

RESOLUTION NO. 22-09

BE IT RESOLVED by the Mayor and the City Council of the City of Terrytown, Nebraska:

1. The Mayor and the City Council find and determine that the City of Terrytown, Nebraska has heretofore determined that James Huper, the owner of the property located at 5 Canyon Drive, Gering, NE 69341 has failed to pay his City bill when due.

2. The Mayor and City Council find and determine that the owner has had a past-due balance since August 30, 2021. The current past-due balance is \$818.32

3. The Mayor and the City Council find and determine that Section 7-107 of the Terrytown Municipal Code (previously Ord. 404) provides that any past due charges for utility service, any late payment penalties, and any reconnection fee shall be a lien upon the real estate to which the service is supplied. Any such charges which remain unpaid for 60 days after they become due may be, by resolution of the City Council, assessed against the real estate as a special assessment. The special assessment shall be served by the city clerk to the Scotts Bluff county clerk.

4. The Mayor and City Council find and determine that the City notified the owner of the property on September 19th, 2022 that he must pay his bill in full or the same would become an assessment on the Scotts Bluff County tax rolls for collection.

5. The Mayor and City Council find and determine that the owner of the Property made no efforts to pay the past-due balance, and the charges have remained unpaid for more than 60 days.

WHEREFORE, there is levied and assessed a special assessment of \$818.32. upon the following described real estate:

Lot 5 of the Bellevue Homes Addition, Scotts Bluff County, Nebraska, thereof more commonly described as 5 Canyon Drive, Gering, Nebraska 69341.

The City Clerk is directed to file a notice of assessment and the amount of the assessment in the Scotts Bluff County register of deeds. The special assessment shall be collected as other property taxes are collected, and shall become delinquent according to law.

Passed and approved on _____, 2022.

Mayor

ATTEST:

City Clerk



116 Terry Blvd
Gering, NE 69341

Office: (308) 632-7212
Fax: (308) 632-1663

09/19/2022

James Huper
190274 CR J
Scottsbluff, NE 69361

RE: 5 Canyon Drive

Dear Mr. Huper:

After numerous attempts to reach out to your tenant with the past due amount on this account, this is my effort to reach out to you for the obligation of payment for the utilities.

If the past-due charges (\$577.45 with potential of additional late fees) are not remedied within 15 days, the City will take action to assess the remaining balance due against the real estate as a special assessment to be placed on the Scotts Bluff County tax rolls for collection by the Scotts Bluff County Treasurer. Once this occurs, this special assessment shall be subject to the same penalties as all other city taxes.

ALL ITEMS STATED ABOVE ARE PER SECTION 7-107: LIEN; PAYMENT OF PAST DUE ACCOUNTS

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A. Any past due charges for utility service, any late payment penalties, and any reconnection fee shall be a lien upon the real estate to which the service is supplied. Any such charges which remain unpaid for 60 days after they become due may be, by resolution of the City Council, assessed against the real estate as a special assessment. The special assessment shall be served by the city clerk to the Scotts Bluff county clerk. The county clerk shall place the assessment on the tax rolls for collection by the county treasurer where it shall be subject to the same penalties and collected in the same manner as all other city taxes.

B. In addition to this remedy, the city shall have a cause of action against the owner and/or the occupant(s) for any unpaid charges and fees. At any time the water and/or sewer service is terminated at the request of the owner and/or occupant(s) of the real estate to which the service is supplied, service shall not be restored until connection fees, reconnection fees and all past due accounts have been paid.

(Neb. Rev. Stat. §§17-538, 17-925.01, 18-503) (Ord. No. 404, 7/7/11)

Sincerely,

Jeni Mattern
City Clerk