

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-06

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OBTAINED BY FORECLOSURE BACK TO THE FORMER OWNER**

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WHEREAS, the City of Dillingham obtained title to the property known as Snag Point Subdivision, Block 1, Lot 10 (the "Property") through foreclosure due to failure to pay real property taxes; and

WHEREAS, AS 29.45.470 allows the record owner to repurchase the Property from the City within ten years by paying the full amount due plus interest, delinquent taxes, and costs; and

WHEREAS, the former owner has now paid the entire amount due and owing for the Property; and

WHEREAS, the City Council finds that the Property is not needed for municipal purposes and that conveying the Property back to its former owner promotes the public purpose of requiring all property owners to pay their real property taxes; and

WHEREAS, the City therefore desires to convey the Property back to its former owner; and

WHEREAS, the Property shall continue to accrue real property taxes under private ownership, the new owner shall be responsible for paying such taxes, and this conveyance shall in no way limit the City's right or ability to foreclose on the Property in the future should tax payments become delinquent again;

NOW BE IT ENACTED BY THE VOTERS OF THE CITY OF DILLINGHAM:

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

**Section 2.** The City hereby agrees to convey the Property described as Snag Point Subdivision, Block 1, Lot 10 to the former owner Daniel Noden Sr. in the manner set forth in the Quitclaim Deed attached as Exhibit A, hereto.

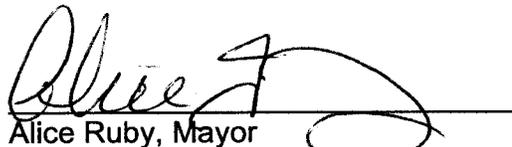
**Section 3.** The Mayor is hereby authorized and directed to execute all necessary documents to effectuate the conveyance.

**Section 4. Effective Date.** This ordinance shall be made effective immediately upon passage.

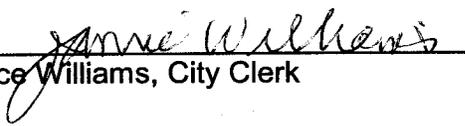
PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on May 23, 2013.

SEAL:



  
Alice Ruby, Mayor

ATTEST:

  
\_\_\_\_\_  
Janice Williams, City Clerk

**Subject:** Adopt Ordinance No. 2013-06, City of Dillingham Information Memorandum No. O2013-07, An Ordinance of the Dillingham City Council authorizing conveyance of certain real property obtained by foreclosure back to the former owner

Agenda of: May 23, 2013

Council Action: This ordinance was introduced at the April 11, 2013 Regular Council Meeting, and scheduled for a public hearing May 23.

Manager: Recommend approval.

City Manager:

  
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Finance / Carol Shade		
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes \_\_\_\_\_ No  X  Funds Available: Yes \_\_\_\_\_ No \_\_\_\_\_

**Other Attachment(s):**

- Quitclaim Deed
- Notice of a Public Hearing was advertised in the May 16, 2013 edition of Bristol Bay Times as required to be advertised in a local newspaper five days in advance of the public hearing.

**Summary Statement.**

This ordinance was prepared by legal counsel.

5.30.030 Public notice. At least thirty days is required between the time a disposal ordinance is introduced and the time that it is finally adopted by the city council. Once an ordinance is introduced, it will be posted at those places outlined in municipal code for thirty days and may serve as the only public notice of disposal. (Ord. 94-16 (part), 1995.)

**We will be recommending that Council adopt this ordinance at the May 23 Council Meeting.**

**RECORD AT BRISTOL BAY RECORDING DISTRICT**

**QUIT CLAIM DEED**

WHEREAS, by Clerk's Deed dated March 10, 2004, and recorded in the Bristol Bay Recording District as Document Number 2004-000153-0 on March 22, 2004, the Superior Court for the State of Alaska, Third Judicial District, conveyed to the City of Dillingham the property legally described as Snag Point Subdivision, Block 1, Lot 10;

Now Therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of Dillingham ("GRANTOR") of P.O. Box 889, Dillingham, Alaska 99576, conveys and quitclaims all interests which it has, if any, to Daniel Noden, Sr. ("GRANTEE") that certain real property described as

SNAG POINT SUBDIVISION, Block 1, Lot 10

CITY OF DILLINGHAM

\_\_\_\_\_  
DATE

\_\_\_\_\_  
By: Alice Ruby  
Its: Mayor

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2013, before me appeared Alice Ruby, who acknowledged being the Mayor of the City of Dillingham, an Alaska municipal corporation, and voluntarily signing and sealing the foregoing instrument on behalf of said municipality, and being authorized so to do.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

**After Recording Return To:**

BOYD, CHANDLER & FALCONER, LLP  
911 W. 8<sup>th</sup> Ave., Suite 302  
Anchorage, AK 99501



## NOTICE OF A PUBLIC HEARING

Public Hearing on Ordinance No. 2013-06

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The City Of Dillingham will hold a **Public Hearing** on Thursday, May 23, 2013, at 7:00 P.M. in the City Council Chambers for the purpose of taking comment from the public on the following ordinances:

An Ordinance of the Dillingham City Council Authorizing the Conveyance of Certain Real Property Obtained by Foreclosure Back to the Former Owner

If you have any questions, please forward them to the City Clerk's office at 842-5212 or email [cityclerk@dillinghamak.us](mailto:cityclerk@dillinghamak.us).