

RESOLUTION NO. 05-18343

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS SW 2402, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as SW 2402 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as SW 2402 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

| Tax Code /Owner Name /Legal Description | Assessment Amount | Interest Rate | Years Assessed |
|--|------------------------------|--------------------------|---------------------------|
| A02132 KIRBY, DOUGLAS G & SUSAN M TRAINA L:1-4 B:303 BILLINGS ORIG TOWN 1ST ADD | \$1,222.63 | 4.300 | 12 |
| A02132A JORDAN, MALINDA J & GEORGE LT 5-6 BLK 303 BILLINGS 1ST ADD | \$1,781.11 | 4.300 | 12 |
| A02133 MYERS, JUDY (1/2 INTEREST) & LTS 7&8 BLK 303 FIRST ADDITION BILLINGS | \$732.53 | 4.300 | 12 |
| A02134 STIFFARM, BENJAMIN & IDA D L:9 & 10 B:303 BILLINGS ORIGINAL 1ST ADD | \$906.89 | 4.300 | 12 |
| A02135 DUANE & SHIRLEY MCDERMOTT LIV TRUST L:11 & 12 B:303 BILLINGS ORIG 1ST ADD | \$808.21 | 4.300 | 12 |

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| A16451 WATT, JOHN L COS 536 .26 AC | \$1,131.40 | 4.300 | 12 |
| A16452 COLEMAN, JAMES G TR A COS 449 | \$599.39 | 4.300 | 12 |
| A16453 COLEMAN, JAMES G TR B COS 449 | \$532.62 | 4.300 | 12 |
| A16454 HUDSON, LESTER E & DEBORAH J S FRAC 50 FT X 150 FT BLK 305 | \$859.44 | 4.300 | 12 |
| | BILLINGS 1ST ADD | | |
| A16455 KUNKEL, CAL N N FRAC 100'X 150'LOCATED IN BLK 305 | \$2,612.20 | 4.300 | 12 |
| | BILLINGS FIRST ADD & SUNNYSIDE SUB | | |
| A16460 WEST, BRYAN K & S50 FT N100 FT LT 1 BLK 14 SUNNYSIDE | \$847.71 | 4.300 | 12 |
| | SUBD 3RD FILING | | |
| A16461 JOHNSON, ADELINE M S50 FT N2 LT 1 BLK 14 SUNNYSIDE SUBD | \$770.14 | 4.300 | 12 |
| | 3RD FILING | | |
| A16462 RUX, ROBERT E JR & JULIE A N50 FT S2 LT 1 BLK 14 SUNNYSIDE SUBD | \$988.42 | 4.300 | 12 |
| | 3RD FILING | | |
| A16463 RUSSELL, THOMAS W & LOIS J S100 FT LT 1 BLK 14 SUNNYSIDE SUBD | \$2,310.54 | 4.300 | 12 |
| | 3RD FILING | | |
| A16475 HARDT, MARK D & BEVERLY FISCHER N50 FT LT 4 BLK 14 SUNNYSIDE SUBD | \$1,022.11 | 4.300 | 12 |
| | 3RD FILING | | |
| A16476 ZACCAGNINI, GARY S100 FT N2 LT 4 BLK 14 SUNNYSIDE | \$1,685.05 | 4.300 | 12 |
| | SUBD 3RD FILING | | |
| A16477 MACKIN, ROBERT B & S150 FT LT 4 BLK 14 SUNNYSIDE SUBD | \$2,439.64 | 4.300 | 12 |
| | 3RD FILING | | |
| A16478 WAGNER, BENJAMIN R TR A COS 262 | \$1,714.72 | 4.300 | 12 |
| A16579 WILSON, ANDREW E LT 1 BLK 15 AMND LT 2 BLK 1 SUNNYSIDE | \$1,148.09 | 4.300 | 12 |
| | SUBD 3RD FILING | | |

