

1 IN THE HOUSE

BY MR. JACKSON

2 HOUSE BILL NO. 62

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to notice of foreclosure
7 proceedings to be given owners of tax-
8 delinquent real property."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 29.10.465 is amended to read:

11 Sec. 29.10.465. NOTICE OF FORECLOSURE PROCEEDING. (a)

12 On the day designated in the notice provided for in sec. 462
13 of this chapter, a certified copy of the foreclosure list,
14 together with a petition for judgment, shall be presented to
15 the superior court. Notice of the foreclosure proceeding
16 shall be given by four weekly publications of the foreclosure
17 list in a newspaper of general circulation in the city [,]
18 designated by the council. The first publication shall be
19 made on the day of the filing of the list and petition. The
20 price charged by the newspaper shall be at the rate provided
21 by law. In addition, for each tract on the foreclosure list,
22 a notice shall be sent by registered or certified mail,
23 postage prepaid, to the last-known owner of the property as
24 his name and address appear on the list. The notice shall
25 advise of the foreclosure proceeding and describe the tract
26 and the amount due as stated on the list. [THE PUBLICATION
27 OF THE FORECLOSURE LIST IS SUFFICIENT SERVICE ON EACH PER-
28 SON INTERESTED IN A PROPERTY, AND IT IS NOT NECESSARY TO
29 MAIL NOTICE TO THE OWNER OR OTHER PERSON INTERESTED IN THE

1 PROPERTY.]

2 (b) In cities in which no newspaper is published, the
3 council may, instead of publication in a newspaper, post the
4 notice and foreclosure list at the front door of the post
5 office and in three other conspicuous public places in the
6 city. Within 10 days after the posting, the clerk shall mail
7 the notice prescribed in (a) of this section. [THE POSTING
8 OF THE FORECLOSURE LIST IS SUFFICIENT SERVICE ON EACH PERSON
9 INTERESTED IN A PROPERTY. HOWEVER, IF THE NOTICE IS POSTED
10 THE CLERK SHALL WITHIN 10 DAYS AFTER THE POSTING MAIL TO EACH
11 PERSON TO WHOM A TRACT IS ASSESSED, AT HIS LAST KNOWN ADDRESS,
12 A NOTICE DESCRIBING THE TRACT AND THE AMOUNT DUE AS STATED ON
13 THE FORECLOSURE LIST.]

14 (c) Completion of the requirements of (a) and (b) of
15 this section constitutes and has the same force and effect as
16 the filing of an individual and separate complaint and service
17 of summons to foreclose a lien against each tract described
18 on the foreclosure list. All persons owning or claiming an
19 interest in property included in the foreclosure list are
20 charged with notice of the proceeding and of all steps there-
21 under.

22 * Sec. 2. AS 29.10.522¹ is amended to read:

23 Sec. 29.10.522. NOTICE OF EXPIRATION OF REDEMPTION
24 PERIOD. (a) Not more than 45 days nor less than 30 days
25 before the expiration of the period of redemption, the clerk
26 shall publish a general notice of the expiration of the
27 period of redemption. The notice shall contain the date of
28 the judgment and decree, the date of expiration of the
29 period of redemption, and a warning to the effect that all

1 the properties ordered sold under the judgment and decree,
2 unless redeemed, will be deeded to the city immediately on
3 expiration of the period of redemption and that every right
4 or interest of any person in the properties will be forfeited
5 forever to the city. The notice shall be published in two
6 weekly issues of a designated newspaper of general circula-
7 tion in the city within the period of 15 days specified in
8 this section. The published notice may be a general notice,
9 and it is not necessary to include descriptions of the
10 several properties or the names of the respective owners.
11 If no newspaper is published in the city, the notice shall be
12 posted in three public places in the city for a period of
13 two weeks.

14 (b) The clerk shall send a copy of the published notice
15 by registered or certified mail, postage prepaid, to each
16 record owner of property against which a judgment of fore-
17 closure has been taken. The notice shall be mailed within
18 five days of the first publication.

19 * Sec. 3. AS 29.10.537 is amended to read:

20 Sec. 29.10.537. SALE OF TAX FORECLOSED PROPERTIES.
21 Tax foreclosed properties conveyed to a municipal corporation
22 [, INDEPENDENT SCHOOL DISTRICT OR PUBLIC UTILITY DISTRICT]
23 by tax foreclosure, decree and sale, as provided in secs.
24 369 - 540 of this chapter, may be sold by the municipal
25 corporation [, INDEPENDENT SCHOOL DISTRICT OR PUBLIC UTILITY
26 DISTRICT] in the manner [AND UPON THE NOTICE] provided by
27 general ordinance of the municipal corporation and upon
28 notice of intended sale to be given by registered or certi-
29 fied mail to the record owner at the time of tax foreclosure.

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Notice shall be given a reasonable time before a sale or contract of sale is made and shall advise the record owner of his right of repurchase authorized by sec. 528 of this chapter. [OR BY RESOLUTION OF THE SCHOOL OR PUBLIC UTILITY DISTRICT]. All sales are subject to the approval of the governing body of the corporation or district.