

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19981

A RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 224 IN THE CITY OF HELENA, MONTANA, AND A PORTION OF LEWIS AND CLARK COUNTY ADJACENT THERETO

WHEREAS, § 7-12-4301, et seq., MCA, allows the City of Helena to create special improvement lighting districts; and

WHEREAS, the City of Helena has before it a signed petition requesting the creation of a special improvement lighting district along Alice Street, Eloise Cobell Street, and a portion of Jeannette Rankin Way in Commercial Phase 1 of Crossroads at Mountain View Meadows Subdivision;

WHEREAS, the City of Helena has determined that the open space tract contained in Commercial Phase 1 of Crossroads at Mountain View Meadows Subdivision will receive no benefit from any lighting infrastructure that may be installed as part of the proposed district, and thus will not be included within or be subject to assessment for the proposed district; and

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, specifically the inhabitants of the area to be known as Special Improvement Lighting District No. 224, that said Special Improvement Lighting District No. 224 be created.

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**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA:**

Section 1. That it is the intention of the Commission of the City of Helena, Montana, to create Special Improvement Lighting District No. 224 in the City of Helena, and a portion of Lewis and Clark County adjacent thereto, for the purpose of installing and maintaining certain street lighting along Alice Street, Eloise Cobell Street, and Jeannette Rankin Way in Commercial Phase I of Crossroads at Mountain View Meadows Subdivision, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

Section 2. Special Improvement Lighting District No. 224 will consist of the following real property tracts specifically identified and referenced on Exhibits "A" and "B:"

Tract D-1-A (COS #3173426)

Tract B-2 (COS #3140554)

Tract A-1 (COS #3173428)

Block 5, Lot 1 (COS #3226467)

Block 5, Lot 2 (COS #3226467)

Tract 1-B (COS #3226467)

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Section 3. The general character of the improvements to be installed, operated and maintained in said district is (36) lighting units with underground wiring, fiberglass or metal poles for 16-foot mounting heights, and glass-enclosed, Lexington luminaries with 100-watt, high-pressure, sodium vapor lamps.

Section 4. The estimated cost of installing and maintaining said improvements, supplying electrical energy, and administration for the first year is **\$29,316.00**, with the estimated cost being **\$3.67** per lineal foot of property owned as frontage along Alice Street, Eloise Cobell Street, and Jeannette Rankin Way, said amount to be paid by the property owners, as more specifically described on attached Exhibit "B". That amount includes the additional assessment to be charged by the City to establish a cash reserve and recover any costs of the district incurred prior to receipt of the first assessments. Thereafter, the annual assessment will be approximately fifty percent (50%) of the first year's assessment.

Section 5. All the costs of maintaining said lighting shall be borne by the owners of the property within said district, with the exception of the specific property identified above.

Section 6. The Helena City Commission shall hold a public hearing on said proposed Special Improvement Lighting District No.

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224 in the Commission Chambers, 316 North Park Avenue, Helena, Montana, at **6:00 p.m. on the 11th day of February, 2013.** At such time, all protests that may be made against proposed Special Improvement Lighting District No. 224 shall be heard.

Section 7. Notice of the passage of this resolution of intention shall be given by publication as required by § 7-1-4127, MCA. Further, a copy of said notice must be mailed to each person, firm, or corporation having property within the proposed special improvement lighting district in accordance with § 7-12-4303, MCA.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 14th DAY OF JANUARY, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION