

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. 23-\_\_\_\_\_, entitled: "RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1423; CREATING THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on **June 12, 2023**, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Councilmembers voted in favor thereof: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ; voted against the same: \_\_\_\_\_

\_\_\_\_\_ ; abstained from voting thereon: \_\_\_\_\_

\_\_\_\_\_ ; or were absent: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

WITNESS my hand officially this \_ day of \_\_\_\_\_.

\_\_\_\_\_  
Denise Bohlman CITY CLERK

RESOLUTION NO. 23-\_\_\_\_\_

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. **1423**; CREATING THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND.

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

**Section 1. Passage of Resolution of Intention.** This Council, on **May 22, 2023**, adopted Resolution No. **23-11118** (the "Resolution of Intention"), pursuant to which this Council declared its intention to create a special improvement district, designated as Special Improvement District No. **1423** of the City, under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, for the purpose of financing the costs of certain local improvements described generally therein (the "Improvements") and paying costs incidental thereto, including costs associated with the sale and the security of special improvement district bonds drawn on the District (the "Bonds"), the creating and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund").

**Section 2. Notice and Public Hearing.** Notice of passage of the Resolution of Intention was duly published and mailed in all respects in accordance with the law, and on **June 12, 2023**, this Council conducted a public hearing on the creation or extension of the District and the making of the Improvements. The meeting of this Council at which this resolution was adopted is the first regular meeting of the Council following the expiration of the period ended 15 days after the first date of publication of the notice of passage of the Resolution of Intention (the "Protest Period").

**Section 3. Protests.** Within the Protest Period, \_\_\_\_\_ protests were filed with the City Clerk and not withdrawn by the owners of property in the District subject to assessment for \_\_\_% of the total costs of the Improvements. **The protest represents \_\_\_% of the assessed cost.**

**Section 4. Creation of the District; Insufficiency of Protests.** The District is hereby created on the terms and conditions set forth in, and otherwise in accordance with, the Resolution of Intention. The protests against the creation or extension of the District or the making of the Improvements filed during the Protest Period, if any, are

hereby found to be insufficient. The findings and determinations made in the Resolution of Intention are hereby ratified and confirmed.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this **12<sup>th</sup> Day of June, 2023.**

THE CITY OF BILLINGS:

BY

\_\_\_\_\_

William A. Cole

MAYOR

ATTEST:

BY \_\_\_\_\_

Denise Bohlman

CITY CLERK