

October 7, 1998
refund2

Introduced By:

ROB MCKENNA
GREG NICKELS

Proposed No.:

98 - 621

MOTION NO. **10588**

1
2 A MOTION concerning untimely filed petition for a tax
3 refund and authorizing the Treasury Division to make
4 refund.

5 WHEREAS, the Department of Assessments has determined tax refunds are
6 warranted under the provisions of RCW 84.69.020, and

7 WHEREAS, the taxpayer has filed untimely petition for a refund of taxes for 1993.

8 WHEREAS, RCW 84.69.030(2) precludes payment of refunds beyond three years,
9 and

10 WHEREAS, pursuant to RCW 84.69.030, the council may act on its own motion to
11 refund taxes when the claim for refund is not filed within three years after making of the
12 payment sought to be refunded, and

13 NOW, THEREFORE BE IT MOVED by the Council of King County:

10588

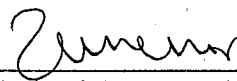
1 The Treasury Division is hereby authorized and requested to refund the overpaid
2 1993 taxes to the taxpayer in the amount listed in the attached petition identified as
3 Attachment A. The refund shall include interest as specified in RCW 84.69.100.

4 PASSED by a vote of 13 to 0 this 7th day of December,
5 1998.

6 KING COUNTY COUNCIL
7 KING COUNTY, WASHINGTON

8 
9 Chair

10 ATTEST:

11 
12 Clerk of the Council

13 Attachments: Exhibit A - Request for Waiver of Statutory Time Limits

10588.1

Request For Waiver Of Statutory Time Limits For Property Tax Refund
RCW 84.69.020-030, KCC 4.64 as amended by Ordinance 12240 (4/29/96)

I, Gary D. Pape hereby request a waiver of the statutory time limit for property
President, Pape Properties, Inc.
tax refunds specified in RCW 84.69.030 on the property designated by Assessor's tax account number
032304-9202-03 or legally described as _____

A completed Petition for Property Tax Refund (Long Form) for each tax year involved is attached, along with proof the property taxes for that year were paid by the individual requesting the refund, and proof the conditions justifying the refund existed as of the assessment date for the tax levy.

I attest I was unable to make a timely request for refund for the following reason:

The attached King County Finance Division Notice of Overpayment was mailed to me at our Post Office box (it was not mailed by registered mail or certified mail): During the course of two office moves, the document was inadvertently misplaced. While recently reorganizing my office the refund document was discovered. The amount unclaimed, \$6,682.25, is a considerable amount of money to be considered by the King County as unclaimed funds. In talking to Judy in your office I was advised that a second notice is not mailed and there is no follow-up by King County regardless of the size of refund.

Signed Gary D. Pape Date: August 25, 1998

Assessor's recommendation and comments:
Approved
[Signature]

Treasurer's recommendation and comments:
No Recommendation
[Signature]

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PETITION FOR PROPERTY TAX REFUND
DEPT. OF ASSESSMENTS

98 AUG 27 PH 2:11

Account No.: 032304-9202-03

Petition Number: 98-00428
(to be filled in by Assessments staff)

RETURN TO:

King County Department of Assessments
709F King County Administration Building
500 Fourth Avenue - MS 7A
Seattle, WA 98104-2384

CLAIM FOR REFUND MUST BE MADE WITHIN THREE YEARS FOLLOWING PAYMENT OF TAXES

THE PETITIONER Pape' Properties, Inc. ALLEGES THE FOLLOWING TO BE FACTS:
The assessed value of said property for taxes becoming due in the year 1993, and the tax extended upon said valuation, were as follows: ** 9892 40th Avenue South, Seattle WA

	Land	Improvements	Total Value	Levy Code	Tax Rate	Tax
Real Property						
Personal Property						

	Date Paid	Receipt Number	Tax Paid	Interest paid
Entire Tax				
First Half Tax				
Second Half Tax				

REFUND IS CLAIMED FOR THE FOLLOWING REASON under the provisions of RCW 84.69.020 or 84.60.050 (See reverse for reason codes).
Reason Code: Mistake or inadvertence

EXPLAIN BRIEFLY THE SPECIFIC CIRCUMSTANCES FOR CLAIMING THIS REFUND; ATTACH ADDITIONAL PAGES IF NEEDED.

**Was received at P. O. Box (not registered or certified mail) - misplaced and just recently discovered. Overpayment is a considerable amount to just let go.

Said assessed value should be reduced from..... to

Said tax should be reduced from..... to

Refund should be made to taxpayer of..... plus interest (RCW 84.69.100)

VERIFICATION

I hereby verify, upon penalty of perjury, that the contents of the foregoing petition are true and correct to the best of my knowledge and belief, and request that said tax be cancelled and refunded in conformity with this petition.

Date: Aug 25 19 98

Gary D. Pape Signature of taxpayer or agent
Gary D. Pape, President (Title)
Pape' Properties, Inc.

Gary D. Pape' (541) 683-5087
Print or type name on this line Telephone number

101 E. Broadway, Suite 200 Eugene OR 97401
Address City State Zip

REASON CODES

REFUND IS MADE FOR THE FOLLOWING REASON:

- 1. Paid more than once; or
- 2. Paid as a result of manifest error in description; or
- 3. Paid as a result of clerical error in extending the tax rolls; or
- 4. Paid as a result of other clerical errors in listing property; or
- 5. Paid with respect to improvements which did not exist on assessment date; or
- 6. Paid under levies or statutes adjudicated to be illegal or unconstitutional; or
- 7. Paid as a result of mistake, inadvertence, or lack of knowledge by any person exempted from paying real property taxes or a portion thereof pursuant to RCW 84.36.381 through 389; or
- 8. Paid or overpaid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same with respect to real property in which the person paying has no legal interest; or
- 9. Paid on the basis of an assessed valuation which was appealed to the state board of tax appeals and ordered reduced by the board; PROVIDED, that the amount refunded shall be only for the difference between the tax paid on the basis of the appealed valuation and the tax payable on the valuation adjusted in accordance with the board's order; or
- 10. Paid on property acquired by a governmental entity under RCW 84.60.050.

RECOMMENDATION BY COUNTY ASSESSOR:

I hereby certify that all the statements in the foregoing petition are true, and recommend that the request for refund be _____ for the following reason: _____

DATE

County Assessor or Deputy

APPROVAL/DENIAL: COUNTY FINANCE OFFICE

() Petition for refund is hereby APPROVED and a refund is directed to be made in the amount of \$ _____ plus interest at the rate specified in RCW 84.69.100, from the date of collection of the portion refundable or from the date of claim for refund, whichever is later.

Petition for refund is DENIED because the claim does not qualify under RCW 84.69.020 or RCW 84.60.050 for the following reason:

EXCEEDS the 3 year Statute of Limitations

9-23-98

DATE

[Signature]

Finance Division

KING COUNTY FINANCE DIVISION
600 KING COUNTY ADMINISTRATION BLDG
500 - FOURTH AVENUE, SEATTLE, WA 98104
(206) 296-3413

*F/C Seattle
King County*

*(800) 624-0875
EXT 63413*

PAPE PROPERTIES INC 090151
C/O GARY D PAPE
PO BOX 407
EUGENE OR 97440

105887

NOTICE OF OVERPAYMENT ON PROPERTY TAX ACCOUNT: 032304-9202-03

DATE PAID: 12/09/93 RECEIPT NUMBER: 999999

OUR RECORDS SHOW THE ABOVE KING COUNTY PROPERTY TAX ACCOUNT IS OVERPAID BY \$6,682.25 FOR THE FULL TAX YEAR 1993.

IF YOU ARE ENTITLED TO A REFUND, YOU MAY CLAIM IT BY COMPLETING THE ACTIONS CHECKED BELOW AND RETURNING THIS NOTICE WITH THE REQUESTED INFORMATION IN THE ENCLOSED ENVELOPE.

SIGN THE CERTIFICATION BELOW.

PROVIDE THIS OFFICE WITH PROOF OF PAYMENT. PROOF OF PAYMENT MAY BE ESTABLISHED BY A CANCELLED CHECK, MONEY ORDER OR OTHER REMITTANCE USED TO PAY THE TAX, A PHOTOCOPY OF ONE OF THESE REMITTANCES OR THE CASHIER'S RECEIPT FOR THE PAYMENT.

IF YOU ARE NOT ENTITLED TO THIS REFUND, PLEASE CHECK THIS BLOCK AND RETURN THIS NOTICE IN THE ENCLOSED ENVELOPE WITH INFORMATION WHICH MAY AID IN IDENTIFYING THE PARTY WHO SHOULD RECEIVE THE REFUND.

UNDER PENALTY OF PERJURY,
I CERTIFY THAT I AM ENTITLED
TO THE REFUND OF THE ABOVE
OVERPAYMENT.

[Signature]
SIGNATURE OF TAXPAYER DATE
ENTITLED TO REFUND *PAPE. 12/09/93*

FOR OFFICE USE ONLY

032304920203 001 9312090008 93 ATC240C3

Property: 9897 40th Ave S (Hwy 101)