

Introduced: 2/14/73  
Referred: Judiciary

1 IN THE SENATE

BY ZIEGLER

2 SENATE BILL NO. 141

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the residence exemption."

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

8 \* Section 1. AS 09.35.090(a) is amended to read:

9 (a) The homestead of any family is, or the proceeds of the home-  
10 stead are exempt from judicial sale for the satisfaction of any liability  
11 contracted or judgment on debt except as provided in this section. The  
12 homestead consists of the actual abode of and owned by the family or  
13 some member of the family. It shall not exceed \$12,000 in value, and  
14 not exceed 160 acres in extent if located outside a town or city laid  
15 off into blocks or lots, or not exceed one-fourth of one acre if  
16 located in a town or city. This section does not apply to decrees for  
17 the foreclosure of a mortgage, deed of trust, labor and materialmen's  
18 lien or conditional sales contract properly executed. If the owners  
19 of a homestead are married, it shall be executed by husband and wife.  
20 When an officer levies upon a homestead, the owner or the wife,  
21 husband, agent, or attorney of the owner may notify the officer that he  
22 claims the premises as his homestead, describing it by metes and  
23 bounds, lot or block, or legal subdivision. The officer shall notify  
24 the creditor of the claim, and, if the homestead exceeds the maximum  
25 in this section and he considers it of greater value than \$12,000,  
26 then he may apply to the court for the appointment of three disinter-  
27 ested persons to appraise the homestead, commencing with the 20 acres  
28 of the lot upon which the dwelling is located, appraising each lot or  
29 20 acres separately; and, if the homestead exceeds \$12,000, then the

1 officer shall proceed to sell all in excess of \$12,000 by lots or  
2 smallest legal subdivisions, offering them in the order directed by  
3 the judgment debtor if he chooses to direct; otherwise, he shall sell  
4 them so as to leave the homestead as compact as possible. The home-  
5 stead is exempt from sale or legal process after the death of the  
6 person entitled to the homestead for the collection of a debt for  
7 which it could not have been sold during his lifetime.  
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