

DECLARING IT TO BE THE INTENTION OF THE BILLINGS, MONTANA, CITY COUNCIL TO EXPAND THE BOUNDARIES OF THE EXISTING SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4025 FOR THE PURPOSE OF MAINTAINING THE EXISTING AND FUTURE PARK IMPROVEMENTS IN REHBERG RANCH ESTATES SUBDIVISION, FIRST FILING, TO INCLUDE REHBERG RANCH ESTATES SUBDIVISION, SECOND FILING, AND REPEALING CITY COUNCIL RESOLUTION NUMBER 06-18454

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana as follows:

**Section 1.** Proposed Expansion Of Extended Special Improvement Maintenance District No. 4025: Intention to Expand the Boundaries of Existing Special Improvement Maintenance District. The City proposes to maintain certain improvements to benefit certain property located in the City of Billings, Montana. The improvements consist of **the existing and future public area improvements located in Rehberg Ranch Estates Subdivision, First Filing plus any public area improvements located in Rehberg Ranch Estates Subdivision, Second Filing, installed by the developer, Parks Department and/or as part of a future Special Improvement District**, as more particularly described in Section 5. It is the intention of the Billings City Council to expand the boundaries of the existing Special Improvement Maintenance District No. 4025, created and established in the City under Montana Code annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, for the purpose of financing the maintenance costs for the landscaping and other public area improvements. The estimated annual costs for the maintenance of the improvements to be set by the Resolution of the Council each year.

**Section 2.** Number of District. The District, if the same shall be created and established, shall be known and designated as the Extended Special Improvement Maintenance District No. 4025 of the City of Billings, Montana.

**Section 3.** Boundaries of District. The boundaries of the District are to be extended to include the property depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof). The boundary of the extended District is more particularly described on "Exhibit B" hereto (which is hereby incorporated herein and made a part hereof), which boundary is designated and confirmed as the boundary of the District. A listing of each property to be added to the District is shown on "Exhibit C" hereto.

**Section 4.** Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits "A", "B" and "C" are hereby declared to be the Extended Special Improvement Maintenance District and the territory which will benefit and be benefited by the maintenance of the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing, and will be assessed for a portion of the costs of the maintenance as described in Section 1.

**Section 5.** General Character of the Improvements to be Maintained. The general character of the Improvements to be maintained is as follows: native grasses, trees, shrubs, trails, irrigation system, irrigation system water services, drainageways, storm detention facilities, street lighting and signage, weed control, pest control, and other park equipment and public area improvements installed by the developer, Parks Department and/or as part of a future Special Improvement District.

**Section 6.** Assessment Methods: Property To Be Assessed. All properties within the District are to be assessed for a portion of the costs of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing, as specified herein. The costs of maintaining the Improvements shall be assessed against the benefiting property, based on the assessable area method of assessment described in Section 7-12-4162 through 7-12-4165, M.C.A., as particularly applied and set forth herein.

**Section 7.** Assessable Area. All properties in the District will be assessed for their proportionate share of the costs of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing. The total assessable area to be added to the District is **705,138** square feet bringing the total assessment area within the District to **3,108,220** square feet. The costs of maintaining the Improvements per square foot of assessable area for the current year

shall be **\$0.00713** per square foot as shown in Exhibit "D" (which is hereby incorporated herein and made a part hereof).

**Section 8. Payment of Assessments.** The assessments for the costs of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing, shall be payable, as prescribed in Section 7-12-4162 through 7-12-4165, M.C.A.

**Section 9. Public Hearing; Protests.** At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property being added to Extended Special Improvement Maintenance District No. 4025 subject to assessment and taxation for the cost and expense of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing may make and file with the City Clerk until **5:00 p.m. M.D.T.**, on the expiration date of said 15-day period, **March 16<sup>th</sup>, 2007**, written protest against being included in Extended Special Improvement Maintenance District No. 4025, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on **Monday, March 26<sup>th</sup>, 2007, at 6:30 p.m., M.D.T.** in the Council Chambers, located on the Second Floor of the Police Facility at 220 North 27<sup>th</sup> Street, in Billings, Montana.

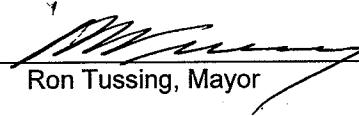
**Section 10. Notice of Passage of Resolution of Intention.** The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of the Resolution in the Billings Times, a newspaper of general circulation in the county on **March 1<sup>st</sup> and March 8<sup>th</sup>, 2007** in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said Notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property that is being added to Extended Special Improvement Maintenance District No. 4025 listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

**Section 11. Repeal of Resolution of Intention 06-18454** City Council Resolution of Intention to Create the Expanded District No. 4025 passed on July 24<sup>th</sup>, 2006, is hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 26<sup>th</sup> day of February, 2007.

THE CITY OF BILLINGS

BY:

  
Ron Tussing, Mayor

ATTEST:

BY:   
Marita Herold, MMC City Clerk



## EXHIBIT "B"

### BOUNDARY DESCRIPTION EXTENDED PARK MAINTENANCE DISTRICT NO. 4025 REHBERG RANCH ESTATES SUBDIVISION, FIRST AND SECOND FILINGS

A tract of land situated in the E1/2E1/2 of Section 22, T. 1 N., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the southeast corner of Section 22, T. 1 N., R. 25 E., P.M.M.; thence, from said Point of Beginning, along the southerly line of said Section 22, S 89°24'48" W a distance of 1341.91 feet to the southwest corner of Lot 1, Block 5 of Rehberg Ranch Estates Subdivision, First Filing; thence, along the westerly line of said Lot 1, N 02°43'06" E a distance of 5325.76 feet to northwest corner of said Lot 1; thence, along the northerly line of said Lot 1, S 89°54'31" E a distance of 10.01 feet to the northeast corner of said Lot 1; thence, along the easterly line of said Lot 1, S 02°43'06" W a distance of 456.03 feet to the northwest corner of Rehberg Ranch Estates Subdivision, Second Filing; thence, along the northerly boundary of said Rehberg Ranch Estates Subdivision, Second Filing, the following courses and distances:

S 87°16'54" E a distance of 39.12 feet;  
N 65°08'02" E a distance of 97.39 feet;  
N 34°16'09" E a distance of 250.65 feet;  
S 44°33'46" E a distance of 214.51 feet;  
S 45°26'14" W a distance of 49.72 feet;

Along a curve to the left with a radius of 268.00 feet a distance of 99.85 feet (Chord bearing, S 34°45'50" W, Chord length, 99.27 feet);  
S 63°50'09" E a distance of 90.85 feet;  
N 54°15'49" E a distance of 93.49 feet;  
N 84°14'57" E a distance of 120.74 feet;  
N 76°06'57" E a distance of 86.27 feet;  
S 63°32'37" E a distance of 62.01 feet;

Along a non-tangent curve to the right with a radius of 205.00 feet a distance of 22.52 feet (Chord bearing, N 29°36'12" E, chord length, 22.51 feet);  
S 57°14'58" E a distance of 50.00 feet;

Along a non-tangent curve to the left with a radius of 155.00 feet a distance of 76.66 feet (Chord bearing, S 18°34'56" W, Chord length, 75.88 feet);  
S 04°24'49" W a distance of 75.00 feet;  
S 85°35'11" E a distance of 68.45 feet;  
S 19°21'40" E a distance of 113.45 feet;  
S 00°30'53" W a distance of 205.79 feet;  
S 16°45'14" E a distance of 146.06 feet;  
S 07°25'58" E a distance of 118.57 feet;  
S 71°02'20" E a distance of 221.97 feet;  
S 80°44'41" E a distance of 167.24 feet to a point on the easterly line of said Section 22; thence, along said easterly line, S 02°53'14" W a distance of 756.23 feet to the northeast corner of Boundary Relocation Tract 1, Certificate of Survey No. 3238; thence N 87°06'46" W a distance of 51.04 feet; thence S 02°37'11" W a distance of 223.00 feet; thence S 39°24'39" E a distance of 74.30 feet to a point on the easterly line of said Section 22; thence, along said easterly line, S 02°53'14" W a distance of 516.71 feet to the northeast corner of Boundary Relocation Tract 2, Certificate of Survey No. 3238; thence S 30°58'05" W a distance of 99.67 feet; thence S 01°43'14" W a distance of 205.54 feet; thence S 33°36'03" E a distance of 71.86 feet to a point on the easterly line of said Section 22; thence, along said easterly line, S 02°53'14" W a distance of 315.10 feet to the northeast corner of Boundary Relocation Tract 4, Certificate of Survey No. 3238; thence S 39°10'38" W a distance of 60.85 feet; thence S 01°53'31" W a distance of 1070.75 feet; thence N 57°14'23" E a distance of 21.43 feet to a point on the easterly line of said Section 22; thence, along said easterly line, S 02°53'14" W a distance of 699.23 feet to the Point of Beginning; said tract having an area of 141.7367 acres.

**EXHIBIT "C"**

**OWNERSHIP RECORDS  
EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT  
No. 4025  
REHBERG RANCH ESTATES SUBDIVISION, FIRST AND  
SECOND FILINGS  
PARK MAINTENANCE DISTRICT**

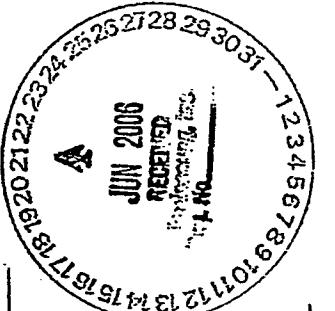
STATE OF MONTANA

COUNTY OF YELLOWSTONE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I HAVE CHECKED THE RECORDS IN MY  
OFFICE FROM May 16, 2006 TO June 16, 2006

AND THE LISTED PERSONS ARE THE OWNERS OF RECORD FOR THE LISTED PROPERTY.

SIGNED AND SEALED THIS 15<sup>th</sup> DAY OF June 2006



1 NAMES \$ .50

CERT \$ 2.00

TOTAL \$ 2.50

1 PAGES

BY John J. Nave  
DEPUTY

Date: 06/21/2006 Time: 09:58:43

Yellowstone County  
TA Reports - Parcel Master List

Operator: bcoons

Page: 1

ADGES: TAX YEAR: (R) 2006 - 2006

ASSESSOR#: (L) \*REHBERG 2ND\* D04557

TAX TYPE: (A)

LEVY DISTRICT: (A)

SUB-LEVY DIST: (A)

SPECIAL DISTRICT: (A)

LIST CODE: (A)

Certified Thru

5/26/06

Dept of Revenue

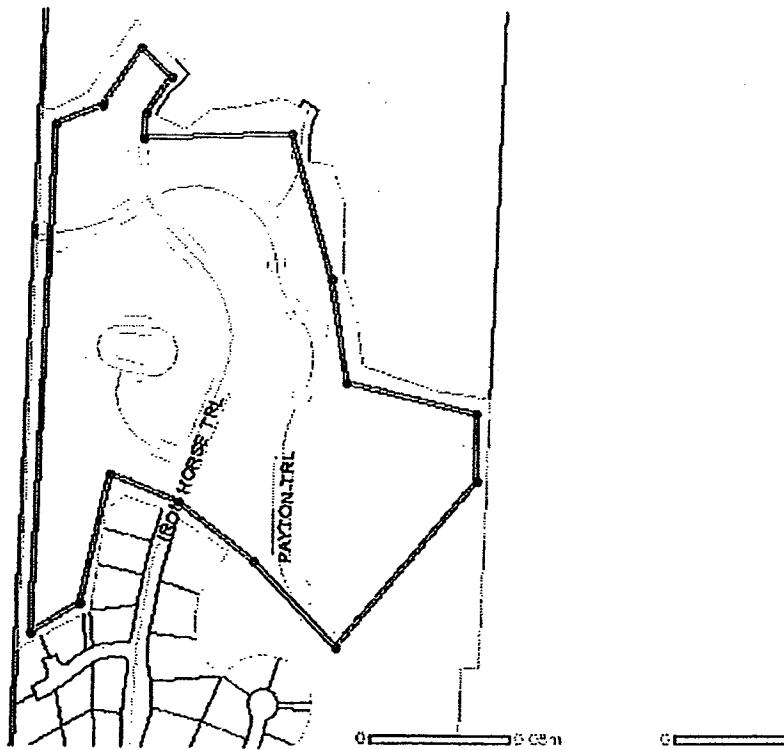
Barb C.

OPTIONS: SORT ORDER: N # OF COPIES: 1

| Assessor# | Owner/Mailing Address  | Legal Description  | Levy Sub Tax | Dist Dist Type Key #1 |
|-----------|--|--|--------------|-----------------------|
| D04557    | REHBERG RANCH ESTATES LLC<br>4401 US HIGHWAY 3<br>BILLINGS MT 59106-9603 | 03-1032-22-1-05-01-0000<br>REMAINDER IR 5 COS 3091 (LESS REHBERG<br>RANCH EST SUB 1ST & COS 3238) (06)<br>*** ANNEXATION #02-17820 3-11-02 *** | 2            | RE                    |



Data Source: Yellowstone County, Montana



## Variance List

Rehberg Ranch Estates Subdivision, 2<sup>nd</sup> filing

Return to: Kersten Olson @ ENGINEERING, Inc.  
656-5255

## Parcel

| Highlight on Map   | GEOCODE           | Tax Id | Address | Property Tax Data          | CAMA Data                  |
|--------------------|-------------------|--------|---------|----------------------------|----------------------------|
| <a href="#">1</a>  | 03103222102110000 |        |         | <a href="#">Click Here</a> | <a href="#">Click Here</a> |
| <a href="#">2</a>  | 03103222102130000 |        |         | <a href="#">Click Here</a> | <a href="#">Click Here</a> |
| <a href="#">3</a>  | 03103222102090000 |        |         | <a href="#">Click Here</a> | <a href="#">Click Here</a> |
| <a href="#">4</a>  | 03103222102070000 |        |         | <a href="#">Click Here</a> | <a href="#">Click Here</a> |
| <a href="#">5</a>  | 03103222103010000 |        |         | <a href="#">Click Here</a> | <a href="#">Click Here</a> |
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[Zoom to these records](#)

## EXHIBIT "D"

### ESTIMATE OF PROBABLE COST PARK MAINTENANCE DISTRICT NO. 4025 REHBERG RANCH ESTATES SUB, FIRST AND SECOND FILING, EXP. PARK MAINTENANCE DISTRICT

1. The costs to create the expanded maintenance district are estimated to be \$500.00.
2. The City Parks and Recreation Department estimates the maintenance of the improvements for the first year at \$21,649.00.

The first year's assessment of the total \$22,149 is estimated as follows:

| CITY OF BILLINGS - PARK MAINTENANCE DISTRICT NO. 4025<br>ESTIMATE OF ANNUAL MAINTENANCE COSTS |            |     |   |                                   |
|---|------------|-----|---|-----------------------------------|
| PMD Description: Rehberg Ranch Estates Subdivision Parks                                      |            |     |   |                                   |
| PMD Number: 4025  |            |     |   |                                   |
| Date: 2/2/2007  |            |     |   |                                   |
| BA<br>SUB   | SUB<br>ELE | OBJ | ACCOUNT DESCRIPTION   | ESTIMATED<br>MAINTENANCE<br>COSTS |
|   |            |     | Operations and Supplies   |                                   |
|   | 34         | 10  | Electricity   | \$5,200.00                        |
|   |            | 20  | City Water  | \$2,000.00                        |
|   |            | 50  | Ground Maintenance  | \$1,200.00                        |
|   | 39         | 65  | Other Service/Finance Charges                                   | \$715.00                          |
|   |            | 90  | Parks Charge for Services                                       | \$10,634.00                       |
|   | 54         | 10  | Special Assessments   | \$1,900.00                        |
|   |            |     | Total Operations and Supplies, Etc.                             | \$21,649.00                       |
|   |            |     | Cost for creation of the expanded district                      | \$500.00                          |
|   |            |     | Total Rehberg Ranch Subdivision Park O & M Annual Cost Estimate | \$22,149.00                       |
|   |            |     | Equal Assessment Per Square Foot                                | 3,108,220                         |
|   |            |     | 1st year Assessment (Per Square Foot)                           | \$0.00713                         |

4. Total assessment area is as follows:

#### *Plat of Rehberg Ranch Estates Subdivision, First Filing*

| Block 2 | Lot Area (SF) |
|---------|---------------|
| Lot 1   | 12,901        |
| Lot 2   | 12,882        |
| Lot 3   | 11,669        |
| Lot 4   | 12,072        |
| Lot 5   | 15,440        |
| Lot 6   | 14,336        |
| Lot 7   | 18,731        |
| Lot 8   | 17,047        |
| Block 3 | Lot Area (SF) |
| Lot 1   | 13,902        |
| Lot 2   | 10,370        |
| Lot 3   | 10,357        |

