

RESOLUTION NO. 11-19051

A RESOULTION CREATING EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4040 IN YELLOWSTONE COUNTRY CLUB FOR THE PURPOSE OF MAINTENANCE OF PARK IMPROVEMENTS

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

1. The public interest and convenience require the creation of the above named district;
2. That said district is of more than local or ordinary public benefit which requires that said district be an extended district;
3. All lands are benefited and no lands which 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 costs and expenses of the district.
4. All lands in the district are subject to the previously created SID 1392 by virtue of which, and the benefit for, this maintenance district is being created.

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

1. *Jurisdiction and Creation.* Special Improvement Maintenance District Number 4040 is of more than local or ordinary public benefit. The Council has acquired jurisdiction to order the proposed improvement, and it does hereby create Extended Special Improvement Maintenance District Number 4040. All lands included within Special Improvement Maintenance District Number 4040 are benefited and no lands which are not benefited have been included in said district.
2. *General Character of Improvement and Maintenance.* The general character of the improvements to be maintained is as follows: landscaping, trees, shrubs, turf grass, native vegetation, trails, sidewalk, irrigation systems, irrigation system water services, drainage ways, weed control, pest control, shelter, playground and equipment and other park equipment and public area improvements installed by the Parks and Recreation Department and/or as part of Special Improvement District No. 1392.

3. *Boundaries.* The Boundaries of the district are described and designated on Exhibit "B" attached hereto.
4. *Maintenance Estimate.* The estimated cost of the proposed maintenance for the first year will be \$25,625.00 as described in the Maintenance Estimate attached hereto in Exhibit "C".
5. *Assessment Method:* All of the costs and expenses of the district will be assessed against the entire district, and each 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. Assessments for each lot during the first year will be approximately \$66.3860 per lot, tract, or parcel of land.
6. *Payment of Assessment.* The assessments for all maintenance and costs of the district shall be paid in equal annual installments, provided that 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 a fund to be known as Fund of Special Improvement Maintenance District Number 4040.
7. *Bonds for Improvement.* There will be no bonds sold for this district as it is for maintenance only.
8. *Engineering.* The park improvements shall be installed under SID 1392. No engineering will be required for the said maintenance 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 April 25, 2011.



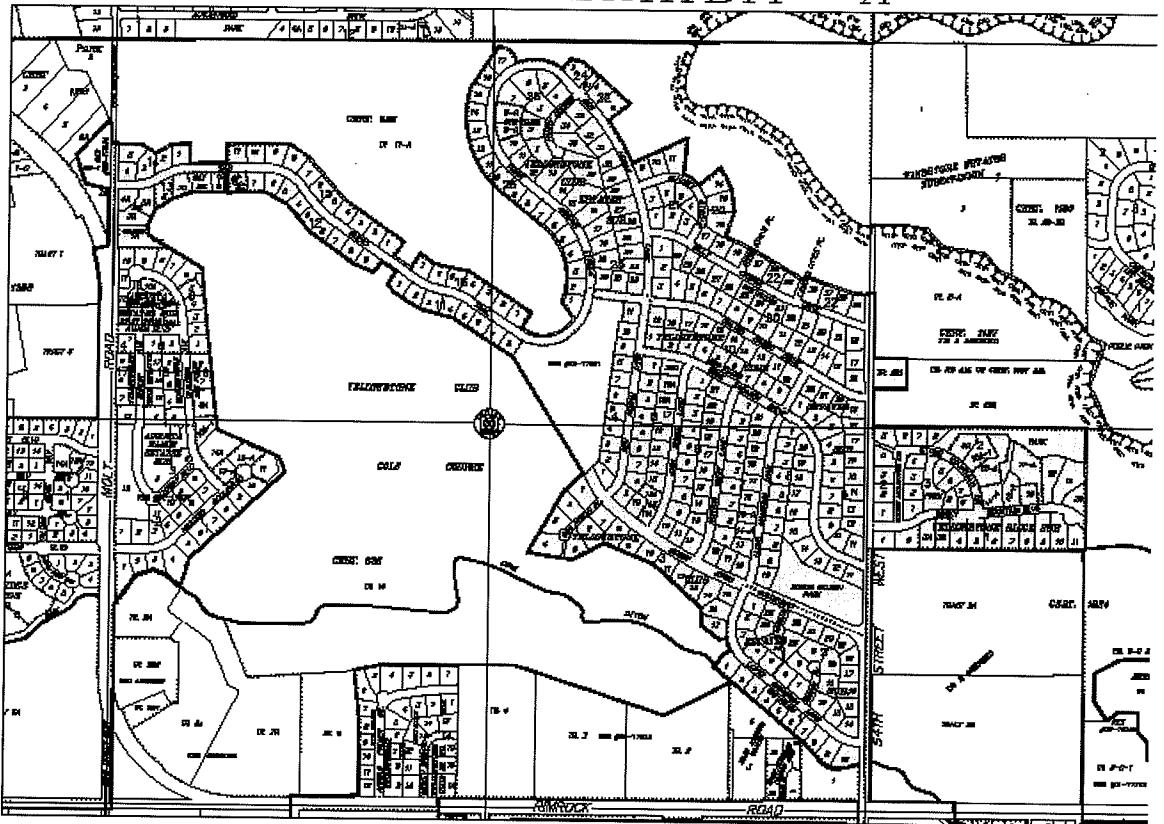
CITY OF BILLINGS

By: 
Thomas W. Hanel, Mayor

Attest:

By: Cari Martin
Cari Martin, City Clerk

PMD 4040 EXHIBIT "A"



PMD 4040 EXHIBIT B

Yellowstone Club Estates 1st Filing, Recorded August 8, 1960, under Document No.

646375;

Yellowstone Club Estates 2nd Filing, Recorded August 8, 1960, under Document No.

646376;

Lots 14-A & 15-A, Block 7 of Amended Lots 14 & 15, Block 7, Yellowstone Club

Estates 2nd Filing, Recorded September 6, 1979, under Document No. 1140959;

Lots 18A, 19A & 20A, Block 5 of Amended Plat of Lots 18, 19 & 20, Block 5,

Yellowstone Club Estates 2nd Filing, Recorded September 10, 1982, under Document No.

1239812;

Lots 11A & 12A, Block 5 of Amended Plat of Lots 11 & 12, Block 5, Yellowstone Club

Estates 2nd Filing, Recorded April 18, 1985, under Document No. 1347440;

Yellowstone Club Estates 3rd Filing, Recorded August 8, 1960, under Document No.

646377;

Yellowstone Club Estates 4th Filing, Recorded August 8, 1960, under Document No.

646378;

Lots 7-A & 8-A-1, Block 13 of Amended Lots 7 & 8-A, Block 13, Yellowstone Club

Estates 4th Filing, Recorded May 2, 1986, under Document No. 1391518;

Lots 3-A, 4-A & 5-A, Block 13 of Amended Plat of Lots 3, 4 & 5, Block 13 of,

Yellowstone Club Estates 4th Filing, Recorded May 2, 1986, under Document No.

1391519;

Lot 1A, Block 13 of Amended Plat of Lots 1 and 2, Block 13 and Portions of Vacated Spalding Avenue, Yellowstone Club Estates 5th Filing, Recorded October 27, 2004, under Document No. 3309614;

Yellowstone Club Estates 6th Filing, Recorded September 10, 1965, under Document No. 762216, Records of Yellowstone County;

Lots 8-A & 9-A, Block 25 of Amended Lot 8 and 9, Block 25, Yellowstone Club Estates 6th Filing, Recorded June 2, 2005, under Document No. 3335181;

Yellowstone Ridge Subdivision, Recorded May 14, 2003, under Document No. 3230262, Records of Yellowstone County;

Lots 14-A, 15-A & 17-A, Block 2 of Amended Plat of Lots 13, 14, 15 & 17, Block 2, Yellowstone Ridge Subdivision, Recorded October 10, 2006, under Document No. 3396131;

