

T
RESOLUTION NO. 08-18698

**A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO
EXPAND THE BOUNDARIES OF THE EXISTING SPECIAL IMPROVEMENT MAINTENANCE
DISTRICT NO. 4026 FOR THE PURPOSE OF MAINTAINING THE EXISTING AND FUTURE
PARK IMPROVEMENTS IN UNTA PARK SUBDIVISION TO INCLUDE TWIN OAKS
SUBDIVISION.**

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana as follows:

Section 1. Proposed Expansion Of Extended Special Improvement Maintenance District No. 4026: Intention to Expand the Boundaries of Existing Special Improvement Maintenance District. The City proposes to maintain certain improvements to benefit certain property located in the City of Billings, Montana. The improvements consist of the existing and future public area improvements located in Uinta Park Subdivision plus any public area improvements located in Twin Oaks Subdivision, installed by the developer, Parks Department and/or as part of a future Special Improvement District, as more particularly described in Section 5. It is the intention of the Billings City Council to expand the boundaries of the existing Special Improvement Maintenance District No. 4026, created and established in the City under Montana Code annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, for the purpose of financing the maintenance costs for the landscaping and other public area improvements. The estimated annual costs for the maintenance of the improvements to be set by the Resolution of the Council each year.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as the Extended Special Improvement Maintenance District No. 4026 of the City of Billings, Montana.

Section 3. Boundaries of District. The boundaries of the District are to be extended to include the property depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof). The boundary of the extended District is more particularly described on "Exhibit B" hereto (which is hereby incorporated herein and made a part hereof), which boundary is designated and confirmed as the boundary of the District. A listing of each property to be added to the District is shown on "Exhibit C" hereto.

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits "A", "B" and "C" are hereby declared to be the Extended Special Improvement Maintenance District and the territory which will benefit and be benefited by the maintenance of the existing and future public area improvements in Uinta Park Subdivision to include Twin Oaks Subdivision, and will be assessed for a portion of the costs of the maintenance as described in Section 1.

Section 5. General Character of the Improvements to be Maintained. The general character of the Improvements to be maintained is as follows: native grasses, trees, shrubs, trails, irrigation system, irrigation system water services, drainageways, groundwater drains, storm detention facilities, weed control, pest control, and other park equipment and public area improvements installed by the developer, Parks Department and/or as part of a future Special Improvement District.

Section 6. Assessment Methods: Property To Be Assessed. All eligible properties within the District are to be assessed for a portion of the costs of maintaining the existing and future public area improvements in Uinta Park Subdivision to include Twin Oaks Subdivision, as specified herein. The costs of maintaining the Improvements shall be assessed against the benefiting property, based on the assessable area method of assessment described in Section 7-12-4162 through 7-12-4165, M.C.A., as particularly applied and set forth herein.

Section 7. Assessable Area. All eligible properties within the District are to be assessed for a portion of the costs of maintaining Uinta Park Subdivision to include Twin Oaks Subdivision, public area improvements as specified herein. Said properties shall not be eligible for assessment until such time as the final plat of the property is filed and the Restrictions on Transfers and Conveyances are lifted. The total number of assessable lots to be added to the District for the first year is 55 lots bringing the total number of lots within the District for the first year to 224 lots. The costs of maintaining the Improvements per lot for the current year shall be \$208.09 per lot as shown in Exhibit "D" (which is hereby incorporated herein and made a part hereof).

Section 8. Payment of Assessments. The assessments for the costs of maintaining the existing and future public area improvements in Uinta Park Subdivision to include Twin Oaks Subdivision, shall be payable, as prescribed in Section 7-12-4162 through 7-12-4165, M.C.A.

Section 9. Public Hearing: Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property being added to Extended Special Improvement Maintenance District No. 4026 subject to assessment and taxation for the cost and expense of maintaining the existing and future public area improvements in Uinta Park Subdivision to include Twin Oaks Subdivision may make and file with the City Clerk until 5:00 p.m. M.D.T., on the expiration date of said 15-day period, May 2nd, 2008, written protest against being included in Extended Special Improvement Maintenance District No. 4026, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on Monday, May

12th, 2008, at 6:30 p.m. M.D.T., in the Council Chambers, located on the Second Floor of the Police Facility at 220 North 27th Street, in Billings, Montana.

Section 10. Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of the Resolution in the Billings Times, a newspaper of general circulation in the county on April 17th and April 24th, 2008, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said Notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property that is being added to Extended Special Improvement Maintenance District No. 4026 listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 14th day of April, 2008.



