

RESOLUTION 2017 – 103

**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 15 day of August, 2017.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

ATTEST:




Paulette J. DeHart, Clerk of Board



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

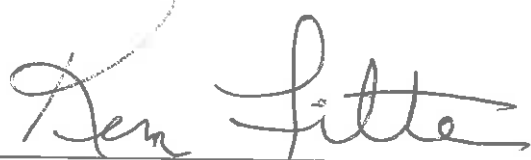
Exhibit A

I, Ken Fitte, being first duly sworn upon oath depose and state that I am the owner and landlord at 3440 Eicchoff Road and as such state the following:

1. The mobile home, located at 3440 Eicchoff Rd. #C, is located on my property;
2. I reasonably believe the owner of the mobile home located at 3440 Eicchoff Rd. #C 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.

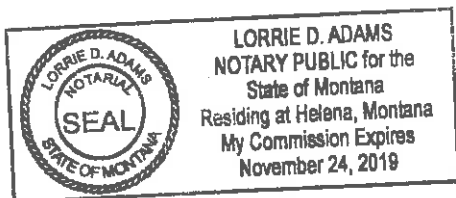
I swear under oath that the foregoing is true to the best of my knowledge.


Dated this 25 day of 7, 2017.


Ken Fitte

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

This instrument was SUBSCRIBED AND SWORN TO before me this 25 day of July, ~~2016~~ 2017




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

June 14, 2017

Jeremy Hemanes
3440 Eicchoff Rd. #C
Helena, MT 59602

To Whom it May Concern:

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 3440 Eicchoff Rd. #C, Helena, MT 59602 by 11:00 a.m. on Friday, June 30, 2017 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.

Ken Fitte



c: Lewis & Clark Co. Sheriff
File

Exhibit B

- A. Delinquent Taxpayer: Jeremy Hemanes, 3440 Eicchhoff Rd. #C, Helena, MT 59602
- B. Location of Home: 3440 Eicchhoff Rd. #C, Helena, MT 59602
- C. Taxes Due: 2013 2nd half through 2016 = \$804.70
Interest: unknown
Penalty: unknown
- D. Date Taxes Became Delinquent: December 1, 2013
- E. Taxpayer ID (tax code): 92740

Date: 04/12/2017
 Time: 11:46:26

PRINT PAYMENT GRID DETAILS
LEWIS AND CLARK COUNTY

Oper: counter1

Tax Code : 92740 Transaction Date: 04/12/2017 Interest Date: 04/12/2017

Owner Name

HEMANES JEREMY
 3440 EICHHOFF RD APT C
 HELENA MT 59602-8969

Legal Description

S18, T10 N, R02 W, SERIAL # 10207,
 TITLE # K852286, MAKE FALCON, MODEL
 FALCON COACH, YEAR 1973, SIZE 14X66

Pay?/ Incl?	Tax Year	Tax Code	Stmnt#	Bill Half	Status	Total Amount
Yes	2016	92740	1110	1st	Delinquent	98.21
Yes	2016	92740	1110	2nd	Delinquent	93.73
Yes	2015	92740	2130	1st	Delinquent	102.63
Yes	2015	92740	2130	2nd	Delinquent	99.55
Yes	2014	92740	1142	1st	Delinquent	125.94
Yes	2014	92740	1142	2nd	Delinquent	121.07
Yes	2013	92740	6014	1st	Delinquent	31.81
Yes	2013	92740	6014	2nd	Delinquent	131.76

	Tax	Penalty	Interest	Total
Total Due:	662.18	13.16	129.36	804.70
Total Selected for Payment:	662.18	13.16	129.36	804.70

Ken Fitte
3440 Eicchoff Rd. #A
Helena, MT 59602

CERTIFIED MAIL™



7013 3020 0000 2954 3364



1000



59602

U.S. POSTAGE
PAID
EAST HELENA, MT
59605
JUN 14 17
AMOUNT
\$6.59
R2304Y122060-98

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

AK

Jeremy Hemanes
3440 Eicchoff Rd. #C
Helena, MT 59602

*LN
6-15*

NIXIE 591 DE 1 2007/01/17

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

USNC BC: 59602896973 *2036-03316-14-42
59602896973R0059

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

Jeremy Hemanes
3440 Eicchoff Rd. #C
Helena, MT 59602



9590 9402 2522 6306 1158 12

2. Article Number (Transfer from service label)

7013 3020 0000 2954 3364

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

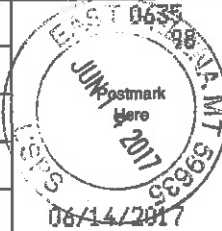
**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

HELENA, MT 59602

Postage	\$3.75
Certified Fee	\$2.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.59



Sent To

Jeremy Hemanes

Street, Apt. No., or PO Box No. 3440 Eicchoff Rd. #C

City, State, ZIP+4 Helena, MT 59602

PS Form 3800, August 2006

See Reverse for Instructions

4592 4562 0000 2954 3364