

RESOLUTION NO. 9570

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. 1306 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 ALONG CAMAS DRIVE TO INCLUDE PROPERTIES LOCATED WITHIN MEADOWLARK ADDITION NO. 4

WHEREAS, the City Commission of the City of Great Falls, is authorized to create special improvement districts embracing any street or streets or public highway therein or portion thereof and property adjacent thereto or property which may be declared by said City Commission to be benefited by the improvements to be made for the purpose of lighting such street or streets or public highway.

WHEREAS, the City Commission of the City of Great Falls, is authorized to require that all or any portion of the cost of installing and maintaining such lighting system be paid by the owners of the property embraced within the boundaries of such special improvement district.

WHEREAS, the City Commission of the City of Great Falls, is authorized to assess and collect the costs for installation and maintenance by special improvement assessment against the property within the district.

NOW THEREFORE, 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. 1306 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. 1306 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 Camas 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. 4; thence proceed westerly along the north boundary lines of Lots 1 through 9, Block 1, Meadowlark Addition No. 4 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. 4; thence proceed easterly along the south boundary lines of Lots 1 through 9, Block 2, Meadowlark Addition No. 4 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 Camas 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 [\\$.110962](#) 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 [\\$.006719](#) 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 1st day of August, 2006, 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 Special Improvement Lighting District and pass upon any written protests timely filed against creation of the Special Improvement Lighting 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 six (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 letter is attached as Exhibit "D" and the notice is attached as Exhibit "E."

PASSED AND ADOPTED by the Commission of the City of Great Falls, Montana, on this 11th day of July, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

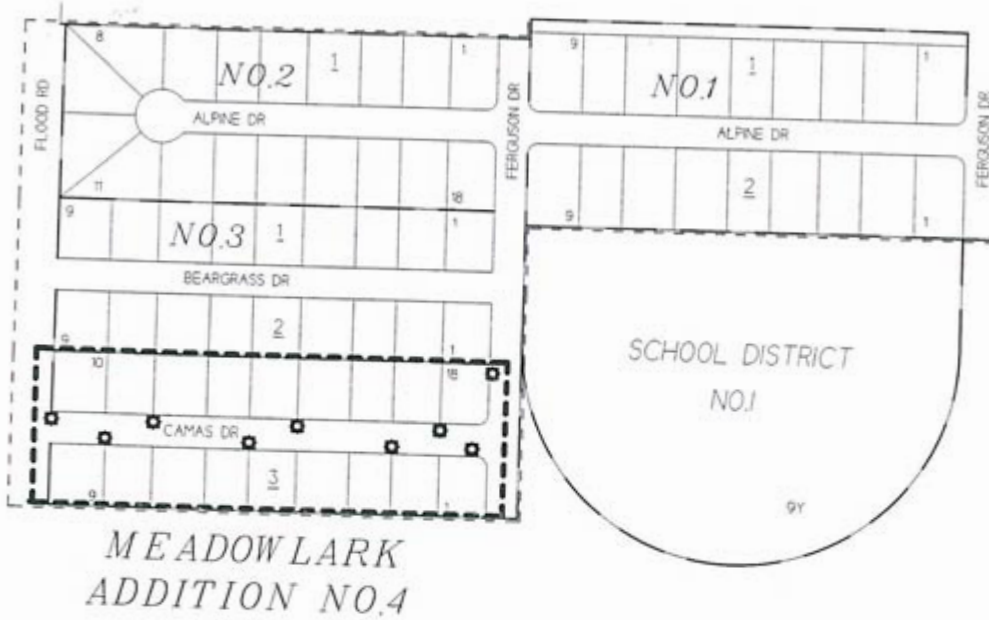
I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9570 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 11th day of July 2006, and approved by the Mayor of said City on the 11th day of July 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 11th day of July 2006.

Peggy Bourne, City Clerk

(SEAL OF CITY)

EXHIBIT "A"
 PER RESOLUTION #9570



-  LIGHTING DISTRICT BOUNDARY LINE
-  POLE WITH POST TOP LIGHT FIXTURE (9)



SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1306

EXHIBIT "B"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1306 COSTS

Total Construction Costs: \$20,962.00
 Improvements: NINE (9) - 100 WATT HPS ON 17' FIBERGLASS POLES
 WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING
 15 Year Assessment
 Beginning Nov: 2007
 Ending May: 2022
 Variable Interest Rate: 4.75%