Lots 3A, & 3B, Block 1 of Amended Plat of Lot 3, Block 1, Yellowstone Ridge Subdivision, Recorded February 8, 2007, under Document No. 3410474;

Lot 12-A, Block 2 of Amended Plat of Lots 10, 11 & 12, Block 2, Yellowstone Ridge Subdivision, Recorded June 25, 2007, under Document No. 3427850;

Lots 9A & 10A-1, Block 2 of Amended Plat of Lots 9 & 10-A, Block 2, Yellowstone Ridge Subdivision, Recorded June 10, 2010, under Document No. 3552311;

Tract 10A of Amended Tract 10, Certificate of Survey No. 836, Recorded September 13, 1983, under Document No. 1279839;

Tract 2B1 of Amended Tract 2B, Certificate of Survey No. 1197 Amended, Recorded July 23, 1990, under Document No. 1566690.

All documents on file with the Records of Yellowstone County.

EXHIBIT "C"

ESTIMATE OF PROBABLE COST PARK MAINTENANCE DISTRICT NO. - 4040

Yellowstone Family Park

EXTENDED PARK MAINTENANCE DISTRICT

1. The District will be to maintain existing and future park improvements in Yellowstone Club Estates. The park, as shown on attached Exhibit "A" will be constructed as part of Special Improvement District No.1392.
2. The costs to create the maintenance district are estimated to be \$600.00.
3. The City Parks and Recreation Department estimates the maintenance of the improvements for the first year at \$ 25,625.00. The first year's assessment is estimated as follows:

| <u>Account Description</u> | <u>Proposed Budget</u> |
|---|------------------------|
| • Parks Charges for Services: 260 hrs. @ \$38.20/hr. (Salary, Wages, Incl. Supplies & Materials, & Equipment per Hour Rate) | 9,550.00 |
| • Electricity | 160.00 |
| • Water | 10,160.00 |
| • Ground maintenance | 560.00 |
| • Other service/finance charges | 580.00 |
| • Special Assessments | 1,015.00 |
| Operation Total | \$22,025.00 |
| Fund Reserve \$3,000.00 | |
| Maintenance District Creation Costs | \$600.00 |
| Yellowstone Family Park – Total | \$ 25,625.00 |

