

Introduced by: Mayor Matherly and
Council Members Pruhs and Rogers
Date: May 21, 2018

ORDINANCE NO. 6075, AS AMENDED

**AN ORDINANCE AUTHORIZING AND DIRECTING RETENTION OF
THE PROPERTY KNOWN AS THE POLARIS BUILDING FOR PUBLIC
PURPOSE UPON TAX FORECLOSURE**

WHEREAS, the Polaris Building is located at First Avenue and Lacey Street within Block 12, Fairbanks Townsite, and identified for property tax purposes as Parcel Account Number 04181111; and

WHEREAS, property taxes for the Polaris Building have not been paid for the years 2015, 2016, and 2017; and

WHEREAS, if the 2015 taxes remain unpaid at the close of business on May 25, 2018, the Fairbanks North Star Borough will receive title to the property by tax foreclosure; and

WHEREAS, Alaska Statutes Title 29 provides that a tax-foreclosed property may be retained by a municipality for public purpose by adoption of a retention ordinance; and

WHEREAS, the Polaris Building has become a blight on downtown Fairbanks; and

WHEREAS, in August of 2012, the City Building Official issued a Notice and Order to the owner of the property, Fairbanks Polaris Hotel, LLC, under the authority of the City's Code for the Abatement of Dangerous Buildings, to repair or demolish the Polaris Building; and

WHEREAS, because the owner has not responded to the Building Official's Notice and Order, the City has the legal right to demolish the Polaris Building; and

WHEREAS, the demolition of the Polaris Building is key to plans for urban renewal of this area of downtown Fairbanks; and

WHEREAS, City ownership of the property is a requirement for obtaining grant funds for demolition of the building; and

WHEREAS, the Fairbanks North Star Borough has agreed to waive landfill tipping fees at the time of demolition, helping reduce the total cost of the project.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That the City hereby exercises its right, as provided under AS 29.45.460, to retain for public purpose the following property, owned by Fairbanks Polaris Hotel, LLC, c/o Marlow

Development Co., 337 E 4th Ave., Unit 1, Anchorage, Alaska 99501, known as the Polaris Building, located at First Avenue and Lacey Street, 123 Lacey Street (also 427 First Avenue), Fairbanks, Alaska, identified for property tax purposes as Parcel Account Number 0418111, and legally described as:

Parcel 1

A portion of Block 12, Townsite of Fairbanks, according to the survey of said Townsite known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1 in said Block; THENCE North 79°24'00" East along the Northerly line of Lots 1 and 2 in said Block, a distance of 63.17 feet; THENCE North 81°37'00" East along the Northerly line of Lots 2 and 3 in said Block, a distance of 44.20 feet to the Northeast corner of said Lot 3; THENCE South 8°06'00" East 75.50 feet to the Southeast corner of said Lot 3; THENCE South 82°09'00" West 23.55 feet; THENCE North 9°41'07" West 7.75 feet; THENCE South 80°18'53" West 79.91 feet to the Westerly line of said Lot 1; THENCE North 11°14'00" West along said Westerly line 67.02 feet to the POINT OF BEGINNING.

Parcel 2

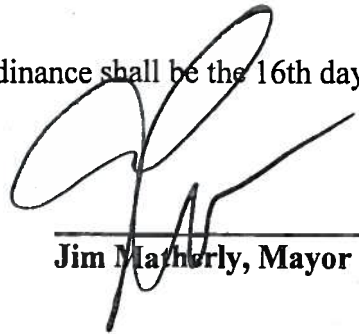
That portion of Lots 1 and 2, Block 12, Townsite of Fairbanks, according to the survey of said Townsite known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at a point on the West boundary line of said Lot 1 that is South 11°14' East 67.02 feet from the Northwest corner of said Lot 1; THENCE North 80°18'53" East 79.91 feet; THENCE South 9°41'07" East 7.75 feet; THENCE North 82°09' East 1.35 feet to a point on the East line of Lot 2; THENCE South 08°43' East along the East line of Lot 2, a distance of 75.0 feet to the Southeast corner of said Lot 2; THENCE along the South boundary line of Lots 2 and 1, South 82°15' West 77.90 feet to the Southwest boundary of said Lot 1; THENCE along the West boundary line of said Lot 1, North 11°14' West 80.18 feet to the POINT OF BEGINNING.

SECTION 2. That funds shall be appropriated to pay the Borough its portion of property taxes due and owing, together with applicable fees, estimated at ~~\$36,332.67~~**\$49,000.**

SECTION 3. That a signed copy of this ordinance shall be furnished to the Borough Clerk.

SECTION 4. That the effective date of this Ordinance shall be the 16th day of June 2018.




Jim Matherly, Mayor

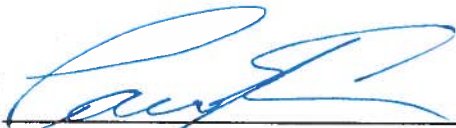
AYES: Bagwill, Therrien, Pruhs, Cleworth, Rogers
NAYS: None
ABSENT: Huntington
ADOPTED: June 11, 2018

ATTEST:

APPROVED AS TO FORM:



D. Danyelle Snider, CMC, City Clerk



Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6075

Abbreviated Title: RETENTION OF POLARIS BUILDING

Department(s): MAYOR

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes x No _____

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

EXPENDITURES:	Equipment	Contracts	Personnel	Total
FNSB Property Taxes	\$0	\$36,333	\$0	\$36,333
TOTAL	\$0	\$36,333	\$0	\$36,333

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
Fairbanks Downtown Association	\$0	\$36,333	\$0	\$36,333
TOTAL	\$0	\$36,333	\$0	\$36,333

The Fairbanks Downtown Association will provide funding for the required property taxes upon foreclosure, resulting in City ownership of the building. The support and maintenance of this property is unknown at this time.

Reviewed by Finance Department:

Initial mb

Date 6/12/2018