

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. 97-14315 entitled: "RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1339; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND" (the "Resolution" was duly adopted by the City Council of the City at a meeting on December 8, 1997, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Councilmembers voted in favor thereof:

unanimous; voted against the same: none;
abstained from voting thereon: none;
or were absent: DAVIS.

WITNESS my hand officially this 9th day of December, 1997.

Marita Nersis
City Clerk

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1339; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

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

Section 1. Proposed Improvements; Intention To Create District.
The City proposes to undertake certain local improvements (the "Improvements") to benefit certain property located in the City. The Improvements consist of construction of approximately 4,700 lineal feet of storm drain pipe and 20 storm drain inlets to serve Southwest Park Subdivision, as more particularly described in Section 5. The total estimated costs of the Improvements are \$710,900. The costs of the Improvements are to be paid from Special Improvement District bonds hereinafter described and a City contribution of \$355,500. It is the intention of this Council to create and establish in the City under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a special improvement district (the "District") for the purpose of financing costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and the security of special improvement district bonds drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund"), and the establishment of a reserve account securing the Bonds in the District fund (the "Reserve Account"). The total estimated costs of the Improvements, including such incidental costs, to be financed by the Bonds are \$547,000. The Bonds are to be payable primarily from special assessments to be levied against property in the District, which property will be specially benefitted by the Improvements in an amount not less than \$547,000.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Special Improvement District No. 1339 of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as Exhibit A hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on Exhibit B hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on Exhibits D and E hereto (which are hereby incorporated herein and made a part hereof).

Section 4. Benefitted Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits A, B, D, and E are hereby declared to be the special improvement district and the territory which will benefit and be benefitted by the Improvements and will be assessed for the costs of the Improvements as described in Section 1. The Improvements, in the opinion of this Council, are of more than local and ordinary benefit. The property included within said limits and boundaries is hereby declared to be the property benefitted by the Improvements.

Section 5. General Character of the Improvements. The general character of the Improvements, more particularly described in "Exhibit C", is to provide the following improvements: Installation of approximately 4,700 lineal feet of storm drain pipe, 20 storm drain inlets, and appurtenant devices to construct a storm water drainage system in Phillip Street, Stone Street, Jackson Street, and Murphy Avenue to serve the proposed district described in "Exhibit B".

**DESCRIPTION OF IMPROVEMENTS
FOR
SOUTHWEST PARK SUBDIVISION STORM DRAINAGE SYSTEM
SPECIAL IMPROVEMENT DISTRICT**

This project will construct a storm water drainage system to serve the Special Improvement District described in Exhibit B. The present drainage system utilizes the Kratz Drain which is not a City of Billings owned or maintained facility. The capacity of the present system is insufficient and has resulted in the accumulation of storm water. Under this project, a secondary storm drain trunk line would be constructed and tied to an existing primary storm drain trunk line located near the intersection of Kratz Lane and Jackson Street. A series of collection lines will be constructed in Phillip Street, Stone Street and Murphy Avenue to drain storm water within the District. The storm drainage improvements are consistent with the recommended improvements of the Billings South Side Storm Sewer Master Plan dated January 1981.

CONSTRUCTION COST ESTIMATE
SOUTHWEST PARK SUBDIVISION STORM DRAINAGE SYSTEM
SID No. 1339

I. SPECIAL IMPROVEMENT DISTRICT (SID) CONSTRUCTION COSTS

Construction

Item Description	Unit	Estimated Quantity	Unit Cost	Total Cost
10" PVC Storm Lateral	LF	510	\$30.00	\$15,300.00
12" PVC Storm Drain Main	LF	2210	\$36.00	\$79,560.00
18" PVC Storm Drain Main	LF	915	\$58.00	\$53,070.00
42" RCP Storm Drain Main	LF	1105	\$117.00	\$129,285.00
48" Standard Manhole	Each	12	\$1,850.00	\$22,200.00
60" Standard Manhole	Each	3	\$2,850.00	\$8,550.00
84" Standard Manhole	Each	1	\$4,200.00	\$4,200.00
108" Special Manhole	Each	1	\$6,500.00	\$6,500.00
42" x 48" Special Tee	Each	1	\$1,600.00	\$1,600.00
Type II/III Inlet Catch Basin	Each	19	\$1,100.00	\$20,900.00
Adjust Sanitary Sewer Service	Each	32	\$750.00	\$24,000.00
Adjust Sanitary Sewer Main	Each	5	\$1,800.00	\$9,000.00
Adjust Water Service	Each	29	\$550.00	\$15,950.00
Adjust Water Main - 6"	Each	5	\$1,600.00	\$8,000.00
Adjust Water Main - Hydrant	Each	2	\$950.00	\$1,900.00
Adjust Natural Gas Main	Each	3	\$500.00	\$1,500.00
Adjust Natural Gas Service	Each	32	\$200.00	\$6,400.00
Pavement Restoration	SY	6800	\$27.00	\$183,600.00
Lawn Restoration	SY	1100	\$3.00	\$3,300.00
Concrete Flatwork - Remove & Replace	SF	1170	\$8.00	\$9,360.00
Curb & Gutter - Remove & Replace	LF	1030	\$26.00	\$26,780.00
Valley Gutter	SF	135	\$9.00	\$1,215.00
Fencing	LF	140	\$15.00	\$2,100.00
Traffic Control				\$12,000.00
Subtotal				\$646,270.00
Contingency (10%)				\$64,630.00
Estimated Construction Cost				\$710,900.00



**FIRST
MONTANA
TITLE**
COMPANY OF
BILLINGS

Interstate Engineering
P.O. Box 30215
Billings, MT 59107
ATTN: David Skinner

October 23, 1997

Amended
B-59517

Dear David:

As you requested, we have prepared an ownership report on the following described property for the purpose of creating a special improvement district.

OWNERS

Walter Weil
Margery B. Weil
603 Hallowell Ln.

Mark G. Somers
4151 Phillip St.
Billings, MT 59101

Jimmie E. Frasch
Geraldine B. Frasch
4147 Phillip St.
Billings, MT 59101

Harold I. Osborne
Phyllis K. Osborne
4145 Phillip St.
Billings, MT 59101

Lynn L. Howard
Ruthann M. Howard
4143 Phillip St.
Billings, MT 59101

LEGAL DESCRIPTION

Lot 1, Block 6 (less the East
55 feet) Southwest Park Sub.,
Second Filing

The East 55 feet of Lot 1,
Block 6, Southwest Park Sub.,
Second Filing

The West 55 feet of Lot 2,
Block 6, Southwest Park Sub.,
Second Filing

The East 55 feet of Lot 2,
Block 6, Southwest Park Sub.,
Second Filing

The West 55 feet of Lot 3,
Block 6, Southwest Park Sub.,
Second Filing

The East 55 feet of Lot 3.

TAX CODE

A-14374

A-14375

A-14376

A-14377

A-14378

A-14379

<u>OWNERS</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Chester A. Shandy Linda L. Shandy 602 Hillview Ln. Billings, MT 59101	The East 55 feet of Lot 4, Block 6, Southwest Park Sub., Second Filing	A-14381
Dennis A. Wilson Eva M. Wilson 623 Hallowell Ln. Billings, MT 59101	Lot 1, Block 7, (less the East 50 feet) Southwest Park Sub., Second Filing	A-14382
Warren D. Gramley Phyllis J. Gramley 4155 Stone St. Billings, MT 59101	The East 50 feet of Lot 1, Block 7, Southwest Park Sub., Second Filing	A-14383
Johnny R. Ashcraft Lynda K. Ashcraft 4153 Stone St. Billings, MT 59101	The West 50 feet of Lot 2, Block 7, Southwest Park Sub., Second Filing	A-14384
Al D. Perry Michelle M. Perry 4151 Stone St. Billings, MT 59101	The East 50 feet of Lot 2, Block 7, Southwest Park Sub., Second Filing	A-14385
Earl J. Henderson Sharon L. Henderson 4149 Stone St. Billings, MT 59101	The West 50 feet of Lot 3, Block 7, Southwest Park Sub., Second Filing	A-14386
Sonya M. Fish Sean M. Anderson 4133 Stone St. Billings, MT 59101	The East 50 feet of Lot 3, Block 7, Southwest Park Sub., Second Filing	A-14387
Sonya M. Fish Sean M. Anderson 4139 Stone St. Billings, MT 59101	The West 50 feet of Lot 4, Block 7, Southwest Park Sub., Second Filing	A-14388
Steven S. Wolf Nancy C. Wolf 4131 Stone St. Billings, MT 59101	The East 50 feet of Lot 4, Block 7, Southwest Park Sub., Second Filing	A-14389

