

**SUBJECT:** The sale of certain borough-wide real property acquired through tax foreclosure for delinquent real property tax years 2011 and prior, 2012 and prior, and not needed for public purpose.

**AGENDA OF:** May 21, 2019

**ASSEMBLY ACTION:**

OR 19-070: public hearing held; Adopted  
w/o objection @ 6/4/19 KM

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
1	Originator	EL	
2	Community Development Director	EP	
3	Finance Director	CF	
4	Borough Attorney	NS	
5	Borough Clerk	JAM	5/13/19

**ATTACHMENT(S):** Fiscal Note: YES X NO \_\_\_\_\_  
 Attachments: Sale Parcel Listing (1 pp)  
 Exhibit "A" (7 pp)  
 Ordinance Serial No. 19-070 (6 pp)

**SUMMARY STATEMENT:**

The Land and Resource Management Division proposes conducting its 22<sup>nd</sup> annual tax foreclosure sale (TS039). TS039 will consist of properties described in Ordinance Serial No. 19-070, Exhibit A, that have been foreclosed upon for taxes for which the borough has held a clerk's deed for more than two years. To be removed from this sale, all delinquencies and costs must be paid.

Title to these parcels was transferred by the Superior Court to the borough by clerk's deed. All of the proposed sale properties belong to the borough, not the former record owners. The borough has owned these parcels for at least two years.

When the borough was granted the clerk's deed to the properties every right, title, and interest of a person in the tax-foreclosed property was forfeited forever to the borough subject only to repurchase rights of the former owner. That is, the prior record owner has the statutory right to repurchase the property prior to the sale of the property for delinquent taxes, plus interest, costs of foreclosure and sale, and costs of maintaining and managing the property.

The owners had several opportunities to stop the foreclosure process prior to the borough receiving clerk's deed to the property. First, the owners are notified of a potential foreclosure action by a pre-foreclosure courtesy notice mailed about two months prior to the borough filing its petition to foreclose on the property in court. This was the easiest and least expensive time to stop foreclosure by paying delinquent taxes, penalties, interest and fees.

Thereafter, the borough presented a petition to foreclose on the property for taxes that had been delinquent for at least two years. At this time the last known owner of each property was mailed a notice advising of the foreclosure proceeding. The foreclosure list was also published for four consecutive weeks in the local newspaper. This was the second opportunity for owners to stop foreclosure and keep their property by paying delinquent taxes, penalties, interest and fees.

After sixty days, the court signed the judgment and decree of foreclosure on those properties for the delinquent taxes, penalties, interest, and fees that remained unpaid, which was recorded at the state recorders' offices. Upon the courts execution of the judgment the right of redemption period began and the borough had to hold this delinquent property for at least one year. During the redemption period the prior record owner or their assigns had the right to redeem the property by paying the amounts owed under the judgement and interest and penalties. This did not affect the property owner's right to possession during this time.

At least thirty days before the one-year right of redemption period ended, the borough published in the newspaper a redemption period expiration notice and sent a copy of the notice by certified mail to each record owner. The notice stated that unless redeemed all properties shall be deeded to the Matanuska-Susitna Borough immediately on expiration of the period of redemption, and that every right or interest of a person in the properties would be forfeited forever to the Matanuska-Susitna Borough, subject only to repurchase rights. This is the last opportunity to stop the borough from becoming permanent owner of the property by the owner paying the delinquent taxes, penalties, interest and fees owing under the judgement.

Thereafter, the borough received deeds from the court and the prior owners have the right to repurchase within ten years and before the sale or contract of sale of the properties. The borough has followed a policy of not evicting occupants of tax foreclosed properties upon receipt of the clerk's deed which it could legally pursue otherwise.

Two years after a clerk's deed is received from the clerk of the court the borough offers for sale those properties approved by ordinance.

On October 16, 2017, one parcel was removed from the 2017 competitive sale by the borough manager. On April 10, 2018 the same parcel was removed from the over-the-counter sale by the manager. The former record owner has not repurchased the property but has made two partial payments. This property is included in TS039.

The tax sale is scheduled to be held on October 26, 2019, in the Dorothy Swanda Jones Building. The sale will be conducted according to Alaska State Statutes (AS 29.45.460-480) and Matanuska-Susitna Borough Code (23.10.220). The minimum bid for each property is the sum of the delinquent taxes, penalties, interest owed through the date of the sale, costs of the foreclosure(s) through clerk's deed(s) and the costs incurred by the borough to sell the properties. The properties will first be offered by sealed bid, followed by an outcry auction for parcels that did not receive a sealed bid.

