

RESOLUTION NO. 9178

A RESOLUTION TO CONSOLIDATE THE BOUNDARIES OF SPECIAL LIGHTING DISTRICTS NO. 992, 1067B, 1235, 1262, 1263, 1265, AND 1277 TO BE KNOWN HENCEFORTH AS CONSOLIDATED SPECIAL LIGHTING DISTRICT SLDC 1295 AND TO MODIFY SPECIAL LIGHTING DISTRICT SLDC 1295 TO INCLUDE NEW INSTALLATION OF THREE - 400 WATT HPS ON STEEL POLES WITH OVERHEAD LINE IN THE TIETJEN TRIANGLE AREA GENERALLY LOCATED AT THE INTERSECTON OF FOX FARM ROAD AND ALDER DRIVE.

WHEREAS:

- A. The City Commission of the City of Great Falls, Montana, finds it advantageous and convenient to create the boundaries of Special Lighting District SLDC 1295 by consolidating for assessment and other administrative purposes within said district all of Special Lighting Districts No. 992, 1067B, 1235, 1262, 1263, 1265, and 1277 and ;
- B. That public interest and convenience require and it is deemed necessary to modify, and the City Commission of the City of Great Falls, Montana, orders modification of Special Lighting District SLDC 1295 for the installation of the improvements hereinafter described as authorized by 7-12-4301 M.C.A and;
- C. All light fixtures, poles, and wiring, existing and proposed are of similar size, type, and material, and;
- D. That the consolidated boundaries of said Special Lighting District are unchanged and are hereby declared to be further defined as follows:

Legal Description for SLD 992:

Beginning at the intersection of the center line of 9th Street and 1st Alley North; proceed East along the center line of 1st Alley North to the center line of 15th Street; thence South along the center line of 15th Street to the center line of 1st Alley South; thence West along the center line of 1st Alley South to the center line of 9th Street; thence North along the center line of 9th Street to the center line of 1st Alley North, and point of beginning.

Legal Description for SLD 1067B:

Original Legal

Beginning at a point on the extended centerline of 1st Avenue North which point is 175 feet west of the west property line of Park Drive, proceed East along the centerline and centerline extended of 1st Avenue North to the centerline of 9th Street; thence south along the centerline of 9th Street to the centerline of 1st Avenue South; thence west along the

centerline of 1st Avenue South and centerline extended to a point 175 feet west of the west property line of Park Drive; thence north along a line 175 feet west of and parallel to the west property line of Park Drive to the extended centerline of 1st Avenue North and point of beginning.

Created from SLD 1067B were SLD 1261, SLD 1262, SLD 1263, SLD 1269 and SLD 1270.

Final Legal

Beginning at the intersection of the centerline of 1st Alley N. and 7th St.; thence easterly along the center line of 1st Alley N. to the center line of 9th St.; thence southerly along the center line of 9th St to the center line of 1st Alley So; thence westerly along the center line of 1st Alley S. to the center line of 7th St.; thence northerly along the center line of 7th St. to the point of beginning.

Legal Description for SLD 1235:

Beginning at the southwest corner of Lot 1, Block 1, Second Supplement to Deaconess Addition; thence northerly along the west line of said Lot 1, Block 1, a distance of 280 feet; thence easterly along a line parallel to the south line of said Lot 1, Block 1, the same being coincidental with the north right-of-way line of 15th Avenue South, a distance of 473 feet; thence southerly along a line parallel to the west line of said Lot, 1, Block 1, Deaconess Addition a distance of 140 feet; thence easterly along a line parallel to the south line of said Deaconess Addition extended east to its intersection with the east line of the Great Falls Clinic Addition; thence southerly along said east line of the Great Falls Clinic Addition a distance of 140 feet, the same being the southeast corner of the Great Falls Clinic Addition; thence southerly along a line parallel to and 30 feet west of the center line of 29th Street South to its intersection with the centerline of Desert Drive; thence westerly along said centerline of Desert Drive to a point on a curve of said centerline which is produced by and easterly extension of the south lot line of Lot 1, Block 2, Yeoman Tynes Addition; thence westerly along said south lot line of Lot 1, Block 2, Yeoman Tynes Addition to the southwest corner of said Lot 1, Block 2; thence northerly along the west line of said Lot 1, Block 2, to its intersection with the south line of 15th Avenue South, the same being the northwest corner of said Lot 1, Block 2, Yeoman Tynes Addition; thence westerly along the south line of said 15th Avenue South a distance of 473 feet; thence northerly to the southwest corner of the Second Supplement to Deaconess Addition and the point of beginning.

