

RESOLUTION 06-18454

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO EXPAND THE BOUNDARIES OF THE EXISTING SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4025 FOR THE PURPOSE OF MAINTAINING THE EXISTING AND FUTURE PARK IMPROVEMENTS IN REHBERG RANCH ESTATES SUBDIVISION, FIRST FILING, TO INCLUDE REHBERG RANCH ESTATES SUBDIVISION, SECOND FILING.

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. 4025: 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 Rehberg Ranch Estates Subdivision, First Filing plus any public area improvements located in Rehberg Ranch Estates Subdivision, Second Filing, 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. 4025, 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. 4025 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 Rehberg Ranch Estates Subdivision, First Filing to

include Rehberg Ranch Estates Subdivision, Second Filing, 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, storm detention facilities, street lighting and signage, 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 properties within the District are to be assessed for a portion of the costs of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing, 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 properties in the District will be assessed for their proportionate share of the costs of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing. The total assessable area to be added to the District is **705,138** square feet bringing the total assessment area within the District to **3,108,220** square feet. The costs of maintaining the Improvements per square foot of assessable area for the current year shall be **\$0.00713** per square foot 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 Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing, 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. 4025 subject to assessment and taxation for the cost and expense of maintaining the existing and future public area improvements in Rehberg Ranch Estates Subdivision, First Filing to include Rehberg Ranch Estates Subdivision, Second Filing 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, **August 11th, 2006**, written protest against being included in Extended Special Improvement Maintenance District No. 4025, 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, August 28th,**

2006, 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 **July 27th and August 3rd, 2006** 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. 4025 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 24th day of July, 2006.

THE CITY OF BILLINGS

BY: _____
Ron Tussing, Mayor

ATTEST:

BY: _____
Marita Herold, CMC/AAE, City Clerk