

RESOLUTION NO. 9497

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1302 IN THE CITY OF GREAT FALLS, MONTANA FOR THE PURPOSE OF FINANCING THE INSTALLATION OF NINE (9) 100 WATT HPS ON 17 FOOT FIBERGLASS POLES WITH UNDERGROUND WIRING TO INCLUDE PROPERTIES LOCATED WITHIN THE MEADLOWLARK ADDITION NO. 3

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

Section 1. That public interest and convenience requires and it is deemed necessary to create, and the City Commission of the City of Great Falls, Montana, intends to order and create a Special Improvement Lighting District No. 1302 to finance the installation of the improvements hereinafter described as authorized by 7-12-4301 MCA.

Section 2. That the general character of the improvements to be made within or for the benefit of the District is the installation of nine (9) 100 Watt HPS street lighting units mounted on 17 foot fiberglass poles with underground wiring.

Section 3. That the number of said Special Improvement Lighting District is hereby designated as Special Improvement Lighting District No. 1302 of the City of Great Falls, Montana.

Section 4. That the boundaries of said Special Improvement Lighting District are hereby declared to be as follows:

Beginning at the intersection of the centerlines of Ferguson Drive and Beargrass Dr; thence proceed northerly along the centerline of Ferguson Drive to its intersection with the extended north boundary line of Lot 1, Block 1, Meadowlark Addition No. 3; thence proceed westerly along the north boundary lines of Lots 1 through 9, Block 1, Meadowlark Addition No. 3 to its intersection with the centerline of Flood Road; thence proceed southerly along the centerline of Flood Road to its intersection with the extended south boundary line of Lot 9, Block 2, Meadowlark Addition No. 3; thence proceed easterly along the south boundary lines of Lots 1 through 9, Block 2, Meadowlark Addition No. 3 to its intersection with the centerline of Ferguson Drive; thence proceed northerly along the centerline of Ferguson Drive to its intersection with the centerline of Beargrass Drive, the point of beginning.

And the lands included in the District are shown on the map attached as Exhibit "A," and that the legal descriptions of the lots, parcels and tracts of land within the District are shown on Exhibit "B" attached hereto.

Section 5. The City Commission hereby finds and determines that all real estate situated in said district will be especially benefited and affected by such improvement and the property included within the boundaries of said district is hereby declared to be the property assessed for the

cost and expense of making said improvements. The installation, utility and administrative costs will be assessed against benefited properties within the District on the following basis pursuant to Section 7-12-4323 MCA:

Each lot or parcel of land within such 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.

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 \$.102189 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 utility and administrative costs is estimated to be \$.004800 per square foot assessable area.

The assessable area and related costs of construction for each lot or parcel of land is shown on Exhibit "B" and, the assessable area and estimated costs of maintenance for each lot or parcel of land is shown on Exhibit "C" attached hereto.

Section 6. That on Tuesday the 4th day of October, 2005, at the City Commission Chambers in the Civic Center in the City of Great Falls, Montana, at 7:00 o'clock p.m., the Commission will conduct a public hearing on the creation of the Improvement District and pass upon any written protests timely filed against creation of the Improvement District. Within 15 days after the date of the first publication of the notice of passage of this resolution of intention, any property owner liable to be assessed for the cost of the improvements may make written protest against the proposed work or against the extent or creation of the Improvement District.

Section 7. The City Clerk is hereby authorized and directed to publish notice of the adoption of this Resolution twice in the Great Falls Tribune, a daily newspaper published in the City of Great Falls, Montana, with at least 6 days separating each publication.

The Clerk of said City is hereby further directed to mail a copy of said notice to every person, firm or corporation or the agent of such person, firm or corporation having property within the proposed district, at their last known address, upon the date of the first publication of said notice. The notice is attached as Exhibit "D."

PASSED AND ADOPTED by the Commission of the City of Great Falls, Montana, on this 6th day of September, 2005.

