

Introduced: 4/27/89
Referred: Community and Regional Affairs
and Labor and Commerce

6-1333A

1 IN THE SENATE

BY PEARCE

2

SENATE BILL NO. 307

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to property foreclosed upon by a
municipality."

7

8

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

9

* Section 1. AS 29.45.470(a) is amended to read:

10

(a) The record owner at the time of tax foreclosure of property
acquired by a municipality, or the assigns of that record owner, may,
within 10 years and before the sale or contract of sale of the tax-
foreclosed property by the municipality, repurchase the property. The
municipality shall sell the property for the full amount applicable to
the property under the judgment and decree plus

16

(1) [, WITH] interest not to exceed 15 percent a year from
the date of entry of the judgment of foreclosure to the date of repur-
chase;

19

(2) [,] delinquent taxes assessed and levied as though it
had continued in private ownership;

21

(3) [, AND] costs of foreclosure and sale incurred by the
municipality; and

23

(4) costs of maintaining and managing the property incurred
by the municipality including insurance, repairs, association dues,
and management fees, that exceed amounts received by the municipality
for the use of the property.

27

* Sec. 2. AS 29.45.480(b) is amended to read:

28

(b) If tax-foreclosed real property that has been held by a
municipality for less than 10 years after the close of the redemption

29

1 period and never designated for a public purpose is sold at a tax-
2 foreclosure sale, the former record owner is entitled to the portion
3 of the proceeds of the sale that exceeds the amount of unpaid taxes,
4 the amount equal to taxes that would have been assessed and levied
5 after foreclosure if the property had continued in private ownership,
6 penalty, interest, and costs to the municipality of foreclosing and
7 selling the property, and costs to the municipality of maintaining and
8 managing the property that exceed amounts received by the municipality
9 for the use of the property. If the proceeds of the sale of tax-fore-
10 closed property exceed the total of unpaid and delinquent taxes,
11 penalty, interest, and costs, the municipality shall provide the
12 former owner of the property written notice advising of the amount of
13 the excess and the manner in which a claim for the balance of the
14 proceeds may be submitted. Notice is sufficient under this subsection
15 if mailed to the former record owner at the last address of record of
16 the former record owner. On presentation of a proper claim, the
17 municipality shall remit the excess to the former record owner. A
18 claim for the excess filed after six months of the date of sale is
19 forever barred.

20 * Sec. 3. APPLICATION. The amendments made by secs. 1 and 2 of this
21 Act apply to property that is foreclosed upon after the effective date of
22 this Act.