

McMinnville, Oregon

Date

Name

Address

City, State, Zip

Re: Defective Private Building sewer At (*Enter Address, Tax Lot #*)

**NOTICE OF PENALTY ASSESSMENT -
FIRST BILL ATTACHED**

Dear (*Enter Name*):

This letter follows a previous Notice of Defect letter to you dated (*Enter Date*) regarding your private building sewer. Our records indicate that you have not taken advantage of the **90**-day monetary incentive period offered. This letter provides formal notice of the \$50 per month penalty assessment against your property. Your first monthly bill for payment is attached.

Beginning with this first notice and bill you will now be sent monthly bills for this penalty assessment at the beginning of each month. Payment is due in full by the 20th of the same month. The current payment is due no later than (*XXXX 20, 2001*). ***These monthly assessments are in addition to your normal monthly sewer bills.***

The monthly penalty assessment will continue until your defective private building sewer is replaced. Failure to either complete the necessary replacement of your lateral or to pay the monthly penalty assessment may result in further enforcement action by the City. You may be responsible for the disclosure of this defect notice to a buyer. You might, therefore, consider getting legal advice before selling this property.

If you have questions about the private building sewer replacement program or the information presented in this letter, please contact the City Engineering Department at 434-7312. Suspension requests should be submitted to the Engineering Department at the address noted below. A suspension request form is attached.

Sincerely,

Rich Spofford
Project Manager

Enclosures
Certified Mail

City of McMinnville
 Defective Private Building Sewer Penalty Assessment
Suspension Request Form

Date	
Property Owner Name(s)	
Address of Property With Defective Private Building Sewer	
Property Tax Identification Number	
Property Owner's Mailing Address (If Different)	
Telephone Number(s) of Property Owners	

I (we) formally request that the Defective Private Building Sewer (DPBS) penalty assessment for the above-referenced property be suspended. This suspension is allowed by City Code to provide additional time to replace the DPBS and this suspension will be for a maximum of ten (10) months. The monthly penalty of \$50 per month will continue to accrue during the suspension period and the total accrued penalty will be due in full (\$500 plus interest at the end of 10 months) if the DPBS is not replaced. Further, the monthly penalty assessments will resume at the end of the suspension period if the DPBS is not replaced and there will be no additional suspension periods offered.

I (we) hereby agree that this document constitutes a lien upon the above described property and I (we) authorize the City Recorder to enter said lien in the docket of City liens. The creation and recording of this lien creates an encumbrance against this property which will appear on all title searches. The City will not seek to recover under the lien without first giving the property owner 30 days notice. The City agrees to remove the lien when the lateral replacement has been accepted by the City.

I (we) acknowledge that if the DPBS is replaced and accepted by the City before the end of the suspension period, all penalties will be waived. Monetary incentives were offered to all property owners with DPSL but only those property owners that replaced their DPBS within the first 90 days immediately following the notice of defect were eligible. This DPBS is not, therefore, eligible for monetary incentives.

Property Owner #1(Print Name)	
Property Owner #1 (Signature)	
Property Owner #2 (Print Name)	
Property Owner #2 (Signature)	