

RESOLUTION NO. 97- 17263

A RESOLUTION LEVYING A SPECIAL TAX UPON CERTAIN PROPERTY WITHIN THE CITY OF BILLINGS, MONTANA, TO DEFRAY THE CITY COST AND EXPENSE OF REMOVING DISEASED ELM TREES AS PROVIDED BY BILLINGS MONTANA CITY CODE SECTION 25-210.

WHEREAS, Billings Montana City Code (BMCC) Section 25-210 provides for assessment and collection of City costs and expenses for removal of elm trees that have been infested with Dutch Elm Disease; and

WHEREAS, said code section provides that the City Administrator certify to the taxing authority the outstanding amounts due to the City;

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

1. LEVY OF SPECIAL TAX. That for the purpose of collecting funds to defray the cost of removal and disposal of elms infested with Dutch Elm Disease, there is hereby levied and assessed a special tax upon the owners and the lots or parcels described in the lien documents attached hereto marked Exhibits "A" through "F".
2. ASSESSMENT AND COLLECTION. Said tax shall be placed upon the assessment rolls and collected in the same manner as other taxes.
3. DISPOSITION OF COLLECTIONS. All monies collected from said taxes shall be paid to the General Fund of the City of Billings.
4. NOTICE AND HEARING. On Monday, September 8, 1996, at 7:30 o'clock p.m. or as soon thereafter as the matter may be considered on the agenda in the Council Chambers, Second Floor of the Police Facility, 220 North 27th Street, Billings, Montana, this Council will hear objections to the final adoption of this Resolution. The City Clerk is hereby directed to publish notice thereof once, at least five (5) days prior to the hearing, in the Billings Times.
5. CERTIFICATION. The City Clerk is hereby directed upon final passage and approval of this Resolution to certify a copy thereof to the City Finance Director of the City of Billings, Montana, who shall certify a copy to the Yellowstone County Clerk and Recorder and a copy to the Yellowstone County Assessor.

6. EFFECTIVE DATE. This Resolution shall be effective upon final adoption.

PASSED PROVISIONALLY by the City Council and APPROVED PROVISIONALLY

CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

BY: Marita Herold
Marita Herold, CMC CITY CLERK

RESOLUTION NO. 97- 17263

CERTIFICATION

The foregoing Resolution 97- 17263 was FINALLY ADOPTED by the Billings City Council and FINALLY APPROVED on the 8th day of September, 1997.



CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

BY: Marita Herold
Marita Herold, CMC CITY CLERK

LIEN

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF BILLINGS, MONTANA, and during a period of time commencing on August 1, A.D., 1996 and ending on October 9, A.D., 1996, perform certain work and labor on the following described real property:

1504 Cheryl Street
Billings, MT 59105
Lot 008 Block 012 Addition HA3
Tax code: C00585

That said work and labor consisted of the following:

A Dutch elm diseased American elm.
Tree on the west side of the property
was removed along with the stump
and the reasonable value therefore is \$ 293.75.

That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01 Article 25-210 of the THE CITY OF BILLINGS, Yellowstone County Montana.

That no part of the amount aforesaid has been paid and \$ 293.75 is justly due and unpaid on said account after allowing all credits and offsets.

CITY OF BILLINGS

By: [Signature]

STATE OF MONTANA)

:ss

County of Yellowstone)

Laura A. Agar being duly sworn, deposes and says that he/she is Tree Inspector Of THE CITY OF BILLINGS, the person in the foregoing notice of lien and statement of account named; that said statement contains a just and true account of the amount due said \$437.50 for the tree removal therein described, after allowing all credits and offsets; that said notice and statement contains a correct description of the property to be charged with said lien and that all the facts stated in said notice and statement are true.

CITY OF BILLINGS

By: [Signature]
Subscribed and sworn to before me this 11th day of Aug., 1997.



[Signature]
NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana 10/97

ACKNOWLEDGEMENT FOR CORPORATION

State of Montana
County of Yellowstone

On this 11th day of Aug, 1997, before me personally appeared E. G. Blackwell, to me personally known, who, being by me duly sworn, did say that he is the Park Superintendent and Forester of the City of Billings, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be free act and deed of said corporation.

Witness my hand and seal this 11th day of Aug, 1997.

Marita Herold
(Notary Public)

Residing at Billings, Montana
My Commission Expires 7/24/2000



894480

CITY OF BILLINGS

VS

Roger W. Dvorak

Lien

STATE OF MONTANA, } ss.
County of Yellowstone, }

I hereby certify that the within instrument was filed
in my office for record on this 9 day of
DEC 9 1997 at 1:23 o'clock

P M. Under the above document number.

Witness my hand and official seal

TONY NAVE

County Clerk & Recorder

By [Signature] Deputy

City Clerk

LIEN

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF BILLINGS, MONTANA, and during a period of time commencing on August 30, A.D., 1996 and ending on October 17, A.D., 1996,

Metcalfe, Stephen

perform certain work and labor on the following described real property:
1317 Yellowstone River Road #10
Billings, MT 59101
Lot 011 Block 003 Addition PMR
Tax Code: A21240 27124

That said work and labor consisted of the following:
Vegetation was also trimmed

Trees and bushes were trimmed up at the street intersection to restore adequate sight distance for motorists. Chapter 14.01, Article 25-210.

