

RESOLUTION 9601

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO.1302, ALONG BEARGRASS DRIVE WITHIN MEADOWLARK ADDITION NO. 3

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District 1302, by Resolution 9498 duly passed on October 18, 2005, reference to which Resolution is hereby made, for installing and maintaining necessary public roadway lighting, as provided by 7-12-4301, MCA; and,

WHEREAS, the costs of the improvements were paid from the proceeds of a Montana Board of Investments Intercap Loan as approved by the City Commission, which is to be payable primarily from special assessments to be levied against the properties located along Beargrass Drive within Meadowlark Addition No. 3, which properties will be specially benefited by the improvements; and,

WHEREAS, improvements have been completed as provided for in said Resolution for the design and installation at a total assessable cost of NINETEEN THOUSAND THREE HUNDRED THIRTY-TWO DOLLARS (\$19,332); and,

WHEREAS, the City Commission has and does hereby find, fix and determine that each and every said several lots or parcels of land within said improvement lighting district will be specially benefited by all of the improvements; and,

WHEREAS, the properties are to be assessed for the improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9497, Resolution of Intent to Create Special Improvement Lighting District 1302, Exhibit B; and,

WHEREAS, the properties in said Special Improvement Lighting District 1302 are to be assessed for the ongoing annual maintenance costs of said improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9497, Resolution of Intent to Create Special Improvement Lighting District 1302, Exhibit C.

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

Section 1 – Installation Costs Assessed

The costs of the improvements made from the proceeds of the Montana Board of Investments Intercap Loan, are to be repaid from special assessments to be levied against the properties located along Beargrass Drive within Meadowlark Addition No. 3, which properties will be specially benefited by the public roadway lighting improvements. Therefore, there is levied an assessment upon the properties in said Special Improvement Lighting District 1302, for the sum of NINETEEN THOUSAND THREE HUNDRED THIRTY-TWO DOLLARS, (\$19,332) payable with interest over a term not to exceed fifteen (15) years.

Section 2 – Maintenance Costs Assessed

The costs of the ongoing annual maintenance, energy and administrative costs, are to be payable from assessments to be levied against the properties located along Beargrass Drive within Meadowlark Addition No. 3, which properties will be specially benefited by the public roadway lighting. The annual costs in said Special Improvement Lighting District 1302 will appear as assessments for Special Maintenance Lighting Districts and are annually submitted for public hearing and City Commission action.

Section 3 – Assessment Method

The description of each lot or parcel of land within said Special Improvement Lighting District which is hereby levied upon and assessed with the name of the current owner of record and the amount of each partial payment to be made in Special Improvement Lighting District 1302, is as set out in the Special Assessment List for installation costs attached as Exhibit A, and for maintenance costs attached as Exhibit B, which said lists are incorporated herein and made a part of this Resolution by this reference.

Section 4 – Assessments Due Date

The installation assessments are payable in two semi-annual payments, and will become delinquent at 5:00 o'clock p.m. on November 30, 2006 through 2021 and May 31, 2007 through 2022. The ongoing annual maintenance assessments are payable in two semi-annual payments and will become delinquent at 5:00 o'clock p.m. on November 30th of each year and May 31st of each year.

Section 5 – Maintenance Fund

The above-described assessments are to be deposited into funds known as “Special Improvement Lighting District No. 1302 Fund – SILD-1302” for the installation costs referred to in Section 1, and “Special Maintenance Lighting District No. 1303 Fund – SMLD 1302” for the maintenance costs referred to in Section 2, and from which all eligible expenses will be paid.

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

THAT, the City Commission will hear objections to the final adoption of this resolution at 7:00 o'clock p.m., September 19, 2006 in the Commission Chambers of the Civic Center Building, Great Falls, Montana.

THAT, this Resolution, together with the attached assessment lists, shall be kept on file in the office of the City Clerk of the City of Great Falls.

THAT, said City Clerk be, and is hereby authorized and directed, to publish twice, with at least 6

days separating each publication in a newspaper published in the City of Great Falls, Montana, a notice signed by said City Clerk stating that this Resolution, levying the special assessments to defray the cost of installation and maintenance of said Special Improvement Lighting District is subject to inspection in the Clerk's office, 2 Park Drive, Great Falls, Montana. Said notice shall state the time and place at which objections to the final adoption of this Resolution will be heard by the City Commission.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-entitled and foregoing Resolution be, and the same is hereby adopted, and the special assessments therein provided for be, and the same are hereby levied and assessed accordingly.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of September, 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 9601 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19th day of September, 2006, and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy Bourne, City Clerk

(SEAL OF CITY)

**PUBLIC NOTICE – LEVY AND ASSESS ASSESSMENTS IN
SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1302**

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on Resolution 9601 which pertains to levying and assessing properties within Special Improvement Lighting District No. 1302. The public hearing will be held on September 19, 2006 at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center located at 2 Park Drive South. Copies of Resolution 9601 are available in the City Clerk's office located at 2 Park Drive South, Room 202 or by calling 455-8451.