THE CITY OF BILLINGS

BY:

Ron Tussing, Mayor

ATTEST:

BY: Cari Martin
Cari Martin, City Clerk

**PARK MAINTENANCE DISTRICT NO. 4039
TWIN OAKS SUBDIVISION**

BEING TRACTS 1 & 2 OF CERTIFICATE OF SURVEY NO. 3190
SITUATED IN THE NW 1/4 OF SECTION 22, T. 1 N., R. 26 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED BY : ENGINEERIN
JANUARY, 2008
BILLIE MONTANA

EXHIBIT "B"

**BOUNDARY DESCRIPTION
EXTENDED SPECIAL IMPROVEMENT
MAINTENANCE DISTRICT No. 4026
UINTA PARK SUBDIVISION TO INCLUDE
TWIN OAKS SUBDIVISION**

Meets and Bounds Description:

A tract of land situated in the NW1/4 of Section 22, T. 1 N., R. 26 E., P.M.M., Yellowstone County, Montana; said tract being more particularly described as follows, to-wit:

Beginning at a point which is the southeast corner of Tract 1 of Certificate of Survey No. 3190, according to the official certificate on file in the Office of the Clerk and Recorder of said County, under Document No. 3287254; said point also being the NW1/16 Corner of said Section 22; thence from said Point of Beginning, along the southerly line of said Tract 1, N 89°32'51" W a distance of 1247.45 feet to intersection with the easterly right-of-way line of the Billings Bench Water Association Canal; whence said intersection point bears S 89°32'51" E a distance of 72.08 feet from the N1/16 Corner common to Sections 21 & 22; thence from said intersection point, along said easterly right-of-way line, the following courses and distances:
N 00°51'02" W a distance of 79.02 feet;
N 09°24'47" W a distance of 63.68 feet;
N 32°40'52" W a distance of 108.01 feet to a point on the westerly line of said Tract 1; said point also being the southerly corner of Lot 12, Block 1 of Golden View Subdivision; thence along said westerly line, N 00°22'04" W a distance of 431.68 feet to a point on the southerly right-of-way line of said B.B.W.A. Canal; thence along said southerly right-of-way line, the following courses and distances:
S 79°37'18" E a distance of 118.42 feet;
N 78°15'12" E a distance of 92.73 feet;
N 55°09'33" E a distance of 383.93 feet;
N 38°35'47" E a distance of 74.48 feet;
N 24°37'58" E a distance of 108.14 feet;
N 30°49'13" E a distance of 75.82 feet;
N 41°32'33" E a distance of 171.84 feet;
N 09°49'13" E a distance of 44.91 feet to a point on the southerly right-of-way line of Wicks Lane; thence along said southerly right-of-way line, S 89°33'10" E a distance of 544.45 feet to intersection with the easterly line of said Tract 1; whence said intersection point bears N 00°03'09" W a distance of 40.00 feet from the W1/16 Corner common to Sections 15 & 22; thence along said easterly line, S 00°03'09" E a distance of 1221.82 feet to the northwest corner of Lot 16, Block 1, Uinta Park Subdivision; thence S 00°09'09" E a distance of 59.58 feet the point of beginning;

Said described tract having an area of 30.683 acres.

STATE OF MONTANA
COUNTY OF YELLOWSTONE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I HAVE CHECKED THE RECORDS (1 PAGES) IN MY OFFICE FROM OCTOBER 1, 2007 TO JANUARY 9TH, 2008 AND THE LISTED PEOPLE ARE THE OWNERS OF RECORD FOR THE ENCLOSED LISTED PROPERTY.

SIGNED AND SEALED THIS 11TH DAY OF JANUARY 2008.

1 NAMES \$.50

CERT \$ 2.00

TOTAL \$2.50

TONY NAVÉ
CLERK & RECORDER

BY Lori T. Version

Parcel

Highlight on Map	GEOCODE	Tax Id	Address	Property Tax Data	CAMA Data
1	03103322211010000	D05291	00120 WICKS LN W	Click Here	Click Here
2	03103322211300000	D05291M	00120 WICKS LN W	Click Here	Click Here

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STATE OF MONTANA

COUNTY OF YELLOWSTONE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I HAVE CHECKED THE RECORDS IN MY
 OFFICE FROM Oct 1, 2008 TO Feb 15, 2008
 AND THE LISTED PERSONS ARE THE OWNERS OF RECORD FOR THE LISTED PROPERTY.
 SIGNED AND SEALED THIS 21ST DAY OF February 2008

171 NAMES \$ 85.50

TONY NAVE

CERT \$ 2.00

CLERK & RECORDER

TOTAL \$ 87.5036 PAGESBY Bois J. Senior
DEPUTY

Parcel

Highlight on Map	GEOCODE	Tax Id	Address	Property Tax Data	CAMA Data
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3	03103322220050000	A30800	00357 UNTA PARK DR	Click Here	Click Here
4	03103322220070000	A30801	00345 UNTA PARK DR	Click Here	Click Here
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6	03103322220110000	A30803	00315 UNTA PARK DR	Click Here	Click Here
7	03103322220130000	A30804	00303 UNTA PARK DR	Click Here	Click Here
8	03103322220150000	A30805	00295 UNTA PARK R	Click Here	Click Here
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12	03103322220230000	A30809	00253 UNTA PARK DR	Click Here	Click Here
13	03103322220250000	A30810	00241 UNTA PARK DR	Click Here	Click Here
14	03103322220270000	A30811	00229 UNTA PARK DR	Click Here	Click Here
15	03103322220290000	A30812	00217 UNTA PARK DR	Click Here	Click Here
16	03103322220310000	A30813	00207 UNTA PARK DR	Click Here	Click Here
17	03103322220310000	A30846	PARK	Click Here	Click Here
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19	03103322226330000	A30949		Click Here	Click Here
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21	0310332222090000	A30850	01367 TWIN LAKES DR	Click Here	Click Here
22	0310332222050000	A30848	01383 TWIN LAKES DR	Click Here	Click Here
23	0310332222030000	A30847		Click Here	Click Here
24	03103322226010000	A30933	01392 WATSON PEAK RD	Click Here	Click Here
25	03103322221010000	A30814	00394 UNTA PARK DR	Click Here	Click Here

