

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 re-levied 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
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
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 INVETMENTS 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. 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. 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/AE City Clerk