

RESOLUTION 05-18276

A RESOLUTION DESIGNATING BLIGHTED AREA WITHIN THE CITY OF BILLINGS AND NECESSITY OF REHABILITATION AND REDEVELOPMENT OF SAID AREA TO ESTABLISH A TAX INCREMENT FINANCE DISTRICT WITHIN THE CITY OF BILLINGS, COUNTY OF YELLOWSTONE, STATE OF MONTANA

WHEREAS, the State of Montana has provided for the redevelopment of those portions of its cities and towns which constitute a menace to public health and safety, constitute an economic and social liability and substantially impair the sound growth of a municipality; and

WHEREAS, sources of Federal funds to accomplish redevelopment objectives have been substantially reduced or eliminated; and

WHEREAS, the City has previously determined that conditions of blight and deterioration exist within and around the downtown core and the Extended Tax Increment Finance District from Montana Avenue north to 6th Avenue North and between 22nd Street North and 29th Street North and that approximately 50% of the structures within the area are physically deteriorated and functionally obsolete; and

WHEREAS, the City hereby also finds that the only structure within the new tax increment finance district that is the subject of this resolution ("Tax Increment Finance District") is substandard, physically deteriorated, and/or functionally and economically obsolete; and

WHEREAS, problems of inefficient land use, inadequate access and circulation, physical barriers, and random location of mixed inefficient uses exist within and around both the downtown core and the new Tax Increment Finance District; and

WHEREAS, the prevention and elimination of such blighted areas is a matter of City policy and concern in order that the City shall not be endangered by areas which are focal centers of physical deterioration and are conducive to fires, while contributing little to the tax income of the City; and

WHEREAS, problems of inefficient and underutilized land use exist within and around the boundaries of the new Tax Increment Finance District; and

WHEREAS, said areas need to be redeveloped and/or rehabilitated to remove the blight and correct the inefficient and underutilized land use; and

WHEREAS, the City desires to exercise all powers conferred by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, in addition to its other powers; and

WHEREAS, it may be necessary for the City to exercise its powers of eminent domain within said areas to condemn real property for purposes of blight elimination and/or redevelopment; and

WHEREAS, the original 27th Street Redevelopment Plan, having been duly adopted by the City of Billings and Yellowstone County, recommends extensive efforts to utilize "Tax Increment Financing" in implementing recommendations for downtown redevelopment; and the Tax Increment Finance Redevelopment Plan makes the same recommendations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Billings, Montana:

1. **BLIGHTED AREA.** The City hereby declares that the area as shown on the map marked Exhibit "A" and more fully described under number 5 below is hereby declared a blighted area in accordance with MCA §§ 7-15-4206(2) and 7-15-4210 and the Montana Urban Renewal Law.

2. **REHABILITATION AND REDEVELOPMENT.** Rehabilitation and redevelopment, or a combination thereof, within that area is necessary and in the interest of public health, safety, morals, and welfare of the residents of the City.

3. **URBAN RENEWAL LAW.** This Resolution of necessity is hereby adopted as required by MCA 7-15-4210 to allow the City to utilize all powers conferred upon it by MCA, Title 7,

Chapter 15, Parts 42 and 43, in addition to all other powers of the City of Billings.

4. EMINENT DOMAIN. The City may by purchase, through negotiations or condemnation, procure within said area the necessary property and land for redevelopment purposes and/or the elimination of blight and conditions detrimental to the public health, safety, morals, and welfare of the residents of the City of Billings.

5. BOUNDARIES OF NEW TAX INCREMENT FINANCE DISTRICT.

A tract of land situated within the City of Billings, County of Yellowstone, State of Montana within Block 92, consisting of Lots 5 through 10, according to the official plat on file in the Office of the Clerk and Recorder of said county under Document No. 16312, together with the western half of North 27th Street measured from the easterly border of Lots 5 through 10 to the center line of North 27th Street, together with the eastern half of the alley that divides Block 92 measured from the western border of Lots 5 through 10 to the center line of the alley.

APPROVED AND PASSED by the City Council of the City of Billings this 13th day of June, 2005.



CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley, Mayor

ATTEST:

BY: Marita Herold
Marita Herold, CMC/AEE City Clerk

EXHIBIT A

The new Tax Increment Finance District is shown in red.

TAX INCREMENT FINANCE DISTRICT

