

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Great Falls, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution No. 9717 entitled: "A RESOLUTION OF INTENTION TO AMEND THE CITY'S CENTRAL MONTANA AGRICULTURAL AND TECHNOLOGY PARK TAX INCREMENT INDUSTRIAL INFRASTRUCTURE DISTRICT PLAN TO INCLUDE LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ABUTTING SEGMENT OF U.S. HIGHWAY 87; MAKING CERTAIN FINDINGS WITH RESPECT THERETO AND PROVIDING FOR THE FIRST READING OF THE AMENDING ORDINANCE (ORDINANCE 2996)(the" RESOLUTION") on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission of the City at a regular meeting on November 20, 2007, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commission members voted in favor thereof: _____
_____ ; voted against the same: _____
_____ ; abstained from voting thereon: _____
_____ ; or were absent: _____.

WITNESS my hand and seal officially this ___ day of November, 2007.

(SEAL)

Lisa Kunz, City Clerk

RESOLUTION NO. 9717

A RESOLUTION OF INTENTION TO AMEND THE CITY'S CENTRAL MONTANA AGRICULTURAL AND TECHNOLOGY PARK TAX INCREMENT INDUSTRIAL INFRASTRUCTURE DISTRICT PLAN TO INCLUDE LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ABUTTING SEGMENT OF U.S. HIGHWAY 87; MAKING CERTAIN FINDINGS WITH RESPECT THERETO AND PROVIDING FOR THE FIRST READING OF THE AMENDING ORDINANCE (ORDINANCE 2996)(the" RESOLUTION")

BE IT RESOLVED by the City Commission (the "Commission") of the City of Great Falls, Montana (the "City"), as follows:

Section 1. Recitals.

1.01. Sections 7-15-4298 through 7-15-4299, Montana Code Annotated (M.C.A.) (the "Act") authorizes municipalities to create industrial infrastructure districts for industrial infrastructure development projects.

1.02. Section 7-15-4299(2) enables municipalities creating industrial infrastructure districts to utilize tax increment financing.

1.03. In accordance with the provisions of the Act, the City conducted a public hearing on the creation of the Central Montana Agricultural and Technology Park Tax Increment Industrial Infrastructure District (the "District") and the financing of certain industrial infrastructure improvements for International Malting Company, a secondary, value-adding industry.

1.04. The City, pursuant to Ordinance No. 2911 adopted by the Commission on May 17, 2005 (the "Ordinance") created the District and established the boundaries of the District. The District was created for the purpose of providing needed infrastructure to attract and encourage the location of secondary, value- adding industries, particularly International Malting Company, in the area of the City constituting the District.

1.05. Pursuant to the Ordinance and Resolution No. 9451, adopted by the Commission on December 20, 2005, the City approved the acquisition of certain rail spur improvements (the "Rail Spur") to provide rail access to all properties in the District to encourage the expansion and development of other secondary, value-adding industries in the District.

1.06. It is still the intent of the City to acquire the Rail Spur so that it may be made available by the City to other secondary value-adding industries wishing to locate in the District or in that part of the City.

1.07. Consistent with the intent of the Ordinance, the City has determined that it is in its best interest of the City and the District to expand the boundaries of the District to encourage the

further development of secondary, value-adding industries in the areas adjacent to the District and to enable the City to finance other needed industrial infrastructure improvements to serve the District and property proposed to be added to the District.

1.08. On October 2, 2007, pursuant to Resolution No. 9696, the City extended the boundaries of said City to include Lot 5, Block 1, International Malting Company, LLC Addition, in Section 30, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana and the abutting segment of U.S. Highway 87, as described in Resolution No. 9696, and generally as shown on the vicinity map exhibit attached hereto marked Exhibit A and by this reference made a part hereof, and according to the minor subdivision plat of International Malting Company, LLC Addition (the “Area”).

1.09. The City has full power and authority to amend the Ordinance, and wishes to provide notice of its intention to amend the Ordinance to extend the boundaries of the District to include the Area and order a public hearing thereon.

1.10. In conformance with the requirements of Section 76-1-604, M.C.A., and pursuant to Resolution No. 9501 approved by the Commission on June 21, 2005, the City adopted a Growth Policy (the “Growth Policy”).

1.11. Section 7-15-4299 of the Act requires that for an industrial district to be created, the area must be zoned for light or heavy industrial use in accordance with the growth policy document; is not included within an existing urban renewal district; is deficient in infrastructure improvements for industrial development; and has the purpose of the development of infrastructure to encourage the growth and retention of secondary, value-adding industries.

Section 2. Determination of Infrastructure Improvement Deficiency; Incorporation of Area into Boundaries of District.

2.01. The City hereby makes the following determinations with respect to the Area in accordance with the Act:

a). The Area has been zoned “I-2” Heavy Industrial District pursuant to Ordinance No. 2985, adopted on November 6, 2007.

b). The Area does not include any property included within an existing urban renewal area district, industrial infrastructure district or technology infrastructure district.

c). There is no public infrastructure in the Area and thus it is deficient in infrastructure improvements necessary for the development of secondary value-adding industry.

d). The development of a natural gas electric generating facility in the Area is dependent on the availability of City water and other public infrastructure.

e). The development of infrastructure in the Area to encourage the growth of secondary value-adding industries is consistent with the Ordinance and the District as it currently exists.

2.02. Based on the foregoing, the City determines that the Area is eligible to be incorporated into the District and that the development of secondary value adding industry in the Area can be encouraged by its incorporation in the District, and the construction of other industrial infrastructure improvements.

Section 3. Declaration of Intent; First Reading. This Council hereby declares its intention to amend Ordinance No. 2911 to modify the boundaries of the District to include the Area pursuant to [Ordinance No. 2996, a copy of which is attached hereto as Exhibit B](#), (the “Amending Ordinance”), which shall be deemed read and approved on First Reading upon adoption of this Resolution.

Section 4. Public Hearing. A public hearing on the Amending Ordinance and the inclusion of the Area within the boundaries of the District is hereby called and shall be held on Tuesday, December 4, 2007 at 7:00 p.m., in the Commission Chambers at the Great Falls Civic Center, Great Falls, Montana.

Section 5. Notice. Notice of the public hearing shall be published in the *Great Falls Tribune* on November 21 and 27, 2007, in substantially the form attached as [Exhibit C](#) hereto (which is incorporated by reference and made a part hereof) and mailed to the owners of record of the real property constituting the Area.

PASSED AND ADOPTED this 20th day of November, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9717 was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 20th day of November, 2007, and approved by the Mayor of said City, on the 20th day of November, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 20th day of November, 2007.

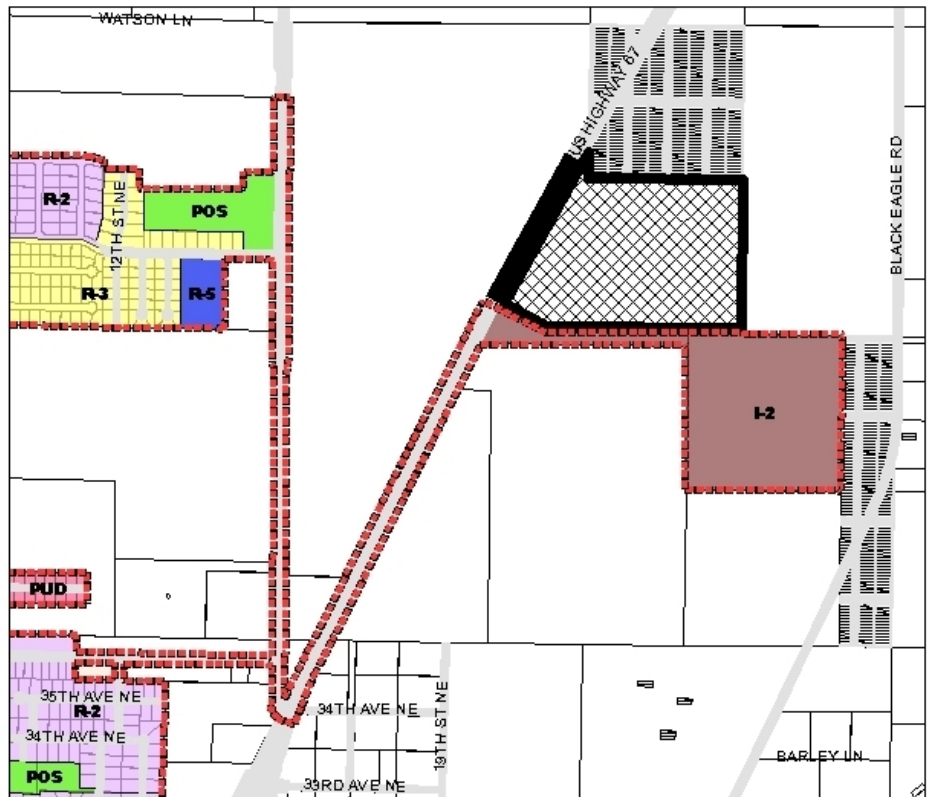
Lisa Kunz, City Clerk

(SEAL OF CITY)

EXHIBIT A

LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ABUTTING SEGMENT OF U.S. HIGHWAY 87

EXHIBIT "A"
VICINITY/ZONING MAP



- LOT 5, BLOCK 1 IN TERNATIONAL MALTING COMPANY, LLC ADDITION REQUESTED TO BE ANNEXED AND ZONED "I-2" HEAVY INDUSTRIAL DISTRICT
- PORTION OF U.S. HIGHWAY 87 PROPOSED TO BE ANNEXED
- EXISTING CITY LIMITS
- R-2 Single-family medium density
- POS Parks and Open Space
- U Unincorporated enclave
- R-3 Single-family high density
- PUD Planned unit development
- Tracts of land outside City
- R-5 Multi-family medium density
- I-2 Heavy industrial



EXHIBIT C

NOTICE IS HEREBY GIVEN that the City Commission (the “Commission”) of the City of Great Falls, Montana (the “City”) will hold a public hearing on Tuesday, December 4, 2007 at 7:00 p.m., in the Commission Chambers at the Great Falls Civic Center, Great Falls, Montana on its proposed intention to reconfirm its original determination that industrial infrastructure deficiency exists in the Area generally described as:

Lot 5, Block 1, International Malting Company, LLC Addition, in Section 30, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, and containing 54.86 acres; and

A Parcel of land being portions of U.S. Highway 87, Federal Aid Project No. 149-D(3) according to right-of-way plans in the records of the Montana Department of Transportation, said Parcel being situated in the Northwest Quarter (NW 1/4) of Section 30, in Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, described in Resolution No. 9217 (the “Area”)

and to include such area within the boundaries of the Central Montana Agricultural and Technology Park Tax Increment Industrial Infrastructure District pursuant to Ordinance No. 2996.

A copy of the Ordinance and a map of the Area are in file in the office of the City Clerk of the City of Great Falls, at 2 Park Drive South, Great Falls, Montana.

Any interested persons may appear and will be heard or may file written comments with the City Clerk prior to such hearing.

Dated: November 20, 2007.

Lisa Kunz, City Clerk

Publication Dates: November 21, 2007
 November 27, 2007