

NONCODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 21-005**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SALE OF BOROUGH-OWNED LAND IDENTIFIED AS LOT 107, RUSTIC WILDERNESS DIVISION 2, TO ADJACENT PROPERTY OWNERS MICHAEL AND MARLA MURPHY, PURSUANT TO MSB 23.10.230, AGREEMENTS BY APPLICATION (MSB007681).

WHEREAS, MSB Land & Resource Management received a request from Michael and Marla Murphy to purchase adjacent Borough-owned land by application, pursuant to MSB 23.10.230 Agreements by Application; and

WHEREAS, the Borough received the subject property through tax foreclosure for non-payment of taxes for the year 1984 and earlier, and all re-purchase rights of the former record owner have been extinguished, and there is no public purpose for retention of Lot 107; and

WHEREAS, under MSB 23.10.230 subsection (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, the Borough recognizes a standard lot as being at least 40,000 square feet under MSB 43.20.280 Area; and

WHEREAS, the Murphy's own Lots 106 and 108 on either side of Borough-owned Lot 107, and all three lots range between 24,000 to 27,000 square feet which is considered substandard in size; and

WHEREAS, inter-department review was initiated and received no objection or concern from Borough departments and public notice was provided in accordance with MSB 23.05.25 with no objections received from the noticing; and

WHEREAS, in accordance with MSB 23.10.060, fair market value of Lot 107 is determined by the certified tax assessment roll and is valued at \$4,000; and

WHEREAS, the Borough parcel will be sold for cash and conveyed by quitclaim in "as-is, where-is" condition, without warranty expressed or implied.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a noncode ordinance.

Section 2. Authorization. Matanuska-Susitna Borough Assembly approving the sale of Borough-owned land identified as Lot 107, Rustic Wilderness Division 2, to adjacent property owners Michael and Marla Murphy, pursuant to MSB 23.10.230 Agreements By Application.

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

ADOPTED by the Matanuska-Susitna Borough Assembly this
__ day of ____, 2021.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)