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| A16580 | \$783.61 | 4.300 | 12 |
| KING, LESLIE | | | |
| N40' LT 3 BLK 1 SUNNYSIDE SUBD 3RD | FILING AMND LT 1 BLK 15 | | |
| A16581 | \$1,106.27 | 4.300 | 12 |
| POTTER, CHERYL L | | | |
| S50 FT LT 3 BLK 1 AMND LT 1 BLK 15 | SUNNYSIDE SUBD 3RD FILING | | |
| A16582 | \$1,211.92 | 4.300 | 12 |
| GROSS, TIMOTHY D | | | |
| LT 4 BLK 15 SUNNYSIDE SUBD 3RD FILING | | | |
| A16583 | \$555.55 | 4.300 | 12 |
| COCHRAN, MARY H | | | |
| LT 5 BLK 1 SUNNYSIDE SUBD 3RD FILING | | | |
| D01324 | \$27,895.68 | 4.300 | 12 |
| SCHOOL DISTRICT #2 | | | |
| **C/S 65 | SWSE4 SEC 5-1S-26E | | |
| D01327 | \$5,048.74 | 4.300 | 12 |
| SCHOOL DISTRICT #2 | | | |
| TRCTS 1 AND 2 C/S 476 ALSO ADM | BLDG ON C/S 614 WASHINGTON SC | | |
| D05780 | \$425.33 | 4.300 | 12 |
| BERNHART, GORDON R | | | |
| W2 OF N 50 FT OF S 320 FT OF | LT 7 | | |
| D05781 | \$839.61 | 4.300 | 12 |
| BENNETT, DONNA C | | | |
| N 50 FT OF S 100 FT OF N 340 | FT OF LT 7 BURNSTEAD SUB | | |
| D05782 | \$940.02 | 4.300 | 12 |
| HEREIM, RICHARD M | | | |
| S50 FT OF N340 FT OF LT 7 BURNSTEAD | | | |
| D05783 | \$1,391.17 | 4.300 | 12 |
| MCGARRY, RICHARD | | | |
| N 60 FT OF S 170 FT OF W 1/2 | OF 7 | | |
| D05784 | \$2,211.80 | 4.300 | 12 |
| POPP, HONEY JO | | | |
| S 110 FT OF W 1/2 OF LT 7 | | | |
| D05786 | \$635.55 | 4.300 | 12 |
| SHAFFER JAMES F & DIANNA L | | | |
| N2N2 LT 8 BURNSTEAD SUB | | | |
| D05787 | \$1,669.94 | 4.300 | 12 |
| BATTENSCHLAG, NELSON R | | | |
| S2N2 OF LT 8 | | | |
| D05788 | \$1,797.95 | 4.300 | 12 |
| BATTENSCHLAG, NELSON R | | | |
| N 1/2 S1/2 OF LT 8 | | | |

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| D05789 PULIAFICO, CHARLES MICHAEL S 63.5' LT 8 BURNSTEAD SUB | \$1,095.68 | 4.300 | 12 |
| D05822 JONES, STEPHEN W & TERESA K (ETAL) N127.5' L:21 BURNSTEAD SUB (OLD #D959) | \$2,364.06 | 4.300 | 12 |
| D05824 LENNICK BROTHERS ROOFING & N50' OF S2 & N2.5' OF W 80' OF S 77.5' OF LOT 21 BURNSTEAD SUBDIVISION | \$1,107.13 | 4.300 | 12 |
| D05826 GIBBS, ROY C & DIANE L W 80' OF S 75' L: 21 BURNSTEAD SUB | \$1,007.24 | 4.300 | 12 |

SECTION 2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

SECTION 3: NOTICE AND HEARING. On Monday, September 26, 2005, at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit.

SECTION 4: CERTIFICATION. The City Clerk is hereby directed upon approval of this resolution to certify a copy to the Finance Manager of the City of Billings, Montana, who shall certify a copy of this resolution to the Yellowstone County Clerk and Recorder and a copy to the Yellowstone County Assessment Office.

SECTION 5: EFFECTIVE DATE. This resolution shall be effective immediately upon approval.

PASSED AND APPROVED this 26th day of September, 2005.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

ATTEST:

BY: _____
Marita Herold, CMC/AAE City Clerk