



Meeting Date: 07 / 08 / 08

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Jim Rupp, Assistant City Attorney *JR* Agenda Item No. I-1

Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify)

DATE: June 25, 2008

TO: City Council

FROM: Jim Rupp, Assistant City Attorney *Jim Rupp*
Office of the City Attorney

SUBJECT: Removal of 2003-2004 Lien from Parcel No. 203-0-011-180 (1174 South N Street, Oxnard)

RECOMMENDATION

That City Council adopt the attached resolution directing the Chief Financial Officer to remove the lien from the property.

DISCUSSION

A tax lien was recorded against the above property in 2003-2004 for the City's costs of cleaning the property. This matter has been resolved by litigation. The City has accepted a performance deed of trust in lieu of the lien amount. The lien was originally in the amount of \$11,084.10. The performance deed of trust is in the current amount of \$8,000 and secures a promissory note that bears 9% interest. The promissory note may be increased if the City incurs additional costs cleaning the property. The promissory note is due upon the sale or transfer of the property.

FINANCIAL IMPACT

There is no financial impact at this time.

JR

Attachment #1 - Resolution

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE REMOVAL OF A LIEN FROM ASSESSOR'S PARCEL NO. 203-0-011-180 (1174 South N Street, Oxnard, California).

WHEREAS, in the 2003-2004 tax year the City recorded a tax lien in the amount of \$11,084.10 against Assessor's Parcel No. 203-0-011-180, commonly known as 1174 South N Street, Oxnard, California ("Property"); and

WHEREAS, the Property owner has consented to a performance deed of trust being recorded against the Property to secure a promissory note of \$8,000; and

WHEREAS, if the City incurs future expenses in bringing the Property into compliance with the court order that has been entered regarding the Property, the City may add such expenses to the promissory note that is secured by the performance deed of trust.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oxnard that the Chief Financial Officer is directed to have the 2003-2004 tax lien in the amount of \$11,084.10 removed from the Property.

PASSED AND ADOPTED THIS ___ day of _____, 2008 by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk

James B. Rupp, Jr.

Gary L. Gillig, City Attorney

000002

ATTACHMENT NO. _____
PAGE 1 OF 1