

RESOLUTION 05-18320

**A RESOLUTION CREATING PARK MAINTENANCE DISTRICT NO. 4028
FOR THE PURPOSE OF MAINTAINING EXISTING
AND FUTURE PUBLIC AREA IMPROVEMENTS IN
VINTAGE ESTATES SUBDIVISION.**

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.
3. All lands are benefited and no lands that 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.

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

1. *Jurisdiction and Creation.* Park Maintenance District Number 4028 is of more than local or ordinary public benefit. The Council has acquired jurisdiction to order the proposed improvement, and it does hereby create Park Maintenance District Number 4028. All lands included within Park Maintenance District Number 4028 are benefited and no lands that 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, trails, trees, irrigation systems, irrigation system water services, storm water detention facilities, and other park equipment and public area improvements installed by the developer, Parks Department and/or as part of a future Special Improvement District. The purpose of said district is to provide perpetual maintenance of the above-mentioned items.
3. *Boundaries.* The Boundaries of the district are described and designated on Exhibit "B" attached hereto.
4. *Ownership.* The ownership records of all properties within the said district are described and designated in Exhibit "C" attached hereto.
5. *Maintenance Estimate.* The total estimated cost of the proposed maintenance for the first year will be \$4,085.00 as described in the Maintenance Estimate attached hereto in Exhibit "D".
6. *Assessment Method.* All properties within the District are to be assessed for a portion of the costs of maintaining the existing and future Vintage Estates Subdivision public area improvements, as specified herein. The costs of maintaining the Improvements shall be assessed against the property in the District benefiting from the Vintage Estates Subdivision, Public Area Improvements, 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.
7. *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 Park Maintenance District Number 4028.
8. *Bonds for Improvement.* There will be no bonds sold for this district as it is for maintenance only.
9. *Engineering.* No engineering will be required.

10. *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, this 8th day of August, 2005.



THE CITY OF BILLINGS:

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

ATTEST:

BY: Marita Herold
Marita Herold, CMC/AE CITY CLERK

EXHIBIT "A"

**DISTRICT BOUNDARY MAP
PARK MAINTENANCE DISTRICT NO. 4028
VINTAGE ESTATES SUBDIVISION
PARK MAINTENANCE DISTRICT**

EXHIBIT "A"
PARK MAINTENANCE DISTRICT No. 4028
VINTAGE ESTATES SUBDIVISION

BEING TRACTS 1 AND 2 OF CERTIFICATE OF SURVEY No. 1877
 SITUATED IN THE NW 1/4 OF SECTION 4 T. 1 S. R. 25 E. P.M.M.
 YELLOWSTONE COUNTY MONTANA

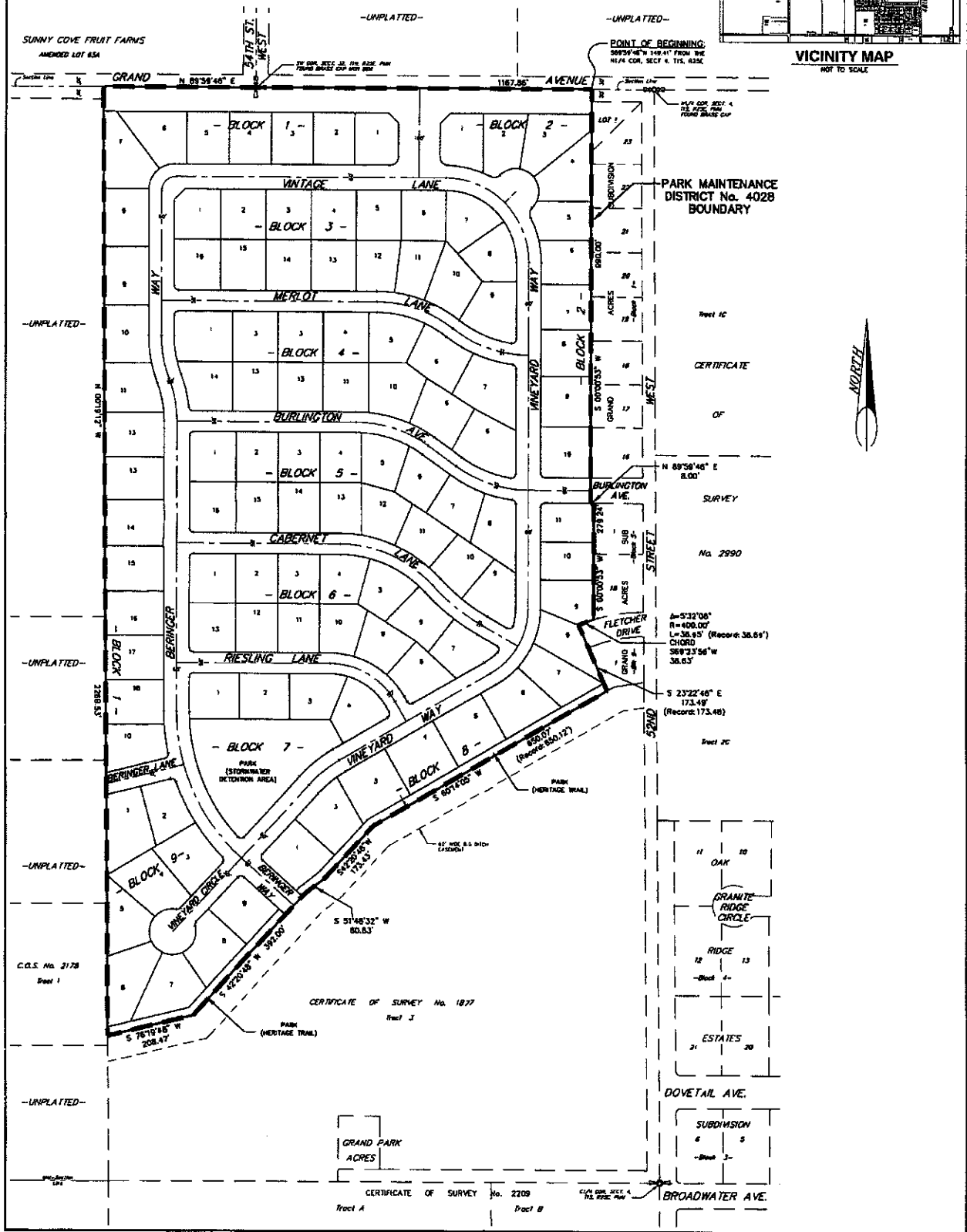
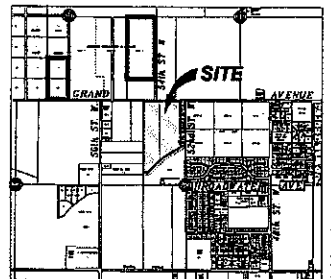


