

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-14

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING FORECLOSURE PROCEEDINGS ON DELINQUENT PROPERTY TAXES FOR THE YEARS 2008 - 2013

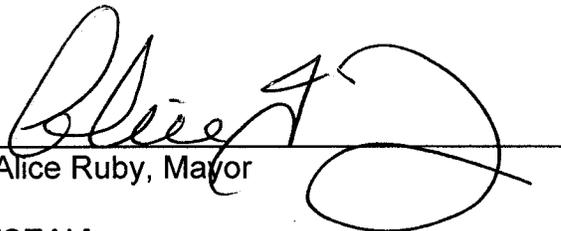
WHEREAS, AS 29.45.320-330 allows the City of Dillingham to collect unpaid real property taxes through in rem foreclosure proceedings against all real property for which the property tax has not been paid in full; and

WHEREAS, the City's Finance Department has prepared a foreclosure list identifying properties for which the tax has not been paid in accordance with AS 29.45.330;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that:

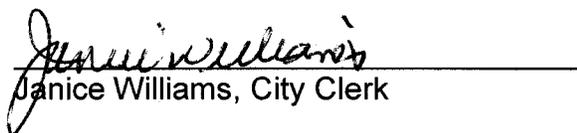
1. The City Attorney is hereby authorized to file a foreclosure action against all property identified in the foreclosure list.
2. The City Clerk is hereby directed to certify and publish the foreclosure list and provide notice of the commencement of the foreclosure action in accordance with AS 29.45.330 and DMC Chapter 4.15.

PASSED and ADOPTED by the Dillingham City Council on March 13, 2014.


Alice Ruby, Mayor

ATTEST:

[SEAL]


Janice Williams, City Clerk



City of Dillingham Information Memorandum No. R2014-14

Subject: A Resolution of the Dillingham City Council authorizing foreclosure proceedings on delinquent property taxes for the years 2008-2013

Agenda of: April 25, 2013

Council Action:

Manager: Recommend approval.

City Manager: Carol Shade Acting
Rose Loera, City Manager

| Route To: | Department / Individual | Initials | Remarks |
|-----------|------------------------------|-----------|---------|
| X | Finance / Carol Shade | <i>CS</i> | |
| X | City Clerk / Janice Williams | <i>JW</i> | |

Fiscal Note: Yes _____ No X Funds Available: Yes _____ No _____

Other Attachment(s):

- Foreclosure List covering calendar years 2008 – 2013

Summary Statement.

Annually the City Council shall direct that the City present a petition for judgment and a certified copy of the foreclosure list for the previous year's delinquent taxes in the Superior Court for judgment. Moving through the foreclosure steps can be a very lengthy process. During that time, property owners are encouraged to work with the City to make payment arrangements through a repayment plan if they are financially unable to pay off the debt in a lump sum. The repayment plan allows the owner to pay off their account over a reasonable period of time.

Standard Operating Procedure for Foreclosure Process:

| |
|--|
| Prior to December 31 mail a Collections Notice to each delinquent property owner notifying taxes are delinquent and subject to other collection means available to the City. (Form FIN 002) |
| Present a resolution to the City Council directing the city to present a petition for judgment and a certified copy of the foreclosure list for the previous year's delinquent taxes in Superior Court. |
| Within 10 days after filing lawsuit: City Clerk has newspaper begin publication for 4 consecutive weeks the notice of foreclosure and list (this is usually timed and communicated between City Clerk and newspaper and Clerk and attorney before filing suit due to strict time lines). |
| Within 10 days after the first publication, send a Notice of Foreclosure Proceedings to the owner of record. (Form CLK 005) |
| 30 days after last date of publication: Attorney requests Court to issue Judgment of Foreclosure (requires affidavit and updated foreclosure list from City Clerk and original affidavit of publication of notice of foreclosures). |
| Record Judgment with District Recorder: Attorney usually does this. Period begins on the date the court issues. |
| Judge signs Judgment and Decree of Foreclosure: One-year redemption |

Definition of in rem (first paragraph of the resolution, "allows the City of Dillingham to collect unpaid real property taxes through in rem foreclosure proceedings") – the power of the court to exercise proceedings over property.

City of Dillingham Foreclosure List 2013 (for 2008-2013)

