

RESOLUTION NO. 1461

**A RESOLUTION OF THE CITY OF CENTRAL POINT, OREGON
DECLARING AN ASSESSMENT DUE AND PAYABLE AND DIRECTING
COLLECTION PURSUANT TO ORS SECTION 223.270,
PROCEDURE FOR COLLECTION ON DEFAULT
3268 Snowy Butte Lane**

RECITALS:

- A. On February 27, 2007 the City Council adopted Resolution Number 1129 which established the Snowy Butte Lane LID and imposed assessments on 53 properties.
- B. Many of the property owners agreed to pay their assessments through installment agreements paid over forty (40) quarterly installments beginning July 1, 2007.
- C. The terms of the installment payments were the same for all properties within the Snowy Butte Lane LID.
- D. A number of the assessments against properties within the Snowy Butte LID were paid in full throughout this term. The property known as Map No. 372W10DD, Tax Lot 2700, commonly referred to as 3268 Snowy Butte Lane, currently owned by Tonya S. Miller was assessed forty-four thousand, three hundred fifty-two dollars and five cents, (\$44,352.05) because of the opportunity to develop five (5) parcels. The quarterly installment payment is one thousand, five hundred sixteen dollars and 61 cents (\$1,516.61). The property owner has been making quarterly payments in the range of \$200.00-\$400.00 per quarter which is below the required quarterly amount for more than one year.
- E. The outstanding principal, interest and penalties as of April 26, 2016 are as follows:
 - Outstanding Principal: \$44,352.05
 - Outstanding Interest: \$11,533.13
 - Outstanding Penalty: \$10,148.65
 - Total Due 4/26/16: \$66,033.83
- F. The city has sent invoices on a regular basis and has advised the property owner that the payments are not sufficient to meet the quarterly installments and/or to reduce the principal amount of the lien.

- G. On April 14, 2016, the City Council directed that a Resolution be brought back to the City Council declaring the principal, interest and penalties due and payable under the procedures set forth by law.
- H. ORS Section 223.270 outlines the procedure for collection on default under the Bancroft Bonding Act.
- I. Pursuant to ORS 223.270(1) if the owner neglects or refuses to pay installments as they become due and payable for a period of one (1) year, then the governing body may pass a Resolution declaring the whole sum, both principal and interest, due and payable at once.

The City of Central Point resolves as follows:

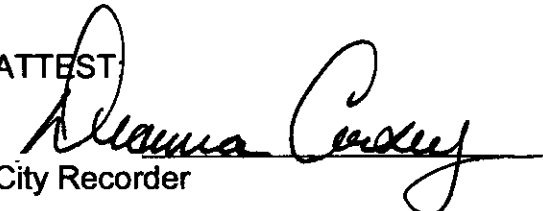
Section 1. The City Council hereby imposes provisions of ORS Section 223.270 and declares the whole sum, both principal and interest, due and payable at once for Assessment Number 335.

Section 2. The City further directs collection in the same manner in which street and sewer assessments are collected pursuant to the terms of the City Charter.

Section 3. The City Council directs that the property owner shall be notified that the principal, interest and penalties interest are due and payable at once and shall further provide said owner six (6) months from the date of this Resolution to pay in full. In the event that said amounts are not paid in full, the City Council directs staff to proceed with collections without further notice to the property owner.

Passed by the Council and signed by me in authentication of its passage
this 26th day of May, 2016.


Mayor Hank Williams

ATTEST:

City Recorder