

SPONSORED BY: COUNCIL MEMBERS GARNER AND PAIZ

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-127
Series of 2006

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A RESOLUTION CERTIFYING DELINQUENT WATER AND SEWER CHARGES TO THE ADAMS COUNTY TREASURER FOR COLLECTION PURSUANT TO C.R.S. SECTION 31-20-105.

WHEREAS, C.R.S. Section 31-20-105 authorized municipalities to certify delinquent charges to the county treasurer for collection and provides as follows:

C.R.S. 31-20-105. Municipality may certify delinquent charges. Any municipality, in addition to the means provided by law, if by ordinance it so elects, may cause any or all delinquent charges, assessments, or taxes made or levied to be certified to the treasurer of the county in the same manner as the taxes are authorized to be by this title; and

WHEREAS, Section 16-10-6 (j) of the Municipal Code specifically authorizes the City of Northglenn to certify unpaid utility charges to the Adams County Treasurer for collection, providing as follows:

Section 16-10-6 (j). The City shall have as security for collection of all utilities charges, a lien upon the real property served. The lien shall become effective upon supplying of water utility services and/or billing of capital charge, trash collection/removal, and other associated rates, penalties and charges. The lien shall not be discharged until payment of all utilities charges. In order to preserve any lien created by operation of this ordinance, the City shall file for record a lien statement in the office of Adams County Clerk and Recorder, at any time before the expiration of five months after the day in which a bill for utilities charges becomes delinquent as defined by this Article. All liens created and perfected by virtue of this ordinance shall relate back to and take effect as of the time that utilities services are first provided to or billed for, respectively, the real property. Such lien shall be enforceable against any person acquiring an interest in such real property. Liens which are created by this ordinance, but not perfected, shall be enforceable against any person, with an interest in the real property subject to the lien, that has notice of such lien. In the event the lien provided by this section is not discharged by payment, the City Manager shall report the delinquency to the City Council and the City Council shall be authorized to collect the delinquent charges, rates and penalties by certification of such delinquency with the Adams County Treasurer and collected as all other taxes as authorized by C.R.S. 31-20-101 to 107 as amended.

WHEREAS, the City Council of the City of Northglenn wishes to avail itself of these provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

The delinquent utility charges set forth in Exhibit A, attached hereto, are hereby certified to the Adams County Treasurer to be collected and paid over by the Treasurer in the same manner as other taxes pursuant to C.R.S. Section 31-20-105 and Section 16-10-6 (j) of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this _____ day of _____ 2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

2006 Lien Certification Properties Utility Accounts

Owner of Record: Deutsche Bank National Trust Company as Trustee for Long Beach
Mortgage Loan
Street Address: 1160 W. 99th Avenue
Legal Description: Lot 1, Block 3, Deza Estates Filing No. 1
Parcel No.: 0171916409016
Account No.: R0044121
Amount: \$918.25

Owner of Record: HSBC Bank USA As Trustee
Street Address: 1263 Muriel Drive
Legal Description: Lot 5, Block 8, Northglenn 6th Filing
Parcel No.: 0171911215006
Account No.: R0038107
Amount: \$634.83

Owner of Record: Joseph A. Vela and Tina M. Vela
Street Address: 11888 Keough Drive
Legal Description: Lot 4, Block 58, Northglenn 22nd Filing
Parcel No.: 0171902204007
Account No.: R0028457
Amount: \$808.94

Owner of Record: Harold T. Hodges
Street Address: 10263 Pecos Street
Legal Description: Lot 1, Block 34, Heftler Homes Hillcrest 2nd Filing
Parcel No.: 0171916110001
Account No.: R0042692
Amount: \$607.98

Owner of Record: Lamm Developments LTD
Street Address: 11178 Huron Street #2
Legal Description: Lot 1, Office Plaza North Subdivision
Parcel No.: 0171910217001
Account No.: R0037101
Amount: \$728.06

Owner of Record: JP Morgan Chase Bank As Trustee
Street Address: 802 Muriel Drive
Legal Description: Lot 4, Block 14, Northglenn 9th Filing
Parcel No.: 0171911211012
Account No.: R0038030
Amount: \$698.75

Owner of Record: LaSalle Bank National Association c/o Wilshire Credit Corporation
Street Address: 11031 Claude Court
Legal Description: Lot 30, Block 3, Fox Run Filing No. 12
Parcel No.: 0171911113030
Account No.: R0118625
Amount: \$779.24

Owner of Record: Olegario G. Salazar and Ignacia J. Salazar
Street Address: 10664 Clarkson Court
Legal Description: Lot 8, Block 38, Northglenn 11th Filing
Parcel No.: 0171911304016
Account No.: R0038451
Amount: \$1304.79

Owner of Record: Deutsche Bank National Trust Company As Indenture Trustee
Street Address: 436 W. 116th Place
Legal Description: Lot 53, Block 2, Huron Crossing Subdivision
Parcel No.: 0171903211053
Account No.: R0030923
Amount: \$830.68