

ORDINANCE No. 113320

COUNCIL BILL No. 105295

The City of Seattle

AN ORDINANCE adding a new section 20.04.290 to Ordinance 109729 (Seattle Municipal Code Chapter 20.04) in order to provide for cancellation of uncollectable assessments of local improvement districts and for release of such assessment liens.

Honorable President:

Your Committee on F&P

to which was referred the within Council report that we have considered the same

PASS

COMPTROLLER FILE No. 105295 - James Bold

Introduced: <u>DEC 30 1985</u>	By: <u>City Treasurer</u>
Referred: <u>DEC 30 1985</u>	To: <u>Jim</u>
Referred:	To:
Referred:	To:
Reported: <u>FEB 23 1987</u>	Second Reading: <u>FEB 23 1987</u>
Third Reading: <u>FEB 23 1987</u>	Signed: <u>FEB 23 1987</u>
Presented to Mayor: <u>FEB 24 1987</u>	Approved: <u>MAR 5 1987</u>
Returned to City Clerk: <u>MAR 5 1987</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

resident:

Committee on

FEP

is referred the within Council Bill No.

105295

we have considered the same and respectfully recommend that the same:

PASS - 4-0

Vote 7-0

Dolores S. Berger

Committee Chair

16

(CB 105295)

ORDINANCE 113320

1
2 AN ORDINANCE adding a new section 20.04.290 to Ordinance 109729
3 (Seattle Municipal Code Chapter 20.04) in order to provide for cancellation
4 of uncollect-able assessments of local improvement districts and for
5 release of such assessment liens.

6 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

7 Section 1. There is added to Seattle Municipal Code Chapter 20.04
8 (Ordinance 109279, as amended) a new section 20.04.290 as follows:

9 20.04.290 Cancellation of Assessment; release of assessment lien.

10 The City Treasurer is authorized to cancel on the books and records of
11 a local improvement district the assessment or an installment of an
12 assessment, interest and penalties imposed by or for the district when:

- 13 (a) The amount due shown on the district's books and records has been
14 found to be void by a final judgment of a court with jurisdiction over
15 the local improvement district;
- 16 (b) RCW 35.50.050, which limits the time for commencing foreclosure pro-
17 ceedings, bars a foreclosure action to enforce the payment;
- 18 (c) King County has resold the property to pay property taxes, the resale
19 is free and clear of the assessment lien, and pursuant to RCW
20 35.49.160, the City has received or will receive from the proceeds of
21 the county sale such funds as are due to the district; or
- 22 (d) The City Attorney by written opinion advises the City Treasurer that
23 the assessment, interest or penalty to be cancelled is void or that
24 the law otherwise prevents its collection.

25 Upon cancellation of an assessment, interest or penalty, the City Treasurer
26 may release the assessment lien upon the property to secure the payment
27 which was cancelled. A release affects only the payment(s) or liens named
28 in the release document and does not release other payments or other liens
upon the same property of other local improvement districts respectively.



Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 23rd day of February, 1987, and signed by me in open session in authentication of its passage this 23rd day of February, 1987.

[Handwritten Signature]
President of the City Council.

Approved by me this 5th day of March, 1987.

[Handwritten Signature]
Mayor.

Filed by me this 5th day of March, 1987.

[Handwritten Signature]
Attest:

City Comptroller and City Clerk.

(SEAL)

Published

By *[Handwritten Signature]*
Deputy Clerk.



City of Seattle

Lloyd F. Hara
City Treasurer

December 18, 1985

The Honorable Dolores Sibonga
Finance Chair
Seattle City Council
01 - 11 - 01

Dear Councilmember Sibonga,

Attached is a revision to Ordinance 109729 which allows cancellation of uncollectable assessment of local improvement districts and for release of such assessment liens.

We have found a number of parcels which are uncollectable for various reasons and still carried on our assessment rolls.

The passage of this ordinance revision will allow us to continue to update and streamline the Local Improvement Treasury operation.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lloyd F. Hara", written over a horizontal line.

Lloyd F. Hara
City Treasurer

LFH/DBW/k
LTR9.1

Attachment

1-23-86

- Any note - sp should be reviewed by conceptual team office.
- Judith Petraitis sending up material

City of Seattle

ORDINANCE 113320

AN ORDINANCE adding a new section 20.04.290 to Ordinance 109279 (Seattle Municipal Code Chapter 20.04) in order to provide for cancellation of uncollectable assessments of local improvement districts and for release of such assessment liens.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Seattle Municipal Code Chapter 20.04 (Ordinance 109279, as amended) a new section 20.04.290 as follows:

20.04.290 Cancellation of Assessment; release of assessment lien.

The City Treasurer is authorized to cancel on the books and records of a local improvement district the assessment or an installment of an assessment, interest and penalties imposed by or for the district when:

- (a) The amount due shown on the district's books and records has been found to be void by a final judgment of a court with jurisdiction over the local improvement district;
- (b) RCW 35.50.050, which limits the time for commencing foreclosure proceedings, bars a foreclosure action to enforce the payment;
- (c) King County has resold the property to pay property taxes, the resale is free and clear of the assessment lien, and pursuant to RCW 35.49.160, the City has received or will receive from the proceeds of the county sale such funds as are due to the district; or
- (d) The City Attorney by written opinion advises the City Treasurer that the assessment, interest or penalty to be cancelled is void or that the law otherwise prevents its collection.

Upon cancellation of an assessment, interest or penalty, the City Treasurer may release the assessment lien upon the property to secure the payment which was cancelled. A release affects only the payment(s) or liens named in the release document and does not release other payments or other liens upon the same property of other local improvement districts respectively.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 23rd day of February, 1987, and signed by me in open session in authentication of its passage this 23rd day of February, 1987.

SAM SMITH,
President of the City Council

Approved by me this 5th day of March, 1987.

CHARLES ROYER,
Mayor

Filed by me this 5th day of March, 1987.

Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk

(Seal) by THERESA DUNBAR,
Deputy Clerk

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk

Date of official publication in Daily Journal of Commerce, Seattle, March 6, 1987.

(C-734-X)

Publication

**SHINGTON
ITY—SS.**

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and sworn to before me on

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the State of Washington,
ing in Seattle.