

RESOLUTION NO. 05-18363

A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1340, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1340 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 1340 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
A26131 MATZ PROPERTIES LLC LT 1 BLK 1 CENEX PARK SUBD	4655	\$17,369.57	4.302	10
A26132 SUTTON, HAROLD L JR & MARY SUSAN LT 2 BLK 1 CENEX PARK SUB	4656	\$15,577.06	4.302	10
A26133 D&M PROPERTY MANAGEMENT LLP LT 3A BLK 1 CENEX PARK AMD LTS 3&4 BLK 1 & LTS 1-3 BLK 3	4657	\$13,888.18	4.302	10
A26134 D&M PROPERTY MANAGEMENT LLP LT 4-A BLK 1 CENEX PARK AMD LTS 3&4 BLK1 & LTS 1-3 BLK 3	4658	\$19,105.13	4.302	10
A26135 RYAN, S C & BARBARA M	4659	\$17,322.23	4.302	10

LT 5 BLK 1 CENEX PARK SUBD				
A26136	4660	\$19,875.95	4.302	10
SIBAR LLC				
LT 6 BLK 1 CENEX PARK SUBD				
A26137A	4661	\$1,180.94	4.302	10
MADISON LLC THE				
SUITE A LOLO BUILDING	(04)	UNDIV 16% INT COMMON ELEMENTS		
A26137B	4662	\$2,884.83	4.302	10
LORD, JOHN W & GINGER M				
SUITE B LOLO BUILDING	(04)	UNDIV 39% INT COMMON ELEMENTS		
A26137C	4663	\$668.65	4.302	10
MCCORMICK, WILLIAM J & VICKIE R				
SUITE C LOLO BUILDING	(04)	UNDIV 9% INT COMMON ELEMENTS		
A26137D	4664	\$668.65	4.302	10
SCHMITZ, REBECCA H				
SUITE D LOLO BUILDING	(04)	UNDIV 9% INT COMMON ELEMENTS		
A26137E	4665	\$1,998.64	4.302	10
DAN LOWE CONSTRUCTION INC				
SUITES E & F LOLO BUILDING	(04)	UNDIV 27% INT COMMON ELEMENTS		
A26139	4666	\$7,401.74	4.302	10
MCGOVERN, BRIAN C				
LT 3 BLK 2 CENEX PARK SUBD				
A26140	4667	\$7,401.74	4.302	10
SUTTON PROPERTIES OF MONTANA LLP				
LT 4 BLK 2 CENEX PARK SUB				
A26141	4668	\$7,401.74	4.302	10
SLAYTON, RONALD S & BECKY M				
LT 5 BLK 2 CENEX PARK SUBD				
A26142	4669	\$7,401.74	4.302	10
BURTELL, DANIEL & ELAINE J				
LT 6 BLK 2 CENEX PARK SUBD				
A26143	4670	\$7,401.74	4.302	10
BURTELL, DANIEL & ELAINE J				
LT 7 BLK 2 CENEX PARK SUBD				
A26144	4671	\$7,401.74	4.302	10
SUTTON PROPERTIES OF MONTANA LLP				
LT 8 BLK 2 CENEX PARK SUB				
A26145	4672	\$7,401.74	4.302	10
SUTTON PROPERTIES OF MONTANA LLP				
LT 9 BLK 2 CENEX PARK SUB				
A26146	4673	\$7,401.74	4.302	10
SUTTON PROPERTIES OF MONTANA LLP				
LT 10 BLK 2 CENEX PARK SUB				

A26153	4674	\$6,409.96	4.302	10
MCRAE, SCOTT C & AUDREY L				
LT 7 BLK 3 CENEX PARK SUBD				
A26155	4675	\$15,668.97	4.302	10
PRATSCH, ROBERT M				
LT 9A AMND LT 8-10 BLK 3 CENEX PARK SUBD				
A26156	4676	\$7,319.70	4.302	10
PRATSCH, ROBERT				
LT 10A AMND LT 8-10 BLK 3 CENEX PARK SUB				
A26157	4677	\$7,529.14	4.302	10
SLAYTON, RONALD S & BECKY M				
LT 1 BLK 4 CENEX PARK SUBD				
A26158	4678	\$7,531.97	4.302	10
HANSEN, ROBERT				
LT 2 BLK 4 CENEX PARK SUBD				
A26159	4679	\$9,153.25	4.302	10
WITT, KEVIN				
LT 3 BLK 4 CENEX PARK SUBD				
A26161	4680	\$30,539.86	4.302	10
E & V PROPERTIES, LLP				
LT 1 BLK 5 CENEX PARK SUBD				
A26162	4681	\$15,586.93	4.302	10
VEEDER, LINNEA J				
LT 2 BLK 5 CENEX PARK SUBD				
A26163	4682	\$14,332.17	4.302	10
VEEDER, LINNEA J				
LT 3 BLK 5 CENEX PARK SUBD				
A26164	4683	\$15,124.49	4.302	10
API SUPPLY COMPANY				
LT 4 BLK 5 CENEX PARK SUBD				
A26165	4684	\$14,877.81	4.302	10
API SUPPLY COMPANY				
LT 5 BLK 5 CENEX PARK SUBD				
A26166	4685	\$29,992.97	4.302	10
NORTH MONTANA AVE PARTNERSHIP				
LT 6A-7A AMND BLK 5 CENEX PARK SUBD (OLD A26167) (2000)				
A26168	4686	\$48,652.64	4.302	10
CARROLL BROS LLC				
LT 8 BLK 5 CENEX PARK SUBD				
A26169	4687	\$13,617.37	4.302	10
WHITMORE, DENNIS L				
LT 9A AMND BLK 5 CENEX PARK SUBD (OLD A26169) (2000)				

A26170	4688	\$19,139.44	4.302	10
SUTTON PROPERTIES OF MONTANA LLP				
LT 10 BLK 5 CENEX PARK SUBD				

A26170A	4689	\$618.35	4.302	10
CENEX LAND O'LAKES AGRONOMY COMPANY				
L:11 B:5 CENEX PARK SUB				

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/AE City Clerk