| Acct No | Acct Name | Legal Description | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | Penalties | Interest | Grand Total |
|---------|------------------------------------|--------------------------|------|------|------|----------|----------|----------|-----------|----------|-------------|
| 101122 | Ackison, Sharren | Sampson B L14E | | | | | | 1,368.90 | 136.89 | 36.77 | 1,542.56 |
| 101132 | Angasan Val & Cecelia | USS 4972 B L8 | | | | 2,242.50 | 2,242.50 | 2,388.10 | 687.31 | 662.73 | 8,223.14 |
| 101150 | Bingman, James Sr | Fairview B L23B | | | | | | 210.60 | 23.59 | 1.71 | 235.90 |
| 101150 | Bingman, James Sr | Fairview 2B | | | | | | 2,633.80 | 263.38 | 53.07 | 2,950.25 |
| 101150 | Bingman, James Sr | Fairview 2C | | | | | | 214.50 | 21.45 | 4.32 | 240.27 |
| 101150 | Bingman, James Sr | Fairview B L12D | | | | | | 3,351.40 | 335.14 | 67.53 | 3,754.07 |
| 101150 | Bingman, James Sr | Fairview B L23A | | | | | | 5,350.80 | 535.08 | 107.82 | 5,993.70 |
| 101150 | Bingman, James Sr | Fairview B L23C | | | | | | 143.00 | 14.30 | 2.89 | 160.19 |
| 101150 | Bingman, James Sr | Fairview B L23E | | | | | | 96.20 | 9.62 | 1.94 | 107.76 |
| 101150 | Bingman, James Sr | Fairview B L23F | | | | | | 96.20 | 9.62 | 1.94 | 107.76 |
| 101150 | Bingman, James Sr | Fairview B L23G | | | | | | 96.20 | 9.62 | 1.94 | 107.76 |
| 101150 | Bingman, James Sr | Fairview B L24A | | | | | | 522.60 | 52.26 | 10.53 | 585.39 |
| 101150 | Bingman, James Sr | Fairview B L24B | | | | | | 3,491.80 | 349.18 | 70.36 | 3,911.34 |
| 101150 | Bingman, James Sr | Fairview B L24C | | | | | | 604.50 | 60.45 | 12.18 | 677.13 |
| 101150 | Bingman, James Sr | Fairview B L24E | | | | | | 214.50 | 21.45 | 4.32 | 240.27 |
| 101150 | Bingman, James Sr | USS 3643 BP1 L2 | | | | | | 2,817.10 | 281.71 | 56.78 | 3,155.59 |
| 101152 | Bingman, Lester & Jill | USS 5688 B500A L3B | | | | | | 766.37 | 436.93 | 51.93 | 1,255.23 |
| 101154 | Boggs, Henry | Napaq B1 L1 | | | | | | 972.40 | 97.24 | 19.60 | 1,089.24 |
| 100852 | Brannon, Paula | USS 3184 B P3 L* | | | | | | 4,249.70 | 424.97 | 85.63 | 4,760.30 |
| 101188 | Creasey Jr, Walter | Fireweed B L10 | | | | | | 1,003.80 | 250.38 | 42.95 | 1,297.13 |
| 101208 | Elston, Charles | USS 2732 B3 L5 | | | | | | 722.80 | 72.28 | 14.56 | 809.64 |
| 101229 | Gardiner, Thomas & Jennifer | USS 3710 B L10 | | | | | | 488.30 | 77.87 | 11.31 | 577.48 |
| 100917 | Gauthier, James | Gauthier II B L6 | | | | | | 237.90 | 23.79 | 4.80 | 266.49 |
| 101231 | Gauthier, Karen | Gauthier I B L1 | | | | | | 552.50 | 110.50 | 57.02 | 1,272.52 |
| 101231 | Gauthier, Karen | Gauthier I B L2 | | | | | | 480.35 | 53.80 | 3.92 | 538.07 |
| 100898 | George, Earlene | Snag Point B2 L11 | | | | | | 496.60 | 49.66 | 10.01 | 556.27 |
| 100903 | Guthridge, George | USS 2732 B3 L4 | | | | | | 107.90 | 10.79 | 2.17 | 120.86 |
| 101504 | Harrington, Moran & Barksdale, Inc | Neleq B2 L1 | | | | | | 1,857.70 | 185.77 | 37.43 | 2,080.90 |
| 100219 | Imdeleke, Belanira | Fireweed B L9 | | | | | | 2,418.00 | 241.80 | 48.72 | 2,708.52 |
| 100914 | Ingham, Sherry | Pearson B L9 | | | | 1,504.85 | 617.20 | 1,617.20 | 523.93 | 434.77 | 4,697.95 |
| 101257 | Ishnook, Anuska | Sockeye B L2 | | | | | | 1,462.50 | 146.25 | 29.47 | 1,638.22 |
| 100915 | Jackson, Hope | Snag Point B1 L6 | | | | | | 1,051.70 | 105.17 | 21.19 | 1,178.06 |
| 101261 | Johansen, Daniel & Cheri | Kallenberg's Knob B L3 | | | | | | 1,258.50 | 125.85 | 25.36 | 1,409.71 |
| 101260 | Johansen, Ingvar & Sandra | Neleq B3 L9 | | | | | | 651.47 | 68.64 | 13.66 | 733.77 |
| 101464 | Johnson, Ronald | Sampson BPR1 L14C | | | | | | 182.01 | 23.20 | 4.18 | 209.39 |
| 101270 | Kase, Ray | Sampson Estates II B L20 | | | | | | 1,605.50 | 160.55 | 32.36 | 1,798.41 |
| 100925 | King, Scott | Highbush B L4 | | | | | | 1,553.50 | 155.35 | 31.31 | 1,740.16 |
| 100927 | Larson, Dorothy M. | USS 3183 B LP2 | | | | | | 1,073.59 | 307.36 | 36.82 | 1,417.77 |
| 101294 | Libby, John & Cynthia | USS 2732 B2 L5 | | | | | 84.50 | 84.50 | 16.90 | 8.72 | 194.62 |

