

RESOLUTION NO. 08-18707

A RESOLUTION TO EXPAND THE BOUNDARIES OF EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4026 FOR THE PURPOSE OF MAINTAINING THE EXISTING AND FUTURE PUBLIC AREA IMPROVEMENTS IN UNTA PARK SUBDIVISION TO INCLUDE TWIN OAKS SUBDIVISION.

WHEREAS, City Council of Billings, Montana hereby finds, determines and declares that:

1. The public interest and convenience require expanding the boundaries of Special Improvement Maintenance District No. 4026 created by *Resolution 05-18269 on May 23, 2005*.
2. All lands are benefited and no lands that are not benefited have been included within the district. All lands within the district will be enhanced in value to the extent of the assessments to be levied upon such lands, and all lands included within the district should be assessed accordingly to pay the cost and expenses of the district.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS:

1. *Jurisdiction and Creation:* Extended Special Improvement Maintenance District No.4026 is of more than local or ordinary public benefit. The Council has acquired jurisdiction to order the improvements and it does hereby expand the boundaries of Special Improvement Maintenance District No. 4026. All lands included in the expanded boundaries of Extended Special Improvement Maintenance District No. 4026 are benefited and no lands that are not benefited have been included in said district.
2. *General Character of Improvements and Maintenance:* 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.
3. *Boundaries:* The boundaries of the district are described and designated on Exhibit "A" attached hereto.
4. *Maintenance Estimate:* The estimated cost of the proposed expansion maintenance for the current year shall be \$208.09 per lot as described in the Maintenance Estimate attached hereto as Exhibit "B".
5. *Assessment Method:* All of the costs and expenses of the district will be assessed against the entire district, and each eligible lot or parcel of land within the district will be assessed for that part of the whole cost which its assessable area bears to the total assessable area in the entire district, exclusive of streets, avenues, alleys and public places. 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. Assessments for each lot during the current year will be approximately \$208.09 per lot. In accordance with 7-1-1479 MCA, the assessment for each lot in each ensuing year will be set by the City Council by resolution.
6. *Payment of Assessment:* The assessments for all maintenance and costs of the district shall be paid in equal annual installments, provided that the payment of one-half of said annual assessment may be deferred to May 31 of the year following the assessment. All money derived from the collection of said assessments otherwise shall constitute the existing fund known as Fund of Special Improvement Maintenance District No. 4026.
7. *Bonds for Improvements:* There will be no bonds sold for this district as it is for maintenance only.
8. *Engineering:* No engineering will be required for the maintenance of the district.
9. *District Accounts:* The Director of Finance is hereby authorized and directed to establish the necessary accounts to govern the receiving of all revenues and the expenditures of the same district.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana and APPROVED, this
12th day of May, 2008.



THE CITY OF BILLINGS:

By: 
Ron Tussing, Mayor

ATTEST:

By: Cari Martin
Cari Martin, City Clerk

EXHIBIT A

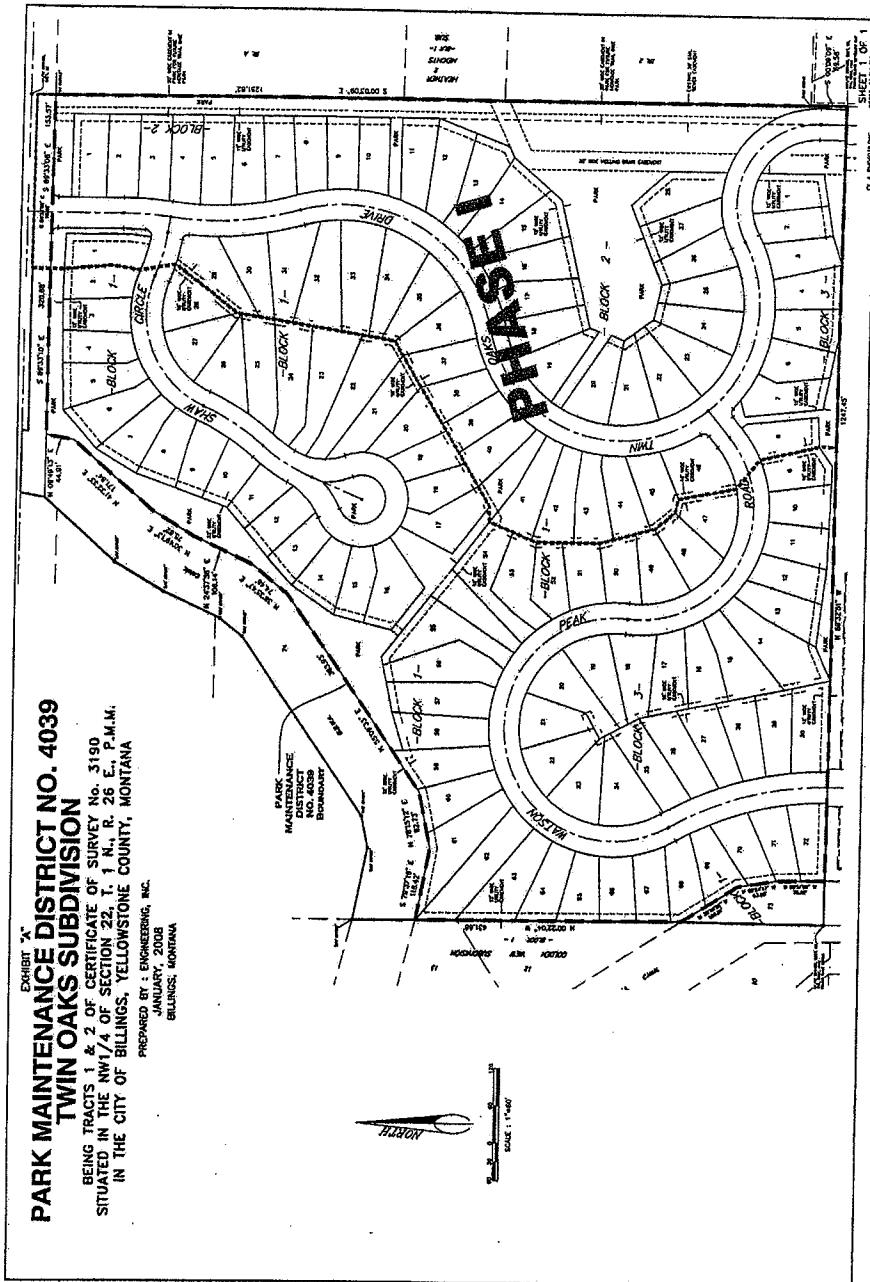


EXHIBIT B

**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
			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