

RESOLUTION 2017 – 159

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 the taxes receivable accounts to conform to this order of cancellation.

DATED this 14 day of December, 2017.



LEWIS AND CLARK COUNTY BOARD OF COMMISSIONERS

[Handwritten signature]

Susan Good Geise, Chair

ATTEST:

[Handwritten signature]
Paulette J. DeHart, Clerk of Board



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

I, Laurie Davis, being first duly sworn upon oath depose and state that I am the owner and landlord of Buzz In, LLC, (Buzz In RV Park & Storage) and as such state the following:

- 1. The mobile home, located at 3848 Hwy 12E, East Helena, MT 59635, is located within Buzz In RV Park & Storage;
- 2. I reasonably believe the owner of the mobile home located at 3848 Hwy 12E, East Helena, MT 59635, abandoned the mobile home;
- 3. I sent a notice of disposal to the last-known address of the owner, giving at least 30 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 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.

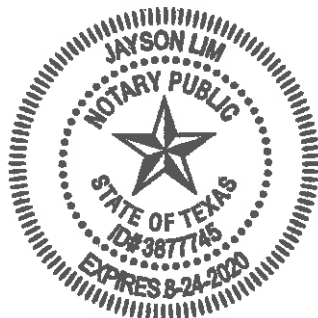
I swear under oath that the foregoing is true to the best of my knowledge.

Dated this 14th day of October, 2017.

Laurie Davis
Laurie Davis

State of ~~Montana~~ Texas)
 :SS
County of ~~Lewis & Clark~~ Harris

This instrument was SUBSCRIBED AND SWORN TO before me this 14 day of October, 2017.



Jayson Lim
Name (printed) Jayson Lim
Notary Public for the State of ~~Montana~~ Texas
Residing at Houston, TX.
My Commission Expires 8-24-2020

BUZZ IN, LLC
PO BOX 866
EAST HELENA, MT
59635

August 8, 2017

JAMES J. BARNES
1205 E. CLARK ST, TRLR 7
EAST HELENA, MT 59635-3351

RE: 1964 Great Lakes Mobile – 10' x 54' - Title Y503495

Dear Mr. Barnes

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.

Please be advised if you do not respond to this written communication, pay the fees owed, and remove your mobile home from Buzz In Storage located at 3848 Highway 12 E., East Helena, MT 59635, by 12:00 pm on September 8, 2017, the mobile home will be presumed abandoned and one of the following steps will be taken immediately:

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

I urge you to respond immediately to this correspondence or call me at 406-227-9002 should you have any questions.

Sincerely,



Laurie Davis
Manager
Buzz Inn, LLC

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:
James J. Barnes
1205 E. Clark St.
Trailer 7
East Helena, MT
59635



9590 9402 2436 8249 2624 11

7016 3560 0000 7639 3869

PS Form 3811, July 2015 PSN 7536-02-000-905-1

2. Signature
 X
 Agent
 Addressee

3. Received by (Printed Name) _____ C. Date of Delivery _____

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

5. Service Type:
 Registered Mail™
 Registered Mail Restricted Delivery
 Signature Confirmation™
 Signature Confirmation Restricted Delivery
 Restricted Delivery
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery
 Restricted Delivery

Domestic Return Receipt

Buzz In LLC
 P.O. Box 866
 East Helena MT
 59635

CERTIFIED MAIL



7016 3560 0000 7639 3868



U.S. POSTAGE
 EAST HELENA, MT
 ADDITIONAL AMOUNT
\$6.59
 REGISTERED MAIL

James J. Barnes
 1205 E. Clark St. Trailer 7
 East Helena, MT 59635-3351

2278281437-3374 JNC 1300001212 7296-0000-10-42
 596353351 40897

Date: 12/08/2017
 Time: 13:25:23

PRINT PAYMENT GRID DETAILS
 LEWIS AND CLARK COUNTY

Oper: kfrydenlund

Tax Code : 91697 Transaction Date: 12/08/2017 Interest Date: 12/08/2017

<u>Owner Name:</u>				<u>Legal Description</u>		
BARNES JAMES J 1205 E CLARK ST TRLR 7 EAST HELENA MT 59635-3351				BUZZ INN LLC TRAILER COURT, S31, T10 N, R02 W, SPACE 7, SERIAL # S2767, TITLE # Y503495, MAKE GUERDON, MODEL GREAT LAKES, YEAR 1964, SIZE 10X54		
<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	2017	91697	2109	1st	Delinquent	84.97
Yes	2017	91697	2109	2nd	Delinquent	82.13
Yes	2016	91697	762	1st	Delinquent	91.14
Yes	2016	91697	762	2nd	Delinquent	87.22
Yes	2015	91697	1776	1st	Delinquent	97.71
Yes	2015	91697	1776	2nd	Delinquent	94.92
Yes	2014	91697	784	1st	Delinquent	109.30
Yes	2014	91697	784	2nd	Delinquent	105.29

	<u>Tax</u>	<u>Penalty</u>	<u>Interest</u>	<u>Total</u>
Total Due:	630.80	12.58	109.30	752.68
Total Selected for Payment:	630.80	12.58	109.30	752.68