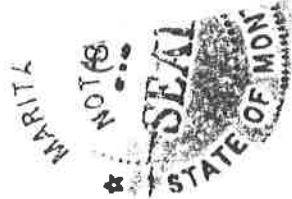
back from the curb.
That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01, Article 25-210.
That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01, Article 25-210.

Paragraph (3) and/or 6-1204/05.
That no part of the amount aforesaid has been paid and \$ 206.25 of the CITY OF BILLINGS, Yellowstone County Montana.
That no part of the amount aforesaid has been paid and \$ 206.25 of the CITY OF BILLINGS

is justly due and unpaid on said account after allowing all credits and offsets.

By: [Signature]

STATE OF MONTANA)
County of Yellowstone)
Laura A. Agar)
Tree Inspector)
notice of lien and statement of account named; that said statement contains a just and true account of the amount due said \$206.25
Trimming)
notice and statement contains a correct description of the property to be charged with said lien and that all the facts stated in said notice and statement are true.



LIEN

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF BILLINGS, MONTANA, and during a period of time commencing on August 30, A.D., 1996 and ending on November 22 A.D., 1996

perform certain work and labor on the following described real property:

1041 Poly Drive
Billings, MT 59102

Lot 021 Block 003 Addition CCK
Tax Code: A05168

That said work and labor consisted of the following:
Cottonwood tree was trimmed up 11' over sidewalk.

That said work and labor consisted of the following:
Cottonwood tree was trimmed up 11' over sidewalk.

and the reasonable value thereof is \$ 22.25

That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01, Article 25-210.

Paragraph (3) and/or 6-1204/05

That no part of the amount aforesaid has been paid and \$ 22.25

is justly due and unpaid on said account after allowing all credits and offsets.

CITY OF BILLINGS

STATE OF MONTANA

County of Yellowstone

Laura A. Agar Of THE CITY OF BILLINGS, the person in the foregoing notice

Tree Inspector being duly sworn, deposes and says that he/she is

of lien and statement of account named; that said statement contains a just and true

account of the amount due said \$22.25 for the tree

trimming therein described, after allowing all credits and offsets; that said

notice and statement contains a correct description of the property to be charged with

said lien and that all the facts stated in said notice and statement are true.

CITY OF BILLINGS

By: [Signature] 1997

By: [Signature] 11th day of Aug

Subscribed and sworn to before me this 11th day of Aug

NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana 10/97



LIEN

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF BILLINGS, MONTANA, and during a period of time commencing on July 24, A.D., 1996 and ending on October 17, A.D., 1996 perform certain work and labor on the following described real property:

915 Miles Avenue (encl) Loos, Doreen C and Billings, MT 59101 High, Harold D. Lot 007 Block 010 Addition BDW Tax Code: A03447

That said work and labor consisted of the following:

Removal of a Dutch elm diseased American elm tree on the south side of the property (along with stump).

and the reasonable value therefore is \$ 281.25

That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01, Article 25-210 of the THE CITY OF BILLINGS, Yellowstone County Montana.

That no part of the amount aforesaid has been paid and \$ 281.25 is justly due and unpaid on said account after allowing all credits and offsets.

CITY OF BILLINGS

By: [Signature]

STATE OF MONTANA)

:ss

County of Yellowstone)

Laura A. Agar being duly sworn, deposes and says that he/she is

Tree Inspector Of THE CITY OF BILLINGS, the person in the foregoing notice

of lien and statement of account named; that said statement contains a just and true account of the amount due said \$281.25 for the Tree removal

therein described, after allowing all credits and offsets; that said notice and statement contains a correct description of the property to be charged with said lien and that all the facts stated in said notice and statement are true.

CITY OF BILLINGS

By: [Signature] 11th day of Aug., 1997.



NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana 10/97

2

ACKNOWLEDGEMENT FOR CORPORATION

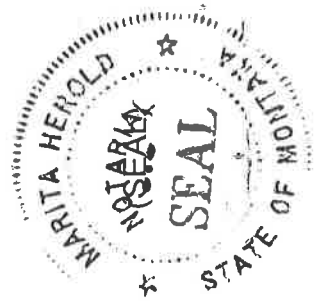
State of Montana
County of Yellowstone

On this 11th day of Aug, 1997, before me personally appeared E. G. Blackwell, to me personally known, who, being by me duly sworn, did say that he is the Park Superintendent and Forester of the City of Billings, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be free act and deed of said corporation.

Witness my hand and seal this 11th day of Aug, 1997.

Marita Herold
(Notary Public)

Residing at Billings, Montana
My Commission Expires 7/24/2000



1894477

CITY OF BILLINGS

VS (H) - et al
Dorece C Looz
lian

STATE OF MONTANA, }
County of Yellowstone, } ss.

