

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Missoula, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION RELATING TO SLANT STREET-HIGGINS/FORD/MOUNT AVENUE AREA CURB AND SIDEWALK IMPROVEMENTS, PROJECT 07-071, OF THE CITY'S SIDEWALK, CURB, GUTTER AND ALLEY APPROACH PROGRAM; ORDERING IN THE SIDEWALK, CURB, GUTTER, AND ALLEY APPROACH IMPROVEMENTS AND DIRECTING NOTICE BE GIVEN TO AFFECTED PROPERTY OWNERS" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on December 10, 2007, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: Ballas, Childers, Haines, Hendrickson, Jaffe, Kendall, Marler, Nicholson, Reidy, Rye, Strohmaier and Wilkins; voted against the same: none; abstained from voting thereon: none; or were absent: none.

WITNESS my hand and seal officially this 10<sup>th</sup> day of December, 2007.

/s/ Martha L. Rehbein  
Martha L. Rehbein  
City Clerk

(SEAL)

## RESOLUTION NUMBER 7303

### **A RESOLUTION RELATING TO SLANT STREET-HIGGINS/FORD/MOUNT AVENUE AREA CURB AND SIDEWALK IMPROVEMENTS, PROJECT 07-071, OF THE CITY'S SIDEWALK, CURB, GUTTER, AND ALLEY APPROACH PROGRAM; ORDERING IN THE SIDEWALK, CURB, GUTTER, AND ALLEY APPROACH IMPROVEMENTS AND DIRECTING NOTICE BE GIVEN TO AFFECTED PROPERTY OWNERS**

**WHEREAS**, the City is granted the power pursuant to Section 7-14-4109, M.C.A., to order certain improvements without creation of a special improvement district and certain sections of curb and gutter, sidewalks, drive approaches, alley approaches and/or appurtenant features have deteriorated, settled or cracked, or none exist, or some of the foregoing do not exist; and

**WHEREAS**, the safety and convenience of the public require installation, construction, reconstruction, repair or replacement of curbs and gutters, sidewalks, drive approaches, alley approaches, and/or appurtenant features or combinations thereof; and

**WHEREAS**, the City has implemented an annual program to cause the construction or reconstruction of needed or unsafe sidewalks, curbs or gutters through various projects.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOULA, MONTANA, AS FOLLOWS:**

1. Authorization. The Council hereby orders the installation, construction, reconstruction, or replacements of certain curbs, gutters, sidewalks, drive approaches, alley approaches and appurtenant improvements in certain locations (the "Improvements"), which improvements and locations are more fully described in Exhibit A hereto (which exhibit is incorporated by reference and made a part hereof).

2. Affected Properties. All properties which will be required to pay any portion of the costs of the Improvements identified herein are listed and the owners of those properties are identified on Exhibit A attached hereto.

3. Estimated Costs. The costs to be assessed against the property owners will include the costs of constructing the Improvements and the City's administrative costs, costs of financing and a contribution to the City's Revolving Fund. The estimated costs of the Improvements are shown on Exhibit A hereto describing the Improvements.

The actual cost to be assessed against any benefited property will be determined by the actual amount of work done adjacent to the property plus a proportionate share of the costs of any alley approaches for the block within which the property is located.

4. Assessment of Costs. All costs of constructing the curbs, gutters, sidewalks, drive approaches and alley approaches, including engineering, administrative, bond, and contingency costs will be assessed against the properties which are adjacent to the Improvements installed.

5. Period of Assessments. The assessments for all improvements and costs shall be paid in not more than twelve (12) annual installments, plus interest, provided however, that payment of one-half of each annual installment, plus interest, may be deferred to May 31 of the year following the assessment. The City of Missoula will offer options for extended financing of not more than twenty (20) annual installments, plus interest, to property owners with assessments exceeding \$5,000.00.

