

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19753

A RESOLUTION OF INTENTION TO AMEND THE BOUNDARIES AND LEVY AN ASSESSMENT FOR TREE PLANTING AND MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2011

WHEREAS, pursuant to Resolution 11179, the Helena City Commission created Tree Planting and Maintenance District No. 1 ("District") on August 25, 1997 to plant, protect, maintain, preserve and care for public trees on City owned rights-of-way, public parks and open-space land; and

WHEREAS, maintenance district boundaries were set at the boundaries of the City, and should be changed annually to be consistent with the changing boundaries of the City; and

WHEREAS, the City Commission must first pass a resolution of intention before levying annual assessments for defraying the cost of the district; and

WHEREAS, each parcel in Tree Planting and Maintenance District No. 1 is to be assessed on an equal amount basis, and

WHEREAS, the District is all real property within the exterior boundaries of the City of Helena, including all properties annexed into the City, up to and including the date of adoption of the assessment resolution.

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

Section 1. Tree Planting and Maintenance District No. 1 is amended to include all property within the exterior boundaries of the City of Helena and all properties annexed into the City, up to and including the date of adoption of the assessment resolution.

Section 2. The City Commission intends to levy an assessment upon all parcels in Tree Planting and Maintenance District No. 1 to defray the cost of the district for fiscal year 2011.

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Section 3. The estimated annual cost of the district will be assessed to each parcel, as defined by a state-issued geo-code, in the City of Helena on an equal amount basis as specified in §7-12-4162(3), MCA. Each parcel will be assessed \$10.00.

Section 4. That the Commission of the City of Helena, Montana, will be in session in the Commission Chambers at the City-County Administration Building, 316 N. Park Ave., in Helena, MT, on the 23rd day of August, 2010, at 6:00 p.m. for a public hearing at which time and place the said Commission will hear objections to the final adoption of this resolution.

Section 5. Notice of the passage of this Resolution of Intention shall be given by publishing as required in §7-1-4127 MCA. The City Clerk is authorized and directed to make publication of this Resolution of Intention in the Independent Record, the official newspaper of the City of Helena.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 26th DAY OF JULY, 2010.**

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION