

RESOLUTION 2016 – 77

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 25th day of August, 2016.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman


ATTEST:

Paulette DeHart, Clerk of Board



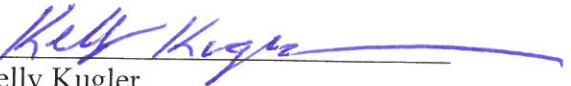
STATE OF MONTANA)
 :SS
County of Lewis & Clark)

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

1. The mobile home, located at 1805 Joslyn #315, is located within Mobile City Home Park;
2. I reasonably believe the owner of the mobile home located at 1805 Joslyn #315 abandoned the mobile home;
3. I send 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.

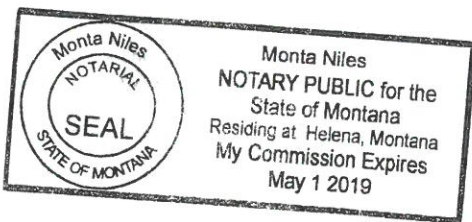
Dated this 19 day of August, 2016.

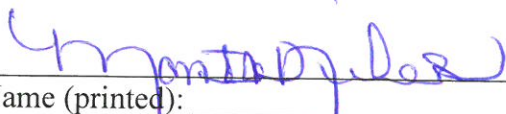


Kelly Kugler

State of Montana)
 :SS
County of Lewis & Clark)

This instrument was SUBSCRIBED AND SWORN TO before me this 19 day of August, 2016.





Name (printed): _____
Notary Public for the State of Montana
Residing at _____
My Commission Expires _____

FILE COPY

July 18, 2016


Dale Staley
1805 Joslyn #315
Helena, MT 59601

Dear Dale:

Pursuant to M.C.A. 70-33-432. Disposition of abandoned mobile home.
Pursuant to M.C.A. 70-33-430. Disposition of abandoned personal property.

Be advised if you do not respond, pay the fees owed, and remove your mobile home and personal property from Lot No. 315 at 1805 Joslyn, Helena, MT 59601 by 11:00 a.m. on Monday, August 8, 2016 the mobile home and personal property will be presumed abandoned and one of the following steps will be taken immediately:

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


Kelly Kugler, Manager
Mobile City Home Park

c: Lewis & Clark Co. Sheriff
File

7013 3020 0000 2954 3531

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com ®	
HELENA, MT 59601	
OFFICIAL USE	
Postage	\$3.00
Certified Fee	\$2.70
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.47
Postmark Here	0624 04
	07/18/2016
Sent To	Dale Staley
Street, Apt. No., or PO Box No.	1805 Joslyn #315
City, State, ZIP+4	Helena, MT 59601

PS Form 3800, August 2006 See Reverse for Instructions

Mobile City

HOME PARK & SELF STORAGE

1805 JOSLYN | HELENA, MT 59601

CERTIFIED MAIL™



7013 3020 0000 2954 3531

Handwritten signature and date: 7/19

JUL 20 2016

59601\$0115 CO28

Dale Staley
1805 Joslyn #315
Helena, MT 59601



GREAT FALLS MT EN1

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1000



59601

U.S. POSTAGE
PAID
HELENA, MT
JUL 18 2016
AMOUNT
\$6.47
R2303\$101160-04

Date: 08/15/2016
 Time: 09:49:35

PRINT PAYMENT GRID DETAILS
 LEWIS AND CLARK COUNTY

Oper: counter2

Tax Code : 90834 Transaction Date: 08/15/2016 Interest Date: 08/15/2016

Owner Name

Legal Description

WELLS SAMANTHA MCINTOSH
 1805 JOSLYN ST TRLR 315
 HELENA MT 59601-0115

MOBILE CITY- MOBILE HOME PARK, S24, T10
 N, R04 W, SPACE 315, SERIAL # 32893,
 TITLE # AA0672072, MAKE ROLLOHOME,
 MODEL UNKNOWN, YEAR 1978, SIZE 14X72

<u>Pay?/ Incl?</u>	<u>Tax Year</u>	<u>Tax Code</u>	<u>Stmt#</u>	<u>Bill Half</u>	<u>Status</u>	<u>Total Amount</u>
Yes	2016	90834	445	1st	Delinquent	73.20
Yes	2016	90834	445	2nd	Current	70.34
Yes	2015	90834	1454	1st	Delinquent	81.22
Yes	2015	90834	1454	2nd	Delinquent	78.64
Yes	2014	90834	457	2nd	Delinquent	82.63

	<u>Tax</u>	<u>Penalty</u>	<u>Interest</u>	<u>Total</u>
Total Due:	354.26	5.67	26.10	386.03
Total Selected for Payment:	354.26	5.67	26.10	386.03