

PENDING APPROVAL

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

FOR THE May 12, 2010 AGENDA

(THE DEADLINE IS ONE WEEK PRIOR TO THE DATE THE AGENDA IS TO BE POSTED)

DEPARTMENT: District 3 REQUESTED BY: Commissioner Ray Vaughn

REQUISITION NO.: _____ REQUISITION SHEET ATTACHED: YES N/A

NAME OF FUNDS: _____

FUND NUMBERS: _____ / _____ / _____

PLEASE INITIAL IF PRIVACY/PROTECTED INFORMATION EXISTS: YES N/A

NUMBER OF ORIGINAL DOCUMENTS TO BE RETURNED TO YOUR DEPARTMENT: _____

AGENDA ITEM READS AS FOLLOWS:

Discussion and Possible action to approve Claim of Lien for certain properties located within the Boucher Drive Road Assessment District (Project No. 3-2009-A) according to 19 O.S. §1247 and BOCC Resolution 280-09, and to direct the County Clerk to file the same.

APPROVED BY DA
(If Applicable)

APPROVED BY ENGINEER
(If Applicable)

APPROVED BY PURCHASING
(If Applicable)

ASSISTANT DISTRICT ATTORNEY

COUNTY ENGINEER

PURCHASING AGENT

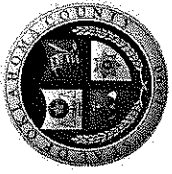
Please initial if privacy/security protected information exist

DISTRICT ATTORNEY – PRIVACY/SECURITY PROTECTED INFORMATION: YES X N/A

COUNTY CLERK – PRIVACY/PROTECTED INFORMATION: YES X N/A

(NOTE: THE CHAIRMAN/CHIEF DEPUTY MUST APPROVE ALL EMERGENCY REQUESTS FOR ANY ITEM SUBMITTED AFTER THE DEADLINE)

DATE OF REQUEST: _____ APPROVED BY: _____ CHAIRMAN



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OKLAHOMA COUNTY, OKLAHOMA

May ____, 2010

CLAIM OF LIEN

NOTICE is hereby given to any and all interested persons that the Board of County Commissioners of Oklahoma County, Oklahoma, approved Resolution 280-09 on September 30, 2009, relating to the Boucher Drive Road Assessment District (Project No. 3-2009-A) as published in The Journal Record on October 29 and 30, 2009:

PROJECT NO. 3-2009-A IMPROVEMENTS TO BOUCHER DRIVE ROAD IMPROVEMENT DISTRICT – ASSESSING RESOLUTION

WHEREAS, a Petition to establish a road improvement and assessment district ("the District") regarding Boucher Drive, Oklahoma County, District 3, was submitted, received, and found sufficient by the Board of County Commissioners on January 14, 2009; and

WHEREAS, the Board of County Commissioners adopted a Resolution on February 18, 2009, according to 19 O.S. § 1238 instructing the Oklahoma County Engineer to file the plans, profiles, specifications, and costs for the project with the County Clerk; and

WHEREAS, the County Engineer filed the plans with the County Clerk on February 27, 2009, which the BOCC accepted; and

WHEREAS, the Oklahoma County Assessor performed an appraisal and apportionment of the several lots and tracts of land within the District as directed by BOCC Resolution and according to 19 O.S. §1241; and

WHEREAS, Oklahoma County bid the project on behalf of the District with Markwell Paving receiving award of the contract for the amount of \$304,465.50 (plus interest), and Markwell Paving completed construction of the project according to the plans and submitted the final bill on September 23, 2009 in the amount of \$294,509.54.

NOW THEREFORE BE IT RESOLVED, pursuant to 19 O.S. §§1247-1250, the Board of County Commissioners of Oklahoma County directs that the assessments shall be collected, and that said assessments are payable in ten equal annual installments, with the first installment due September 1, 2010. The assessments shall bear interest at the rate of ten percent (10%) per annum until paid, payable in each year at such time as the installments are made payable. The BOCC levies the assessments in accordance with said appraisal and apportionment, as confirmed, against the record title holders of lots and tracts of land liable for said assessments, and according to Attachment A hereto, which reflects the final construction cost. The record title holders of the assessed property shall have the privilege of paying the amounts of their respective assessments without interest within thirty (30) days from the date of this Resolution. The special assessments and each installment of such assessments and the interest on such assessments are hereby declared to be a lien against the lots and tracts of land assessed from the date of the publication of this Resolution. Said lien shall be coequal with the lien of other taxes and prior and superior to all other liens against such lots or tracts of land. The lien shall continue for unpaid installments and interest until such assessments and interest thereon shall be fully paid. Unmatured installments shall not be deemed to be within the terms of any general covenant of warranty.

Pursuant to 19 Oklahoma Statutes 1991 § 1247, a claim of lien, plus interest accruing, is filed on the following described properties for unpaid amounts due and the lien(s) shall continue for unpaid installments and interest until such assessments and interest thereon shall be fully paid. Inquiries may be made to the Oklahoma County Clerk regarding the road assessment records (19 Oklahoma Statutes §1248).

LEGAL DESCRIPTION OF REAL PROPERTIES:

SEE ATTACHED EXHIBIT "A"

State of Oklahoma
Oklahoma County

Dated on May ____, 2010

PENDING APPROVAL



OKLAHOMA COUNTY, OKLAHOMA

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

By: _____
Chairman

By: _____
Member

By: _____
Member

Date

ATTEST:

County Clerk, Oklahoma County

Before me, the undersigned, a Notary Public in and for said County and State on
May ____, 2010 personally appeared _____, to me known to
be the County Clerk of Oklahoma County who, executed the within and foregoing
instrument and acknowledged to me that _____ executed the same as _____ free and
voluntary act and deed for the use and purpose set forth.

Given under by hand and seal the day and year last above written.

My commission expires: _____

Notary Public

Commission #: _____