

RESOLUTION NO. 03 - 17944

A RESOLUTION CREATING EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4018 FRANCES'S PARK FOR THE PURPOSE OF MAINTENANCE OF SPECIAL 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 4018 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 4018. All lands included within Special Improvement Maintenance District Number 4018 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 as on Page 1, Frances's Park, as shown on **Exhibit "A"** attached hereto. The improvements have been or will be installed by Lakewood Properties, Inc. and the Park Department, and as a part of SID No. 1352. The purpose of said district is to provide perpetual maintenance of the subject 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 \$3,000.00 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. Assessment for each unit during the first year will be approximately \$16.30 per unit, as shown in Exhibit "D" (which is hereby incorporated herein and made a part hereof). 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 No. 4018.
8. *Bonds for Improvement.* There will be no bonds sold for this district as it is for maintenance only.
9. *Engineering.* The special improvements have been installed by Lakewood Properties Inc., and SID No. 1352. All design and engineering has been completed under SID No. 1352.
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 AND ADOPTED by the City Council of the City of Billings, Montana, and
APPROVED this 13th day of January, 2003.

CITY OF BILLINGS

By: _____
Charles F. Tooley Mayor

ATTEST:

By: _____
Marita Herold, CMC/AAE City Clerk