

**An ordinance of the Haines Borough determining whether foreclosed properties deeded to the borough shall be retained for a public purpose or sold.**

**WHEREAS**, delinquent property tax liens resulted in foreclosure of the following three parcels within the Haines Borough (First Judicial District, State of Alaska):

- B-EXS-OB-0700 – Excursion Inlet South 81-90, BLK B, Lot 7, Juneau Recording District (3.82 Acres) **(William Middleton, last owner of record)**
- 3-MVE-00-1300 – Moose Valley Estates Subdivision, Lots 13 & 18, Haines Recording District (10 Acres) **(Troy Brown, last owner of record)**
- B-CKL-05-1400 – Chilkat Lake Sub, BLK 5, Lot 14, Haines Recording District, First Judicial District, State of Alaska (1.16 Acres) **(Marcia Carlisle, last owner of record);**  
and

**WHEREAS**, on November 14, 2012, the Court of the State of Alaska issued judgments finalizing the foreclosures and conveying all rights, titles, and interest in the real property by “clerk’s deed” to the Haines Borough; and

**WHEREAS**, a land sale default on the following parcel resulted in foreclosure and the return of the deed to the Haines Borough:

- B-EXS-OC-0400 – Excursion Inlet South Subdivision, Lot 4, BLK C, Juneau Recording District (3.73 Acres) **(Lisa Esparza, last owner of record);** and

**WHEREAS**, all four parcels are now Haines Borough property, and HBC 14.20.040 provides that borough lands may be classified for sale by the assembly with the advice of the planning commission and that public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly, and

**WHEREAS**, following discussion of the four properties during a public meeting on March 14 the planning commission decided to recommend that all four parcels be sold, and

**WHEREAS**, HBC 3.74.220 requires that the borough assembly determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose; and

**WHEREAS**, foreclosed properties conveyed to the borough and not required for a public purpose may be sold provided the borough assembly, by ordinance, determines that a public need for the properties does not exist,

**NOW THEREFORE BE IT ENACTED** by the Haines Borough Assembly that the four aforementioned parcels are not required for a public purpose and may be sold according to HBC 14.20.

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

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 3. Purpose. To determine whether foreclosed properties deeded to the borough shall be retained for a public purpose.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 23<sup>rd</sup>  
DAY OF APRIL, 2013.

  
Stephanie Scott, Mayor

ATTEST:

  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: 04/23/13 - Adopted

