

RESOLUTION NO. 14-10387

A RESOLUTION CREATING SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 313 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF SECURING AND PROVIDING ENERGY AND MAINTENANCE FOR NEW STREETLIGHTING, SETTING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATED RATE FOR ENERGY AND MAINTENANCE THEREOF, AN APPROXIMATE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFORE FOR THE FIRST YEAR, AND THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COSTS.

WHEREAS, the City Council of the City of Billings, Montana, on the 14<sup>th</sup> day of July, 2014, passed Resolution 14-10376, a Resolution of Intention to Create a Special Improvement Lighting Maintenance District designated as No. 313, setting the hearing on the creation of said District and hearing of protests against the extent and creation of said District, or any matter pertaining thereto, and thereafter gave notice by publication and mailing, all as required by law, and at said hearing which was held at the time and place specified in said Notice, all protests were heard and considered; and

WHEREAS, the City Council finds that the protests are insufficient to stop the creation of said district, and the protests are overruled and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

SECTION 1:

That the City Council of the City of Billings, Montana does hereby create a District, to be known and designated as Special Improvement Lighting Maintenance District No. 313, hereinafter called the District, for the purpose of securing and providing energy and maintenance for new street lights for lighting said District.

SECTION 2:

That the boundaries of the District are as set forth in Resolution of Intention No. 14-10376, hereinafter called the Resolution, on file in the office of the City Clerk of Billings, Montana, and by this reference is incorporated herein and made a part hereof.

SECTION 3:

That the City Council hereby finds and determines that each property described within the Resolution of Intent, are especially benefited and affected by said improvements, and

each of the properties are hereby declared to be the property to be assessed for the cost and expense of the electrical energy for and maintenance of said District.

SECTION 4:

That the general character of the improvements to be made is hereby declared to be as described in the Resolution and is by this reference incorporated herein and made a part hereof.

SECTION 5:

Yellowstone Valley Electric Cooperative shall provide energy to all of the lights. The City of Billings intends to establish the approximate contract rate for supplying electrical energy as follows: \$2.75 per light per month, or approximately \$495 per year for the 15 lights initially being installed. Future energy costs shall be in accordance with the standard rates established by Yellowstone Valley Electric for customers within this service area. That Yellowstone Valley Electric Cooperative shall pay the initial costs of installing the light fixtures, poles, cables, and other equipment incidental to operating the lighting and shall provide normal maintenance and repairs to said equipment as part of the monthly rate for these lights. The installation costs shall be amortized over a period not to exceed 30 years, and at the end of such time all the light fixtures, poles, cables, and other equipment incidental to operating the lighting shall become the property of the City of Billings. The estimated annual cost of routine maintenance and the recovery of capital investment is \$33 per light per month, or approximately \$5,940 per year for the 15 lights initially being installed. SECTION 6:

That based upon the above figures, the estimated annual cost of the District for the initial fifteen (15) lights, including City administrative costs, is the sum of \$7,376.28. The entire cost shall be paid by the owners of the property within said District listed as part of the initial phase in Exhibits "A" and "B," with each lot, parcel or piece of land to be assessed for that portion of the whole cost which its assessable area bears to the total assessable area exclusive of streets, avenues, alleys and Heritage Trail Park. The estimated cost per year for property owners is on the basis of approximately \$0.01325298 per square foot of lot area.

As additional lights are installed the total cost to be assessed and the assessment rate will be determined by the actual installation and energy costs for the lighting, and by the total lot area being assessed. The entire cost shall be paid by the owners of the all property within said District along then improved public streets, with each lot, parcel or piece of land to be assessed for that portion of the whole cost which its assessable area bears to the total assessable area, exclusive of streets, avenues, alleys and Heritage Trail Park.

SECTION 7:

That the entire cost of the District shall be paid by an annual assessment against the property in the District. That all monies derived from the collection of such assessments

shall be paid into a fund to be known as the "Special Improvement Lighting Maintenance District No. 313 Maintenance Fund", and warrants shall be drawn on said fund for the payment of such cost of maintaining said lights and supplying electrical current therefore.

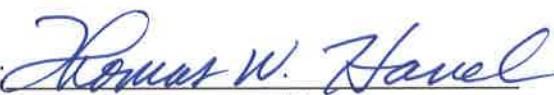
SECTION 8:

That reference is hereby made to the Resolution, the maps, specifications, boundaries, perimeter and data pertaining to the District, on file in the offices of the City Clerk and City Engineer, for further particulars, all of which are made a part hereof.

PASSED by the City Council of the City of Billings, Montana and approved this 11<sup>th</sup> day of August, 2014.



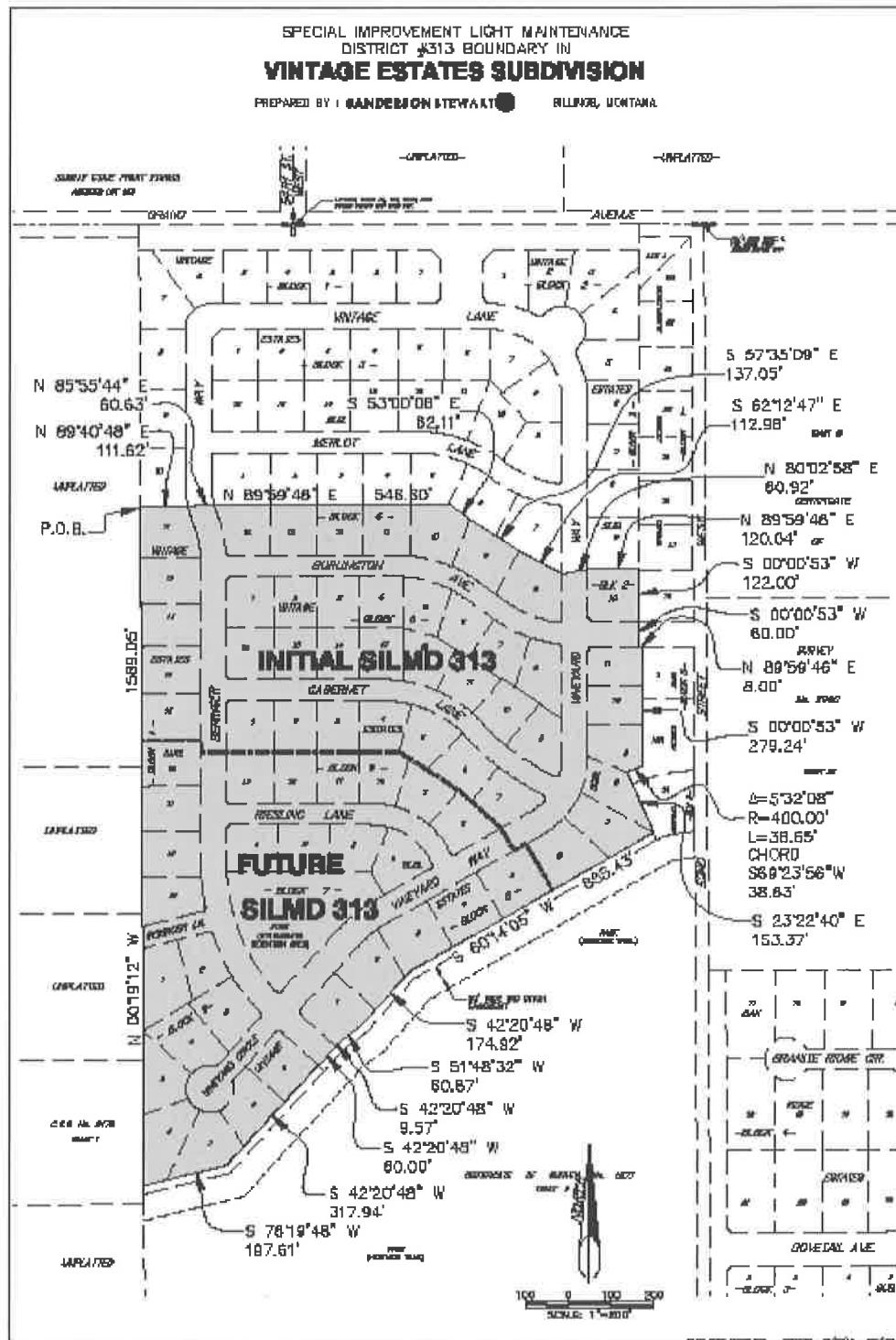
THE CITY OF BILLINGS:

BY:   
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk

## **EXHIBIT A**



**Exhibit B**  
**SILMD 313**  
**Vintage Estates Subdivision**

New SILMD—Burlington Ave to south end of subdivision

TAX_ID	BLK_NUM	LOT_NUM	SILMD phase	SUBD	Lot Area
A31989	1	11	Initial	VINTAGE ESTATES SUB	15319
A31990	1	12	Initial	VINTAGE ESTATES SUB	15054
A31991	1	13	Initial	VINTAGE ESTATES SUB	14233
A31992	1	14	Initial	VINTAGE ESTATES SUB	15264
A31993	1	15	Initial	VINTAGE ESTATES SUB	15239
A32007	2	10	Initial	VINTAGE ESTATES SUB	14621
A32031	4	8	Initial	VINTAGE ESTATES SUB	16676
A32032	4	9	Initial	VINTAGE ESTATES SUB	14469
A32033	4	10	Initial	VINTAGE ESTATES SUB	15774
A32034	4	11	Initial	VINTAGE ESTATES SUB	13218
A32035	4	12	Initial	VINTAGE ESTATES SUB	12960
A32036	4	13	Initial	VINTAGE ESTATES SUB	12960
A32037	4	14	Initial	VINTAGE ESTATES SUB	13638
A32038	5	1	Initial	VINTAGE ESTATES SUB	13179
A32039	5	2	Initial	VINTAGE ESTATES SUB	12000
A32040	5	3	Initial	VINTAGE ESTATES SUB	12000
A32041	5	4	Initial	VINTAGE ESTATES SUB	11998
A32042	5	5	Initial	VINTAGE ESTATES SUB	12101
A32043	5	6	Initial	VINTAGE ESTATES SUB	11486
A32044	5	7	Initial	VINTAGE ESTATES SUB	12384
A32045	5	8	Initial	VINTAGE ESTATES SUB	14047
A32046	5	9	Initial	VINTAGE ESTATES SUB	13497
A32047	5	10	Initial	VINTAGE ESTATES SUB	12403
A32048	5	11	Initial	VINTAGE ESTATES SUB	11806
A32049	5	12	Initial	VINTAGE ESTATES SUB	12609
A32050	5	13	Initial	VINTAGE ESTATES SUB	12067
A32051	5	14	Initial	VINTAGE ESTATES SUB	12000
A32052	5	15	Initial	VINTAGE ESTATES SUB	12000
A32053	5	16	Initial	VINTAGE ESTATES SUB	13179
A32054	6	1	Initial	VINTAGE ESTATES SUB	13179
A32055	6	2	Initial	VINTAGE ESTATES SUB	12000
A32056	6	3	Initial	VINTAGE ESTATES SUB	12000
A32057	6	4	Initial	VINTAGE ESTATES SUB	12638
A32058	6	5	Initial	VINTAGE ESTATES SUB	12903
A32059	6	6	Initial	VINTAGE ESTATES SUB	12967
A32060	6	7	Initial	VINTAGE ESTATES SUB	12976
A32077	8	6	Initial	VINTAGE ESTATES SUB	16852
A32078	8	7	Initial	VINTAGE ESTATES SUB	14579
A32079	8	8	Initial	VINTAGE ESTATES SUB	12833
A32080	8	9	Initial	VINTAGE ESTATES SUB	12068
A32081	8	10	Initial	VINTAGE ESTATES SUB	11642