Properties that do not sell in Tax Foreclosure Sale TS039 may be offered in subsequent over-the-counter tax and LID foreclosure sales on a first-come, first-served basis until sold, or until the 10-year repurchase rights expire. At such time as the 10-year repurchase rights expire and the former record owner loses all right to the property, the properties may be sold at fair market value.

#### **RECOMMENDATION OF ADMINISTRATION:**

Adoption of Ordinance 19-070 authorizing Tax Foreclosure Sale TS039 and the sale of properties described in the accompanying Exhibit A.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: May 21, 2019

SUBJECT: The sale of certain borough-wide real property acquired through tax foreclosure for delinquent real property tax years 2011 & prior, 2012 & prior, and not needed for public purpose.

ORIGINATOR: Community Development

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED *	FUNDING SOURCE <i>Land Sale Revenue</i>
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : <i>203,000.000 3XX.XXV</i>	PROJECT #
VERIFIED BY: <i>[Signature]</i>	CERTIFIED BY:
DATE: <i>4-29-2019</i>	DATE:

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE			*			
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FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other <i>Land Mgt.</i>						
TOTAL						

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* *Amount cannot be determined at this time as it is dependant on the sale price of the land.*

PREPARED BY:

PHONE:

DEPARTMENT:

DATE:

APPROVED BY:

DATE:



# Tax Sale 39

## Sale Parcel Listing

Tax Sale #	Tax ID No.	Improvement	2019 Appraised Value	Sum of All Improvements	Building / Structure Value	Well / Septic and Other
TS39-01	52167B03L006	Cabin	\$ 21,050.00	\$ 12,050.00	\$ 11,100.00	\$ 950.00
TS39-02	55213B02L001	No	\$ 22,500.00			
TS39-03	55629B04L002	Cabin	\$ 43,100.00	\$ 14,400.00	\$ 14,400.00	
TS39-04	56562B01L009	Cabin	\$ 26,900.00	\$ 18,900.00	\$ 10,400.00	\$ 8,500.00
TS39-05	56602B01L002	No	\$ 10,000.00			
TS39-06	56070000L0411	No	\$ 2,500.00			
TS39-07	56070000L0412	No	\$ 2,500.00			
TS39-08	56070000L0457	No	\$ 3,800.00			
TS39-09	56070000L0581	No	\$ 5,000.00			
TS39-10	56070000L0621	No	\$ 2,500.00			
TS39-11	56070000L0657	No	\$ 3,800.00			
TS39-12	56070000L0825	No	\$ 3,800.00			
TS39-13	56598B05L002	No	\$ 18,400.00			
TS39-14	56434B01L004	House	\$ 35,000.00	\$ 26,500.00	\$ 22,500.00	\$ 4,000.00
TS39-15	56414B05L003	House	\$ 30,700.00	\$ 22,200.00	\$ 12,700.00	\$ 9,500.00
TS39-16	56100B28L006	No	\$ 8,000.00			
TS39-17	56172B02L001	No	\$ 18,000.00			
TS39-18	56516B04L016	House	\$ 122,500.00	\$ 105,000.00	\$ 96,500.00	\$ 8,500.00
TS39-19	56073B06L011	No	\$ 26,100.00			
TS39-20	56311B01L010	No	\$ 38,600.00			
TS39-21	56385B04L003	No	\$ 18,000.00			
TS39-22	56043B05L025	House	\$ 56,000.00	\$ 43,500.00	\$ 39,500.00	\$ 4,000.00
TS39-23	53264B01L019	No	\$ 32,000.00			
TS39-24	52993B05L008	No	\$ 34,000.00			
TS39-25	51069B14L006	Trailer	\$ 27,700.00	\$ 15,700.00	\$ 7,200.00	\$ 8,500.00
TS39-26	52975000L008	House	\$ 104,900.00	\$ 77,300.00	\$ 68,800.00	\$ 8,500.00
TS39-27	52049B30L009	No	\$ 9,500.00			
TS39-28	52060B01L001-1	No	\$ 7,400.00			
TS39-29	540720000000	No	\$ 18,700.00			
TS39-30	52244B10L011	No	\$ 3,800.00			
TS39-31	53807000T00C	No	\$ 2,000.00			
TS39-32	51608000T00C	No	\$ 6,000.00			
TS39-33	56252B03L001	No	\$ 2,000.00			
TS39-34	56252B03L002	No	\$ 2,000.00			

Exhibit A, page 1 of 7

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
52167B03L006	TS039-01	ATWATER HARDING D	PV 37	PETERSVILLE AREA

ALASKA STATE LAND SURVEY NO. 80-143, KENNY CREEK SUBDIVISION, BLOCK 3, LOT 6, PLAT 81-67, TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

55213B02L001	TS039-02	WEIDNER PHILLIP PAUL	MO 7	TALKEETNA SPUR AREA
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SUNSHINE TOWNSITE, BLOCK 2, LOT 1, PLAT 2002-9, TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

55629B04L002	TS039-03	HARTMAN PAUL	KA 6	SHEEP CRK AREA
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HI-450 PHASE II, BLOCK 4, LOT 2, PLAT 2004-194, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA; EXCEPTING THEREFROM THE SUBSURFACE ESTATE CONVEYED TO COOK INLET REGION, INC. BY INTERIM CONVEYANCE RECORDED MARCH 12, 1980 IN BOOK 209 AT PAGE 272 AND REVISED INTERIM CONVEYANCE RECORDED APRIL 26, 1984 IN BOOK 355 AT PAGE 290 AND RESERVED IN QUIT CLAIM DEED RECORDED MAY 18, 1982 IN BOOK 262 AT PAGE 890.

56562B01L009	TS039-04	MCCORMICK RONALD ALL	MO 15	MONTANA AREA
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TIMBER PARK SUBDIVISION, BLOCK 1, LOT 9, PLAT 1979-431, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

56602B01L002	TS039-05	FLORES PABLO EST	CA 2	CASWELL AREA
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CHANDALAR, BLOCK 1, LOT 2, PLAT 1975-39, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

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Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
56070000L0411	TS039-06	LINT LEWIS E EST LINT ELIZABETH N EST	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 411, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56070000L0412	TS039-07	LINT LEWIS E EST LINT BETTY I EST	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 412, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56070000L0457	TS039-08	HENRICKSON MARVEN A &	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 457, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56070000L0581	TS039-09	SIMS SUN SIL	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 581, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56070000L0621	TS039-10	CARTER ELDIN & HAZEL	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 621, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56070000L0657	TS039-11	CARTER ELDIN & HAZEL	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 657, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				

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PR 19-095

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
56070000L0825	TS039-12	BUSBY SUSAN ROBERTSC	CA 1	CASWELL AREA
CASWELL LAKES SUBDIVISION, LOT 825, PLAT 1968-10, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56598B05L002	TS039-13	HOM JOHN C WONG ELLEN L	CA 8	CASWELL AREA
HIDDEN HILLS ESTATES SUBDIVISION, BLOCK 5, LOT 2, PLAT 1975-43, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56434B01L004	TS039-14	SPAIN JAMIE JOANNE	WC 11	HATCHER PASS AREA
SUNNY ACRES SUBDIVISION, BLOCK 1, LOT 4, PLAT 1973-42, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56414B05L003	TS039-15	BAHSTETER SHIRLEY MICI	WI 10	WILLOW AREA
WILLOW BROOK ESTATES, BLOCK 5, LOT 3, PLAT 1973-31, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56100B28L006	TS039-16	LEIMAN ARTHUR H LEIMAN REV TR TRYON FA EILENE TRE	HO 6	CITY OF HOUSTON
ENCHANTED FOREST SUBDIVISION, BLOCK 28, LOT 6, PLAT 1971-50, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				