EXHIBIT "B"

BOUNDARY DESCRIPTION

PARK MAINTENANCE DISTRICT NO. 4028

VINTAGE ESTATES SUBDIVISION

A Tract of land situated in the NW ¼ of Section 4, T. 1 S., R. 25 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at a point which is S89°59'46"W, a distance of 149.42 feet from the North quarter corner of Section 4, T.1.S., R. 25 E., P.M.M.; thence from said point of beginning S00°00'53"W a distance of 990.00 feet; thence N89°59'46"E a distance of 8.00 feet; thence S00°00'53"W, a distance of 279.24 feet; thence along a curve to the left with a radius of 400.00 feet a distance of 38.64 feet, S23°22'40"E a distance of 173.48 feet; thence N60°14'05"E a distance of 669.82 feet; thence N42°20'48"E a distance of 173.43 feet; thence N51°48'32"E a distance of 60.83 feet; thence N42°20'48"E a distance of 392.00 feet; thence N76°19'48"E a distance of 208.47 feet; thence N00°19'12"W a distance of 2269.53 feet; thence N89°59'46"E a distance of 1167.86 feet to the point of beginning; Said described tract contain a gross area of 49.853 acres.

EXHIBIT "C"

**OWNERSHIP RECORDS
PARK MAINTENANCE DISTRICT NO. 4028
VINTAGE ESTATES SUBDIVISION
PARK MAINTENANCE DISTRICT**

STATE OF MONTANA

COUNTY OF YELLOWSTONE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I HAVE CHECKED THE RECORDS IN MY
OFFICE FROM May 24, 2005 TO June 3, 2005
AND THE LISTED PERSONS ARE THE OWNERS OF RECORD FOR THE LISTED PROPERTY.
SIGNED AND SEALED THIS 8th DAY OF June 2005

14 NAMES \$ 7.00

TONY NAVE

CERT \$ 2.00

CLERK & RECORDER

TOTAL \$ 9.00

2 PAGES

BY Dawn Johnson
DEPUTY

Ranges: TAX YEAR: (R) 2005 - 2005
 ASSESSOR#: (L) . C01870. C01871.
 C01871A. C01871B. C01872. C01873.
 C01874. C01875. C13160. D0A356. D0A357
 TAX TYPE: (A)
 LEVY DISTRICT: (A)
 SUB-LEVY DIST: (A)
 SPECIAL DISTRICT: (A)

