

## **RESOLUTION 9850**

### **A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED RESIDENTIAL LIGHTING NO. 1305, WATER TOWER PARK ADDITION**

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District 1305, by Resolution 9807 duly passed on March 3, 2009, 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 within Water Tower Park Addition, 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 THOUSAND FIVE HUNDRED SIXTEEN DOLLARS (\$20,516) 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 9785, Resolution of Intent to Create Special Improvement Lighting District 1305, Exhibit B; and,

WHEREAS, the properties in said Special Improvement Lighting District 1305 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 9785, Resolution of Intent to Create Special Improvement Lighting District 1305, 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 Inter-cap Loan, are to be repaid from special assessments to be levied against the properties within Water Tower Park Addition, 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 1305, for the sum of TWENTY THOUSAND FIVE HUNDRED SIXTEEN DOLLARS (\$20,516) payable with interest over a term of 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 within Water Tower Park Addition, which properties will be specially benefited by the public roadway lighting. The annual costs in said Special Improvement Lighting District 1305 will appear as assessments for Special Maintenance Lighting Districts and are submitted annually 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 1305, 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, 2009 through 2024 and May 31, 2010 through 2025. 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 30<sup>th</sup> of each year and May 31<sup>st</sup> of each year.

Section 5 – Maintenance Fund

The above-described assessments are to be deposited into funds known as “Special Improvement Lighting District No. 1305 Fund – SILD-1305” for the installation costs referred to in Section 1, and “Special Maintenance Lighting District No. 1305 Fund – SMLD 1305” 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 did meet and hear objections to the final adoption of this resolution at 7:00 o'clock p.m., September 15, 2009 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 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, and the same are hereby levied and assessed accordingly.

PASSED by the Commission of the City of Great Falls, Montana, on this 15<sup>th</sup> day of September, 2009.

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

\_\_\_\_\_  
Approved for Legal Content: City Attorney

**RESOLUTION 9850 EXHIBIT A**

**SPECIAL IMPROVEMENT LIGHTING DISTRICT 1305  
INSTALLATION COSTS**

Total Construction Costs: \$ 20,516.00  
Improvements: Street Lighting  
 Term in Years 15  
 1st draw date 7/1/2009  
 bill thru date 7/1/2010  
 365  
Annual  
 Interest Rate 5.00%  
 Total Cost per Square Foot: 0.094697  
 (principal only)

Daily  
 0.0137%

|                         |                   |                    |                   |                       |
|-------------------------|-------------------|--------------------|-------------------|-----------------------|
|                         | <b>TOTAL AVE</b>  | <b>TOTAL AVE</b>   | <b>TOTAL AVE</b>  | <b>TOTAL</b>          |
| <b>Average Lot Size</b> | <b>ASSESSMENT</b> | <b>ANNUAL PRIN</b> | <b>1ST YR INT</b> | <b>1ST YR PAYMENT</b> |
| 13,541                  | \$108.33          | \$7.22             | \$5.42            | \$12.64               |

| 2608760        | LOT  | BLOCK | WPK<br>SUB-DIVISION              | Address | Street      | SET UP<br>AREA<br>(SQUARE FEET) | TOTAL<br>ASSESSMENT | PRINCIPAL<br>PER YEAR | ANNUAL<br>INTEREST | 1st Year<br>TOTAL<br>ANNUAL PYMT |
|----------------|--|-------|----------------------------------|---------|-------------|---------------------------------|---------------------|-----------------------|--------------------|----------------------------------|
| <b>2608760</b> | <b>Original Parcel<br/>will be split into:</b> |       | <b>Water Tower Park Addition</b> |         |             | <b>216,649</b>                  | <b>\$ 20,516.00</b> | <b>1,367.73</b>       | <b>1,025.80</b>    | <b>2,393.53</b>                  |
| 1              | 1488400  | 1     | Water Tower Addition             | 1201    | 35th AVE NE | 11,271                          | 1,067.33            | 71.16                 | 53.37              | 124.52                           |
| 2              | 1488405  | 2     | Water Tower Addition             | 3500    | 14th ST NE  | 11,982                          | 1,134.66            | 75.64                 | 56.73              | 132.38                           |
| 3              | 1488410  | 1     | Water Tower Addition             | 1200    | 35th AVE NE | 9,690                           | 917.61              | 61.17                 | 45.88              | 107.05                           |
| 4              | 1488415  | 2     | Water Tower Addition             | 3408    | 14th ST NE  | 10,275                          | 973.01              | 64.87                 | 48.65              | 113.52                           |
| 5              | 1488420  | 3     | Water Tower Addition             | 3404    | 14th ST NE  | 14,850                          | 1,406.25            | 93.75                 | 70.31              | 164.06                           |
| 6              | 1488425  | 4     | Water Tower Addition             | 3400    | 14th ST NE  | 14,850                          | 1,406.25            | 93.75                 | 70.31              | 164.06                           |
| 7              | 1488430  | 5     | Water Tower Addition             | 3304    | 14th ST NE  | 14,668                          | 1,389.01            | 92.60                 | 69.45              | 162.05                           |
| 8              | 1488435  | 6     | Water Tower Addition             | 3300    | 14th ST NE  | 13,451                          | 1,273.77            | 84.92                 | 63.69              | 148.61                           |
| 9              | 1488440  | 7     | Water Tower Addition             | 3301    | 14th ST NE  | 14,035                          | 1,329.07            | 88.60                 | 66.45              | 155.06                           |
| 10             | 1488445  | 8     | Water Tower Addition             | 3305    | 14th ST NE  | 14,398                          | 1,363.45            | 90.90                 | 68.17              | 159.07                           |
| 11             | 1488450  | 9     | Water Tower Addition             | 3401    | 14th ST NE  | 14,581                          | 1,380.78            | 92.05                 | 69.04              | 161.09                           |
| 12             | 1488455  | 10    | Water Tower Addition             | 3405    | 14th ST NE  | 14,583                          | 1,380.97            | 92.06                 | 69.05              | 161.11                           |
| 13             | 1488460  | 11    | Water Tower Addition             | 3409    | 14th ST NE  | 14,585                          | 1,381.16            | 92.08                 | 69.06              | 161.13                           |
| 14             | 1488465  | 12    | Water Tower Addition             | 3413    | 14th ST NE  | 14,587                          | 1,381.34            | 92.09                 | 69.07              | 161.16                           |
| 15             | 1488470  | 13    | Water Tower Addition             | 3501    | 14th ST NE  | 14,590                          | 1,381.63            | 92.11                 | 69.08              | 161.19                           |
| 16             | 1488475  | 14    | Water Tower Addition             | 3505    | 14th ST NE  | 14,253                          | 1,349.72            | 89.98                 | 67.49              | 157.47                           |
|                |  |       |                                  |         |             | 216,649                         | \$20,516.00         | \$1,367.73            | \$1,025.80         | \$2,393.53                       |

