

RESOLUTION NO. 18-_____

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE AN EXTENDED SPECIAL IMPROVEMENT MAINTENANCE DISTRICT FOR THE PURPOSE OF MAINTAINING THE PARK LAND IN ANNAFELD SUBDIVISION, FIRST FILING.

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

Section 1. Proposed Extended Park Maintenance District; Intention To Create Park Maintenance District. The City proposes to maintain certain park improvements to benefit certain property located in the City of Billings, Montana. Improvements consist of **the park improvements to be installed as part of Special Improvement District No. 1404**, as more particularly described in Section 5. It is the intention of the Billings City Council to create and establish in the City under Montana Code annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a park maintenance district (the "Park Maintenance District") for the purpose of financing the maintenance costs for the park landscaping and other improvements portion of the improvements made in Annafeld Subdivision, First Filing. The estimated annual costs for the maintenance of the park improvements to be set by 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 Park Maintenance District No. **4041** of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on "Exhibit B" hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in 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" and "C" are hereby declared to be the Extended Park Maintenance District and the territory which will benefit and be benefited by the maintenance of the Park Improvements, 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: **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. 1404.**

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 Park Improvements, as specified herein. The costs of maintaining the Improvements shall be assessed against the property in the District benefiting

from the Landscape Improvements, based on the area option 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. Area Option Method. All properties in the District will be assessed for their proportionate share of the costs of maintaining the Park Improvements. The total estimated cost of maintenance is \$60,600.00 and shall be assessed against each lot, tract or parcel within the District, for part of the costs of the park maintenance that the assessable area of such lot, tract, or parcel of land bears to the total assessable area of the lots, tract, or parcels of land within the District. The total assessable area of lots, tracts, or parcels of land in the District to be assessed is **643,422 Sq. Ft.** The costs of maintaining the Improvements per lot, tract, or parcel of land for the first year shall be **\$0.09418391** per square foot of each lot, tract, or parcel of land area as shown in Exhibit "C" (which is hereby incorporated herein and made a part hereof).

Section 8. Payment of Assessments. The assessments for the costs of maintaining the Park Improvements 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 within the proposed Extended District subject to assessment and taxation for the cost and expense of maintaining the Park Improvements may make and file with the City Clerk until noon., M.T., on the expiration date of said 15-day period (**March 19, 2018**), written protest against the proposed Special Improvement Maintenance District, 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, **March 26, 2018, at 6:30 p.m., 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 this Resolution in the Yellowstone County News, a newspaper of general circulation in the county on **March 2 and March 9, 2018**, 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 within the Extended District 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 **26TH day of February, 2018.**

THE CITY OF BILLINGS:

BY: _____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

P.M.D. #4041 - EXHIBIT A

EXPLAINED

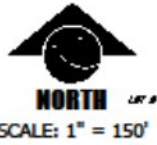
PLANNED
SUBDIVISION
LOT #

ELYSIAN ROAD

LOT 2

ADJACENT TO WALTER
WALTER SUBDIVISION
FRONT PLANS

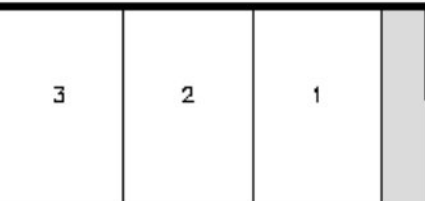
-BLOCK 1-



ADJACENT TO MOLLIE
MOLLIE SUBDIVISION
FRONT PLANS

-BLOCK 2-

WALTER



-1-

4

CREEK



-4-

PARK

BOULEVARD

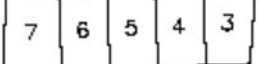
3

-4-

MOLLIE ROSE LANE

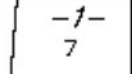


-3-



ANNAS

PARK



-1-

7

PARK



HOGANS SLOUGH

LOT 3
ADJACENT TO HOGANS
HOGANS SUBDIVISION
FRONT PLANS
-BLOCK 1-

WATCHDOG

WATCHDOG

1 of 2

NO. 16001.15 12/27/17 NBD

SID 1404 AND PMD 4041 EXHIBIT B

SID 1404 includes Annafeld Subdivision Block 1, Lots 1-23, Block 2, Lots 1-10, 12, Block 3, Lots 1-34, Block 4, Lots 1-3.

EXHIBIT “C”

ESTIMATE OF PROBABLE COST PARK MAINTENANCE DISTRICT NO. 4041

Annafeld EXTENDED PARK MAINTENANCE DISTRICT

1. The District will be to maintain existing and future park improvements in Annafeld Subdivision, First Filing. The park, as shown on attached Exhibit “A” will be constructed as part of Special Improvement District.
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 \$ 60,600.00. The first year’s assessment is estimated as follows:

<u>Account Description</u>	<u>Proposed Budget</u>
• Parks Charges for Services: 530 hrs. @ \$38.20/hr. (Salary, Wages, Incl. Supplies & Materials, & Equipment per Hour Rate)	20,200
• Electricity	450
• Water	32,550
• Ground maintenance	650.00
• Other service/finance charges	600.00
• Special Assessments	2,000
Operation Total	\$56,450.00
Fund Reserve	\$3,550.00
Maintenance District Creation Costs	\$600.00
Annafeld Subdivision, First Filing – Total	\$ 60,600.00

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

Annafeld Subdivision First Filing

Tax ID Number Sq. Ft.

A36416	28,074.00
A36417	28,106.00
A36418	28,151.00
A36419	135,844.00
A36420	8,971.00
A36421	25,015.00
A36422	11,028.00
A36423	3,768.00
A36424	3,530.00
A36425	3,329.00
A36426	3,590.00
A36427	3,231.00
A36428	3,853.00
A36429	4,401.00
A36430	6,042.00
A36431	5,873.00
A36432	5,081.00
A36433	5,479.00
A36434	4,861.00
A36435	4,541.00
A36436	8,140.00
A36437	4,795.00
A36438	6,567.00
A36441	6,806.00
A36442	5,508.00
A36443	5,508.00
A36444	5,508.00
A36445	6,719.00
A36446	6,114.00
A36447	5,508.00
A36448	5,508.00
A36449	5,508.00
A36450	7,215.00
A36452	7,383.00
A36454	13,833.00
A36455	12,098.00
A36456	4,039.00
A36457	4,000.00
A36458	4,000.00
A36459	4,000.00

A36460	4,658.00
A36461	4,327.00
A36462	3,840.00
A36463	3,840.00
A36464	3,840.00
A36465	4,343.00
A36466	4,238.00
A36467	6,581.00
A36468	4,322.00
A36469	3,373.00
A36470	3,373.00
A36471	3,373.00
A36472	4,364.00
A36473	6,947.00
A36474	4,785.00
A36475	7,121.00
A36476	5,520.00
A36477	5,520.00
A36478	5,520.00
A36479	6,730.00
A36480	4,239.00
A36481	3,981.00
A36482	4,049.00
A36483	4,117.00
A36484	4,185.00
A36485	4,253.00
A36486	4,321.00
A36487	4,737.00
A36490	27,901.00
A36491	12,041.00
TOTAL Sq. Ft.	643,422.00

Total Lots, Tracts, or Parcels of Land in Park Maintenance District: **70 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 = $\$60,600 / 643,422.00\text{Sq. Ft.} = \mathbf{\$0.09418391}$
per Sq. Ft. of Land assessed.