OPTIONS: SDRT ORDER: N # OF COPIES: 1

Assessor#	Owner/Mailing Address	Legal Description	Levy Sub Tax Dist Dist Type Key #1
C01871A	✓ GUSTARSON, VERN 1220 52ND ST W BILLINGS MT 59106-2350	03-0926-04-2-27-02-0000 GAC GRAND ACRES SUBD 1ST FILING LT 17 BLK 1 GRAND ACRES SUB 1ST (97)	02 RE
C01875	✓ JEPPESEN, BRUCE A 1016 52ND ST W BILLINGS MT 59106-2352	03-0926-04-2-17-01-0000 GAC GRAND ACRES SUBD 1ST FILING LT 1 BLK 9 GRAND ACRES SUBD 1ST FILING	02 RE
C01860	✓ KENMARK CORP 3970 AVENUE D STE A BILLINGS MT 59102-7534	03-0926-04-2-27-06-0000 GAC GRAND ACRES SUBD 1ST FILING LT 23 BLK 1 GRAND ACRES SUB 1ST PLG (02)	02 RE
C01870	✓ KNUDSON, MILDRED KENMARK CORPDRATIDN 3970 AVENUE D STE A BILLINGS MT 59102-7534	03-0926-04-2-27-09-0000 GAC GRAND ACRES SUBD 1ST FILING LT 1 BLK 1 GRAND ACRES SUBD 1ST FILING	02 RE
C01872	✓ KNUDSON, MILDRED & (ETAL) LEWIS, JOHN E 5200 LIMITED LIABILITY COMPANY 3970 AVENUE D STE A BILLINGS MT 59102-7534	03-0926-04-2-27-05-0000 GAC GRAND ACRES SUBD 1ST FILING LT 20-22 BLK 1 GRAND ACRES SUBD 1ST PLG (LT 23 NDW AT C13160 2002)	D2 RE
C01873	✓ KRASKE, WILLIAM W PO BOX 23531 BILLINGS MT 59104-3531	03-0926-04-2-24-02-0000 GAC GRAND ACRES SUBD 1ST FILING LT 1 BLK 5 GRAND ACRES SUBD 1ST FILING	D2 RE
C01871B	✓ MELONI, MICHAEL P & MARCIA L 4400 LOMA VISTA DR BILLINGS MT 59106-1535	03-0926-04-2-27-03-0000 LIS 18 & 19 BL 1 GRAND ACRES SUB 1ST (97) (OLD C01871A)	02 RE
C01871	✓ OVEN, JEFFERY JAMES & ELIZABETH ANNE 1206 52ND ST W BILLINGS MT 59106-2350	03-0926-04-2-27-01-0000 GAC GRAND ACRES SUBD 1ST FILING LT 16 BLK 1 GRAND ACRES SUBD 1ST FILING	02 RE
C01874	✓ TUKA, EUGENE V & BETTI L 1108 52ND ST W BILLINGS MT 59106-2353	03-0926-04-2-24-01-0000 GAC GRAND ACRES SUBD 1ST FILING LT 18 BLK 5 GRAND ACRES SUBD 1ST FILING	02 RE
000357	✓ VINTAGE ESTATES LLC	03-0926-04-2-08-01-0000	02 RE

Assessor#	Owner/Mailing Address	Legal Description	Levy Sub Tax			
			Dist	Dist	Type	Key #1
	2680 OVERLAND AVE STE F BILLINGS MT 59102-7411	TR 2 COS 1877 IN E2NW				
D00356	X VINTAGE ESTATES LLC 2680 OVERLAND AVE STE F BILLINGS MT 59102-7411	03-0926-04-2-07-01-0000 TR 1 COS 1877 IN E2NW	02		RE	

Vintage Estates LLC
2680 Overland Avenue Suite F
Billings, MT 59102-7411

EXHIBIT "D"

**ESTIMATE OF PROBABLE COST
SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4028
VINTAGE ESTATES SUBDIVISION
PARK MAINTENANCE DISTRICT**

1. The costs to create the maintenance district are estimated to be \$850.
2. The City Parks and Recreation Department estimates the maintenance of the improvements for the first year at \$3,235

The first year's assessment is estimated as follows:

CITY OF BILLINGS - PARK MAINTENANCE DISTRICT NO. 4028 ESTIMATE OF ANNUAL MAINTENANCE COSTS				
PMD Description: Vintage Estates Subdivision Parks				
PMD Number: <u>4028</u>				
Date: <u>6/21/2005</u>				
BA SUB	ELE	SUB OBJ	ACCOUNT DESCRIPTION	ESTIMATED MAINTENANCE COSTS
			Creation documents and Exhibits`	\$850.00
			Operations and Supplies	
	34	10	Electricity	\$0.00
		20	City Water	\$0.00
		50	Ground Maintenance	\$500.00
	39	65	Other Service/Finance Charges	\$325.00
		90	Parks Charge for Services	\$650.00
	54	10	Special Assessments	\$410.00
			Total Operations and Supplies, Etc.	\$2,735.00
			Capital E/I Reserve	\$500.00
			Total Vintage Estates Subdivision Park O & M Annual Cost Estimate	\$4,085.00
			Equal Assessment Per Lot	112
			1st year Assessment (Per Lot)	\$36.47321