<u>OWNERS</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Obert T. Aure Irene F. Aure 620 Hillview Ln. Billings, MT 59101	Lot 6, Block 7(less the West 24 feet) Southwest Park Sub., Second Filing	A-14393
Douglas M. Tommey Lynn A. Toomey 618 Hillview Ln. Billings, MT 59101	Lot 7, Block 7, (less the West 65 feet) Southwest Park Sub., Second Filing	A-14394
Willis A. Ross, Jr. Gloria A. Ross 4126 Phillip St. Billings, MT 59101	The West 65 feet of Lot 7, Block 7, Southwest Park Sub., Second Filing	A-14395
Gerald K. Roberts Shelley L. Roberts 4130 Phillip St. Billings, MT 59101	The East 50 feet of Lot 8, Block 7, Southwest Park Sub., Second Filing	A-14396
Gay L. Smithson 4134 Phillip St. Billings, MT 59101	The West 50 feet of Lot 8, Block 7, Southwest Park Sub., Second Filing	A-14397
Paul J. Diloranzo Kimko O. Diloranzo 4138 Phillip St. Billings, MT 59101	The East 50 feet of Lot 9, Block 7, Southwest Park Sub., Second Filing	A-14398
Donald F. Kragt Ellen M. Kragt 4142 Phillip St. Billings, MT 59101	The West 50 feet of Lot 9, Block 7, Southwest Park Sub., Second Filing	A-14399
Robert D. Abrahams Deborah L. Abrahams 4146 Phillip St. Billings, MT 59101	The East 50 feet of Lot 10, Block 7, Southwest Park Sub., Second Filing	A-14400
Bernice I. DuBois 4148 Phillip St. Billings, MT 59101	The West 50 feet of Lot 10, Block 7, Southwest Park Sub., Second Filing	A-14401
Wayne R. Lewis	The East 50 feet of Lot 11,	A-14402

<u>OWNERS</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Richard J. Ruff Verna Mae Ruff 4154 Phillip St. Billings, MT 59101	The East 50 feet of Lot 12, Block 7, Southwest Park Sub., Second Filing	A-14404
Angela Ann Perkins 619 Hallowell Ln. Billings, MT 59101	The West 50 feet of Lot 12, Block 7, Southwest Park Sub., Second Filing	A-14405
Durwood D. Thayer Doris M. Thayer 639 Hallowell Ln. Billings, MT 59101	Lot 1, Block 8, (less the East 40 feet) Southwest Park Sub., Second Filing	A-14406
Gerald J. Collett Jacqueline D. Collett 4151 Murphy Ave. Billings, MT 59101	The East 40 feet of Lot 1 and the West 20 feet of Lot 2, Block 8, Southwest Park Sub., Second Filing	A-14407
Dean Dassinger 4147 Murphy Ave. Billings, MT 59101	The West 60 feet of the East 80 feet of Lot 2, Block 8, Southwest Park Sub., Second Filing	A-14408
Larry D. Estill Brenda L. Estill 4143 Murphy Ave. Billings, MT 59101	The East 20 feet of Lot 2, Block 8 and the West 40 feet of Lot 3, Block 8, Southwest Park Sub., Second Filing	A-14409
Edward F. Brockie 4139 Murphy Ave. Billings, MT 59101	The East 60 feet of Lot 3, Block 8, Southwest Park Sub., Second Filing	A-14410
Paul A. Raynock Connie M. Raynock 4137 Murphy Ave. Billings, MT 59101	The West 60 feet of Lot 4, Block 8, Southwest Park Sub., Second Filing	A-14411
Arthur R. Jandro Katherina H. Jandro 4133 Murphy Ave. Billings, MT 59101	The East 40 feet of Lot 4 and the West 20 feet of Lot 5, Block 8, Southwest Park Sub., Second Filing	A-14412
John Buffaloborn	The West 60 feet of the	A-14413