The lighting district is located along Beargrass Drive in Meadowlark Addition No. 3. The assessment will levy costs related to the installation and annual maintenance of the lighting district.

/s/ Peggy J. Bourne, City Clerk

Publication Date: September 2, 2006 and September 9, 2006

RESOLUTION NO. 9601 - EXHIBIT "A"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1302 INSTALLATION 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: 4.75%

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	Joseph E & Lori A. Durocher	1301 Beargrass Dr.	10,237	1,046.11	69.74	2.65	72.39
2	1079010	1	2	Meadowlark #3	Mark Lyle & Jessica Lynn Paske	1305 Beargrass Dr.	10,454	1,068.28	71.22	2.71	73.93
3	1079012	1	3	Meadowlark #3	Christopher D & Janet S Alford	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	Burton R. & Peggy J. Geiger	1325 Beargrass Dr.	11,631	1,188.56	79.24	3.01	82.25
8	1079022	1	8	Meadowlark #3	Gladys S. Gibson Donnell	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	Signature Homes LLC	1308 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
13	1079032	2	4	Meadowlark #3	Karl Birky	1312 Beargrass Dr.	10,367	1,059.39	70.63	2.68	73.31
14	1079034	2	5	Meadowlark #3	Rodney D & Kristy Ann Lance	1316 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
15	1079036	2	6	Meadowlark #3	Sidney S. Colla	1320 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
16	1079038	2	7	Meadowlark #3	David J & Sheri L. Jaraczski	1324 Beargrass Dr.	11,500	1,175.17	78.34	2.98	81.32
17	1079040	2	8	Meadowlark #3	Hugh & Teresa Reilly	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

RESOLUTION NO. 9601 - EXHIBIT "B"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1302 ANNUAL ASSESSMENT

9 - 100 WATT HPS ON 17' FIBERGLASS POLES WITH UNDERGROUND WIRING \$ 1,362.00

COST OF OPERATION AND ROUTINE MAINTENANCE	1,362.00
10% ADMINISTRATION FEE	<u>136.20</u>
TOTAL ANNUAL COST TO THE DISTRICT =	\$ <u>1,498.20</u>

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

ANNUAL SQUARE FOOT COST = 0.007919484

PETITION SIGNER	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP	ANNUAL COST
							AREA (SQUARE FEET)	
X	1079008	1	1	Meadowlark #3	Joseph E & Lori A. Durocher	1301 Beargrass Dr.	10,237	81.07
	1079010	1	2	Meadowlark #3	Mark Lyle & Jessica Lynn Paske	1305 Beargrass Dr.	10,454	82.79
	1079012	1	3	Meadowlark #3	Christopher D & Janet S Alford	1309 Beargrass Dr.	9,278	73.48
	1079014	1	4	Meadowlark #3	Thomas Clifford & Theresa Kay Walden	1313 Beargrass Dr.	11,631	92.11
	1079016	1	5	Meadowlark #3	Mike & Diana Rydell	1317 Beargrass Dr.	10,454	82.79
	1079018	1	6	Meadowlark #3	Leslie D. & Kristen M. Bruner	1321 Beargrass Dr.	9,278	73.48
X	1079020	1	7	Meadowlark #3	Burton R. & Peggy J. Geiger	1325 Beargrass Dr.	11,631	92.11
X	1079022	1	8	Meadowlark #3	Gladys S. Gibson Donnell	1329 Beargrass Dr.	10,454	82.79
	1079024	1	9	Meadowlark #3	Dave & Theresa McCune	1333 Beargrass Dr.	11,500	91.07
	1079026	2	1	Meadowlark #3	Keith & Andrea Hedges	1300 Beargrass Dr.	13,721	108.66
	1079028	2	2	Meadowlark #3	Victor P. Shanks	1304 Beargrass Dr.	9,191	72.79
X	1079030	2	3	Meadowlark #3	Signature Homes LLC	1308 Beargrass Dr.	9,191	72.79
X	1079032	2	4	Meadowlark #3	Karl Birky	1312 Beargrass Dr.	10,367	82.10
X	1079034	2	5	Meadowlark #3	Rodney D & Kristy Ann Lance	1316 Beargrass Dr.	9,191	72.79
	1079036	2	6	Meadowlark #3	Sidney S. Colla	1320 Beargrass Dr.	9,191	72.79
	1079038	2	7	Meadowlark #3	David J & Sheri L. Jaraczski	1324 Beargrass Dr.	11,500	91.07
X	1079040	2	8	Meadowlark #3	Hugh & Teresa Reilly	1328 Beargrass Dr.	10,367	82.10
X	1079042	2	9	Meadowlark #3	Meadowlark Partners LLP	1332 Beargrass Dr.	11,543	91.41

TOTAL: 189,179 \$1,498.20