

RESOLUTION NUMBER 99-17481

A RESOLUTION CREATING EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4012 IN CIRCLE 50 SUBDIVISION FOR THE PURPOSE OF MAINTENANCE OF PARK IMPROVEMENTS

WHEREAS, the City Council of Billings, Montana, hereby finds, determines and declares that:

1. The public interest and convenience require the creation of the above named district;
2. That said district is of more than local or ordinary public benefit which requires that said district be an extended district;
3. All lands are benefited and no lands which are not benefited have been included within the district. All lands within the district will be enhanced in value to the extent of the assessments to be levied upon such lands, and all lands included within the district should be assessed accordingly to pay the costs and expenses of the district.
4. All lands in the district are subject to the previously created SID 1341 by virtue of which, and the benefit for, this maintenance district is being created.

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

1. *Jurisdiction and Creation.* Special Improvement Maintenance District Number 4012 is of more than local or ordinary public benefit. The Council has acquired jurisdiction to order the proposed improvement, and it does hereby create Extended Special Improvement Maintenance District Number 4012. All lands included within Special Improvement Maintenance District Number 4012 are benefited and no lands which are not benefited have been included in said district.
2. *General Character of Improvement and Maintenance.* The general character of the improvements are park landscape improvements to Circle 50 Subdivision, Lot 1, Block 7 (Park), as shown on Exhibit "A" attached hereto. The park improvements will be installed under SID 1341. The purpose of said district is to provide perpetual maintenance of the subject park improvements.
3. *Boundaries.* The Boundaries of the district are described and designated on Exhibit "B" attached hereto.
4. *Maintenance Estimate.* The estimated cost of the proposed maintenance for the first year will be \$20,705.00 as described in the Maintenance Estimate attached hereto in Exhibit "C".
5. *Assessment Method:* All of the costs and expenses of the district will be assessed against the entire district, and each lot or parcel of land within the district will be assessed for that part of the whole cost which its assessable area bears to the total assessable area in the entire district, exclusive of streets, avenues, alleys and public places. Assessments for each lot during the first year will be approximately \$0.0068107/square foot of lot area. In accordance with 7-1-1479 MCA, the assessment for each lot in each ensuing year will be set by the City Council by resolution.
6. *Payment of Assessment.* The assessments for all maintenance and costs of the district shall be paid in equal annual installments, provided that payment of one-half of said annual assessment may be deferred to May 31 of the year following the assessment. All money derived from the collection of said assessments otherwise shall constitute a fund to be known as Fund of Special Improvement Maintenance District Number 4012.
7. *Bonds for Improvement.* There will be no bonds sold for this district as it is for maintenance only.
8. *Engineering.* The park improvements shall be installed under SID 1341. No engineering will be required for the said maintenance district.

9. *District Accounts.* The Director of Finance is hereby authorized and directed to establish the necessary accounts to govern the receiving of all revenues and the expenditures of the same district.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, and **APPROVED** July 12, 1999.

