

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2009-02**

RESOLUTION AMENDING DISTRICT CODE

Background: RCW 57.08.081 establishes that the Board may determine by Resolution that delinquent accounts are a lien against the property served. In order to clarify that a lien is created at such time an account is 30 days overdue and prior to the formal recording of a lien, the Board of Commissioners has determined that the District code must be modified.

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following action:

Section 5.20.080 of the Midway Sewer District Code is hereby amended to read as follows:

5.20.080 Delinquencies to be lien against property.

When sewer service charges are delinquent for 30 days or more, such charges shall constitute a lien against the property served and the District may record a lien against the property served in the full amount of such past due charges together with late charges as specified in Section 5.20.070 and recording costs as specified in 5.24.060. The liened amounts shall accrue interest at the rate of four percent more than the prime lending rate of the District's bank. Such liened amounts shall be subject only to the lien for general taxes.

The code change shall become effective immediately.

Adoption: ADOPTED at a regular meeting of the Board of Commissioners of Midway Sewer District on February 11, 2009 the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner