

RESOLUTION 9768

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED RESIDENTIAL LIGHTING NO.1310, ALONG DELEA DRIVE WITHIN MEADOWLARK ADDITION NO. 5

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District 1310, by Resolution 9692 duly passed on October 16, 2007, 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 DeLea Drive within Meadowlark Addition No. 5, 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 TWENTY-NINE THOUSAND THREE HUNDRED TWENTY-FOUR DOLLARS and 84/100 (\$29,324.84); 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 9691, Resolution of Intent to Create Special Improvement Lighting District 1310, Exhibit B; and,

WHEREAS, the properties in said Special Improvement Lighting District 1310 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 9691, Resolution of Intent to Create Special Improvement Lighting District 1310, 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 DeLea Drive within Meadowlark Addition No. 5, 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 1310, for the sum of TWENTY-NINE THOUSAND THREE HUNDRED TWENTY-FOUR DOLLARS and 84/100, (\$29,324.84) 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 DeLea Drive within Meadowlark Addition No. 5, which properties will be specially benefited by the public roadway lighting. The annual costs in said Special Improvement Lighting District 1310 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 1310, 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, 2008 through 2023 and May 31, 2009 through 2023. 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. 1310 Fund – SILD-1310” for the installation costs referred to in Section 1, and “Special Maintenance Lighting District No. 1310 Fund – SMLD 1310” 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 16, 2008 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 16th day of September, 2008.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

Approved for Legal Content: 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 9768 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 16th day of September, 2008, and approved by the Mayor of said City on the 16th day of September, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 16th day of September, 2008.

Lisa Kunz, City Clerk

(SEAL OF CITY)

RESOLUTION 9768 - EXHIBIT "A" - REVISED

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1310 INSTALLATION COSTS

Total Construction Costs: \$ 29,324.84

Improvements: **TWELVE (12) 100 WATT HPS UNITS ON 17 FOOT FIBERGLASS POLES WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING**

15 Year Assessment

Beginning Nov: 2009

Ending May: 2024

Variable Interest Rate: 5.00%

Interest Start Date: 5/30/2008

Days thru 6/30/2009: 396

Total Square Footage Cost: 0.138203463

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP	REVISED	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	ANNUAL INTEREST	1st Year TOTAL ANNUAL PYMT
					AREA (SQUARE FEET)	AREA (SQUARE FEET)				
1079080	3	10	Meadowlark #5	Meadowlark Partners LLP	11,943	11,944	1,650.70	110.05	89.54	199.59
1079082	3	11	Meadowlark #5	Meadowlark Partners LLP	10,350	10,350	1,430.41	95.36	77.59	172.95
1079084	3	12	Meadowlark #5	Meadowlark Partners LLP	11,500	11,500	1,589.34	105.96	86.22	192.18
1079086	3	13	Meadowlark #5	Meadowlark Partners LLP	9,200	9,200	1,271.47	84.76	68.97	153.73
1079088	3	14	Meadowlark #5	Joshua L. Rowe	10,350	10,350	1,430.41	95.36	77.59	172.95
1079090	3	15	Meadowlark #5	Howard Cary	11,500	11,500	1,589.34	105.96	86.22	192.18
1079092	3	16	Meadowlark #5	Meadowlark Partners LLP	9,200	9,200	1,271.47	84.76	68.97	153.73
1079094	3	17	Meadowlark #5	Meadowlark Partners LLP	10,350	10,350	1,430.41	95.36	77.59	172.95
1079096	3	18	Meadowlark #5	Meadowlark Partners LLP	10,264	10,264	1,418.52	94.57	76.95	171.52
1079098	4	1	Meadowlark #5	Meadowlark Partners LLP	10,136	10,136	1,400.83	93.39	75.99	169.38
1079100	4	2	Meadowlark #5	Karl Birky	10,263	10,263	1,418.38	94.56	76.94	171.50
1079102	4	3	Meadowlark #5	Terrance & Helen Reistad	9,156	9,157	1,265.53	84.37	68.65	153.02
1079104	4	4	Meadowlark #5	Meadowlark Partners LLP	11,470	11,471	1,585.33	105.69	86.00	191.69
1079106	4	5	Meadowlark #5	Daves Big Sky Builders Inc.	10,356	10,356	1,431.24	95.42	77.64	173.06
1079108	4	6	Meadowlark #5	Meadowlark Partners LLP	9,231	9,232	1,275.89	85.06	69.21	154.27
1079110	4	7	Meadowlark #5	Meadowlark Partners LLP	11,574	11,575	1,599.71	106.65	86.78	193.43
1079112	4	8	Meadowlark #5	Meadowlark Partners LLP	10,449	10,450	1,444.23	96.28	78.34	174.62
1079114	4	9	Meadowlark #5	Meadowlark Partners LLP	12,276	12,277	1,696.72	113.11	92.04	205.15
1079116	5	2	Meadowlark #5	Meadowlark Partners LLP	10,254	10,254	1,417.14	94.48	76.87	171.35
1079118	6	1	Meadowlark #5	Lance & Rosanne Hatzenbeller	10,085	12,357	1,707.78	113.85	92.64	206.49
					209,907	212,186	\$29,324.84	\$1,954.99	\$1,590.74	\$3,545.73

RESOLUTION 9768 - EXHIBIT "B" - REVISED

SPECIAL MAINTENANCE LIGHTING DISTRICT 1310 ANNUAL ASSESSMENT

12 - 100 WATT HPS ON 17' FIBERGLASS POLES WITH UNDERGROUND WIRING \$ 2,252.80

COST OF OPERATION AND ROUTINE MAINTENANCE 2,252.80
 10% ADMINISTRATION FEE 225.28
 TOTAL ANNUAL COST TO THE DISTRICT = \$ 2,478.08

ASSESSMENT BASED ON 12 MONTHS -
 ANNUAL ASSESSMENT FOR AN AVERAGE
 10,609 SQ.FT. LOT IS \$123.90.

ANNUAL SQUARE FOOT COST = 0.0116788

	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	REVISED AREA (SQUARE FEET)	ANNUAL COST
1	1079080	3	10	Meadowlark #5	Meadowlark Partners LLP	11,943	11,944	139.49
2	1079082	3	11	Meadowlark #5	Meadowlark Partners LLP	10,350	10,350	120.88
3	1079084	3	12	Meadowlark #5	Meadowlark Partners LLP	11,500	11,500	134.31
4	1079086	3	13	Meadowlark #5	Meadowlark Partners LLP	9,200	9,200	107.45
5	1079088	3	14	Meadowlark #5	Joshua L. Rowe	10,350	10,350	120.88
6	1079090	3	15	Meadowlark #5	Howard Cary	11,500	11,500	134.31
7	1079092	3	16	Meadowlark #5	Meadowlark Partners LLP	9,200	9,200	107.45
8	1079094	3	17	Meadowlark #5	Meadowlark Partners LLP	10,350	10,350	120.88
9	1079096	3	18	Meadowlark #5	Meadowlark Partners LLP	10,264	10,264	119.87
10	1079098	4	1	Meadowlark #5	Meadowlark Partners LLP	10,136	10,136	118.38
11	1079100	4	2	Meadowlark #5	Karl Birky	10,263	10,263	119.86
12	1079102	4	3	Meadowlark #5	Terrance & Helen Reistad	9,156	9,157	106.94
13	1079104	4	4	Meadowlark #5	Meadowlark Partners LLP	11,470	11,471	133.97
14	1079106	4	5	Meadowlark #5	Daves Big Sky Builders Inc.	10,356	10,356	120.95
15	1079108	4	6	Meadowlark #5	Meadowlark Partners LLP	9,234	9,232	107.82
16	1079110	4	7	Meadowlark #5	Meadowlark Partners LLP	11,574	11,575	135.18
17	1079112	4	8	Meadowlark #5	Meadowlark Partners LLP	10,449	10,450	122.04
18	1079114	4	9	Meadowlark #5	Meadowlark Partners LLP	12,276	12,277	143.38
19	1079116	5	2	Meadowlark #5	Meadowlark Partners LLP	10,254	10,254	119.75
20	1079118	6	1	Meadowlark #5	Lance & Rosanne Hatzenbeller	10,085	12,357	144.32

TOTAL: 209,907 212,186 \$2,478.08

**PUBLIC NOTICE – LEVY AND ASSESS ASSESSMENTS IN
SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1310**

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on Resolution 9768 which pertains to levying and assessing properties within Special Improvement Lighting District No. 1310. The public hearing will be held on September 16, 2008 at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center located at 2 Park Drive South. Copies of Resolution 9768 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 DeLea Drive in Meadowlark Addition No. 5. The assessment will levy costs related to the installation and annual maintenance of the lighting district.

/s/ Lisa Kunz, City Clerk

Publication Date: August 29, 2008 and September 5, 2008