

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PURSUANT TO WYOMING STATUTE §15-6-420 DECLARING A  
DEFAULT ON ASSESSMENTS IN THE NORTHLAND VILLAGE MOBILE HOME PARK,  
AUTHORIZING CERTIFICATES OF DELINQUENCY, AND AUTHORIZING LITIGATION  
IN THE DISTRICT COURT, SIXTH JUDICIAL DISTRICT, FOR PURPOSES OF A  
FORECLOSURE ACTION ON THE DELINQUENCIES

WHEREAS, on February 23, 2007, the City of Gillette passed Ordinance No. 3472 creating the Northland Village Mobile Home Park Local Improvement District; and

WHEREAS, pursuant to Wyoming Statute §15-6-407, any appeal of the decision of the Governing Body of the City of Gillette, with regard to the creation of the District was required to be filed with the District Court within fifteen (15) days of the Governing Body's decision; and

WHEREAS, no appeal regarding the creation of the Northland Village Mobile Home Park Local Improvement District was timely filed with the District Court, and the time to file any such appeal has lapsed; and

WHEREAS, on April 20, 2007, the City Clerk of the City of Gillette, Wyoming did cause to be filed a *Lien Statement* with the Campbell County Clerk and Ex Officio of Deeds, and is recorded in Book 45 of Liens, Pages 619-626, and bearing receipt number 890647; and

WHEREAS, pursuant to Wyoming Statute §15-6-406, the *Lien Statement* shall be paramount and superior to any other lien or encumbrance created before or after the filing of the *Lien Statement*, except a lien for assessment for general taxes; and

WHEREAS, pursuant to Wyoming Statute §15-6-408, the imposition of the special assessment and the filing of the *Lien Statement* is conclusive in all things and cannot be otherwise contested or questioned once the time to appeal has lapsed; and

WHEREAS, all amounts due and owing under the terms of Ordinance No. 3472, are due and to be paid in full on or before February 28, 2017; and

WHEREAS, pursuant to Wyoming Statute §15-6-421 the Governing Body of the City of Gillette may provide for the issuance for a certificate of delinquency for purposes of establishing a penalty and an interest rate on all delinquent installments or assessments; and

WHEREAS, pursuant to Wyoming Statute §15-6-419, the Governing Body of the City of Gillette may proceed with a collection action in the District Court to recover sums owed for delinquent installments and delinquent assessments, including foreclosure of the same; and

WHEREAS, in light of the known delinquencies in both installments and assessments within the Northland Village Mobile Home Park Local Improvement District, the Governing Body of the City of Gillette finds it necessary to set forth the terms of collection of amounts due and owing, and establish authority to engage in the same.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING:

SECTION ONE: The Director of Finance, or his designee, shall contact each homeowner within the Northland Village Mobile Home Park, for which a balance remains on the assessment, in writing, and provide them a copy of this Ordinance and their outstanding balance owed the City of Gillette on the special assessment. The Director of Finance, or his designee, shall further assist any homeowner in calculating pay-off amounts and suggesting possible outside financing options that may be available to them to clear their outstanding balance.

SECTION TWO: After February 28, 2017, the City Clerk is hereby authorized to issue Certificates of Delinquency under Wyoming Statute §15-6-421, and file the same as a lien against each delinquent assessment or delinquent installment, bearing interest at the statutory rate of twelve percent (12%) per year, and seek the foreclosure of the same as set forth under Wyoming Statute §15-6-421.

SECTION THREE: After February 28, 2017, the Director of Finance and the City Attorney are authorized to initiate litigation, under Wyoming Statute §15-6-419, in the Sixth Judicial District, Campbell County, Wyoming, in the name of the City of Gillette, for purposes of collection and enforcement of any delinquent assessment or delinquent installment within the Northland Village Mobile Home Park.

SECTION FOUR: After February 28, 2017, the Director of Finance and the City Attorney are authorized to seek judgments against each property for which a delinquent assessment or delinquent installment exists within the Northland Village Mobile Home Park, and shall, as allowed by Wyoming law, seek to foreclose and sell each lot or lots as may be required to reimburse the City for monies owed.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Louise Carter-King, Mayor

(S E A L)  
ATTEST:

\_\_\_\_\_  
Karlene Abelseth, City Clerk  
Published: \_\_\_\_\_, 2016