

RESOLUTION 2015 – 137

**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

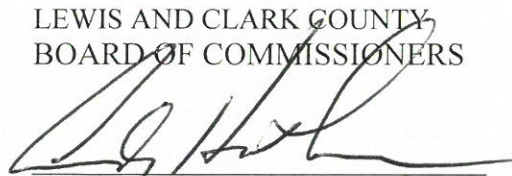
WHEREAS, Section 15-24-212 (3) MCA also directs that one copy of this order be recorded with the county clerk and recorder as a public record, and one copy of the order must be filed with the county treasurer as a permanent record of the treasurer’s office.

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 17th day of September, 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair



ATTEST:


Paulette DeHart, Clerk of Board



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

I, Julie Lindberg, being first duly sworn upon oath depose and state that I am the owner and landlord of the Leisure Village Mobile Home Park and as such state the following:

- 1. The mobile home, located at 3601 Riviera Rd, is located within Leisure Village.
- 2. I reasonably believe the owner, of the mobile home located at 3601 Riviera 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.

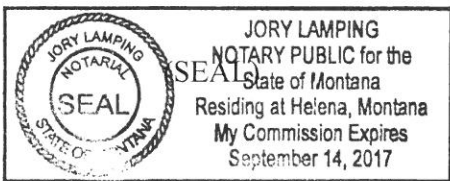
I swear under oath that the foregoing is true, to the best of my knowledge.

Dated this 13th day of Aug., 2015.

Julie Lindberg
Land Owner

State of Montana
County of Lewis & Clark

This instrument was SUBSCRIBED AND SWORN TO before me this 13 day of August, 2015.



[Signature]
(Signature of the notarial officer)

ORDER

- A. NAME & ADDRESS OF DELINQUENT TAXPAYER: Rhonda S Taylor
- B. PHYSICAL ADDRESS OF MOBILE HOME OR HOUSETRAILER: 3601 Riviera Rd Helena, MT
- C. DELINQUENT TAXES: 22.29
INTEREST: 1.51
PENALTIES: .45
- D. DATE THE TAXES BECAME DELINQUENT: December 1, 2014
- E. TAXPAYER IDENTIFICATION NUMBER: 92701

Date: 08/05/2015
Time: 08:10:07

PRINT PAYMENT GRID DETAILS
LEWIS AND CLARK COUNTY

Oper: cgreen

Tax Code : 92701 Transaction Date: 08/05/2015 Interest Date: 08/05/2015

Owner Name

TAYLOR RHONDA S
3601 RIVIERA DR
HELENA MT 59602-9102

Legal Description

LEISURE VILLAGE - MOBILE HOME PARK, S11,
T10 N, R03 W, SERIAL # 67A6049, TITLE
M871390, MAKE CHIEF IND, MODEL
BONNAVILLA, YEAR 1976, SIZE 14X66

Pay?/ Incl?	Tax Year	Tax Code	Stmt#	Bill Half	Status	Total Amount
Yes	2014	92701	4800	2nd	Delinquent	24.25

	Tax	Penalty	Interest	Total
Total Due:	22.29	0.45	1.51	24.25
Total Selected for Payment:	22.29	0.45	1.51	24.25

Gallik Law Office, PLLC
Attorneys at Law

1124 Billings Avenue
Helena, MT 59601
Phone: (406) 443-0009
Fax: (406) 443-0609
E-mail: dave@galliklaw.com

David B. Gallik

State Bar of Montana Number 2825
Washington State Bar Number 12449
State Bar of California Number 98583

Wednesday, May 28, 2014

Clint Pullman
Lewis and Clark County Sheriff's Department
221 Breckenridge
Helena, MT 59601

RE: Leisure Village vs. Taylor: Abandoned mobile home located at 3601 Riviera,
Helena, Montana

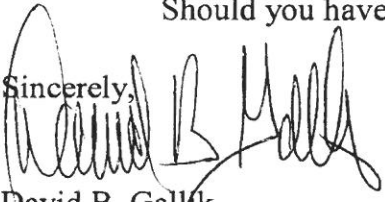
Dear Clint:

Enclosed you will find a copy of the letter and Certified Mail Receipt that was sent to Ms. Rhonda Taylor, owner of the mobile home located at the above referenced address. As you can see, the letter was mailed to Ms. Taylor on May 28, 2014.

Pursuant to my letter to Ms. Taylor and applicable Montana law, Ms. Taylor had 15 days to respond to my letter with regard to her intentions for the mobile home. It has now passed the 15 day time limit to respond and I have not been contacted by Ms. Taylor. Therefore, the mobile home located at 3601 Riviera, Helena, Montana, is considered abandoned and shall be disposed of by the owners of the Leisure Village Mobile Home Court. This mobile home is not salvageable as the inside has been destroyed. Therefore, it will not be sold, but demolished.

Should you have any questions or concerns, please let me know.

Sincerely,


David B. Gallik
Attorney at Law

Enclosures

pc: Kristi Rambo
Rhonda Taylor

2014 JUN 27 11:09 AM
ppj

Gallik Law Office, PLLC

Attorneys at Law

1124 Billings Avenue
Helena, MT 59601
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Fax: (406) 443-0609
E-mail: dave@galliklaw.com

David B. Gallik

*State Bar of Montana Number 2825
Washington State Bar Number 12449
State Bar of California Number 98583*

Wednesday, May 28, 2014

Rhonda Taylor
2883 Festival
Helena, MT 59602
VIA: Certified Mail

RE: Leisure Village vs. Taylor: Mobile home located at 3601 Riviera, Helena,
Montana

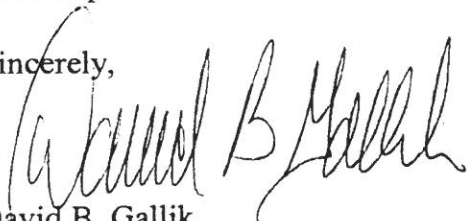
Dear Ms. Taylor:

Please accept this certified letter as your notification that the mobile home located at 3601 Riviera, Helena, Montana in the Leisure Village Mobile Home Park is considered abandoned and is accumulating storage fees.

Pursuant to the Montana Residential Mobile Home Lot Rental Act 70-33-432, you have 15 days after the mailing of this notice to respond with regard to your intentions for the mobile home. If you respond, in writing, within 15 days of the date of this certified letter, that you intend to move the mobile home, you must do so within 20 days of the date of your written response. If you do not respond within 15 days of the date of this notice, the mobile home located at 3601 Riviera, Helena, Montana and any personal items inside the mobile home, will be sold or destroyed.

Please contact me at your very earliest convenience so that we may discuss how you wish to proceed with this matter.

Sincerely,



David B. Gallik
Attorney at Law

pc: Kristi Rambo

COPY

- 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:

Rhonda Taylor
 2883 Festival
 Helena, MT 59602

A. Signature

Rhonda Taylor *A*
 A

B. Received by (Printed Name)

C. Date c

D. Is delivery address different from item 1? *Y*

If YES, enter delivery address below: *N*

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Me
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) *N*

2. Article Number

(Transfer from service label)

7004 1160 0003 1621 1476

FILED

FEB 21 2014

PAUL WILLIAMS
CLERK
JUSTICE OF THE PEACE
LEWIS & CLARK COUNTY, MONTANA

Lawyer
David Mallik
443-0009

IN THE JUSTICE COURT OR RECORD
CITY OF HELENA, LEWIS AND CLARK COUNTY, MONTANA
BEFORE MICHAEL G. SWINGLEY, JUSTICE OF THE PEACE

JULIE LINDBERG, Charles Lindberg,)	Case No. CV-13-1245
Exemption/Marital Trust - Julie)	
Lindberg Trustee; CHARLES FRICKE,)	
2901, LLC; VIRGINIA WESTWOOD,)	
Charles Edward Westwood Living)	
Trust - Virginia Westwood Trustee;)	AMENDED JUDGMENT
Collectively doing business as:)	
LEISURE VILLAGE)	
MOBILE HOME COMMUNITY,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
RHONDA TAYLOR,)	
)	
Defendant.)	

#92701

This matter having come on for a Bench Trial pursuant to proper notice, on Tuesday, February 11, 2014, at 10:00 a.m. Plaintiffs were present with their attorney, David B. Gallik, the Defendant appeared. After hearing testimony and receiving evidence the Court finds that good cause exists, and, therefore, enters Judgment in favor of the Plaintiff and against the Defendant as

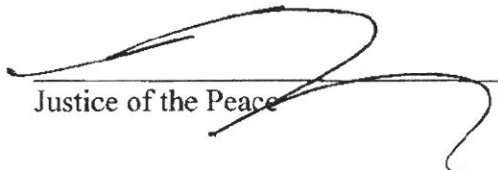
follows:

Rent	\$ 2,820.00
Filing Fee	\$ 40.00
Service Fee	\$ 35.00
Attorney Fees	<u>\$ 1,160.00</u>
Total Judgment	\$ 4,055.00

Judgment is hereby entered in favor of the Plaintiff in the amount of Four Thousand Fifty-five Dollars and No Cents (\$4,055.00).

In addition, Judgment is entered granting the Plaintiffs possession of the mobile home lot located at 3601 Riviera, Helena, Montana 59602.

Dated this 24 day of February, 2014.


Justice of the Peace

FILED

FEB 19 2014

WILLIAM
CLERK
JUSTICE OF THE PEACE
LEWIS & CLARK COUNTY, MT

IN THE JUSTICE COURT OR RECORD
CITY OF HELENA, LEWIS AND CLARK COUNTY, MONTANA
BEFORE MICHAEL G. SWINGLEY, JUSTICE OF THE PEACE

JULIE LINDBERG, Charles Lindberg,)	
Exemption/Marital Trust - Julie)	Case No. CV-13-1245
Lindberg Trustee; CHARLES FRICKE,)	
2901, LLC; VIRGINIA WESTWOOD,)	
Charles Edward Westwood Living)	
Trust - Virginia Westwood Trustee;)	JUDGMENT
Collectively doing business as:)	
LEISURE VILLAGE)	
MOBILE HOME COMMUNITY,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
RHONDA TAYLOR,)	
)	
Defendant.)	

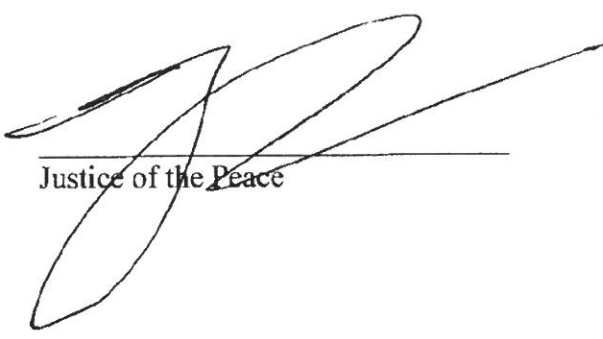
This matter having come on for a Bench Trial pursuant to proper notice, on Tuesday, February 11, 2014, at 10:00 a.m. Plaintiffs were present with their attorney, David B. Gallik, the Respondent Pro Se, did/did not appear. After hearing testimony and receiving evidence the Court finds that good cause exists, and, therefore, enters Judgment in favor of the Plaintiff and

against the Defendant as follows:

Rent	\$ 2,820.00
Filing Fee	\$ 40.00
Service Fee	\$ 35.00
Attorney Fees	<u>\$ 1,160.00</u>
Total Judgment	\$ 4,055.00

Judgment is hereby entered in favor of the Plaintiff in the amount of Four Thousand Fifty-five Dollars and No Cents (\$4,055.00).

Dated this 18 day of February, 2014.



Justice of the Peace