**RESOLUTION**

**9850**

**EXHIBIT B**

**SPECIAL IMPROVEMENT LIGHTING DISTRICT**  
**ANNUAL MAINTENANCE ASSESSMENT**

**1305**

Estimated Cost of Operation  
and Routine Maintenance \$ 2,700.00

Annual Cost per Square Foot: 0.012463

(address columns F & G) **Average Lot Size** 13,541 **Average Annual Maintenance** \$77.91

|    | <b>2608760</b> |  |            |                                  |                     | <b>SET UP AREA</b><br>(SQUARE FEET) | <b>Estimated ANNUAL MAINTENANCE</b> |
|----|----------------|--|------------|----------------------------------|---------------------|-------------------------------------|-------------------------------------|
|    | <b>PARCEL</b>  | <b>BLOCK</b>                               | <b>LOT</b> | <b>SUB-DIVISION</b>              | <b>NAME</b>         |                                     |                                     |
|    | <b>2608760</b> | <b>Original Parcel will be split into:</b> |            | <b>Water Tower Park Addition</b> |                     | <b>216,649</b>                      | <b>2,700</b>                        |
| 1  | 1488400        | 1  | 1          | Water Tower Addition             | TD LAND DEVELOPMENT | 11,271                              | 140.47                              |
| 2  | 1488405        | 1  | 2          | Water Tower Addition             | TD LAND DEVELOPMENT | 11,982                              | 149.33                              |
| 3  | 1488410        | 2  | 1          | Water Tower Addition             | TD LAND DEVELOPMENT | 9,690                               | 120.76                              |
| 4  | 1488415        | 2  | 2          | Water Tower Addition             | TD LAND DEVELOPMENT | 10,275                              | 128.05                              |
| 5  | 1488420        | 2  | 3          | Water Tower Addition             | TD LAND DEVELOPMENT | 14,850                              | 185.07                              |
| 6  | 1488425        | 2  | 4          | Water Tower Addition             | TD LAND DEVELOPMENT | 14,850                              | 185.07                              |
| 7  | 1488430        | 2  | 5          | Water Tower Addition             | TD LAND DEVELOPMENT | 14,668                              | 182.80                              |
| 8  | 1488435        | 2  | 6          | Water Tower Addition             | TD LAND DEVELOPMENT | 13,451                              | 167.63                              |
| 9  | 1488440        | 2  | 7          | Water Tower Addition             | TD LAND DEVELOPMENT | 14,035                              | 174.91                              |
| 10 | 1488445        | 2  | 8          | Water Tower Addition             | TD LAND DEVELOPMENT | 14,398                              | 179.44                              |
| 11 | 1488450        | 2  | 9          | Water Tower Addition             | TD LAND DEVELOPMENT | 14,581                              | 181.72                              |
| 12 | 1488455        | 2  | 10         | Water Tower Addition             | TD LAND DEVELOPMENT | 14,583                              | 181.74                              |
| 13 | 1488460        | 2  | 11         | Water Tower Addition             | TD LAND DEVELOPMENT | 14,585                              | 181.77                              |
| 14 | 1488465        | 2  | 12         | Water Tower Addition             | TD LAND DEVELOPMENT | 14,587                              | 181.79                              |
| 15 | 1488470        | 2  | 13         | Water Tower Addition             | TD LAND DEVELOPMENT | 14,590                              | 181.83                              |
| 16 | 1488475        | 2  | 14         | Water Tower Addition             | TD LAND DEVELOPMENT | 14,253                              | 177.63                              |
|    |                |  |            |                                  |                     | <b>216,649</b>                      | <b>\$2,700.00</b>                   |