

RESOLUTION NO. 05-18359

A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1327, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1327 and;

WHEREAS, it is necessary to relevy and reassess a special assessment tax upon benefited property in the district or project area to defray the cost and expenses of said district/project. The City has taken advantage of the low interest rates, and did a refunding on your Special Improvement District. The principal amount of your assessment remains the same, but it is now calculated at a lower interest rate; and

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

**SECTION 1: RELEVY AND REASSESSMENT**. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1327 of the City of Billings, Montana, there is hereby relieved and reassessed 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	Loan #	Assessment Amount	Interest Rate	Years Assessed
A26132 SUTTON, HAROLD L JR & MARY SUSAN LT 2 BLK 1 CENEX PARK SUB	4792	\$6,465.82	4.302	6
A26133 D&M PROPERTY MANAGEMENT LLP LT 3A BLK 1 CENEX PARK AMD LTS 3&4 BLK 1 & LTS 1-3 BLK 3	4793	\$5,764.82	4.302	6 (2.387 ACRES)
A26134 D&M PROPERTY MANAGEMENT LLP LT 4-A BLK 1 CENEX PARK AMD LTS 3&4 BLK1 & LTS 1-3 BLK 3	4794	\$7,930.27	4.302	6 (3.284 ACRES)
A26135 RYAN, S C & BARBARA M LT 5 BLK 1 CENEX PARK SUBD	4795	\$7,190.27	4.302	6
A26136 SIBAR LLC	4796	\$8,250.26	4.302	6

LT 6 BLK 1 CENEX PARK SUBD

A26139	4797	\$3,072.34	4.302	6
MCGOVERN, BRIAN C				
LT 3 BLK 2 CENEX PARK SUBD				
A26140	4798	\$3,072.34	4.302	6
SUTTON PROPERTIES OF MONTANA LLP				
LT 4 BLK 2 CENEX PARK SUB				
A26142	4799	\$3,072.34	4.302	6
BURTELL, DANIEL & ELAINE J				
LT 6 BLK 2 CENEX PARK SUBD				
A26143	4800	\$3,072.34	4.302	6
BURTELL, DANIEL & ELAINE J				
LT 7 BLK 2 CENEX PARK SUBD				
A26144	4801	\$3,072.34	4.302	6
SUTTON PROPERTIES OF MONTANA LLP				
LT 8 BLK 2 CENEX PARK SUB				
A26145	4803	\$3,072.34	4.302	6
SUTTON PROPERTIES OF MONTANA LLP				
LT 9 BLK 2 CENEX PARK SUB				
A26146	4802	\$3,072.34	4.302	6
SUTTON PROPERTIES OF MONTANA LLP				
LT 10 BLK 2 CENEX PARK SUB				
A26153	4804	\$2,660.68	4.302	6
MCRAE, SCOTT C & AUDREY L				
LT 7 BLK 3 CENEX PARK SUBD				
A26155	4805	\$6,503.94	4.302	6
PRATSCH, ROBERT M				
LT 9A AMND LT 8-10 BLK 3 CENEX PARK SUBD				
A26156	4806	\$3,038.34	4.302	6
PRATSCH, ROBERT				
LT 10A AMND LT 8-10 BLK 3 CENEX PARK SUB				
A26157	4807	\$3,125.27	4.302	6
SLAYTON, RONALD S & BECKY M				
LT 1 BLK 4 CENEX PARK SUBD				
A26158	4808	\$3,126.42	4.302	6
HANSEN, ROBERT				
LT 2 BLK 4 CENEX PARK SUBD				
A26159	4809	\$3,799.34	4.302	6
WITT, KEVIN				
LT 3 BLK 4 CENEX PARK SUBD				
A26161	4810	\$12,676.71	4.302	6
E & V PROPERTIES, LLP				
LT 1 BLK 5 CENEX PARK SUBD				

A26164	4811	\$6,277.95	4.302	6
API SUPPLY COMPANY				
LT 4 BLK 5 CENEX PARK SUBD				
A26165	4812	\$6,175.59	4.302	6
API SUPPLY COMPANY				
LT 5 BLK 5 CENEX PARK SUBD				
A26166	4813	\$12,449.68	4.302	6
NORTH MONTANA AVE PARTNERSHIP				
LT 6A-7A AMND BLK 5 CENEX PARK SUBD (OLD A26167) (2000)				
A26170	4814	\$7,944.57	4.302	6
SUTTON PROPERTIES OF MONTANA LLP				
LT 10 BLK 5 CENEX PARK SUBD				
A26170A	4815	\$256.62	4.302	6
CENEX LAND O'LAKES AGRONOMY COMPANY				
L:11 B:5 CENEX PARK SUB				
C11633	5635	\$2,746.22	4.302	6
S & D FISHER LIMITED LIABILITY CO				
LT 3 BLK 1 CLAIMSTAKE SUBD				
C11636	5636	\$3,167.30	4.302	6
MONTANA SILVERSMITHS INC				
C11637	4817	\$1,416.68	4.302	6
SCHWEHR, LEO C & SHIRLEY A				
LT 3 BLK 2 CLAIMSTAKE SUBD				
C11638	4818	\$1,513.26	4.302	6
SCHWEHR, LEO C & SHIRLEY A				
LT 4 BLK 2 CLAIMSTAKE SUBD				
C11641	4819	\$1,896.41	4.302	6
FARMER BROS, CO				
LT 7 BLK 2 CLAIMSTAKE SUBD				
C11642	4820	\$1,671.60	4.302	6
O'NEIL, MARTIN & JUDY				
LT 8 BLK 2 CLAIMSTAKE SUBD				
C11648	4821	\$3,704.75	4.302	6
VEEDER, DAVID A & LINNEA J				
LT 14 BLK 2 CLAIMSTAKE SUBD				
C11651	4822	\$1,772.07	4.302	6
KIRST, DAVID A & JULIANNE				
LT 3 BLK 3 CLAIMSTAKE SUBD				
C11653	4823	\$1,355.72	4.302	6
E & M INVESTMENTS LLC				
LT 5 BLK 3 CLAIMSTAKE SUBD				

C11654	4824	\$1,347.28	4.302	6
CC PROPERTIES				
LT 6 BLK 3 CLAIMSTAKE SUBD				
C11655	4825	\$1,391.83	4.302	6
BANKS GROUP LC				
LT 7 BLK 3 CLAIMSTAKE SUBD				
C11656	4826	\$1,464.39	4.302	6
BANKS GROUP LC				
LT 8 BLK 3 CLAIMSTAKE SUBD				
C11668	4827	\$4,479.45	4.302	6
TNT REAL ESTATE LLLP				
LT 1 BLK 4 CLAIMSTAKE SUBD				
C11669	4828	\$4,572.74	4.302	6
KUNKEL, KEN L & SANDRA Z (1/2)				
LT 2 BLK 4 CLAIMSTAKE SUBD				
C11670	4829	\$1,858.97	4.302	6
YOCHUM INC				
LT 3 BLK 4 CLAIMSTAKE SUBD				
C11671	4830	\$2,194.50	4.302	6
R & T REFRIGERATION & APPLIANCE				
LT 4 BLK 4 CLAIMSTAKE SUBD				
C11672	4831	\$2,347.89	4.302	6
KENDALL, LARRY G & SUSAN D				
LT 5 BLK 4 CLAIMSTAKE SUBD				
C11673	4832	\$1,960.61	4.302	6
KENDALL, LARRY G & SUSAN D				
LT 6 BLK 4 CLAIMSTAKE SUBD				

**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 the real property taxes, currently December 1 and June 1 of each year.

**SECTION 3: NOTICE AND HEARING.** On Monday, October 11, 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. 27<sup>th</sup> 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. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

**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 11th day of October, 2005.

CITY OF BILLINGS:

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

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE      City Clerk