

RESOLUTION 2015 - 109

A RESOLUTION ORDERING THE CANCELLATION OF DELINQUENT PROPERTY TAXES

WHEREAS, MCA § 70-33-432 provides that if a landlord reasonably believes that a tenant has abandoned a mobile home, and at least 5 days have elapsed since the landlord formed that belief, then the landlord may remove the mobile home from the premises; and

WHEREAS, MCA § 70-33-432 provides that a mobile home is presumed to be abandoned and may be removed from the premises and disposed of if the landlord sends a notice by certified mail to the mobile home owner, and the owner does not contact the landlord or does not remove the trailer within 20 days; and

WHEREAS, the landlord of a mobile home has met the requirements in MCA § 70-33-432, and the landlord wishes to dispose of or recycle the mobile home, see Exhibit A.

WHEREAS, MCA § 15-24-212 provides that the Board of County Commissioners may order the cancellation of delinquent property taxes on a mobile home if the mobile home has been abandoned; and

WHEREAS, the order must include the name and address of the delinquent taxpayer; the physical address or location of the mobile home; the amount of delinquent taxes, plus interest, penalties, and costs, if any; the date of the taxes became delinquent; and the taxpayer identification number, all of which is set forth in Exhibit B; and

WHEREAS, MCA § 15-24-212(2) requires the order to be adopted in a public meeting;

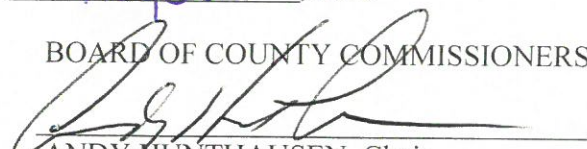
NOW, THEREFORE, BE IT RESOLVED that the delinquent personal taxes, penalty, and interest accrued against the mobile home described in Exhibit B are cancelled; and

BE IT FURTHER RESOLVED, that upon notification of this resolution, the Lewis and Clark County Treasurer/Clerk and Recorder adjust the taxes-receivable accounts to conform to this order of cancellation; and

BE IT FURTHER RESOLVED, that one copy of this order be recorded and filed with the Lewis and Clark County Treasurer/Clerk and Recorder as a permanent and public record.

DATED this 10th day of August, 2015

BOARD OF COUNTY COMMISSIONERS


ANDY HUNTHAUSEN, Chair



3277334 B: M50 P: 2705 COUNTY
08/06/2015 11:12 AM Pages: 1 of 5 Fees: 0.00
Paulette DeHart Clerk & Recorder, Lewis & Clark MT



STATE OF MONTANA)
)
:SS
County of Lewis and Clark)

I, Kelly Kugler, being first duly sworn upon oath depose and state that I am the owner and landlord of the Mobile City Home Park and as such state the following:

1. The mobile home, located at 1805 Joslyn St #16, is located within the Mobile City Home Park
2. I reasonably believe the owner, of the mobile home located at 1805 Joslyn St #16, abandoned the mobile home.
3. I sent a notice of disposal, to the last-known address of the owner, giving at least 15 days for the owner to respond (attached as Exhibit 1), and that time has elapsed.
4. The owner has not responded to my notice.
5. I made reasonable efforts to determine if the mobile home was subject to any liens; and I could not find any liens on the property.
6. I intend to destroy or recycle the mobile home, because the cost to sell the mobile home exceeds the value of the mobile home.

I swear under oath that the foregoing is true, to the best of my knowledge.

Dated this 3 day of August, 2015.

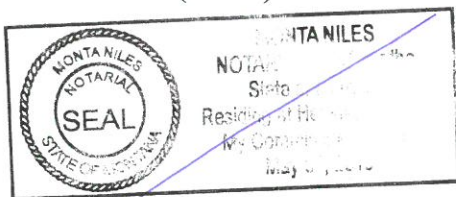
Kelly Kugler
Kelly Kugler

State of Montana

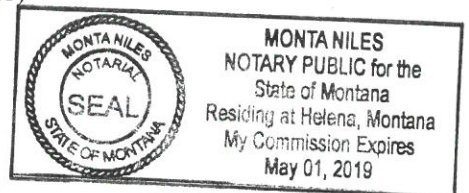
County of L&C

This instrument was SUBSCRIBED AND SWORN TO before me this 3 day of August, 2015.

(SEAL)



Christina Jones
(Signature of the notarial officer)



A. Robert W. Cannan 1805 Joslyn St #16 Helena, MT 59601

B. 1805 Joslyn St #16 Helena, MT 59601

C. 2011 second ½ through 2015 \$1,085.64

Interest: \$180.24

Penalty \$19.19

D. December 1, 2011

E. Assessor Code#91248

FILE COPY

March 31, 2015

Estate of Rob Cannan
1805 Joslyn #16
Helena, MT 59601

To Whom it May Concern:

Pursuant to M.C.A. 70-33-432. Disposition of abandoned mobile home.

Be advised if you do not respond, pay the fees owed, and remove your mobile home from Lot No. 16 at 1805 Joslyn, Helena, MT 59601 by 11:00 a.m. on Monday, April 22, 2015 the mobile home will be presumed abandoned and one of the following steps will be taken immediately:

- (a) Selling the mobile home at a public or private sale; or
- (b) Destroying or otherwise disposing of the mobile home.


Kelly Kugler, Manager
Mobile City Home Park

c: Lewis & Clark Co. Sheriff
File

cc to CoAtt, Dfc 04.07-15

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HELENA MT 59601
OFFICIAL USE

Postage	\$ 00.49	0624 Postmark Here MAR 31 2015
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.49	

Sent To
 Estate of Rob Cannan
 Street, Apt. No., or PO Box No. 1805 Joslyn #16
 City, State, ZIP+4 Helena, MT 59601

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.49	

Sent To
 Lewis & Clark Co. Sheriff
 Street, Apt. No., or PO Box No. 221 Breckenridge
 City, State, ZIP+4 Helena, MT 59601

PS Form 3800, August 2006 See Reverse for Instructions

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Lewis & Clark Co. Sheriff
 221 Breckenridge
 Helena, MT 59601

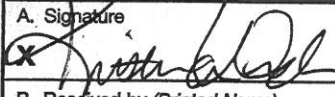
2. Article Number
 (Transfer from service label)

7013 3020 0000 2954 3906

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent
 Addressee
 B. Received by (Printed Name)
 C. Date of Delivery 4/1/15
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes



Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: Mobile City Home Park
 1805 Joslyn #229 (office)
 Helena, MT 59601

To: L&C County Attorneys Office
 c/o Rob Cannan Estate
 228 Broadway
 Helena, MT 59601

PS Form 3817, April 2007 PSN 7530-02-000-9065



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U.S. POSTAGE
 PAID
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