|                |                      |
|----------------|----------------------|
| Lot 4          | 15,078               |
| Lot 5          | 21,791               |
| Lot 6          | 14,493               |
| Lot 7          | 14,971               |
| Lot 8          | 10,442               |
| Lot 9          | 10,514               |
| Lot 10         | 10,611               |
| Lot 11         | 10,241               |
| Lot 12         | 12,527               |
| Lot 13         | 69,474               |
| Lot 14         | 110,800              |
| Lot 15         | 24,742               |
| Lot 16         | 17,486               |
| Lot 17         | 17,302               |
| Lot 18         | 14,917               |
| <b>Block 4</b> | <b>Lot Area (SF)</b> |
| Lot 1          | 33,117               |
| Lot 2          | 116,975              |
| Lot 3          | 11,949               |
| Lot 4          | 11,408               |
| Lot 5          | 10,498               |
| Lot 6          | 10,500               |
| Lot 7          | 10,527               |
| Lot 8          | 9,769                |
| Lot 9          | 9,727                |
| Lot 10         | 9,633                |
| Lot 11         | 9,637                |
| <b>Block 5</b> | <b>Lot Area (SF)</b> |
| Lot 1          | 181,498              |
| Lot 2          | 11,474               |
| Lot 3          | 11,844               |
| Lot 4          | 11,861               |
| Lot 5          | 9,783                |
| Lot 6          | 9,783                |
| Lot 7          | 9,783                |
| Lot 8          | 9,783                |
| Lot 9          | 9,781                |
| Lot 10         | 9,784                |
| Lot 11         | 13,741               |
| Lot 12         | 18,224               |
| Lot 13         | 13,823               |
| Lot 14         | 12,356               |
| Lot 15         | 11,513               |
| Lot 16 - A     | 10,231               |
| Lot 17 - A     | 13,382               |
| Lot 18 - A     | 10,900               |
| Lot 19 - A     | 11,043               |
| Lot 20         | 10,576               |
| Lot 21         | 10,477               |
| Lot 22         | 14,769               |
| Lot 23 - A     | 15,624               |
| Lot 24 - A     | 14,943               |
| Lot 25 - A     | 13,355               |
| Lot 26 - A     | 9,675                |
| Lot 27 - A     | 10,111               |
| Lot 28 - A     | 9,829                |
| Lot 29 - A     | 13,493               |
| Lot 30 - A     | 11,910               |
| Lot 31 - A     | 16,467               |
| Lot 32 - A     | 12,508               |
| Lot 33 - A     | 11,437               |
| Lot 34         | 12,291               |

|                |                      |
|----------------|----------------------|
| Lot 35         | 14,620               |
| Lot 36         | 14,148               |
| Lot 37         | 14,698               |
| <b>Block 6</b> | <b>Lot Area (SF)</b> |
| Lot 1          | 12,405               |
| Lot 2          | 13,213               |
| Lot 3          | 13,423               |
| Lot 4          | 11,197               |
| Lot 5          | 13,220               |
| Lot 6          | 13,325               |
| Lot 7          | 14,496               |
| Lot 8 - A      | 11,587               |
| Lot 9 - A      | 11,583               |
| Lot 10 - A     | 12,299               |
| Lot 11         | 13,402               |
| Lot 12         | 12,954               |
| Lot 13 - A     | 11,225               |
| Lot 14         | 13,895               |
| Lot 15         | 13,915               |
| Lot 16         | 13,456               |
| Lot 17         | 13,322               |
| Lot 18         | 13,864               |
| Lot 19         | 12,026               |
| Lot 20         | 10,839               |
| Lot 21         | 11,104               |
| Lot 22         | 13,452               |
| Lot 23         | 14,998               |
| Lot 24         | 18,187               |
| Lot 25         | 15,866               |
| Lot 26         | 10,464               |
| Lot 27         | 11,212               |
| <b>Block 7</b> | <b>Lot Area (SF)</b> |
| Lot 1          | 11,717               |
| Lot 2          | 13,088               |
| Lot 3          | 12,115               |
| Lot 4          | 11,240               |
| Lot 5 - A      | 13,444               |
| Lot 6 - A      | 13,961               |
| Lot 7          | 19,981               |
| Lot 8          | 17,920               |
| Lot 9          | 18,329               |
| Lot 10 - A     | 14,804               |
| Lot 12         | 9,643                |
| Lot 13         | 10,960               |
| Lot 14         | 10,907               |
| Lot 15         | 13,804               |
| <b>Block 8</b> | <b>Lot Area (SF)</b> |
| Lot 1          | 11,247               |
| Lot 2          | 11,900               |
| Lot 3          | 19,588               |
| Lot 4          | 14,253               |
| Lot 5          | 12,742               |
| Lot 6          | 12,056               |
| Lot 7          | 14,638               |
| Lot 8          | 10,995               |
| <b>Block 9</b> | <b>Lot Area (SF)</b> |
| Lot 1          | 9,697                |
| Lot 2          | 9,630                |
| Lot 3 - A      | 12,624               |
| Lot 4 - A      | 9,717                |
| Lot 5 - A      | 9,640                |
| Lot 6 - A      | 9,646                |