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March 18, 1999

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Delinquent Assessment Lawsuits

LOCATION AND COUNCIL DISTRICT: All Districts

RECOMMENDATION: Adopt Resolution Ratifying and Ordering Judicial Foreclosure of Delinquent Assessments Pursuant to the Improvement Bond Act of 1915 on Sacramento County Parcel APN 215-0241-008

CONTACT PERSONS: Shana S. Faber, Senior Deputy City Attorney, 264-5346

FOR COUNCIL MEETING OF: March 23, 1999

SUMMARY: On January 31, 1995, the City of Sacramento through its special legal counsel commenced Sacramento County Superior Court Action No. 95AS00547, to foreclose on delinquent 1915 Improvement Bond Act assessments on Sacramento County Parcel APN 215-0241-008, for 1993/94 delinquencies. Subsequent to the filing of the lawsuit, the property owner became delinquent on the 1994/95, 1997/98, and 12/10/98 installments. This report recommends that the Sacramento City Council adopt a Resolution which orders judicial foreclosure of all current and future delinquent assessments on the subject parcel.

BACKGROUND: On July 21, 1992, the Sacramento City Council adopted Resolution No. 92-530, which ordered the Sacramento County Treasurer-Tax Collector to return unpaid 1915 Improvement Bond Act assessments in excess of \$1,000.00 as of July 1, 1993, and each July 1 thereafter, to the City of Sacramento to pursue judicial foreclosure. Thereafter, the Sacramento City Council ceased adopting a resolution ordering foreclosures on an annual basis.