CITY OF BILLINGS

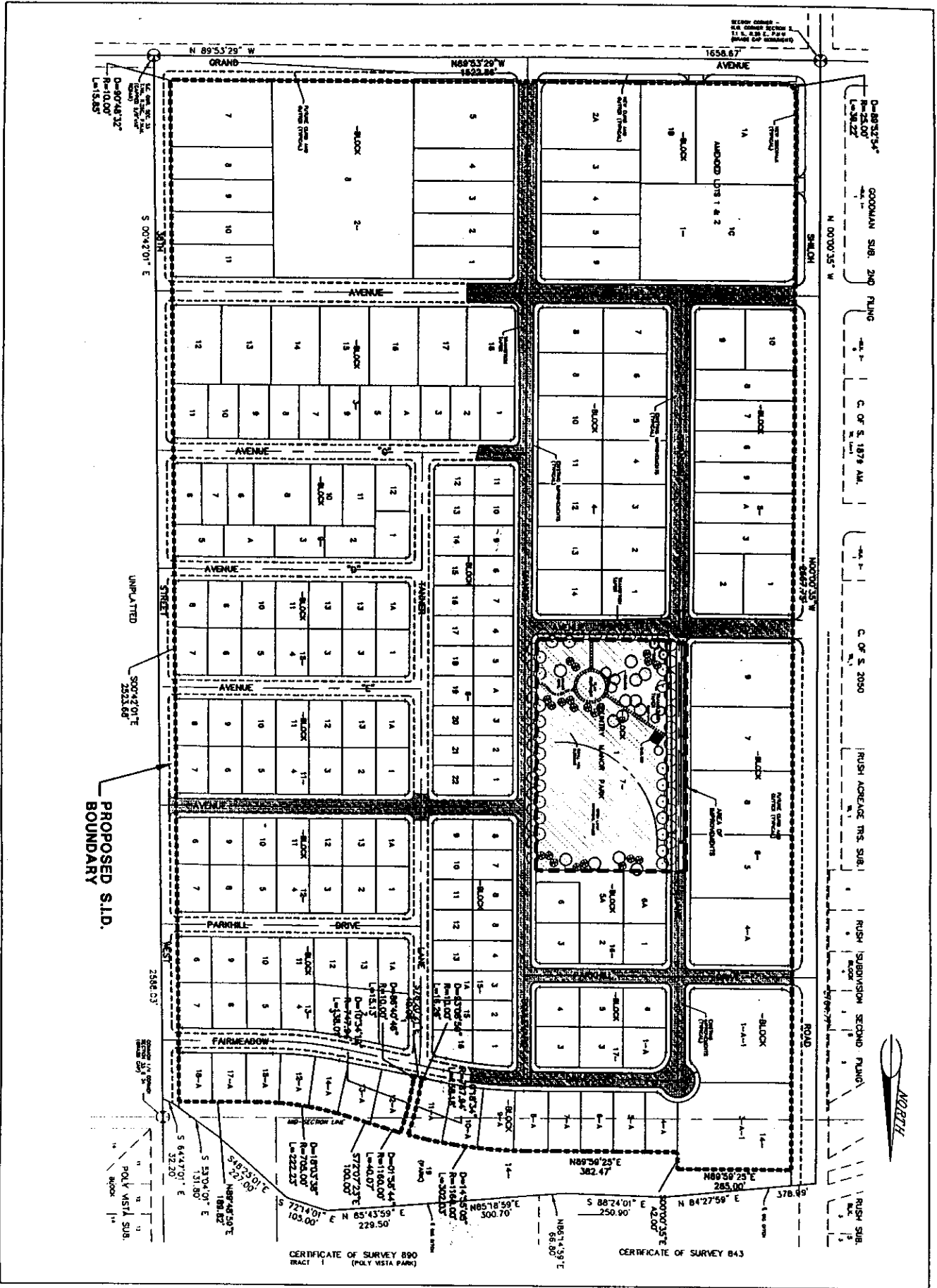


By: Charles F. Traluy
Mayor

Attest:

By: Marita Herold
City Clerk

EXHIBIT A



S.I.D.
TO PROVIDE PARK IMPROVEMENTS FOR LOT 1, BLOCK 7, AND
ADJACENT SWANSON LANE STREET AND UTILITY IMPROVEMENTS
ORACLE FIFTY SUBDIVISION
BILLINGS, MONTANA

(DISTRICT) BOUNDARY MAP

ENGINEERING, INC.
CONSULTING ENGINEERS & LAND SURVEYORS

STATE 200 CREEKSIDE
1001 50 EAST ST. W. 5th
BILLINGS, MONTANA 59101
TEL: 836 5755

Exhibit B

District Boundary Description

SID _____ Circle 50 Subdivision

The district boundary encompasses a gross area, exclusive of streets and other rights-of-way, of 3,219,817 square feet in all lots of Blocks 1 through 17, Circle 50 Subdivision, with a total net assessable area of 3,040,052 square feet more particularly described as follows:

Beginning at a point which is the southwest corner of Lot 1A, Block 1, Circle 50 Subdivision; thence, N0°00'35"W a distance of 2667.75 feet; thence, N89°59'25"E a distance of 285.00 feet; thence, S0°00'35"E a distance of 42.00 feet; thence, N89°59'25"E a distance of 382.47 feet; thence, along a curve to the right with $\Delta = 14^{\circ}55'05''$, R = 1160.00 feet a distance of 302.03 feet; thence, along a curve to the left with $\Delta = 10^{\circ}18'34''$, R = 767.94 feet a distance of 138.18 feet; thence, along a curve to the right with $\Delta = 93^{\circ}08'59''$, R = 10.00 feet a distance of 16.26 feet; thence, S78°20'21"E a distance of 40.06 feet; thence, along a curve to the right with $\Delta = 86^{\circ}40'46''$, R = 10.00 feet a distance of 15.13 feet; thence, along a curve to the right with $\Delta = 10^{\circ}34'19''$, R = 747.94 feet a distance of 138.01 feet; thence, along a curve to the right with $\Delta = 1^{\circ}58'44''$, R = 1160.00 feet a distance of 40.07 feet; thence, S72°07'23"E a distance of 100.00 feet; thence, along a curve to the left with $\Delta = 18^{\circ}03'38''$, R = 705.00 feet a distance of 222.23 feet; thence, N89°48'59"E a distance of 189.82 feet; thence, S0°42'01"E a distance of 2523.68 feet; thence, along a curve to the right with $\Delta = 90^{\circ}48'32''$, R = 10.00 feet a distance of 15.85 feet; thence, N89°53'29"W a distance of 1522.86 feet; thence, along a curve to the right with $\Delta = 89^{\circ}52'54''$, R = 25.00 feet a distance of 39.22 feet to the point of beginning encompassing a gross area of 3,219,817 square feet, and a net assessable area of 3,040,052 square feet.

EXHIBIT "C"

ESTIMATE OF PROBABLE COST SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4012

CIRCLE 50 SUBDIVISION PARK MAINTENANCE DISTRICT

1. The landscape improvements to the Circle 50 Subdivision Park as shown on attached Exhibit "A" will be constructed as a part of SID 1341 and will not be a cost to said district.
2. The costs to create the maintenance district are estimated to be \$500.00.
3. The City Parks and Recreation Department estimates the maintenance of the improvements for the first year at \$ 20,705.00. The first year's assessment is estimated as follows.

Account Description

Proposed Budget

Salary and Wages:

Salaries: 27.4 hrs @ \$31.00	850
Wages: 159 hrs. @ \$22.00/hr.	3,500
Temporary Wages: 300 hrs. @ \$8.00/hr.	<u>2,400</u>
Salary and Wages Total	\$6,750

Operations and Supplies, etc:

Clothing and uniforms	65
Other operating supplies	950
Gas, oil, grease, etc.	125
Motor vehicle parts	130
Machinery/equipment parts	125
Tires, tubes, etc.	75
Consumable tools	55
Electricity	60
Water services	3,000
Natural gas expense	10
Labor-motor vehicles	200
Ground maintenance	250
Other repair/maintenance	250
Other service/finance charges	3,875
Other contract services	185
Special Assessments	1,100
Operation and Supplies Total	<u>\$10,455</u>

Capital Reserve 3,000

Circle 50 Subdivision Park PMD Total \$ 20,705

4. Total assessment area is as follows:

<u>Plat of Circle 50 Subdivision and Amendments</u>	<u>Lot Area</u>
Block 1	313,177 SF
Block 2	413,960 SF
Block 3	271,475 SF
Block 4	245,290 SF
Block 5	187,412 SF
Block 6	203,798 SF
Block 7	0
Block 8	163,570 SF
Block 9	133,348 SF
Block 10	134,400 SF
Block 11	134,400 SF
Block 12	134,400 SF
Block 13	136,360 SF
Block 14	291,748 SF
Block 15	120,883 SF
Block 16	75,859 SF
Block 17	75,535 SF

Total Assessment Area in Park Maintenance District: 3,040,052 SF

5. Estimated annual maintenance assessment per lot for the first year:

Cost per square foot of lot area = $20,705.00 / 3,040,052 \text{ SF}$

Assessment rate per square foot of lot = \$00.0068107

Cost for 10,000 SF lot = $(\$00.0068107)(10,000 \text{ SF}) = \$68.11/\text{yr.}$