

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action: Amended by Substitute
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-24**

**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 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 November 16, 2009, by Derry and Associates; 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; and
- WHEREAS**, offering eight lots in a "Bidder's Choice Sealed Bid Land Sale" affords potential buyers flexibility and encourages market exposure of all the 29 eligible lots; and
- WHEREAS**, for the purpose of this sale a single minimum bid value, \$33,000, which is reflective of the general market value of the lots within the subdivision, can be applied to any of the lots within the pool of lots eligible for sale; and
- WHEREAS**, the 2012 Widgeon Woods Bidder's Choice Sealed Bid Land Sale would sell up to eight lots to the eight highest bids with the opportunity for the bidders, to choose from the pool of 29 eligible lots; and
- WHEREAS**, the Planning Commission at its regularly scheduled meeting of June 11, 2012, recommended _____;

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

SECTION 1. The lots listed below are authorized for sale with a minimum bid set at \$33,000.

WIDGEON WOODS PHASE TWO SUBDIVISION (Ciechanski Area)		
LOT	BLOCK	ACRES
Lot 1	Block 1	1.274
Lot 2	Block 1	1.314
Lot 3	Block 1	1.349
Lot 4	Block 1	1.310
Lot 5	Block 1	1.215
Lot 6	Block 1	1.215

Lot 1	Block 2	1.241
Lot 2	Block 2	1.241
Lot 3	Block 2	1.597
Lot 4	Block 2	1.228
Lot 5	Block 2	1.225
Lot 6	Block 2	1.225

Lot 1	Block 3	1.200
Lot 3	Block 3	1.148
Lot 6	Block 3	1.148
Lot 7	Block 3	1.495
Lot 8	Block 3	1.495
Lot 9	Block 3	1.495

Lot 12	Block 4	1.200
Lot 13	Block 4	1.200

Lot 1	Block 5	1.277
Lot 2	Block 5	1.277
Lot 3	Block 5	1.785
Lot 4	Block 5	1.277
Lot 5	Block 5	1.277
Lot 6	Block 5	1.749
Lot 7	Block 5	1.492
Lot 8	Block 5	1.492
Lot 9	Block 5	1.304

SECTION 2. 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, by no later than, 2:00 pm, September 20, 2012.

SECTION 3. 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 4. 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 5. Parcels that do not sell as set forth herein shall be returned to the land bank.

SECTION 6. The mayor is authorized to sign any documents necessary to effectuate this ordinance.

SECTION 7. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2012.

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Vote on Motion to Amend by Substitute:

Yes: Haggerty, McClure, Murphy, Pierce, Smalley, Smith, Knopp

No: None

Absent: Johnson, Tauriainen