Randall H. Gray, Mayor

ATTEST:

Carolyn Horst, Deputy City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

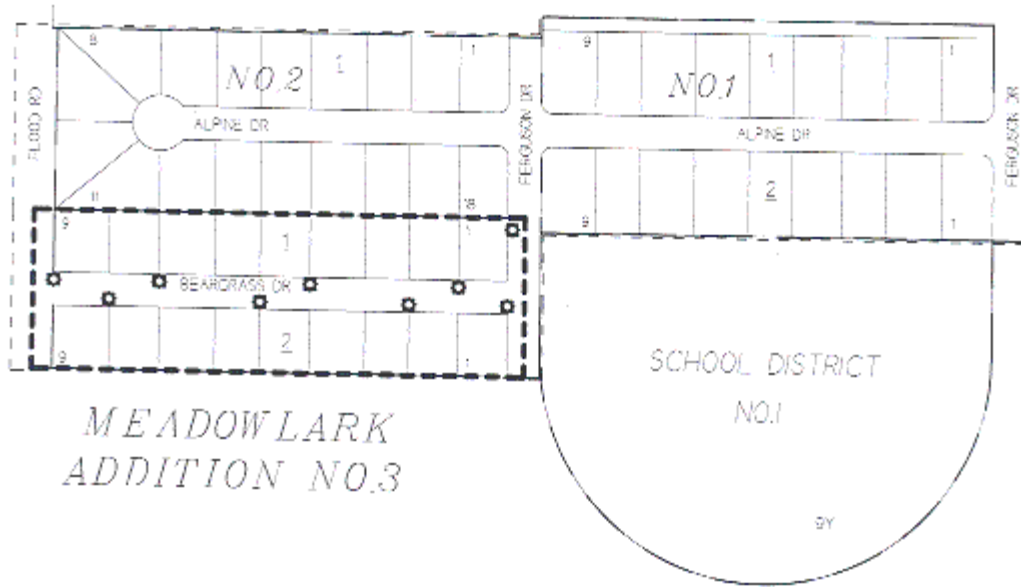
I, Carolyn Horst, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9497 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 6th day of September 2005, and approved by the Mayor of said City on the 6th day of September 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 5th day of September 2005.

Carolyn Horst, Deputy City Clerk

(SEAL OF CITY)

EXHIBIT "A"



MEADOWLARK
ADDITION NO. 3

SCHOOL DISTRICT
NO. 1



LIGHTING DISTRICT
BOUNDARY LINE



POLE WITH POST TOP
LIGHT FIXTURE (9)

SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1302

EXHIBIT "B"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1302 COSTS

Total Construction Costs: \$ 19,332.00
 Improvements: NINE (9) - 100 WATT HPS ON 17' FIBERGLASS POLES
 WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING
 15 Year Assessment
 Beginning Nov: 2006
 Ending May: 2021
 Variable Interest Rate: 3.80%

