

## **RESOLUTION 03-17943**

### **A RESOLUTION CREATING EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT No. 4014 IN RUSH 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.

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

1. *Jurisdiction and Creation.* Special Improvement Maintenance District Number 4014 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 4014. All lands included within Special Improvement Maintenance District Number 4014 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: landscaping, trees, irrigation systems, irrigation system water services, and other park equipment and improvements installed by the developer by private contract or as part of a future Special Improvement District for park improvements.
3. *Boundaries.* The Boundaries of the district are described and designated on Exhibit "B" attached hereto.
4. *Ownership.* The ownership records of all properties within the said district are described and designated in Exhibit "C" attached hereto.

5. *Maintenance Estimate.* The estimated cost of the proposed maintenance for the first year will be \$2,001.00 as described in the Maintenance Estimate attached hereto in Exhibit "D".
6. *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 equally. Assessments for each lot during the first year will be approximately \$0.0007571/square foot of property. 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.
7. *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 4014.
8. *Bonds for Improvement.* There will be no bonds sold for this district as it is for maintenance only.
9. *Engineering.* The park improvements shall be installed by private contract or by special park improvement district by the developer according to approved Master Plans already adopted or to be completed before any development of unimproved portions shall proceed.
10. *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, APPROVED and adopted by the City Council of the City of Billings, Montana, this 13<sup>th</sup> day of January, 2003.

CITY OF BILLINGS

By: \_\_\_\_\_  
Charles F. Tooley Mayor

ATTEST:

By: \_\_\_\_\_  
Marita Herold, CMC City Clerk