<u>OWNERS</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Edward R. Hampton Rose M. Hampton 640 Hallowell Ln. Billings, MT 59101	Lot 6, Block 8, (less the West 40 feet) Southwest Park Sub., Second Filing	A-14415
Robert D. Malloy Alene C. Malloy 630 Hillview Ln. Billings, MT 59101	Lot 7, Block 8 (less the West 40 feet) Southwest Park Sub., Second Filing	A-14418
Harry M. Napier Toni L. Napier 4128 Stone St. Billings, MT 59101	The West 40 feet of Lot 7, Block 8 and the East 20 feet of Lot 8, Block 8, Southwest Park Sub., Second Filing	A-14419
Michael E. Hayes 4132 Stone St. Billings, MT 59101	The West 60 feet of the East 80 feet of Lot 8, Block 8, Southwest Park Sub., Second Filing	A-14420
Julia J. Jones 4136 Stone St. Billings, MT 59101	The West 20 feet of Lot 8, Block 8 and the East 40 feet of Lot 9, Block 8, Southwest Park Sub., Second Filing	A-14421
Wendy L. Labrie 4140 Stone St. Billings, MT 59101	The West 60 feet of Lot 9, Block 8, Southwest Park Sub., Second Filing	A-14422
Karen Molm 4146 Stone St. Billings, MT 59101	The East 50 feet of Lot 10, Block 8, Southwest Park Sub., Second Filing	A-14424
Church of God Of Prophecy 4150 Stone St. Billings, MT 59101	The West 50 feet of Lot 10, Block 8, Southwest Park Sub., Second Filing	A-14425
Church of God Of Prophecy 631 Hallowell Ln. Billings, MT 59101	The East 50 feet of Lot 11, Block 8, Southwest Park Sub., Second Filing	A-14426
Church of God	The West 50 feet of Lot 11,	A-14427

<u>OWNERS</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Theresa A. Hamlin 704 Hillview Ln. Billings, MT 59101	Lot 7, Block 9, (less the West 40 feet) Southwest Park Sub., Second Filing	A-14440
Dennis D. Remmick 4126 Murphy Ave. Billings, MT 59101	The West 40 feet of Lot 7, Block 9 and the East 20 feet of Lot 8, Block 9, Southwest Park Sub., Second Filing	A-14441
Timothy W. Page Isabella M. Page 4130 Murphy Ave. Billings, MT 59101	Lot 8, Block 9, (less the West 20 feet and the East 20 feet) Southwest Park Sub., Second Filing	A-14442
Hall Finance P.O. Box 1416 Billings, MT 59103	The West 20 feet of Lot 8, Block 9 and the East 40 feet of Lot 9, Block 9, Southwest Park Sub., Second Filing	A-14443
Hall Finance 4134 Murphy Ave. Billings, MT 59101		
Mary Velazquez 4136 Murphy Ave. Billings, MT 59101	The West 60 feet of Lot 9, Block 9, Southwest Park Sub., Second Filing	A-14444
David L. Redman Andrey J. Redman 4140 Murphy Ave. Billings, MT 59101	The East 60 feet of Lot 10, Block 9, Southwest Park Sub., Second Filing	A-14445
Margaret L. Bartholow 4144 Murphy Ave. Billings, MT 59101	The West 40 feet of Lot 10 and the East 20 feet of Lot 11, Block 9, Southwest Park Sub., Second Filing	A-14446
Michael W. Lehman Tana Lehman 4146 Murphy Ave. Billings, MT 59101	Lot 11, Block 9, (less the East 20 feet and the West 20 feet) Southwest Park Sub., Second Filing	A-14447
Katherine A. Skeslien Ryan L. Jenkins 4150 Murphy Ave.	The West 20 feet of Lot 11, Block 9 and the East 40 feet of Lot 12, Block 9, Southwest	A-14448

<u>OWNERS</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
William C. Burke Lucille E. Burke 603 Hillview Ln. Billings, MT 59101	Lot 1, Block 15, (less the East 55 feet) Southwest Park Sub., Second Filing	A-14466
Ross H. Lilly Frieda E. Lilly 4133 Phillip St. Billings, MT 59101	The East 55 feet of Lot 1, Block 15, Southwest Park Sub., Second Filing	A-14467
Neil K. Sundheim Catherine V. Sundheim 4129 Phillip St. Billings, MT 59101	Lot 2, Block 15, Southwest Park Sub., Second Filing	A-14468
Maynard Huschka Rosemary Huschka 4121 Stone St. Billings, MT 59101	Lot 1, Block 13, Southwest Park Sub., Third Filing	A-20519
Tim Dolan 4117 Stone St. Billings, MT 59101	Lot 2, Block 13, Southwest Park Sub., Third Filing	A-20520
Richard A. Gonzales Josephine Gonzales 4113 Stone St. Billings, MT 59101	Lot 3, Block 13, Southwest Park Sub., Third Filing	A-20521
Anthony J. Lapsa 243 1/2 Lewis Ave. Billings, MT 59101	Lot 4, Block 13, Southwest Park Sub., Third Filing	A-20522
Anthony J. Lapsa 4111 Stone St. Billings, MT 59101		
Bruce J. Schwartz Christy J. Schwartz 4109 Stone St. Billings, MT 59101	Lot 5, Block 13, Southwest Park Sub., Third Filing	A-20523
	Lot 6, Block 13, Southwest	A-20524