6. Notice; Property Owner Option to Construct Improvements. Notice of the ordering in of the Improvements shall be given by registered or certified mail to each owner or agent of the owner and to any purchaser under contract for deed of such property or the owners or agents of all adjacent owners having access to their properties by the alley approach, as appropriate, in such manner as the council may direct. Property owners shall have thirty (30) days from the date of service of the notice to construct the improvements at their own expense. In the event the owners do not install these improvements, the City may construct or cause the sidewalk, curb, gutter or drive approach to be constructed or may construct or cause the alley approach to be constructed and shall assess the cost thereof, including engineering costs and related costs, against the property in front of which the same is constructed or against the lot or parcels of land having access via the constructed alley approaches, and will assess the costs against the benefited properties.

Passed by the City Council of the City of Missoula, Montana, this 10<sup>th</sup> day of December, 2007.

/s/ John Engen  
John Engen,  
Mayor

Attest: /s/ Martha L. Rehbein  
Martha L. Rehbein,  
City Clerk

**PWC ESTIMATES EXHIBIT A – SLANT STREETS-HIGGINS/FORD/MOUNT AREA PROJECT #07-071**

<b>GEOCODE</b>	<b>SUID</b>	<b>PROPERTY OWNER</b>	<b>MAIL ADDRESS</b>	<b>MAIL CITY</b>	<b>MAIL ST</b>	<b>MAIL ZIP</b>	<b>LONG_LEGAL</b>	<b>MARKET VALUE</b>	<b>LOCATION ADDRESS</b>	<b>TOTAL COST EST</b>
220028119060000	381505	RUPERT KEITH E	610 E FLORENCE ST	MISSOULA	MT	59801	S 55' OF LOTS 11 & 12 IN BLK 9 OF SOUTH MISSOULA	\$67,825.00	610 E FLORENCE ST	\$210.00
220028111050000	2316902	JOHNSON LARRY B	2734 S 7TH ST W	MISSOULA	MT	59804	SOUTH MISSOULA-NW 60' X 81' OF LOTS 5 THRU 7 PLAT S' BLK 24	\$106,691.00	422 FORD ST	\$1,870.00
220028111060000	1599108	SHAFFER RUSSEL D & RYAN R & DEBORAH S	130 KENSINGTON AVE	MISSOULA	MT	59801	SOUTH MISSOULA-SO 15' OF LOT 7, ALL OF 8 BLK 24	\$69,083.00	428 FORD ST	\$1,320.00
220028111070000	2275601	THOMPSON GENE J	4320 SIERRA DR	MISSOULA	MT	59804	SOUTH MISSOULA-N 80' OF LOTS 9 THRU 12 BLK 24	\$224,254.00	436 FORD ST	\$25,620.00
220028106080000	2186607	BURHAM GREGORY R & LESLIE S	500 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-Lot 1, N1/2 OF 2 BLK 27	\$89,993.00	500 FORD ST	\$6,080.00
220028106090000	1644104	HESLA STEVEN K	504 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-SW1/2 OF LOT 2, ALL OF 3 BLK 27	\$71,259.00	504 FORD ST	\$1,990.00
220028106100000	715906	SCOTT JOSEPH HENRY	520 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-LOTS 4 & 5 BLK 27	\$82,172.00	520 FORD ST	\$740.00
220028106110000	794808	GRIMSRUD STEVEN P & KAYCE M	526 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-LOTS 6 & 7 BLK 27	\$88,701.00	526 FORD ST	\$2,970.00
220028106120000	2384105	EKNESS RAYMOND G	532 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-Lot 8, NE2 OF 9 BLK 27	\$82,240.00	532 FORD ST	\$1,280.00
220028106130000	629302	BURRESON DOUGLAS	540 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-SW1/2 OF LOT 9, ALL OF 10 THRU 12 BLK 27	\$162,392.00	540 FORD ST	\$1,670.00
220028119010000	209808	SNIVELY JOHN B	1221 S HIGGINS AVE	MISSOULA	MT	59801	SOUTH MISSOULA-FRAC OF LOTS 13 THRU 15, FRAC OF 16 THRU 18 BLK 9	\$466,871.00	1227 S HIGGINS AVE	\$33,410.00
220028111040000	1598808	LOCKWOOD JAIMIE	566 COHO CT	CORVALLIS	MT	59828	SOUTH MISSOULA-FRAC OF LOTS 1 THRU 6 BLK 24 LESS PT SOLD	\$180,388.00	1409 S HIGGINS AVE	\$5,250.00
220028111030000	584407	LINDGREN A ROGER & MARCELLA	132 RIVERBEND RD	SUPERIOR	MT	59872	SOUTH MISSOULA-FRAC OF LOTS 18 TO 20 BLK 24	\$80,432.00	1425 S HIGGINS AVE	\$4,230.00
220028107010000	1741205	BITTERROOT BUILDING LLC	1547 S HIGGINS AVE	MISSOULA	MT	59801	FRACTION OF LOTS 1 THRU 8 BLK 26 OF SOUTH MISSOULA ADDITON & VACATED ALLEY ADJACENT 28-13-19	\$1,029,870.00	1547 S HIGGINS AVE	\$73,990.00
220028111010000	1102158	KARLBERG CARMEN K	608 W CRESTLINE DR	MISSOULA	MT	59803	SOUTH MISSOULA-LOTS 13 & 14, FRAC OF 15 BLK 24	\$289,348.00	443 HILL ST	\$22,250.00
220028106070000	2093201	NYBERG STANLEY A	501 HILL ST	MISSOULA	MT	59801	SOUTH MISSOULA-N1/2 OF LOT 23, ALL OF 24 BLK 27	\$74,215.00	501 HILL ST	\$6,420.00

