

RESOLUTION NO. 97-17214

**A RESOLUTION CREATING SPECIAL IMPROVEMENT
MAINTENANCE DISTRICT NO. 4010.**

**Lakeview Subdivision, Second Filing
Stormwater Detention Basin Maintenance**

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. All lands are benefitted and no lands which are not benefitted 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;
3. All lands included in the district are held by one owner and the creation of the district has been requested by this owner.

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

1. JURISDICTION AND CREATION. The Council has acquired jurisdiction to order the proposed improvements, and it does hereby create Special Improvement Maintenance District No. 4010. All lands included within Special Improvement Maintenance District No. 4010 are benefitted and no lands which are not benefitted have been included in said district.
2. GENERAL CHARACTER OF IMPROVEMENTS AND MAINTENANCE. The general character of the improvements is an above-ground stormwater detention basin on Lot 2, Block 2 of Lakeview Subdivision, Second Filing, as shown on Exhibit "B" attached hereto. The detention basin will be installed by the developer under Private Contract P-390. The purpose of said District is to provide perpetual maintenance of the subject detention basin.
3. BOUNDARIES. The boundaries of the district are described and designated on Exhibit "A" attached hereto, and the lands included within the district are as shown on the map attached hereto as Exhibit "B".
4. ENGINEER'S ESTIMATE. The estimated cost of the proposed maintenance for the first year will be \$600.00 as described in the Estimate attached hereto as 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 \$0.0025/square foot of lot area. In accordance with 7-12-4179 MCA, the assessment for each lot in each ensuing year will be set by the City Council by resolution.
6. PAYMENT OF ASSESSMENTS. The assessments for all maintenance and costs of the district shall be paid in equal annual installments, provided that

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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 No. 4010."

7. BONDS FOR IMPROVEMENTS. There will be no bonds sold for this district as it is for maintenance only.
8. ENGINEERING. The improvements shall be installed under City of Billings Private Contract P-390. 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 for the district.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana and APPROVED this 14th day of April, 1997.

THE CITY OF BILLINGS:



BY: Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

BY: Marita Herold
Marita Herold, CMC, CITY CLERK

EXHIBIT "A"

District Boundary Description
Special Improvement Maintenance District Number 4010

Lakeview Subdivision, Second Filing
Storm Water Detention Maintenance

Beginning at the northeast corner of said Lot 7B Amended, thence N89°36'06"W, 1134.05 feet to the northwest corner of said lot; thence along the westerly boundaries of said Lot 7B and Tracts 1 and 2 thusly: S32°07'36" E, 212.26 feet; thence N69°06'48"E, 292.09 feet; thence S14°25'08"E, 119.04 feet; thence S22°09'02"E, 226.36 feet to the southwest corner of said Tract 1, thence S89°48'05"E, 184.32 feet; thence S89°38'49"E, 419.88 feet to the northwest corner of Lot 3 Molter Subdivision; thence S00°13'38"W, 171.78 feet; thence S89°39'53"E, 161.80 feet; thence N15°19'14"W, 99.73 feet; thence N29°21'27"W, 87.16 feet; thence N37°18'29"W, 115.02 feet; thence around a curve to the left having a radius of 330.00 feet, its long chord bearing N54°33'22"W with a length of 35.77 feet; thence N12°09'27"W, 101.16 feet; thence S89°35'30"E, 10.14 feet; thence N58°08'30"W, 16.78 feet; thence N19°08'51"E, 186.91 feet to the point of beginning, containing 7.778 acres gross and 5.498 acres net.

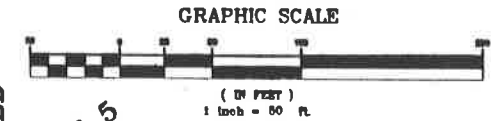
PLAT OF LAKEVIEW SUBDIVISION SECOND FILING

Being Lot 7B Amended Holling Ranch Subd., Portions Of Tracts 1 & 2 COS 529 & Lot 3 Molter. Subd.
LOCATED IN NE1/4 SECTION 15, T.1N., R.26E., P.M.M.

CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA
FOR: LAKEVIEW INC. DEC. 1996 BY: HARLAN M. LUND R.L.S.

