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City of Columbia Falls
130 6th Street W.
Columbia Falls, MT 59912

RESOLUTION 1753

A RESOLUTION BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA, FOR A FINAL LEVY OF A SPECIAL ASSESSMENT UPON ALL LOTS OR PARCELS OF LAND IN SPECIAL IMPROVEMENT DISTRICT NO. 38, FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS AND SEWER MAIN AND SYSTEM IMPROVEMENTS AND TO CONSTRUCT WATER AND SEWER SERVICE LINE CONNECTIONS AND CORRESPONDING PLANT INVESTMENT FEES

WHEREAS, The City has created Special Improvement District (SID) 38 pursuant to MCA Title 7, Chapter 12, Parts 41 and 42, and has undertaken certain local improvements to benefit property located therein. SID 38 was created to construct water and sewer system improvements as engineered including main extensions, fire hydrant installation, service line upgrades or installation, septic system abandonment, road reconstruction, and landscaping and irrigation system repairs required after utility installation. The property owners shall be responsible for \$188,214.64 of the project cost, all of which has been allocated to the cost of the Sewer Improvements;

WHEREAS, SID 38 was created to connect the Riverwood Subdivision and applicable adjoining lots to City Water and Sewer, the lots are now subject to Water and Sewer Plant Investment Fees. The property owners shall be responsible for \$151,785.36 of plant investment fees, \$83,212.92 for Water and \$68,572.44 for Sewer, which will be paid through SID 38.

WHEREAS, on July 17, 2017 this Council adopted Resolution #1752 declaring its intention to levy and assess the special assessments in District 38. Notice of passage of the resolution was duly published and mailed in all respects in accordance with the law and on August 7, 2017 this Council conducted a public hearing to consider objections on the levying and assessment of the special assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section 1. Final Levy of Assessments. For the purpose of defraying the cost and expense of making improvements in Special Improvement District No. 38 of the City of Columbia Falls, Montana, there is hereby levied upon each lot or parcel of land within said District, owned by the persons respectively indicated, a tax or special assessment payable in twenty annual installments, of \$340,000 with 4.16% interest amortized over a period of twenty years, the property assessed, the cost per lot or parcel, the amount of the installments on the principal and the interest amortized for each of the years 2017 to 2037, inclusive, being set forth on "Exhibit A" to this Resolution. The Council hereby ratifies and confirms that the assessment of costs of the improvements against the properties is equitable and in proportion to the benefit received and are in accordance with the methods prescribed by the resolution creating the special improvement district.

Section 2. Method of Assessment. Officers of the City and the County are authorized and directed to take all actions as may be required by law to assure that the special assessments levied by this resolution are duly certified, assessed and collected in accordance with law. All unpaid installments shall include interest at the rate of 4.16% per annum, principal and interest amortized, said taxes to be placed upon the assessment roll for 2017 and subsequent years to and including 2037 and collected in the same

manner as other taxes. Unless said tax installments are paid in full on or before the 30th day of November or the 31st day of May, as billed and payable, of each year that the same are levied or assessed, the whole amount of such taxes becomes delinquent.

Section 3. Delinquent Assessments. When one installment on any lot or parcel becomes delinquent, the whole tax against said lot or parcel becomes delinquent, and said lot or parcel shall be sold for non-payment of taxes the same as real property is sold for non-payment of other taxes; provided, however, that with respect to any such delinquent taxes as may be hereafter certified as delinquent to the county treasurer, and prior to the execution of tax deed for such property, the city council retains the right to reinstate those installments for years subsequent to the date of such redemption upon the payment of all taxes then past due, by appropriate resolution delivered and certified in accordance with MCA 7-12-4184.

Section 4. Payment in full. The City Finance Director shall receive payment in full and give receipt for the entire tax on any of said lots or parcels with interest to the next payment date at any time the same may be tendered.

Section 5. Method of Distribution The City Finance Director shall distribute the collection of said taxes to a debt service fund, "SID 38 Fund."

PASSED AND ADOPTED THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, THIS 7th DAY OF August, 2017. THE COUNCIL VOTING AS FOLLOWS:

AYES: Piper, Shepard, Fisher, Lovering, Petersen and Barnhart

NOES: None

ABSENT: Karper

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS 7th DAY OF August 2017.

Mayor

ATTEST:

City Clerk