Annual Square Footage Cost: 0.102188932

| | PARCEL | BLOCK | LOT | SUB-DIVISION | NAME | PROPERTY ADDRESS | SET UP AREA (SQUARE FEET) | TOTAL ASSESSMENT | PRINCIPAL PER YEAR | INTEREST PER YEAR | 1st Year TOTAL ANNUAL PYMT |
|---------------|---------|-------|-----|---------------|--------------------------------------|--------------------|---------------------------|------------------|--------------------|-------------------|----------------------------|
| 1 | 1079008 | 1 | 1 | Meadowlark #3 | Meadowlark Partners LLP | 1301 Beargrass Dr. | 10,237 | 1,046.11 | 69.74 | 2.65 | 72.39 |
| 2 | 1079010 | 1 | 2 | Meadowlark #3 | Joseph David Macklin, Jr. | 1305 Beargrass Dr. | 10,454 | 1,068.28 | 71.22 | 2.71 | 73.93 |
| 3 | 1079012 | 1 | 3 | Meadowlark #3 | Signature Homes, Inc. | 1309 Beargrass Dr. | 9,278 | 948.11 | 63.21 | 2.40 | 65.61 |
| 4 | 1079014 | 1 | 4 | Meadowlark #3 | Thomas Clifford & Theresa Kay Walden | 1313 Beargrass Dr. | 11,631 | 1,188.56 | 79.24 | 3.01 | 82.25 |
| 5 | 1079016 | 1 | 5 | Meadowlark #3 | Mike & Diana Rydell | 1317 Beargrass Dr. | 10,454 | 1,068.28 | 71.22 | 2.71 | 73.93 |
| 6 | 1079018 | 1 | 6 | Meadowlark #3 | Leslie D. & Kristen M. Bruner | 1321 Beargrass Dr. | 9,278 | 948.11 | 63.21 | 2.40 | 65.61 |
| 7 | 1079020 | 1 | 7 | Meadowlark #3 | Meadowlark Partners LLP | 1325 Beargrass Dr. | 11,631 | 1,188.56 | 79.24 | 3.01 | 82.25 |
| 8 | 1079022 | 1 | 8 | Meadowlark #3 | Meadowlark Partners LLP | 1329 Beargrass Dr. | 10,454 | 1,068.28 | 71.22 | 2.71 | 73.93 |
| 9 | 1079024 | 1 | 9 | Meadowlark #3 | Dave & Theresa McCune | 1333 Beargrass Dr. | 11,500 | 1,175.17 | 78.34 | 2.98 | 81.32 |
| 10 | 1079026 | 2 | 1 | Meadowlark #3 | Keith & Andrea Hedges | 1300 Beargrass Dr. | 13,721 | 1,402.13 | 93.48 | 3.55 | 97.03 |
| 11 | 1079028 | 2 | 2 | Meadowlark #3 | Victor P. Shanks | 1304 Beargrass Dr. | 9,191 | 939.22 | 62.61 | 2.38 | 64.99 |
| 12 | 1079030 | 2 | 3 | Meadowlark #3 | Meadowlark Partners LLP | 1308 Beargrass Dr. | 9,191 | 939.22 | 62.61 | 2.38 | 64.99 |
| 13 | 1079032 | 2 | 4 | Meadowlark #3 | Meadowlark Partners LLP | 1312 Beargrass Dr. | 10,367 | 1,059.39 | 70.63 | 2.68 | 73.31 |
| 14 | 1079034 | 2 | 5 | Meadowlark #3 | Meadowlark Partners LLP | 1316 Beargrass Dr. | 9,191 | 939.22 | 62.61 | 2.38 | 64.99 |
| 15 | 1079036 | 2 | 6 | Meadowlark #3 | Dave's Big Sky Builders | 1320 Beargrass Dr. | 9,191 | 939.22 | 62.61 | 2.38 | 64.99 |
| 16 | 1079038 | 2 | 7 | Meadowlark #3 | Dave's Big Sky Builders | 1324 Beargrass Dr. | 11,500 | 1,175.17 | 78.34 | 2.98 | 81.32 |
| 17 | 1079040 | 2 | 8 | Meadowlark #3 | Meadowlark Partners LLP | 1328 Beargrass Dr. | 10,367 | 1,059.39 | 70.63 | 2.68 | 73.31 |
| 18 | 1079042 | 2 | 9 | Meadowlark #3 | Meadowlark Partners LLP | 1332 Beargrass Dr. | 11,543 | 1,179.57 | 78.64 | 2.99 | 81.63 |
| TOTAL: | | | | | | | 189,179 | \$19,332.00 | \$1,288.80 | \$48.97 | \$1,337.77 |

Exhibit "D"

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 6th day of September, 2005, the City Commission of the City of Great Falls, Montana, adopted a Resolution of Intent to Create No. 9497 entitled:

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO CREATE SPECIAL LIGHTING DISTRICT NO. 1302 IN THE CITY OF GREAT FALLS, MONTANA FOR THE PURPOSE OF FINANCING THE INSTALLATION OF NINE (9) 100 WATT HPS ON 17 FOOT FIBERGLASS POLES WITH UNDERGROUND WIRING TO INCLUDE PROPERTIES LOCATED WITHIN THE MEADLOWLARK ADDITION NO. 3.

Resolution of Intent to Create No. 9497 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 full description of the boundaries of said district.

That the City Commission of the City of Great Falls, Montana, recognizes a need for a special improvement lighting district for the installation of street lighting. This will result in an estimated annual assessment during the first fifteen (15) years in the newly created area of \$74.33 for an average lot of 10,510 square feet for the construction and installation of the lights. After installation of the street lights there will be an ongoing initial estimated annual maintenance assessment of \$50.45 for an average lot of 10,510 square feet for energy and distribution costs of the lights.

That the City Commission of the City of Great Falls, Montana, will be in session on the 4th day of October, 2005, 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 the intent to create said Special Improvement Lighting District No. 1302. Any person or persons, who are owners of any lot or parcel of land within said Special Improvement Lighting District No. 1302, 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 creation of said special 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 special lighting district should not be created.

Publication Dates: September 16, 2005 and September 23, 2005.