Legal Description for SLD 1262:

Beginning at the intersection of 7th Street and 2nd Alley North thence easterly along the centerline of 2nd Alley North to the intersection of 11th Street and 2nd Alley North; thence southerly along the centerline of 11th Street to the intersection of 11th Street and 1st Alley North; thence westerly along the centerline of 1st Alley North to the intersection of 1st Alley North and 7th Street; thence northerly along the centerline of 7th Street to the intersection of 7th Street and 2nd Alley North, the point of beginning. Embracing Lots 8 to 14, Blocks 302 thru 305 and Lots 1 to 7, Blocks 318 thru 321.

Legal Description for SLD 1263:

Beginning at the intersection of Park Drive and 1st Alley South; thence east along the centerline of 1st Alley South to the intersection of 1st Alley South and 9th Street; thence south along the centerline of 9th Street to the intersection of 9th Street and 3rd Alley South; thence West along the centerline of 3rd Alley South to the intersection of 3rd Alley South and Park Drive; thence north along the West extended boundary line of Block 417, Lot 2 and Block 368, Lot 9, to the intersection of the west boundary line extended of Block 368, Lot 9 with the centerline of 2nd Alley South; thence west along the centerline of 2nd Alley South to a point 175 feet west of the west property line of Park Drive; thence northerly 175 feet along a line parallel to Park Drive to the center line of the intersection of 1st Ave. S.; thence easterly to the intersection of 1st Ave. S. and Park Drive; thence northerly along the center line of Park Drive to the intersection of 1st Alley South, and the point of beginning. Embracing Lots 8 to 14, Blocks 360 thru 367, Lots 1 to 10, Block 368, Lots 1 to 14, Blocks 369 thru 375, Lots 1 to 7, Blocks 410 thru 416, Lots 2 & 3, Block 417, within the original townsite, Great Falls, Cascade, Montana.

Legal Description for SLD 1265:

Beginning at the Southwest corner of the North 75 feet of Lot 7, Block 128; thence North along the West boundary line of Lot 7, Block 128, Lots 7 and 8, Block 81, Lots 7 & 8, Block 77 through the western boundary line of Lot 8, Block 32 and along the West boundary line of the area formerly known as Lot 7, Block 32 extended to the intersection of the centerline of 11th Avenue North; thence east along the centerline of 11th Avenue North to its intersection with the extended East boundary line of Lot 1, Block 33; thence south along the extended East boundary line of Lot 1, Block 33, Lot 14, Block 33, Lots 1 and 14, Block 76, Lots 1 and 14, Block 82 to the Southeast corner of the North 75 feet of Lot 1, Block 127; thence west along the Southern border of the North 75 feet of Lot 1, Block 127 to the point of origin.

Legal Description for SLD 1277:

Beginning at the center line of 10th Avenue South wherein it intersects with the centerline of 26th Street South; thence West 174 feet along the centerline of 10th Avenue South; thence South to the South right-of-way line of 17th Avenue South; thence continuing South 500.8 feet; thence East 348 feet; thence North 500.8 feet to the north boundary line of Lot 1 Block 1 Stites Memorial Addition; thence continuing North to the centerline of 10th Avenue South; thence West to the true point of beginning.

- E. That the modification to the area boundaries are hereby declared to be defined as follows:

Beginning at a point 42.26 ft. south of the northeast corner of Lot 1, Block 3 of the Tietjen Triangle; thence southerly along the east boundary line of Lot 1, Block 3 of the Tietjen Triangle to a point 172.33 ft.; thence easterly along the north boundary line of Lot 6, Block 3 of the Tietjen Triangle to a point 114.93 ft.; thence southerly 179.96 ft. to the centerline of Alder Drive; thence westerly along the centerline of Alder Drive to a point approximately 89.92 ft.; thence southerly along a line 35 ft. parallel from the east right of way line of Fox Farm Road to a point approximately 230.48 ft.; thence westerly to a point approximately 128.06 ft; thence northwesterly along a line 51.78 ft. parallel from the west right of way line of Fox Farm Road to a point 515.99 ft.; thence northeasterly 289.78 ft. to the point of beginning.

- F. That the estimated annual cost for the modified area, including the City's 10% administrative charge, is \$1,029.60.
- G. The City Commission hereby finds and determines that all real estate situated in said modified area will be especially benefited and affected by such modification and the property included within the boundaries of said modified district is hereby declared to be the property assessed for the cost and expense of making said modifications. The utility and administrative costs will be assessed against benefited property within the District on the following basis pursuant to Section 7-12-4323 M.C.A.:

Each lot or parcel of land within such modified district to be assessed for that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, avenues, alleys and public places. These costs are estimated to be \$.0146221 per square foot of assessable area.

The boundaries of the consolidated district depicting the assessable area of each lot or parcel of land is shown on Exhibit A and the proposed assessment to each lot in the modified area is shown on Exhibit B hereto.

- H. That the consolidation and modification of this Street Lighting District will supersede and take precedence over any existing, overlapping street lighting district's boundaries and improvements.

PASSED by the Commission of the City of Great Falls, Montana, on this 17th day of July 2001.

Randall H. Gray, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

Approved as to form: City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9178 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 17th day of July 2001, and approved by the Mayor of said City on the 17th day of July 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 17th day of July 2001.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on 17th day of July 2001, the City Commission of the City of Great Falls, Montana, adopted a Resolution of Intent to Consolidate and Modify No. 9178 entitled:

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO CONSOLIDATE AND MODIFY SPECIAL LIGHTING DISTRICTS NO. 992, 1067B, 1235, 1262, 1263, 1265, AND 1277 TO BE KNOWN HENCEFORTH AS CONSOLIDATED SPECIAL LIGHTING DISTRICT "SLDC" 1295 AND TO MODIFY SPECIAL LIGHTING DISTRICT SLDC 1295 TO INCLUDE NEW INSTALLATION OF THREE (3) 400 WATT HPS ON STEEL POLES WITH OVERHEAD LINE IN THE TIETJEN TRIANGLE AREA GENERALLY LOCATED AT THE INTERSECTION OF FOX FARM ROAD AND ALDER DRIVE.

The estimated annual cost and expense of operating and maintaining said lighting in the modified area is the sum of \$1029.60, which cost and expenses are to be assessed by a special assessment against the properties embraced within such consolidated and modified Special Lighting District.

Resolution of Intent to Consolidate & Modify No. 9178 is on file in the office of the City Clerk, Peggy J. Bourne, (406) 455-8541, Civic Center, 2 Park Drive, Great Falls, Montana, to which reference is hereby made for a description of the boundaries of said district.

That the City Commission of the City of Great Falls, Montana, will be in session on the 7th day of August, 2001, at 7:00 o'clock p.m., in the Commission Chambers in the Civic Center, at which time and place the City Commission will hear objections to consolidation and modification of said Lighting District. Any person or persons, who are owners of any lot or parcel of land within said Special Lighting District SLDC 1295, who shall, within 15 days after the first publication of this notice have delivered to the City Clerk of the City of Great Falls, a protest in writing against the proposed consolidation and modification of said lighting district, shall have the right to appear at said meeting in person or by counsel, and show cause, if any there be, why such lighting district should not be consolidated or modified.

Publication Dates: July 23, 24, 25, 26, 27, 2001