

NONCODE ORDINANCE

Sponsored By: Assemblymember Leonard
Introduced: 04/16/18
Public Hearing: 05/07/19
Adopted: 05/07/19

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 19-050**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SALE OF BOROUGH-OWNED LAND IDENTIFIED AS LOT 8, BLOCK 2, MATANUSKA TOWNSITE, US SURVEY 1169, TO THE ADJACENT PROPERTY OWNER, KENNY MEDDERS, AND REPEALING THE PUBLIC PURPOSE DEDICATION PLACED ON THE BOROUGH LOT (MSB007461).

WHEREAS, the Borough Land and Resource Management Division received an application from Kenny Medders to purchase Lot 8, Block 2, Matanuska Townsite, U.S. Survey 1169, which lies adjacent to his property and is owned by the Borough; and

WHEREAS, there are no other lots adjacent to the Borough-owned lot; and

WHEREAS, the Borough received the property in 1993 through tax foreclosure for non-payment of taxes for years 1988 and prior; and

WHEREAS, Action Memorandum 00-153 retained this property and classified it as "public purpose" due to its substandard size of .11 acres and inability to be developed as a stand-alone parcel; and

WHEREAS, the public purpose adopted under Action Memorandum 00-153 was defined as "open space to mitigate river erosion, used for wetlands banking, expansion of the Palmer Hay Flats State Game Refuge, or rights of way for road, utilities, buffers, bike trails,

mailboxes, snow storage, cuts, fill, slopes, or other uses compatible with roadway services, maintenance and upgrade;" and

WHEREAS, the Borough has never determined a need or invoked such "public purpose" for the lot which sat vacant for 20 years; and

WHEREAS, Borough inter-department review was conducted and public notice initiated pursuant to MSB 23.05.025; and

WHEREAS, pursuant to MSB 23.10.230 (A)(1)(d), the Manager may, with Assembly approval by ordinance, approve a sale of Borough-owned real property by application if the purchase is for an adjacent property owner to address a substandard or unusable lot condition; and

WHEREAS, Mr. Medders' adjacent property contains .11 acres and is considered substandard by MSB Title 43; and

WHEREAS, the property will be conveyed for \$100 based on the Borough's 2019 certified tax role assessment which is considered fair market value in accordance with MSB 23.10.060; and

WHEREAS, Mr. Medders' application meets the requirements of MSB Title 23, and Land and Resource Management policy and procedures to purchase the property by application; and

WHEREAS, repeal of the "public purpose" placed on Lot 8, Block 2, Matanuska Townsite, U.S. Survey 1169, by Action Memorandum 00-153 is appropriate.

BE IT ENACTED:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Disposal of Property. The Matanuska-Susitna Borough Assembly hereby approves the sale of Lot 8, Block 2, Matanuska Townsite, U.S. Survey 1169, filed in the Palmer Recording District, to Kenny Medders, the adjacent property owner, pursuant to MSB 23.10.230 (A) (1) (d), and repeals the public purpose dedication on said Lot 8, Block 2.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 7 day of May, 2019.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Sykes, Beck, McKee, Leonard, Mayfield, Sumner,
and Boeve