

RESOLUTION NO. 10055

A RESOLUTION OF THE CITY COMMISSION CREATING CITY OWNED SPECIAL IMPROVEMENT RESIDENTIAL LIGHTING DISTRICT NO. 1309 IN THE CITY OF GREAT FALLS, MONTANA, FOR THE PURPOSE OF FINANCING THE INSTALLATION OF, AND SECURING AND PROVIDING ENERGY AND MAINTENANCE FOR NEW STREETLIGHTING TO PROPERTIES LOCATED WITHIN STONE MEADOWS ADDITION PHASE II

WHEREAS, the City Commission of the City of Great Falls, Montana, on the 3rd day of February, 2015, adopted Resolution No. 10054, a Resolution of Intention to Create a City Owned Special Improvement Residential Lighting District No. 1309, setting the hearing on the creation of said District and hearing on protests against the extent and creation of said District, or any matter pertaining thereto; and

WHEREAS, notice of the adoption of Resolution 10054 was made by publication and mailing, all as required by law, and said hearing was held at the time and place specified in said notice.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:

Section 1:

The City Commission does hereby find and determine that the protests and each of them made against the creation of the District and against the making of the proposed improvements be and the same are hereby declared insufficient.

Section 2:

There is hereby created a City-Owned Special Improvement Residential Lighting District No. 1309, hereinafter called the District, for the purpose of financing the installation of, securing and providing energy and maintenance for, new streetlights for lighting is said District.

Section 3:

The boundaries of the District shall be the same as described in the Resolution of Intent No. 10054, hereinafter called the Resolution, on file in the office of the City Clerk of Great Falls, Montana, and by this reference is incorporated herein and made a part hereof.

Section 4:

The City Commission hereby finds and determines that each property described within the Resolution is especially benefitted and affected by said improvements, and each of the properties are hereby declared to be the property to be assessed for the cost of financing, and expense of the energy and maintenance of the District.

Section 5:

That the general character of the improvements to be made is hereby declared to be as described in the Resolution and is by this reference incorporated herein and made a part hereof.

Section 6:

That, pursuant to Mont. Code Ann.§ 7-12-4323, the City Commission of the City of Great Falls shall assess the entire cost of the lighting improvement against the entire District, each lot or parcel of land within the District to be assessed for that part of the whole cost that its area bears to the area of the entire District, exclusive of streets, avenues, alleys and public places.

The special assessment for the installation cost of the improvements shall be payable over a term not to exceed 15 years. The installation costs are estimated to be \$.147693 per square foot assessable area and the property owners have the right to prepay the assessment as provided by law.

The ongoing annual assessment for the energy, maintenance and administrative costs is estimated to be \$.00943 per square foot assessable area.

That the monies derived from the collection of such assessments shall be paid into a fund to known as the "Special Improvement Residential Lighting District No. 1309," and warrants shall be drawn on said fund for the payment of such costs of maintaining said lights and supplying energy therefore.

ADOPTED by the Commission of the City of Great Falls, Montana, on this 3rd day of March, 2015.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney