

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 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
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. 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/AAE City Clerk