

**LEWISTON CITY COUNCIL AGENDA
SPECIAL MEETING**

Monday, December 12, 2011

Executive Conference Room

11:45 am

Pledge of Allegiance to the Flag.
Moment of Silence.

SPECIAL MEETING

Resolve Waiving Tax Lien Foreclosure on Certain Distressed Properties.

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 12, 2011

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Resolve Waiving Tax Lien Foreclosure on Certain Distressed Properties.

INFORMATION:

The state statutes outline the process for the collection of taxes and the steps a municipality must take if real estate taxes are not paid on a property. A tax lien is placed on the property by the town and tax liens automatically mature 18 months following the filing of the lien. At that point, the municipality assumes technical ownership of the property. Should a municipality not want to obtain ownership of a property due to a variety of reasons (environmental issues, tenancy issues, code conditions, etc.), the municipal officers may vote to waive foreclosure of the property.

The City staff is recommending that the Council vote to waive the foreclosure on four properties: 229 Lincoln Street, 233 Lincoln Street, 249 Lincoln Street, and 390 Lincoln Street, .

Additional information is available in the attached material.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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To approve the Resolve waiving tax lien foreclosure on certain distressed properties.



**City of Lewiston Maine
City Council Order
December 12, 2011**



Resolve, Waiving Tax Lien Foreclosure on Certain Distressed Properties.

WHEREAS, the City has a long and successful history of working with property owners who have difficulty meeting their property tax obligations; and

WHEREAS, tax liens automatically mature on property on which taxes have not been paid eighteen months after the City files liens against them; and

WHEREAS, once liens mature, the City becomes the technical owner of these properties; and

WHEREAS, this process is established by State Law to ensure that the City is paid the taxes owed, at which time the property is normally returned to its prior owner; and

WHEREAS, if a property on which a lien has matured is abandoned by its prior owner for a period of 60 days, the City may become liable for costs associated with the demolition and removal of distressed structures and/or any claims for damages that might arise as a result of the condition of or hazards posed by the property; and

WHEREAS, in certain instances, especially where structures are located on leased land, the City may be unable to recover back taxes and demolition or other costs associated with such properties; and

WHEREAS, in such instances, it may be in the best interest of the City to waive foreclosure while alternatives are sought to address these problem properties, including working with property and leased-land owners; and

WHEREAS, a number of distressed properties located on leased land on which liens may mature on December 16, 2011 have been identified; and

WHEREAS, it is in the best interest of the City that foreclosure on these properties be waived;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that

Lien foreclosure is hereby waived on the following distressed properties located on leased land:

1. 229 Lincoln Street – Structure owner: Jeff Higgins, Acct No. 10A00007213
2. 390 Lincoln Street – Structure owner: Wayne Ivy, Acct No. 10A00007854
3. 249 Lincoln Street – Structure owner: Richard McWilliams, Acct No. 10A00006568
4. 233 Lincoln Street – Structure owner: April Pratt, Acct No. 10A00010179