

RESOLUTION 2015 – 123

**A RESOLUTION ORDERING THE CANCELLATION OF
DELINQUENT PROPERTY TAXES ON MOBILE HOME OR HOUSETRAILER**

WHEREAS, Section 15-24-212 MCA, states that “the Board of County Commissioners may order the cancellation of delinquent property taxes on a mobile home...if the mobile home...is to be moved for the purposes of destruction or recycling.”; and

WHEREAS, Section 15-24-212 (2) requires an order to be included in the board’s minutes. 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 the taxes became delinquent; and the taxpayer identification number; and

WHEREAS, Section 70-33-432, MCA states if the landlord reasonably believes that the tenant has abandoned a mobile home, and if at least 5 days have elapsed since the occurrence of events upon which the landlord has formed the belief that the mobile home has been abandoned; and

WHEREAS, the landlord must send a notice by certified mail to the last known address of the mobile home owner or interested party stating that at a specified time, not less than 15 days after mailing the notice, the mobile home will be disposed of. If the mobile home owner has contacted the landlord in writing that the owner intends to remove the mobile home within 20 days and does not do so, the mobile home is presume to be abandoned; and

WHEREAS, Section 15-24-212 (3) MCA also directs that one copy of this order be recorded with the county clerk and recorder as a public record, and one copy of the order must be filed with the county treasurer as a permanent record of the treasurer’s office.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the delinquent personal taxes, penalty and interest accrued against the mobile home which will be destroyed or recycled be cancelled; and

BE IT FURTHER RESOLVED by the Board of County Commissioners that upon notification of this resolution, the Lewis and Clark County Treasurer/Clerk and Recorder will adjust her taxes receivable accounts to conform to this order of cancellation.

DATED this 27th day of August, 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chair

ATTEST:


Paulette J. DeHart, Clerk of Board

3278393 B: M50 P: 3636 COUNTY
08/27/2015 11:04 AM Pages: 1 of 6 Fees: 0.00
Paulette DeHart Clerk & Recorder, Lewis & Clark MT



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

I, Mark Susag, being first duly sworn upon oath depose and state that I am the owner and landlord of 2476 Tea Rd Helena, MT and as such state the following:

1. The mobile home, located at 2476 Tea Rd Helena, MT 59602.
2. I reasonably believe the owner, of the mobile home located at 2476 Tea Rd, 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), 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 21st day of Aug., 2015.

Mark A Susag
Mark Susag

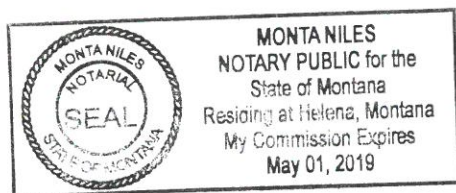
State of Montana

County of L & C

This instrument was SUBSCRIBED AND SWORN TO before me this 21 day of Aug, 2015.

(SEAL)

Yvonne Taylor
(Signature of the notarial officer)



ORDER

- A. NAME & ADDRESS OF DELINQUENT TAXPAYER: Julian Lahara 2476 Tea Rd Helena, MT
- B. PHYSICAL ADDRESS OF MOBILE HOME OR HOUSETRAILER: 2476 Tea Rd Helena, MT
- C. DELINQUENT TAXES: 1,019.94
INTEREST: 239.93
PENALTIES: 18.47
- D. DATE THE TAXES BECAME DELINQUENT: December 1, 2010
- E. TAXPAYER IDENTIFICATION NUMBER: 94191

Date: 4-3-15

To: Juban Lahara
2476 Tea Rd
Helena, MT 59602

I am the owner of land at 2476 Tea Rd.

You have a: Year 1960 Make American

Size 10 X 55 S/N K 5500 B

Assessment #: 0000 94191.

It needs to be removed from my property immediately as it is a hazard. You have fifteen (15) days from the date of this letter to contact me or have said Mobile Home removed from the above referenced property. If you contact me in writing, you will have twenty (20) days to arrange for moving of said Mobile Home.

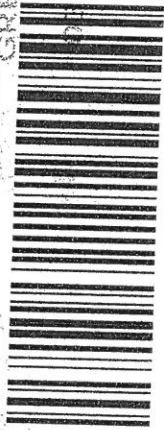
Pursuant to MCA 70-33-432 I will conclude that the Mobile Home is abandoned and will dispose of it as I see fit.

From: Mark A. Susag
2476 Tea Rd.
Helena, MT.
59602

M. SUSAG
2476 Tea Rd.
Helena, MT. 59602

RI

VERIFIED MAIL



7014 2870 0001 1449 1586



1000



59602

U.S. POSTAGE
PAID
HELENA, MT
59601
APR 03, 15
AMOUNT
\$6.49

00112294-11

Julian LAHARA
2476 Tea Rd.
Helena, MT. 59602

4/4/9

Return
4/5/11

POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

5960259148



PRINTED AT TOP ADDRESS NUMBER ON THE RIGHT OF THE RETURN LABEL
PLACE STICKER AT TOP TO RETURN TO SENDER

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:

Jelison KATHARA
2476 TEA RD.
HELENA, MT.
59602

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

C. Date of Delivery

Agent
 Addressee

D. Is delivery address different from item 1? If YES, enter delivery address below:
 Yes
 No

3. Service Type

- Certified Mail®
- Registered
- Insured Mail
- Priority Mail Express™
- Return Receipt for Merchandise
- Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label) 7014 2870 0001 1449 1586

PS Form 3811, July 2013

Domestic Return Receipt