4. Total lots, tracts or parcels of land is as follows:

Yellowstone Family Park

| | | | | | | | |
|---------|--------|---------|---------|---------|---------|--------|--------|
| A30735 | C03221 | C03269 | C03289 | C03329 | C03361 | C05713 | C05762 |
| A30736 | C03222 | C03270 | C03290 | C03330 | C03362 | C05714 | C05763 |
| A30737 | C03223 | C03271 | C03290A | C03331 | C03363 | C05715 | C05764 |
| A30737A | C03224 | C03272 | C03290B | C03331A | C03364 | C05716 | C05765 |
| A30738 | C03225 | C03273 | C03291 | C03331B | C03367 | C05717 | C05766 |
| A30739 | C03226 | C03274 | C03291A | C03332 | C03373 | C05718 | C05767 |
| A30740 | C03227 | C03275 | C03291B | C03332A | C03373A | C05719 | C05768 |
| A30741 | C03228 | C03276 | C03292 | C03332B | C03373B | C05720 | C05769 |
| A30742 | C03229 | C03276A | C03292A | C03333 | C03373C | C05721 | C05770 |
| A30743 | C03230 | C03276B | C03292B | C03333A | C03373D | C05722 | C05771 |
| A30744 | C03231 | C03277 | C03293 | C03334 | C03374 | C05723 | C05772 |
| A30745 | C03232 | C03277A | C03293A | C03335 | C03374A | C05724 | C05773 |
| A30746 | C03233 | C03277B | C03294 | C03336 | C03374B | C05725 | C05774 |
| A30747 | C03234 | C03278 | C03295 | C03337 | C03374C | C05726 | C05775 |
| A30748 | C03235 | C03278A | C03296 | C03338 | C03375 | C05727 | C05776 |
| A30749 | C03236 | C03278B | C03297 | C03339 | C03376 | C05728 | C05777 |
| A30750 | C03237 | C03279 | C03298 | C03340 | C03377 | C05729 | C05778 |
| A30751 | C03238 | C03279A | C03299 | C03340A | C03377A | C05730 | C05779 |
| A30752 | C03239 | C03279B | C03300 | C03340B | C03377B | C05731 | C05780 |
| A30753 | C03240 | C03280 | C03301 | C03340C | C03377C | C05732 | C05781 |
| A30754 | C03241 | C03280A | C03302 | C03341 | C03377D | C05733 | C05782 |
| A30755 | C03242 | C03280B | C03303 | C03341A | C03378 | C05734 | C05783 |
| A30757 | C03243 | C03280C | C03304 | C03341B | C03379 | C05735 | C05784 |
| A30759 | C03244 | C03281 | C03305 | C03342 | C03380 | C05736 | C05785 |
| A30760 | C03245 | C03281A | C03306 | C03343 | C03381 | C05737 | C05786 |
| A30761 | C03246 | C03281B | C03307 | C03343A | C03381A | C05738 | C05787 |
| A30762 | C03247 | C03281C | C03308 | C03344 | C03382 | C05739 | C05788 |
| A30763 | C03248 | C03282 | C03309 | C03345 | C03383 | C05740 | C05789 |
| A30764 | C03249 | C03282A | C03310 | C03345A | C05693 | C05741 | C05790 |
| A30765 | C03250 | C03282B | C03311 | C03345B | C05694 | C05742 | C05791 |
| A30766 | C03251 | C03283 | C03312 | C03346 | C05695 | C05743 | C05792 |
| A30767 | C03252 | C03283A | C03313 | C03346A | C05696 | C05744 | C05793 |
| A30768 | C03253 | C03283B | C03314 | C03346B | C05697 | C05745 | C05794 |
| A30769 | C03254 | C03284 | C03315 | C03347 | C05698 | C05746 | C05795 |
| A30770 | C03255 | C03284A | C03316 | C03348 | C05699 | C05747 | C05796 |
| A30771 | C03256 | C03284B | C03317 | C03349 | C05700 | C05748 | C05797 |
| A30772 | C03257 | C03285 | C03318 | C03350 | C05701 | C05749 | C05798 |

| | | | | | | | |
|---------|---------|---------|---------|---------|--------|--------|--------|
| A30773 | C03258 | C03285A | C03319 | C03350A | C05702 | C05750 | C05799 |
| A30774 | C03259 | C03285B | C03320 | C03351 | C05703 | C05751 | C05800 |
| C03212 | C03260 | C03286 | C03321 | C03352 | C05704 | C05752 | C05801 |
| C03213 | C03261 | C03286A | C03322 | C03353 | C05705 | C05753 | C11621 |
| C03214 | C03262 | C03286B | C03323 | C03354 | C05706 | C05754 | C11622 |
| C03215 | C03263 | C03287 | C03323A | C03355 | C05707 | C05755 | C11623 |
| C03216 | C03264 | C03287A | C03324 | C03356 | C05708 | C05756 | C11624 |
| C03217 | C03265 | C03287B | C03325 | C03357 | C05709 | C05758 | C11625 |
| C03218 | C03266 | C03288 | C03326 | C03358 | C05710 | C05759 | C11626 |
| C03219 | C03267 | C03288A | C03327 | C03359 | C05711 | C05760 | C11627 |
| C03220 | C03268 | C03288B | C03328 | C03360 | C05712 | C05761 | C11628 |
| D04629B | D04645A | | | | | | |

Total Lots, Tracts, or Parcels of Land in Park Maintenance District: 386 lots, tracts, or parcels of land

5. Estimated annual maintenance assessment per lot, tract, or parcel of land for the first year:

Cost per lot, tract, or parcel of land = $\$25,625 / 386 = \66.3860 / Lot, Tract, or Parcel of Land assessed.