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Highlight on Map	GEOCODE	Tax Id	Address	Property Tax Data	CAMA Data
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28	03103322221070000	A30817	00362 UINTA PARK DR	Click Here	Click Here
29	03103322221090000	A30818	00350 UINTA PARK DR	Click Here	Click Here
30	03103322221110000	A30819	00332 UINTA PARK DR	Click Here	Click Here
31	03103322221130000	A30820	00320 UINTA PARK DR	Click Here	Click Here
32	03103322221150000	A30821	00308 UINTA PARK DR	Click Here	Click Here
33	03103322221170000	A30822	00294 UINTA PARK DR	Click Here	Click Here
34	03103322221190000	A30823	00282 UINTA PARK DR	Click Here	Click Here
35	03103322221210000	A30824	00276 UINTA PARK DR	Click Here	Click Here
36	03103322221230000	A30825	00268 UINTA PARK DR	Click Here	Click Here
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69	03103322225510000	A30929	01329 WATSON PEAK RD	Click Here	Click Here
70	03103322223470000	A30879	01333 CRYSTAL LAKE LN	Click Here	Click Here
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72	03103322225090000	A30908	01328 TWIN LAKES LN	Click Here	Click Here
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<u>79</u>	03103322224430000	A30902	01317 TWIN LAKES LN	Click Here	Click Here
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<u>81</u>	03103322221450000	A30836	01309 MIRROR LAKE LN	Click Here	Click Here
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<u>92</u>	03103322226170000	A30941	01296 WATSON PEAK RD	Click Here	Click Here
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160	03103322227050000	A30958	00150 BUTTERFLY LAKE LN	Click Here	Click Here
161	03103322227070000	A30959	00134 BUTTERFLY LAKE LN	Click Here	Click Here
162	03103322227090000	A30960	00118 BUTTERFLY LAKE LN	Click Here	Click Here
163	03103322227110000	A30961	00102 BUTTERFLY LAKE LN	Click Here	Click Here
164	03103322227130000	A31239	00096 BUTTERFLY LAKE LN	Click Here	Click Here
165	03103322227150000	A31240	00084 BUTTERFLY LAKE LN	Click Here	Click Here
166	03103322227170000	A31241	00072 BUTTERFLY LAKE LN	Click Here	Click Here
167	03103322226450000	A31246		Click Here	Click Here
168	03103322227190000	A31242		Click Here	Click Here
169	03103322226460000	A30954	01190 CALENDULA CIR	Click Here	Click Here
170	03103322227210000	A31243		Click Here	Click Here
171	03103322226490000	A30955	01178 CALENDULA CIR	Click Here	Click Here
172	03103322227230000	A31244	01159 CALENDULA CIR	Click Here	Click Here

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EXHIBIT "D"

ESTIMATE OF PROBABLE COST PARK MAINTENANCE DISTRICT NO. 4026 Uinta Park Subdivision to include Twin Oaks Subdivision PARK MAINTENANCE DISTRICT

1. The costs to create the maintenance district are estimated to be \$500.00.
2. The City Parks and Recreation Department estimates the maintenance of the improvements for the first year at \$10,945.00.

The first year's assessment is estimated as follows:

CITY OF BILLINGS - EXPANDED PARK MAINTENANCE DISTRICT NO. 4026 ESTIMATE OF ANNUAL MAINTENANCE COSTS				
Expanded PMD Description: Uinta Park and Twin Oaks Subdivisions				
PMD Number: 4026				
Date: 2/7/2008				
BA SUB	ELE	SUB OBJ	ACCOUNT DESCRIPTION	ESTIMATED MAINTENANCE COSTS
			Operations and Supplies	
	34	10	Electricity	\$ 180.00
		20	City Water	\$ 3,500.00
		50	Ground Maintenance	\$ 950.00
	39	65	Other Service/Finance Charges	\$ 715.00
		90	Parks Charge for Services	\$ 4,400.00
	54	10	Special Assessments	\$ 1,200.00
			Total Operations and Supplies, Etc.	\$ 10,945.00
			Expanded PMD 4026 Creation Cost	\$ 500.00
			Total Twin Oaks Subdivision Park O & M Annual Cost Estimate	\$ 11,445.00
			Equal Assessment Per Lot	\$ 208.09