SHEET 1 OF 2

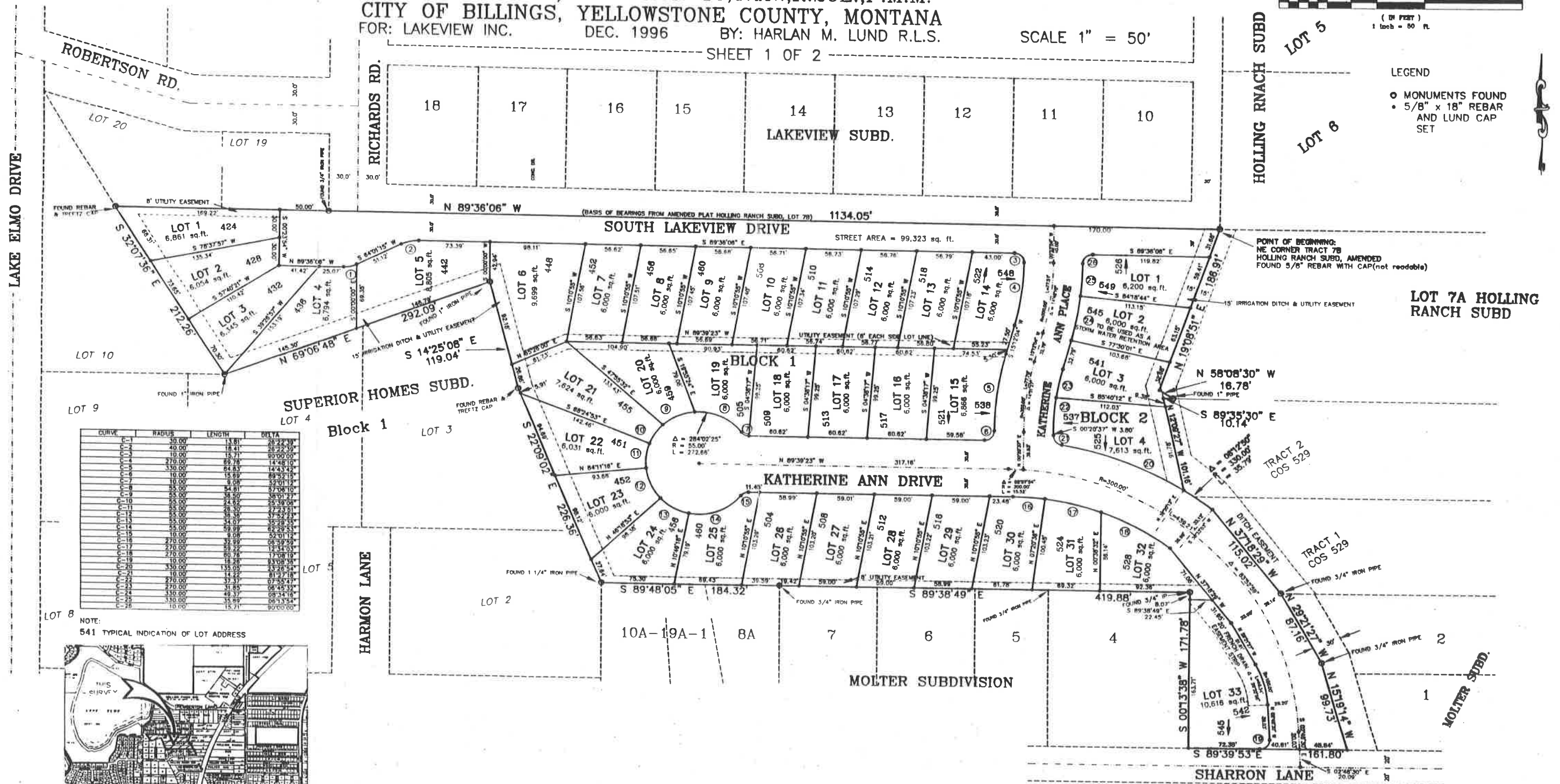
SCALE 1" = 50'



LEGEND

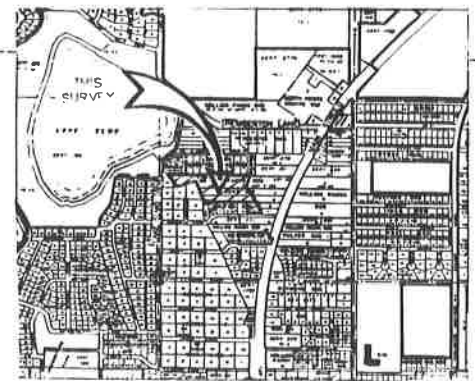
- MONUMENTS FOUND
- 5/8" x 18" REBAR AND LUND CAP SET

EXHIBIT "B"



CURVE	RADIUS	LENGTH	DELTA
C-1	30.00	13.81	28.22
C-2	30.00	16.41	33.42
C-3	10.00	15.71	90.00
C-4	270.00	89.78	14.48
C-5	310.00	64.63	124.32
C-6	10.00	15.09	89.32
C-7	10.00	8.08	52.01
C-8	35.00	34.81	37.08
C-9	25.00	24.50	38.01
C-10	25.00	14.22	37.58
C-11	35.00	28.30	37.23
C-12	35.00	36.35	37.52
C-13	35.00	44.22	37.78
C-14	35.00	59.99	38.03
C-15	10.00	8.08	52.01
C-16	270.00	89.78	14.48
C-17	270.00	89.78	14.48
C-18	270.00	89.78	14.48
C-19	10.00	18.28	93.08
C-20	310.00	135.03	23.28
C-21	10.00	14.22	81.72
C-22	270.00	37.37	07.52
C-23	270.00	31.85	06.45
C-24	310.00	48.37	08.47
C-25	310.00	15.89	06.32
C-26	10.00	15.71	90.00

NOTE:
541 TYPICAL INDICATION OF LOT ADDRESS



AREA MAP

EXHIBIT "C"

Estimate of Probable Cost
Special Improvement Maintenance District Number 4010

Lakeview Subdivision, Second Filing
Storm Water Detention Basin Maintenance

1. The detention basin on Lot 2, Block 2, Lakeview Subdivision, Second Filing as shown on attached Exhibit "B" will be constructed as part of P-390 and will not be a cost to said district.
2. The costs to create the maintenance district are estimated to be \$0.00.
3. The City Parks and Recreation Department estimates the maintenance of the detention basin for the first year at \$0.10/square foot of area. The first year's assessment is estimated as follows:

Total detention basin area =6,000 square feet
Total assessment for the first year= $(\$0.10/\text{sf})(6,000 \text{ sf})$
=\$600.00

4. Total assessment area is as follows:

Property Address or Legal Description:

Lots 1-33, Block 1	Net total
Lots 1-4, Block 2	assessment area
	equals
	239,493 square feet

5. Estimated annual assessment per lot for the first year:

Cost per square foot of lot area	=\$600.00/239,493 sf
	=\$0.0025/sf
Cost for typical 6,000 sf lot	=($\$0.0025/\text{sf}$)(6,000 sf)
	=\$15.00