

**RESOLUTION NO. 9559**

**A RESOLUTION TO MODIFY THE BOUNDARIES OF SPECIAL IMPROVEMENT LIGHTING DISTRICT - ALLEY LIGHTING "SLD-A" NO. 1294 AND TO INSTALL FOUR (4) 70 WATT HPS ALLEY LIGHTING UNITS ON DISTRIBUTION POLES TO INCLUDE PROPERTIES BETWEEN 38<sup>TH</sup> STREET NORTH AND 40<sup>TH</sup> STREET NORTH ALONG 4<sup>TH</sup> ALLEY NORTH**

WHEREAS, the City Commission of the City of Great Falls, duly and regularly passed and adopted Resolution No. 9558 on the 4<sup>th</sup> day of April, 2006, which Resolution of Intent to Modify Special Lighting District – Alley Lighting "SLD-A" No. 1294 is now on file in the office of the City Clerk and to which reference is hereby made; and

WHEREAS, the City Commission caused notice of the passage of the Resolution of Intent to Modify to be published in the *Great Falls Tribune*, a daily newspaper published in the City of Great Falls, Montana, in the manner and form and during the period as required by law and also caused the City Clerk on the 4<sup>th</sup> day of April, 2006, that being three days prior to the first publication of the notice, to mail to each person, firm or corporation, or a known agent thereof, having property within the modification area of the District, to the last known address of such person, firm or corporation or agent, a notice of the passage of the Resolution of Intent to Modify; and

WHEREAS, the City Commission having this day met in regular session, at the time and place fixed and mentioned in the Resolution of Intent to Modify and in said notices for a public hearing, and the passing upon protests, against the modification of the District, and against the making of the improvements proposed therein; and the Commission having fully heard and considered all of such protests and other testimony.

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

Section 1. The City Commission does hereby find and determine that the protests and each of them made against the modification of the District and against the making of the proposed improvements be and the same are hereby declared insufficient.

Section 2. There is hereby modified a Special Lighting District to be known and designated as Special Lighting District – Alley Lighting “SLD-A” No. 1294 of the City of Great Falls, Montana, and the improvements described in the Resolution of Intent to Modify are hereby ordered to be made.

Section 3. The boundary modifications of the District shall be the same as described in the Resolution of Intent to Modify to which reference is hereby made for a particular description thereof.

Section 4. The City Commission hereby makes reference to the Resolution of Intent to Modify for further particulars, including the method of assessing the costs of the improvements against benefited properties.

Section 5. That the modification of this District will supercede and take precedence over any existing, overlapping alley lighting district boundaries.

PASSED by the Commission of the City of Great Falls, Montana, on this 2<sup>nd</sup> day of May, 2006.

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Dona R. Stebbins, Mayor

ATTEST:

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Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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Approved for Legal Content: 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 9559 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 2<sup>nd</sup> day of May 2006, and approved by the Mayor of said City on the 2<sup>nd</sup> day of May 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 2<sup>nd</sup> day of May 2006.

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Peggy J. Bourne, City Clerk

(SEAL OF CITY)