ORDINANCE NO. 2575

AN ORDINANCE of the City of Kent, Washington, relating to local improvement district foreclosures; amending Kent City Code Section 3.20.050 to change the time period when foreclosure actions may be commenced.

WHEREAS, the City of Kent has commenced foreclosure proceedings to collect unpaid local improvement assessments and the City has obtained payment on 29 of the 33 parcels with outstanding debt; and

WHEREAS, the filing of the foreclosure action on the remaining 4 properties cannot proceed without title reports and title companies are backed up due to extensive refinancing; and

WHEREAS, it is necessary to change the period for commencing foreclosure proceedings; NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 3.20.050 Kent City Code (Ordinance 2563) is amended as follows:

3.20.50. FORECLOSURE OF DELINQUENT ASSESSMENTS. When any local improvement district or utility local improvement district assessment is payable in installments, upon failure to pay any installment due, the assessment shall be immediately due and payable and the collection thereof shall be enforced by foreclosure. The payment of all delinquent installments together with interest, penalty and costs at any time before the entry of judgment and foreclosure shall extend the time of payment on the remainder of the assessment installments as if there had been no delinquency or foreclosure. Foreclosure proceedings may be commenced at any time on or before November 15 of the year in which, on the first day of January of such year two installments of any local improvement district or utility local improvement district assessment were delinquent or the final installment was delinquent for more than one year. In case of foreclosure, there shall be added to the cost and expenses
provided by Chapter 35.50 RCW, such reasonable attorney's fees as the court may be adjudged to be equitable, and the amount thereof shall be apportioned to each delinquent assessment or installment appearing on that roll. When one or more delinquent installments are paid before the foreclosure proceedings are completed, payment of such costs shall be a prerequisite to the City's dismissal of such proceedings unless otherwise ordered by the court.

Section 3. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

BILL H. WILLIAMSON, ACTING CITY ATTORNEY

PASSED the ___ day of ___ , 1986.
APPROVED the ___ day of ___ , 1986.
PUBLISHED the ___ day of ___ , 1986.

I hereby certify that this is a true copy of Ordinance No. ___ , passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)
MARIE JENSEN, CITY CLERK

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