

RESOLUTION NO. 9652

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. 1308 IN THE CITY OF GREAT FALLS, MONTANA FOR THE PURPOSE OF FINANCING THE INSTALLATION OF THIRTEEN (13) 150 WATT HPS ON 20 FOOT STEEL POLES WITH UNDERGROUND WIRING TO INCLUDE PROPERTIES LOCATED WITHIN THE EAGLES CROSSING PHASE II AND PHASE III ADDITION - FIRST PHASE CONSTRUCTION

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. 1308 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 thirteen (13) 150 Watt HPS street lighting units mounted on 20 foot steel poles with underground wiring.

Section 3. That the number of said Special Improvement Lighting District is hereby designated as Special Improvement Lighting District No. 1308 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 a point which is the intersection of the extended northeast corner of Lot 12, Block 4 of Eagle's Crossing Phase III and the north right-of-way line of 48th Avenue Northeast; thence proceed southwesterly along the east boundary lines of Lots 7 through 12 of Block 4 of Eagles Crossing Phase III to its intersection with the southeast corner of Lot 7, Block 4 of Eagles Crossing Phase III; thence proceed southeasterly to a point which is the northeast corner of Lot 1, Block 12 of Eagles Crossing Phase II; thence proceed south along the east boundary line of Eagles Crossing Phase II to a point which is the southeast corner of Lot 1, Block 13 of Eagles Crossing Phase II; thence proceed west along the extended south boundary lines of Lots 1 through 10 of Block 13 of Eagles Crossing Phase II to its intersection with the centerline of 9th Street Northeast; thence proceed north along the centerline of 9th Street Northeast to its intersection with the centerline of 46th Avenue Northeast; thence proceed east along the centerline of 46th Avenue Northeast to its intersection with the extended west boundary line of Lot 6, Block 10 of Eagles Crossing Phase III; thence proceed north along the extended west boundary lines of Lots 1 through 6 of Block 10 of Eagles Crossing Phase III to its intersection with the north right-of-way line of 48th Avenue Northeast; thence proceed east along the north right-of-way line of 48th Avenue Northeast to its intersection with the extended northeast corner of Lot 12, Block 4 of Eagles Crossing Phase III and 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 \$0.118601 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 \$0.006146 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 17th day of July, 2007, 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 19th day of June, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

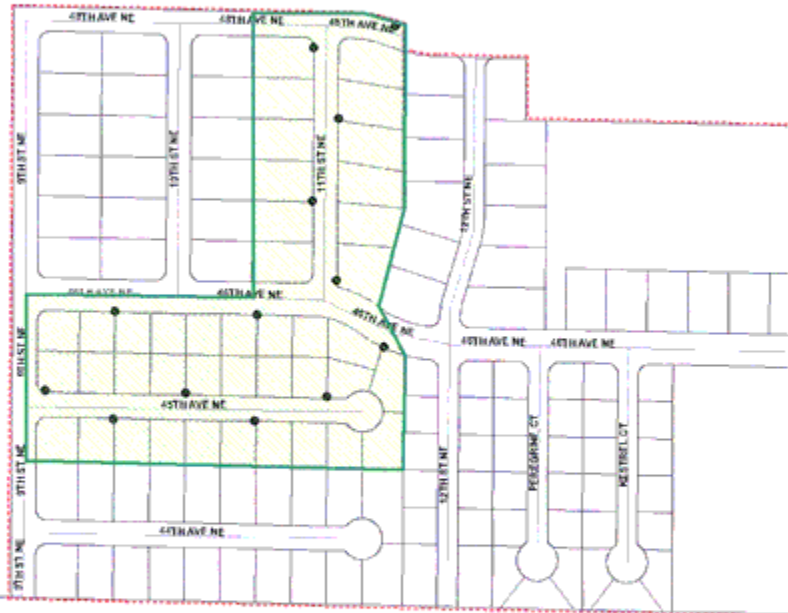
State of Montana)
County of Cascade : ss
City of Great Falls)

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9652 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19th day of June 2007, and approved by the Mayor of said City on the 19th day of June 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of June 2007.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)



- City Limit
- Streets
- FULLNAME Labels
- Airport
- Parcels
- Water Features
- 13 - 150Watt Light Poles



Res #9652 Exhibit "A" - Eagles Crossing II & III - 1st Phase Construction

1 in. = 351.6 feet



RESOLUTION 9652 - EXHIBIT "B"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1308 INSTALLATION COSTS

Total Construction Costs: \$ 53,600.00

Improvements: THIRTEEN (13) - 150 WATT HPS ON 20' STEEL POLES
WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING

15 Year Assessment

Beginning Nov: 2008

Ending May: 2023

Variable Interest Rate: 4.85%

Total Square Footage Cost: 0.118601914

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	ANNUAL INTEREST	1st Year TOTAL ANNUAL PYMT
740636	12	1	Eagles Crossing Phase II	Eagles Crossing Inc	9,687	1,148.90	76.59	55.72	132.31
740638	12	2	Eagles Crossing Phase II	Eagles Crossing Inc	10,422	1,236.07	82.40	59.95	142.35
740640	12	3	Eagles Crossing Phase II	Eagles Crossing Inc	8,640	1,024.72	68.31	49.70	118.01
740642	12	4	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740644	12	5	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740646	12	6	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740648	12	7	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740650	12	8	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740652	12	9	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740654	12	10	Eagles Crossing Phase II	Eagles Crossing Inc	10,234	1,213.77	80.92	58.87	139.79
740656	12	11	Eagles Crossing Phase II	Eagles Crossing Inc	10,243	1,214.84	80.99	58.92	139.91
740658	12	12	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740660	12	13	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740662	12	14	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740663	12	15	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740664	12	16	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740666	12	17	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740668	12	18	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740670	12	19	Eagles Crossing Phase II	Eagles Crossing Inc	8,235	976.69	65.11	47.37	112.48
740672	13	1	Eagles Crossing Phase II	Eagles Crossing Inc	11,680	1,385.27	92.35	67.19	159.54
740674	13	2	Eagles Crossing Phase II	Eagles Crossing Inc	8,758	1,038.72	69.25	50.38	119.63
740676	13	3	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740678	13	4	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740680	13	5	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740682	13	6	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740684	13	7	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740686	13	8	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740688	13	9	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740690	13	10	Eagles Crossing Phase II	Eagles Crossing Inc	11,273	1,337.00	89.13	64.84	153.98
740732	4	7	Eagles Crossing Phase III	Eagles Crossing Inc	15,006	1,779.74	118.65	86.32	204.97
740734	4	8	Eagles Crossing Phase III	Eagles Crossing Inc	15,010	1,780.21	118.68	86.34	205.02
740736	4	9	Eagles Crossing Phase III	Eagles Crossing Inc	15,008	1,779.98	118.67	86.33	204.99
740738	4	10	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	1,888.62	125.91	91.60	217.51
740740	4	11	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	1,888.62	125.91	91.60	217.51

RESOLUTION 9652 - EXHIBIT "B"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1308 INSTALLATION COSTS

Total Construction Costs: \$ 53,600.00

Improvements: THIRTEEN (13) - 150 WATT HPS ON 20' STEEL POLES
WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING

15 Year Assessment

Beginning Nov: 2008

Ending May: 2023

Variable Interest Rate: 4.85%

Total Square Footage Cost: 0.118601914

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	ANNUAL INTEREST	1st Year TOTAL ANNUAL PYMT
740742	4	12	Eagles Crossing Phase III	Eagles Crossing Inc	16,091	1,908.42	127.23	92.56	219.79
740744	10	1	Eagles Crossing Phase III	Eagles Crossing Inc	14,858	1,762.19	117.48	85.47	202.95
740746	10	2	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740748	10	3	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740750	10	4	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740752	10	5	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740754	10	6	Eagles Crossing Phase III	Eagles Crossing Inc	14,849	1,761.12	117.41	85.41	202.82
					451,932	\$53,600.00	\$3,573.33	\$2,599.60	\$6,172.93

RESOLUTION 9652 - EXHIBIT "C"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1308 ANNUAL ASSESSMENT

13 - 150 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING

\$ 2,525.05

COST OF OPERATION AND ROUTINE MAINTENANCE

2,525.05

ASSESSMENT BASED ON 12 MONTHS -

10% ADMINISTRATION FEE

252.51

ANNUAL ASSESSMENT FOR AN AVERAGE

TOTAL ANNUAL COST TO THE DISTRICT =

\$ 2,777.56

11,023 SQ.FT. LOT IS \$67.75

ANNUAL SQUARE FOOT COST =

0.006145958

PETITION SIGNED	PARCEL	BLOCK	LOT	SUB-DIVISION	PROPERTY OWNER	SET UP	ANNUAL COST
						AREA (SQUARE FEET)	
X	740636	12	1	Eagles Crossing Phase II	Eagles Crossing Inc	9,687	59.54
X	740638	12	2	Eagles Crossing Phase II	Eagles Crossing Inc	10,422	64.05
X	740640	12	3	Eagles Crossing Phase II	Eagles Crossing Inc	8,640	53.10
X	740642	12	4	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740644	12	5	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740646	12	6	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740648	12	7	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740650	12	8	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740652	12	9	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740654	12	10	Eagles Crossing Phase II	Eagles Crossing Inc	10,234	62.90
X	740656	12	11	Eagles Crossing Phase II	Eagles Crossing Inc	10,243	62.95
X	740658	12	12	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740660	12	13	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740662	12	14	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740663	12	15	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740664	12	16	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740666	12	17	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740668	12	18	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740670	12	19	Eagles Crossing Phase II	Eagles Crossing Inc	8,235	50.61
X	740672	13	1	Eagles Crossing Phase II	Eagles Crossing Inc	11,680	71.78
X	740674	13	2	Eagles Crossing Phase II	Eagles Crossing Inc	8,758	53.83
X	740676	13	3	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740678	13	4	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740680	13	5	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740682	13	6	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740684	13	7	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740686	13	8	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740688	13	9	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740690	13	10	Eagles Crossing Phase II	Eagles Crossing Inc	11,273	69.28
X	740732	4	7	Eagles Crossing Phase III	Eagles Crossing Inc	15,006	92.23
X	740734	4	8	Eagles Crossing Phase III	Eagles Crossing Inc	15,010	92.25

RESOLUTION 9652 - EXHIBIT "C"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1308 ANNUAL ASSESSMENT

13 - 150 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING

\$ 2,525.05

COST OF OPERATION AND ROUTINE MAINTENANCE

2,525.05

ASSESSMENT BASED ON 12 MONTHS -

10% ADMINISTRATION FEE

252.51

ANNUAL ASSESSMENT FOR AN AVERAGE

TOTAL ANNUAL COST TO THE DISTRICT =

\$ 2,777.56

11,023 SQ.FT. LOT IS \$67.75

ANNUAL SQUARE FOOT COST =

0.006145958

PETITION SIGNED	PARCEL	BLOCK	LOT	SUB-DIVISION	PROPERTY OWNER	SET UP	ANNUAL COST
						AREA (SQUARE FEET)	
X	740736	4	9	Eagles Crossing Phase III	Eagles Crossing Inc	15,008	92.24
X	740738	4	10	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	97.87
X	740740	4	11	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	97.87
X	740742	4	12	Eagles Crossing Phase III	Eagles Crossing Inc	16,091	98.89
X	740744	10	1	Eagles Crossing Phase III	Eagles Crossing Inc	14,858	91.32
X	740746	10	2	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740748	10	3	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740750	10	4	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740752	10	5	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740754	10	6	Eagles Crossing Phase III	Eagles Crossing Inc	14,849	91.26

Total Petition Signers: 41

451,932

2,777.56

EXHIBIT "D"

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 19th day of June 2007, the City Commission of the City of Great Falls, Montana, adopted a Resolution of Intent to Create No. 9652 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. 1308 IN THE CITY OF GREAT FALLS, MONTANA FOR THE PURPOSE OF FINANCING THE INSTALLATION OF THIRTEEN (13) 150 WATT HPS ON 20 FOOT STEEL POLES WITH UNDERGROUND WIRING TO INCLUDE PROPERTIES LOCATED WITHIN THE EAGLES CROSSING PHASE II AND PHASE III ADDITION - FIRST PHASE CONSTRUCTION

Resolution of Intent to Create No. 9652 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 (inclusive of capital, financing, operations & maintenance costs) during the first fifteen (15) years in the newly created area of \$191.42 for an average lot of 11,023 square feet. After the payment of construction costs are satisfied, there will continue to be an ongoing estimated annual maintenance assessment of \$67.75 for an average lot of 11,023 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 17th day of July, 2007, 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. 1308. Any person or persons, who are owners of any lot or parcel of land within said Special Improvement Lighting District No. 1308, 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: June 22, 2007 and June 29, 2007