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220028106060000	416703	HAWLEY STEVEN J	509 HILL ST	MISSOULA	MT	59801	SOUTH MISSOULA-LOTS 21 & 22, S1/2 OF 23 BLK 27	\$101,448.00	509	HILL ST	\$6,290.00
220028106050000	1556304	THOMPSON KATHRYN K	519 HILL ST	MISSOULA	MT	59801	SOUTH MISSOULA-LOTS 19 & 20 BLK 27	\$88,327.00	519	HILL ST	\$4,320.00
220028106030000	3751304	JOHNSON ROYAL A &	535 S OAKES ST	HELENA	MT	59601	LOT 18A OF SOUTH MISSOULA BLK 27 LOTS 17 & 18 28-13-19	\$127,326.00	531	HILL ST	\$2,270.00
220028106020000	249404	BURRESON DOUGLAS	540 FORD ST	MISSOULA	MT	59801	SOUTH MISSOULA-ALL OF LTS 15 & 16 BLK 27	\$83,840.00	537	HILL ST	\$4,360.00
220028106010000	601604	ANGERT JENNIFER	85 MARTIN LN	FLORENCE	MT	59833	SOUTH MISSOULA-FRAC OF LOT 13,ALL OF LOT 14 BLK 27 28-12-19	\$77,039.00	541	HILL ST	\$5,210.00
220028119030000	450201	KOCUBINSKI DONALD J	1152 EAGLE PASS TRL	CHARLO	MT	59824	SOUTH MISSOULA-LOTS 7 & 8 BLK 9	\$78,603.00	330	PLYMOUTH ST	\$210.00
220028119040000	450307	LOVELLETTE GREG D &	336 PLYMOUTH ST	MISSOULA	MT	59801	SOUTH MISSOULA-LOTS 9 & 10 BLK9	\$87,646.00	336	PLYMOUTH ST	\$510.00
220028119050000	939108	PRESTON FRANCES	PO BOX 1513	MISSOULA	MT	59806	N75 FT OF LOT 11 & 12 BLK 9 SOUTH MISSOULA	\$65,037.00	344	PLYMOUTH ST	\$4,230.00