Annual Square Footage Cost: 0.110962892

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	INTEREST PER YEAR	TOTAL ANNUAL PYMT	
2184800	Original Parcel		Meadowlark #4	1/1/2007 will be split into the following parcels:			20,962.00	977.10	982.87	1,959.97	
1	1079044	2	10	Meadowlark #4	Meadowlark Partners LLP	1333 Camas Dr.	10,495	1,164.56	53.78	54.10	107.88
2	1079046	2	11	Meadowlark #4	Meadowlark Partners LLP	1329 Camas Dr.	10,119	1,122.83	54.23	54.55	108.78
3	1079048	2	12	Meadowlark #4	Meadowlark Partners LLP	1325 Camas Dr.	9,200	1,020.86	48.21	48.49	96.70
4	1079050	2	13	Meadowlark #4	Meadowlark Partners LLP	1321 Camas Dr.	11,500	1,276.07	60.26	60.61	120.87
5	1079052	2	14	Meadowlark #4	Meadowlark Partners LLP	1317 Camas Dr.	10,350	1,148.47	54.23	54.55	108.78
6	1079054	2	15	Meadowlark #4	Meadowlark Partners LLP	1313 Camas Dr.	9,200	1,020.86	48.21	48.49	96.70
7	1079056	2	16	Meadowlark #4	Meadowlark Partners LLP	1309 Camas Dr.	11,500	1,276.07	60.26	60.61	120.87
8	1079058	2	17	Meadowlark #4	Meadowlark Partners LLP	1305 Camas Dr.	10,350	1,148.47	54.23	54.55	108.78
9	1079060	2	18	Meadowlark #4	Meadowlark Partners LLP	1301 Camas Dr.	11,654	1,293.16	61.06	61.43	122.49
10	1079062	3	1	Meadowlark #4	Meadowlark Partners LLP	1300 Camas Dr.	10,264	1,138.92	53.78	54.10	107.88
11	1079064	3	2	Meadowlark #4	Meadowlark Partners LLP	1304 Camas Dr.	10,350	1,148.47	54.23	54.55	108.78
12	1079066	3	3	Meadowlark #4	Meadowlark Partners LLP	1308 Camas Dr.	9,200	1,020.86	48.21	48.49	96.70
13	1079068	3	4	Meadowlark #4	Meadowlark Partners LLP	1312 Camas Dr.	11,500	1,276.07	60.26	60.61	120.87
14	1079070	3	5	Meadowlark #4	Meadowlark Partners LLP	1316 Camas Dr.	10,350	1,148.47	54.23	54.55	108.78
15	1079072	3	6	Meadowlark #4	Meadowlark Partners LLP	1320 Camas Dr.	9,200	1,020.86	48.21	48.49	96.70
16	1079074	3	7	Meadowlark #4	Meadowlark Partners LLP	1324 Camas Dr.	11,500	1,276.07	60.26	60.61	120.87
17	1079076	3	8	Meadowlark #4	Meadowlark Partners LLP	1328 Camas Dr.	10,350	1,148.47	54.23	54.55	108.78
18	1079078	3	9	Meadowlark #4	Meadowlark Partners LLP	1332 Camas Dr.	11,828	1,312.47	61.98	62.34	124.32
TOTAL:						188,910	\$20,962.00	\$989.86	\$995.67	\$1,985.53	

EXHIBIT "C"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1306 ANNUAL ASSESSMENT

9 - 100 WATT HPS ON 17' FIBERGLASS POLES WITH UNDERGROUND WIRING \$ 1,154.00

COST OF OPERATION AND ROUTINE MAINTENANCE 1,154.00
 10% ADMINISTRATION FEE 115.40
 TOTAL ANNUAL COST TO THE DISTRICT = \$ 1,269.40

ASSESSMENT BASED ON 12 MONTHS -
 ANNUAL ASSESSMENT FOR AN AVERAGE
 10,510 SQ.FT. LOT IS \$50.45.

