RESOLUTION NO. 2016-14

HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

A RESOLUTION ADOPTING LIEN REMEDIES ON REAL PROPERTY FOR OUTSTANDING BALANCES IN DEFAULT OWED TO THE DISTRICT

BE IT RESOLVED by the Board of Directors of the Hidden Valley Lake Community Services District as follows:

Section 1: Any owner of property which is located within District boundaries and which is receiving services from the District will be subject to the following conditions:

A. A bill for District services will be in default if not paid within 60 days of the date of bill (a "Defaulting Bill").

B. For each Defaulting Bill, the District may collect all charges, fees, costs and penalties (collectively, a "Default Balance") associated with the default.

C. The two methods of collection of the Default Balance are 1. District lien against real property (a “District Lien”) (Cal. Govt. code 61115(c)), or 2. County of Lake tax assessment roll lien against real property (a “Tax Assessment roll lien”) (Cal. Govt. Code 61115(b)). In both collection methods, a courtesy lien notification letter is delivered no less than 30 days prior to lien recodation. This letter will describe the amount of the Default Balance associated with each affected parcel(s). There are additional steps required in the latter method of collection (tax assessment roll lien), as listed in Item I.

I. County of Lake tax assessment roll lien against real property

i. The general manager shall prepare and file with the Board of Directors a report (the "Report") that describes each parcel of real property affected by a Defaulting Bill, and the amount of the Default Balance associated with each affected parcel(s).

ii. The general manager shall give notice of the filing of the Report and of the time and place for a public hearing by publishing the notice, pursuant to Cal. Gov. Code Section 6066, in a newspaper of general circulation, and by mailing the notice to the owner of each Affected Parcel.

iii. At the public hearing, the Board of Directors may, after hearing and considering any objections or protests to the Report, adopt or revise the Default Balance against each Affected Parcel. The Board of Directors' determination of a Default Balance in this Section 1.C.iii shall be final (the "Final Report").

iv. On or before August 10 of each following year, the general manager shall file with the county auditor a copy of the Final Report adopted by the Board of Directors, and the county auditor shall enter the amount of the Default Balance against each of the Affected Parcels as they appear on the current assessment roll.
Section 2: Upon the satisfaction of the requirements of either collection method set forth in Section 1.C, the District may recover the Default Balance by recording in the County of Lake Recorder’s office a certificate declaring the amount due under the Default Balance, and the name and last known address of the person liable for the Default Balance.

Section 3: The recordation of the certificate in Section 2 will constitute a lien, with the force, effect and priority of a judgment lien, against all real property of the delinquent property owner in that county.

Section 4: Within 30 days of receipt of the payment for all amounts secured by the lien, the District shall record a release of the lien encumbering the respective Affected Parcel(s).

Section 5: Any remedies for the collection and enforcement of charges or penalties in accordance with this Resolution 2016-13 are cumulative and the District may pursue additional remedies alternatively or consecutively.

Section 6: In filing any instrument for recordation, the District shall pay the fees required by Article 5 of Chapter 6 of Part 3 of Title 3 of the California Government Code.

Section 7: This Resolution and the various sections thereof are hereby declared to be severable. To the extent the terms and provisions of this Resolution are in conflict or otherwise are inconsistent with the terms and provisions of any prior District resolution, ordinance, rule or other actions, the terms and provisions of this Resolution shall prevail with respect thereto.

Section 8: If any section or provision of this Resolution shall be found unenforceable, unlawful or invalid, then the other sections and provisions of this Resolution shall be considered valid and enforceable, notwithstanding the partial invalidity of such portions of the Resolution.

Section 9: Within ten days of adoption, this Resolution shall be published in a newspaper of general circulation within the Hidden Valley Lake area. The Resolution shall take effect upon the 30th day after its adoption. The lien imposed by this Resolution shall apply to all Default Balances beginning August 16, 2016.
PASSED AND ADOPTED ON July 19, 2016 by the following vote:

AYES: Director Herndon, Graham, Mibegian, Lieberman, Freeman

NOES: None

ABSENT: None

ABSTAIN: None

Jim Freeman, President
Board of Directors
Hidden Valley Lake
Community Services District

ATTEST:

Nicky Clayd 7-20-16
Secretary to the Board of Directors
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RESOLVED NO. 2016-14
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DISTRICT
A RESOLUTION ADOPTING LIEN REMEDIES ON
REAL PROPERTY FOR OUTSTANDING BALANC-
ES IN DEFAULT OWED TO THE DISTRICT
BE IT RESOLVED by the Board of Directors of the
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Section 1: Any owner of property which is lo-
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receiving services from the District will be
subject to the following conditions:
A. A bill for District services will be in default
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B. For each Defaulting Bill, the District may
collect all charges, fees, costs and penalties
(collectively, a "Default Balance") associated
with the default.
C. The two methods of collection of the De-
fault Balance are 1. District lien against real
property (a "District Lien") (Cal. Govt. Code
61110(b); or 2. County of Lake assessment
roll lien against real property (a "Tax Assess-
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cation letter is delivered no less than 35
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associated with each affected parcel(s).
There are additional steps required in the lat-
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against real property.
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and by mailing the notice to the owner of
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3. At the public hearing, the Board of Direc-
tors may, after hearing and considering any
objections or protests to the Report, adopt or
revise the Default Balance against each Af-
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1.C.ii shall be final (the "Final Report").
4. On or before August 10 of each following
year, the general manager shall file with the
county auditor a copy of the Final Report
adopted by the Board of Directors, and the
county auditor shall enter the amount of the
Default Balance against each of the Affected
Parcels as they appear on the current assess-
Order Charges:

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