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-24
(MAYOR) SUBSTITUTE**

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PARCELS OF
BOROUGH LAND IN WIDGEON WOODS PHASE TWO SUBDIVISION IN THE
CIECHANSKI AREA BY SEALED BID PROCEDURES**

- WHEREAS,** the Kenai Peninsula Borough has clear title to the land listed in Section 2 of this ordinance; and
- WHEREAS,** the land has been appropriately classified pursuant to KPB 17.10.080; and
- WHEREAS,** the borough has developed Widgeon Woods Subdivision Phase Two Subdivision for disposal of lots to the general public; and
- WHEREAS,** the subdivided lots were independently appraised on June 9, 2012, by Derry & Associates, Inc.; and
- WHEREAS,** Widgeon Woods Subdivision contains 29 lots with similar size, characteristics, and value which could be eligible for sale at this time; and
- WHEREAS,** it is the intent of the borough to sell the lots over a period of several years, by offering up to eight lots per year for sale; and
- WHEREAS,** the Planning Commission at its regularly scheduled meeting of June 11, 2012, recommended enactment of Ordinance 2012-24 by unanimous consent;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

- SECTION 1.** The Kenai Peninsula Borough is authorized to sell up to eight lots from the 29 lots listed below based on the eight bids that are the highest percentage over the minimum bid.
- SECTION 2.** Minimum bids are set at fair market value as determined by an appraisal of June 9, 2012, prepared by Derry & Associates, Inc. as follows:

**WIDGEON WOODS PHASE TWO SUBDIVISION,
 Located within the SE 1/4 of Section 13 T5N, R11W,
 S.M., Kenai Recording District, Third Judicial
 District, State of Alaska
 (Ciechanski Area)**

LOT	BLOCK	ACRES	MIMUMUM BID
Lot 1	Block 1	1.274	\$32,500
Lot 2	Block 1	1.314	\$32,500
Lot 3	Block 1	1.349	\$30,000
Lot 4	Block 1	1.310	\$31,000
Lot 5	Block 1	1.215	\$30,000
Lot 6	Block 1	1.215	\$30,000

Lot 1	Block 2	1.241	\$32,500
Lot 2	Block 2	1.241	\$32,500
Lot 3	Block 2	1.597	\$34,500
Lot 4	Block 2	1.228	\$32,500
Lot 5	Block 2	1.225	\$32,500
Lot 6	Block 2	1.225	\$32,500

Lot 1	Block 3	1.200	\$30,000
Lot 3	Block 3	1.148	\$32,000
Lot 6	Block 3	1.148	\$33,000
Lot 7	Block 3	1.495	\$36,500
Lot 8	Block 3	1.495	\$38,000
Lot 9	Block 3	1.495	\$34,000

Lot 12	Block 4	1.200	\$32,000
Lot 13	Block 4	1.200	\$32,000

Lot 1	Block 5	1.277	\$32,500
Lot 2	Block 5	1.277	\$32,500
Lot 3	Block 5	1.785	\$36,000
Lot 4	Block 5	1.277	\$32,500
Lot 5	Block 5	1.277	\$32,500
Lot 6	Block 5	1.749	\$38,000
Lot 7	Block 5	1.492	\$38,000
Lot 8	Block 5	1.492	\$38,000
Lot 9	Block 5	1.304	\$37,000

SECTION 3. The method of disposal shall be by sealed bid pursuant to KP.B 17.10.100(F). The date of the sale shall be September 20, 2012. Bids shall be accepted at the Kenai Peninsula Borough Administration building located at 144 N. Binkley St., Soldotna, Alaska 99669, until 2 p.m. September 20, 2012.

SECTION 4. All parcels will be conveyed by Quitclaim Deed. Either title insurance or another similar report must be obtained for all borough-financed sales, at the Buyer's expense, showing the condition of title and that there are no unsatisfied judgments or liens against the Buyer at the time of closing, the latter of which shall also be verified by the Buyer. In the event a title report showing a reasonably acceptable condition of title cannot be obtained, then either the Buyer or the KPB may elect to terminate the purchase contract, in which case all monies on deposit will be refunded to the Buyer. For borough-financed sales Buyers must execute a release authorizing the borough to obtain a credit report on the Buyers.

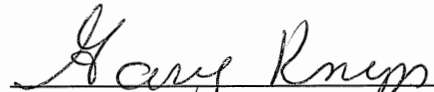
SECTION 5. Upon successfully bidding or entering into a Purchase Agreement to acquire the land, a down payment of ten percent (10%) of the sale price shall be made and the applicable terms and provisions of KPB 17.10.120 and KPB 17.10.130 shall apply.

SECTION 6. Parcels that do not sell as set forth herein shall be returned to the land bank.

SECTION 7. The mayor is authorized to sign any documents necessary to effectuate this ordinance.

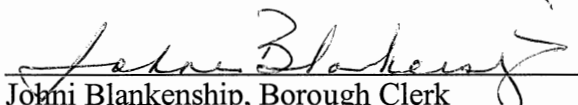
SECTION 8. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF JULY, 2012.



Gary Knopp, Assembly President

ATTEST:



Johni Blankenship, Borough Clerk



Yes: Haggerty, McClure, Murphy, Pierce, Smalley, Smith, Knopp
No: None
Absent: Johnson, Tauriainen