ANNUAL SQUARE FOOT COST = 0.006719602

PETITION SIGNER	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	ANNUAL COST
	2084800	Original Parcel		Meadowlark #4	1/1/2007 will be split into the following - cost will be prorated:		188,910	1,269.40
X	1079044	2	10	Meadowlark #4	Meadowlark Partners LLP	1333 Camas Dr.	10,264	68.97
X	1079046	2	11	Meadowlark #4	Meadowlark Partners LLP	1329 Camas Dr.	10,350	69.55
X	1079048	2	12	Meadowlark #4	Meadowlark Partners LLP	1325 Camas Dr.	9,200	61.82
X	1079050	2	13	Meadowlark #4	Meadowlark Partners LLP	1321 Camas Dr.	11,500	77.28
X	1079052	2	14	Meadowlark #4	Meadowlark Partners LLP	1317 Camas Dr.	10,350	69.55
X	1079054	2	15	Meadowlark #4	Meadowlark Partners LLP	1313 Camas Dr.	9,200	61.82
X	1079056	2	16	Meadowlark #4	Meadowlark Partners LLP	1309 Camas Dr.	11,500	77.28
X	1079058	2	17	Meadowlark #4	Meadowlark Partners LLP	1305 Camas Dr.	10,350	69.55
X	1079060	2	18	Meadowlark #4	Meadowlark Partners LLP	1301 Camas Dr.	11,654	78.31
X	1079062	3	1	Meadowlark #4	Meadowlark Partners LLP	1300 Camas Dr.	10,264	68.97
X	1079064	3	2	Meadowlark #4	Meadowlark Partners LLP	1304 Camas Dr.	10,350	69.55
X	1079066	3	3	Meadowlark #4	Meadowlark Partners LLP	1308 Camas Dr.	9,200	61.82
X	1079068	3	4	Meadowlark #4	Meadowlark Partners LLP	1312 Camas Dr.	11,500	77.28
X	1079070	3	5	Meadowlark #4	Meadowlark Partners LLP	1316 Camas Dr.	10,350	69.55
X	1079072	3	6	Meadowlark #4	Meadowlark Partners LLP	1320 Camas Dr.	9,200	61.82
X	1079074	3	7	Meadowlark #4	Meadowlark Partners LLP	1324 Camas Dr.	11,500	77.28
X	1079076	3	8	Meadowlark #4	Meadowlark Partners LLP	1328 Camas Dr.	10,350	69.55
X	1079078	3	9	Meadowlark #4	Meadowlark Partners LLP	1332 Camas Dr.	11,828	79.48

TOTAL:

188,910

\$1,269.40

July 12, 2006

EXHIBIT "D"

Property Owner
123 Anywhere Street
Great Falls, MT 59404

Parcel No.: XXXXXX

INTENT TO MODIFY RESOLUTION #9570

Dear Property Owner:

The creation of Special Improvement Lighting District – City Owned Residential Lighting No. 1306 is being considered as petitioned by the property owner along Camas Drive in Meadowlark Addition #4. This petition has started the process to install nine (9) 100 Watt HPS street lighting units on 17 foot fiberglass poles with underground wiring along Camas Drive.

If the proposed resolution is adopted by the City Commission, it would result in an **estimated** annual lighting maintenance assessment cost of \$XX.XX for your property. This amount would appear on your property tax assessment bill each year beginning with the 2006/2007 assessment year.

Montana State Law requires sending individual notices of intent to each affected property owner in addition to the publication of the legal notice relating to the creation and assessment of the district. The enclosed notice is scheduled to be published in the *Great Falls Tribune* on Friday, July 14, 2006 and the following Friday, July 21, 2006.

At any time within 15 days after the date of the first publication of the notice of the resolution of intent, any owner of property liable to be assessed for said work may make written protest against the creation of the district. Such notice must be in writing, must list the property address and parcel number if known, must include signatures of all owners of the property, must indicate the resolution number being protested and may be mailed or hand-delivered to the City Clerk, 2 Park Drive, Great Falls, MT 59401 who shall endorse thereon the date of its receipt.

Each protest shall be weighted in proportion to the amount of the assessment to be placed upon the lot or parcel of property. If the City Commission finds that such protests constitute a majority of the total assessments, the resolution will be denied. The City Commission shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive.

You are invited to attend the public hearing for the creation of Special Improvement Lighting District – City Owned Residential Lighting No. 1306 on August 1, 2006 at 7:00 o'clock p.m. in the Commission Chambers in the Civic Center.

Re: Intent to Create Resolution #9570
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If you have any questions regarding the modification of SLD No. 1306, please call me at 455-8477.

Sincerely,

Judy Burg
Taxes & Assessments

Enc: Legal Notice

EXHIBIT "E"

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 11th day of July, 2006, the City Commission of the City of Great Falls, Montana, adopted a Resolution of Intent to Create No. 9570 entitled:

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. 1306 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 ALONG CAMAS DRIVE TO INCLUDE PROPERTIES LOCATED WITHIN MEADOWLARK ADDITION NO. 4.

Resolution of Intent to Create No. 9570 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 \$110.31 for an average lot of 10,495 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 \$70.53 for an average lot of 10,495 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 1st day of August, 2006, 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. 1306. Any person or persons, who are owners of any lot or parcel of land within said Special Improvement Lighting District No. 1306, 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 improvement 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: July 14, 2006 and July 21, 2006.