I hereby certify that the within instrument was filed
in my office for record on this 19 day of
OCT 9 1997 at 1:20 o'clock
M. U. S. the above document number.

pm Witness my hand and official seal
TONY KAVE

County Clerk & Recorder

By Roberto Durogh Deputy

12-00

LIEN

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF BILLINGS, MONTANA, and during a period of time commencing on

September 2, A.D., 1996 and ending on November 22, A.D., 1996
 perform certain work and labor on the following described real property:
 3324 6th St. S. Mr. Johnson, Chris
 Billings, MT 59101
 Lot 013 Block 218 Addition B1G
 Tax Code: A01512 A-1612

That said work and labor consisted of the following:

A volunteer siberian elm tree was trimmed back off the sidewalk

and the reasonable value therefore is \$ 22.25
 Ordinance No. Chapter 14.01, Article 25-210.

That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01, Article 25-210.
 Paragraph (3) and/or 6-1204/05.

of the THE CITY OF BILLINGS, Yellowstone County Montana.

That no part of the amount aforesaid has been paid and \$ 22.25

That no part of the amount aforesaid has been paid and \$ 22.25
 is justly due and unpaid on said account after allowing all credits and offsets.

CITY OF BILLINGS

By: [Signature]

STATE OF MONTANA)

:ss

County of Yellowstone)

being duly sworn, deposes and says that he/she

Laura A. Agar

Of THE CITY OF BILLINGS, the person in the foregoing notice

Tree Inspector for the tree

of lien and statement of account named, that said statement contains a just and true

account of the amount due said \$22.25

trimming therein described, after allowing all credits and offsets; that said

notice and statement contains a correct description of the property to be charged with

said lien and that all the facts stated in said notice and statement are true.

CITY OF BILLINGS

By: [Signature], 1997

day of August, 1997

Subscribed and sworn to before me this 11 day of August, 1997



NOTARY PUBLIC for the State of Montana
 Residing at Billings, Montana

ACKNOWLEDGEMENT FOR CORPORATION

State of Montana
County of Yellowstone

On this 11th day of Aug, 1997, before me personally appeared E. G. Blackwell, to me personally known, who, being by me duly sworn, did say that he is the Park Superintendent and Forester of the City of Billings, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be free act and deed of said corporation.

Witness my hand and seal this 11th day of Aug, 1997.

Marita Herold
(Notary Public)

Residing at Billings, Montana
My Commission Expires 7/24/2000



1894476

CITY OF BILLINGS

VS

Chris Johnson
lien

STATE OF MONTANA, }
County of Yellowstone, } ss.

I hereby certify that the within instrument was filed
in my office for record on this OCT 9 1997 day of
1:19 at 1:19 o'clock
P.M. Under the above document number.

Witness my hand and official seal

TONY NAVE

County Clerk & Recorder

Roberto Burroughs Deputy

2-00

LIEN

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF BILLINGS, MONTANA, and during a period of time commencing on August 6, A.D., 19 96 and ending on October 7 A.D., 19 96, perform certain work and labor on the following described real property:

309 S. 29th
Billings, MT 59101
Lot 017 Block 168 Addition BLG
Tax Code: A011118
Dimich, Daniel W Jr
c/o Malloy, Roy and Daryl

That said work and labor consisted of the following:

An American elm tree with Dutch elm disease on the east side of the property was removed along with the stump.

and the reasonable value therefore is \$ 437.50

That said claim of lien is filed pursuant to Ordinance No. Chapter 14.01, Article 25-210 of the THE CITY OF BILLINGS, Yellowstone County Montana.

That no part of the amount aforesaid has been paid and \$ 437.50 is justly due and unpaid on said account after allowing all credits and offsets.

CITY OF BILLINGS

STATE OF MONTANA)
By: [Signature]

:ss

County of Yellowstone)

Laura A. Agar being duly sworn, deposes and says that he/she is Tree Inspector Of THE CITY OF BILLINGS, the person in the foregoing notice of lien and statement of account named; that said statement contains a just and true account of the amount due said \$437.50 for the tree removal therein described, after allowing all credits and offsets; that said notice and statement contains a correct description of the property to be charged with said lien and that all the facts stated in said notice and statement are true.

CITY OF BILLINGS

By: [Signature]
Subscribed and sworn to before me this 17th day of August, 19 97.



NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana - 10/97

ACKNOWLEDGEMENT FOR CORPORATION

State of Montana
County of Yellowstone

On this 11th day of Aug, 1997, before me personally appeared E. G. Blackwell, to me personally known, who, being by me duly sworn, did say that he is the Park Superintendent and Forester of said corporation to be free act and deed of said Directors, and he acknowledged said instrument by authority of its Board of corporation.

Witness my hand and seal this 11th day of Aug, 1997.

Martina Herald
(Notary Public)

Residing at Billings, Montana
My Commission Expires 7/24/2000

(SEAL)

18944715

CITY OF BILLINGS

VS (m) Deniel W Demech, Jr
lien

STATE OF MONTANA, }
County of Yellowstone, } ss.

I hereby certify that the within instrument was filed
in my office for record on this OCT 9 1997 day of
1:18 at 1:18 o'clock
P M. Under the above document number.

Witness my hand and official seal

TONY NAVE

County Clerk & Recorder

By Robert Burroughs Deputy

12.00

city clerk

EX 1178

59103