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OR 19-070  
IN 19-095



Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
56172B02L001	TS039-17	KLORA JEFFREY S	HO 12	BEAVER LKS AREA
LAKE MOUNT ESTATES, BLOCK 2, LOT 1, PLAT 1971-30, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56516B04L016	TS039-18	SEIGMAN EDW DALE	HO 11	BIG LK AREA
BIG LAKE HIEGHTS SUBDIVISION, ADDITION NO. 1, BLOCK 4, LOT 16, PLAT 1974-38, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56073B06L011	TS039-19	CHENOWETH CYNTHIA TR CHENOWETH CYNTHIA TR ITY JOS P	HO 10	MEADOW LKS AREA
CAROUSEL LAKE SUBDIVISION, BLOCK 6, LOT 11, 1971-67, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56311B01L010	TS039-20	SMITH RICHIE C & PHYLLIS	HO 9	MEADOW LKS AREA
CHAR-DEE SUBDIVISION, BLOCK 1, LOT 10, PLAT 1974-66, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
56385B04L003	TS039-21	MCCASKELL JAMES S	HO 15	KNIK-GOOSE BAY AREA
PTARMIGAN - VILLAGE UNIT NO. 2, BLOCK 4, LOT 3, PLAT 1972-100, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				

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IN 19-095

Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
56043B05L025	TS039-22	KNUTSON LYNN MARIE	HO 16	KNIK-GOOSE BAY AREA
BIRCH HILLS EST BLOCK 5 LOT 25 ACCORDING TO PLAT 1971-10 LOCATED IN PALMER RECORDING DISTRICT THIRD JUDICIAL DISTRICT, STATE OF ALASKA				
53264B01L019	TS039-23	NUNLEY JOHN M	HO 16	KNIK-GOOSE BAY AREA
MONTCLAIRE SUBDIVISION, PHASE I, BLOCK 1, LOT 19, PLAT 1986-114, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
52993B05L008	TS039-24	ISHIKI RICKEY H EST	HO 16	KNIK-GOOSE BAY AREA
MONTCLAIRE SUBDIVISION, PHASE II, BLOCK 5, LOT 8, PLAT 1985-73, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
51069B14L006	TS039-25	KIERNAN JOAN M	WA 11	BOGARD RD AREA
WILLIWAW SUBDIVISION NO. 2, BLOCK 14, LOT 6, PLAT W-76, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
52975000L008	TS039-26	BROWN RANDALL A & TER	KG 4	KNIK RVR AREA
ECHO VALLEY I, LOT 8, PLAT 1985-116, ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				

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Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
52049B30L009	TS039-27	CARLSON BEVERLY J EST	PV 32	PETERSVILLE AREA
ALASKA STATE LAND SURVEY NO. 79-242, TRAPPER CREEK GLEN ALASKA SUBDIVISION, BLOCK 30, LOT 9, PLAT 1980-119, TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
52060B01L001-1	TS039-28	POHJOLA JOHN RITCHIE	CH 16	CHASE AREA
ALASKA STATE LAND SURVEY NO. 79-149, CHASE II ALASKA SUBDIVISION, UNIT IV A, BLOCK 1, LOTS 1 AND 2, PLAT 82-3, TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
540720000000	TS039-29	WEIDNER PHILLIP PAUL	BA 10	SOCKEYE LK AREA
ALASKA STATE LAND SURVEY NO. 92-128, PLAT 1992-102, TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
52244B10L011	TS039-30	WELCH BETTY L	BA 40	LARSON LK AREA
ALASKA STATE LAND SURVEY NO. 80-176, BALD MOUNTAIN SUBDIVISION, BLOCK 10, LOT 11, PLAT 1981-116, TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				
53807000T00C	TS039-31	SOUTH VICTOR	MP 1	KICHATINA RVR AREA
ALASKA STATE LAND SURVEY 90-141, TRACT C, ACCORDING TO PLAT NO. 91-17, LOCATED IN THE TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.				

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JN 19-095

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Matanuska-Susitna Borough - Tax/LID Sale Listing - TS039  
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<u>Tax Account</u>	<u>Sale ID</u>	<u>Former Record Owner</u>	<u>Map</u>	<u>Location</u>
51608000T00C	TS039-32	OCCIDENTAL COLLEGE	LS 12	SUSITNA AREA

ALASKA STATE LAND SURVEY NO. 75-066, TRACT C, PLAT 1979-7, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

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56252B03L001	TS039-33	PORT MACKENZIE CO	PM 12	POINT MACKENZIE AREA
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PORT MACKENZIE SUBDIVISION, BLOCK 3, LOT 1, PLAT 1971-29, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

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56252B03L002	TS039-34	PORT MACKENZIE CO	PM 12	POINT MACKENZIE AREA
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PORT MACKENZIE SUBDIVISION, BLOCK 3, LOT 2, PLAT 1971-29, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

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