

RESOLUTION NO. 99- 17450

A RESOLUTION CREATING SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NUMBER 4011 FOR THE PURPOSE OF MAINTAINING THE TREES PLANTED AND LANDSCAPING PLANTERS INSTALLED AS PART OF SPECIAL IMPROVEMENT DISTRICT NO. 1334

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana, as follows:

Section 1. Special Improvement Maintenance District. The City proposes to maintain certain local improvements (the "Improvements") to benefit certain property located in the City. The Improvements consist of **the landscaping plants, planters, planter irrigation system, irrigation water services, and street trees installed as part of Special Improvement District No. 1334**, as more particularly described in Section 5. The Billings City Council hereby creates and establishes in the City under Montana Code annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a special improvement maintenance district (the "SIM District") for the purpose of financing the maintenance costs for the landscaping portion of the improvements made as part of SID No. 1334. The estimated annual costs for the maintenance of the Improvements, to be set by Resolution of the Council each year.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Special Improvement Maintenance District No. 4011 of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on "Exhibit B" hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on "Exhibit C" attached hereto.

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits "A" and "B" are hereby declared to be the special improvement maintenance district and the territory which will benefit and be benefited by the maintenance of SID No. 1334 Landscape Improvements and will be assessed for a **portion of the costs** of the maintenance as described in Section 1.

Section 5. General Character of the Improvements to be Maintained. The general character of the Improvements to be maintained is as follows: **landscaping plants, planters, planter irrigation systems, irrigation system water services, and street trees installed as part of Special Improvement District No. 1334.**

Section 6. Assessment Methods. Property To Be Assessed. All properties within the District are to be assessed for a portion of the costs of maintaining the SID No. 1334 Landscape Improvements, as specified herein. The costs of maintaining the Improvements shall be assessed against the property in the District benefiting from the SID No. 1334 Landscape Improvements, based on the assessable area and frontage methods of assessment described in Section 7-12-4162 through 7-12-4165, M.C.A., as particularly applied and set forth herein.

Section 7. Assessable Area. All properties in the District will be assessed for their proportionate share of the costs of maintaining the SID No. 1334 Landscape Improvements. The total assessable area of the District to be assessed is 536,504 square feet. The costs of maintaining the Improvements per square foot of assessable area for the first year shall be \$0.020130 per square foot for a total of \$10,800 as shown in Exhibit "D" (which is hereby incorporated herein and made a part hereof).

Section 8. Payment of Assessments. The assessments for the costs of maintaining the SID No. 1334 Landscape Improvements shall be payable, as prescribed in Section 7-12-4162 through 7-12-4165, M.C.A.

RESOLUTION NO. 99-- 17450

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 10th day of May, 1999.

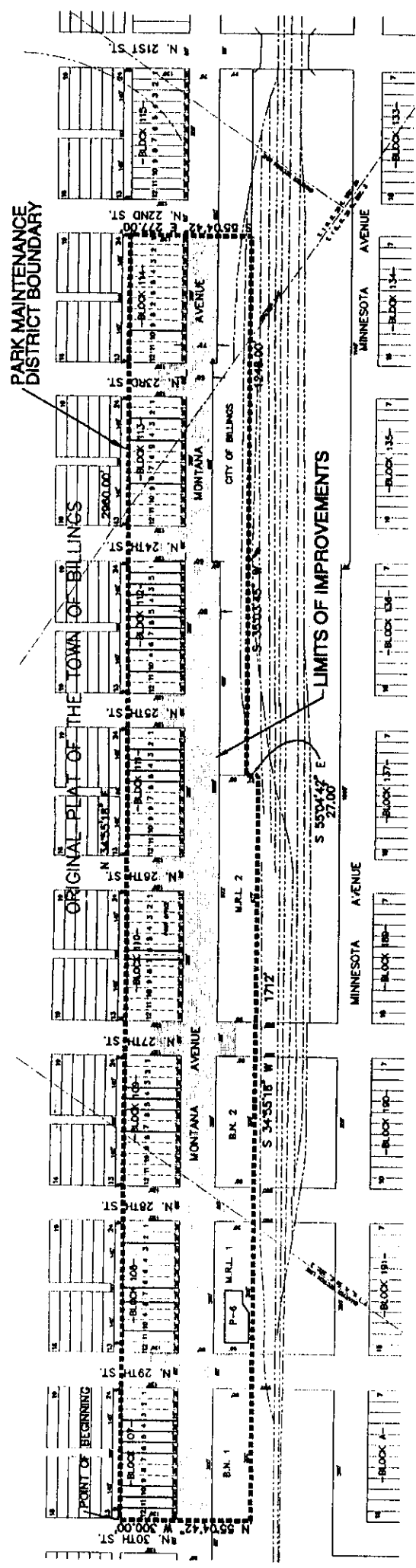
THE CITY OF BILLINGS:



BY: Charles F. Tooley
Charles F. Tooley MAYOR

ATTEST:

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



ORIGINAL PLAT OF THE TOWN OF BILLINGS	LOT AREA	TAX CODE	LOT AREA
BLOCK 111	LOT 12	A-0006	6,500 S.F.
	LOT 3	A-0007	3,250 S.F.
	LOT 4	A-0008	3,250 S.F.
	LOT 5	A-0009	3,250 S.F.
	LOT 6	A-0010	3,250 S.F.
	LOT 7	A-0011	3,250 S.F.
	LOT 8	A-0012	3,250 S.F.
	LOT 9	A-0013	3,250 S.F.
	LOT 10	A-0014	3,250 S.F.
	LOT 11	A-0015	3,250 S.F.
	LOT 12	A-0016	3,250 S.F.
	LOT 13	A-0017	3,250 S.F.
	LOT 14	A-0018	3,250 S.F.
	LOT 15	A-0019	3,250 S.F.
	LOT 16	A-0020	3,250 S.F.
	LOT 17	A-0021	3,250 S.F.
	LOT 18	A-0022	3,250 S.F.
	LOT 19	A-0023	3,250 S.F.
	LOT 20	A-0024	3,250 S.F.
	LOT 21	A-0025	3,250 S.F.
	LOT 22	A-0026	3,250 S.F.
	LOT 23	A-0027	3,250 S.F.
	LOT 24	A-0028	3,250 S.F.
	LOT 25	A-0029	3,250 S.F.
	LOT 26	A-0030	3,250 S.F.
	LOT 27	A-0031	3,250 S.F.
	LOT 28	A-0032	3,250 S.F.
	LOT 29	A-0033	3,250 S.F.
	LOT 30	A-0034	3,250 S.F.
	LOT 31	A-0035	3,250 S.F.
	LOT 32	A-0036	3,250 S.F.
	LOT 33	A-0037	3,250 S.F.
	LOT 34	A-0038	3,250 S.F.
	LOT 35	A-0039	3,250 S.F.
	LOT 36	A-0040	3,250 S.F.
	LOT 37	A-0041	3,250 S.F.
	LOT 38	A-0042	3,250 S.F.
	LOT 39	A-0043	3,250 S.F.
	LOT 40	A-0044	3,250 S.F.
	LOT 41	A-0045	3,250 S.F.
	LOT 42	A-0046	3,250 S.F.
	LOT 43	A-0047	3,250 S.F.
	LOT 44	A-0048	3,250 S.F.
	LOT 45	A-0049	3,250 S.F.
	LOT 46	A-0050	3,250 S.F.
	LOT 47	A-0051	3,250 S.F.
	LOT 48	A-0052	3,250 S.F.
	LOT 49	A-0053	3,250 S.F.
	LOT 50	A-0054	3,250 S.F.
	LOT 51	A-0055	3,250 S.F.
	LOT 52	A-0056	3,250 S.F.
	LOT 53	A-0057	3,250 S.F.
	LOT 54	A-0058	3,250 S.F.
	LOT 55	A-0059	3,250 S.F.
	LOT 56	A-0060	3,250 S.F.
	LOT 57	A-0061	3,250 S.F.
	LOT 58	A-0062	3,250 S.F.
	LOT 59	A-0063	3,250 S.F.
	LOT 60	A-0064	3,250 S.F.
	LOT 61	A-0065	3,250 S.F.
	LOT 62	A-0066	3,250 S.F.
	LOT 63	A-0067	3,250 S.F.
	LOT 64	A-0068	3,250 S.F.
	LOT 65	A-0069	3,250 S.F.
	LOT 66	A-0070	3,250 S.F.
	LOT 67	A-0071	3,250 S.F.
	LOT 68	A-0072	3,250 S.F.
	LOT 69	A-0073	3,250 S.F.
	LOT 70	A-0074	3,250 S.F.
	LOT 71	A-0075	3,250 S.F.
	LOT 72	A-0076	3,250 S.F.
	LOT 73	A-0077	3,250 S.F.
	LOT 74	A-0078	3,250 S.F.
	LOT 75	A-0079	3,250 S.F.
	LOT 76	A-0080	3,250 S.F.
	LOT 77	A-0081	3,250 S.F.
	LOT 78	A-0082	3,250 S.F.
	LOT 79	A-0083	3,250 S.F.
	LOT 80	A-0084	3,250 S.F.
	LOT 81	A-0085	3,250 S.F.
	LOT 82	A-0086	3,250 S.F.
	LOT 83	A-0087	3,250 S.F.
	LOT 84	A-0088	3,250 S.F.
	LOT 85	A-0089	3,250 S.F.
	LOT 86	A-0090	3,250 S.F.
	LOT 87	A-0091	3,250 S.F.
	LOT 88	A-0092	3,250 S.F.
	LOT 89	A-0093	3,250 S.F.
	LOT 90	A-0094	3,250 S.F.
	LOT 91	A-0095	3,250 S.F.
	LOT 92	A-0096	3,250 S.F.
	LOT 93	A-0097	3,250 S.F.
	LOT 94	A-0098	3,250 S.F.
	LOT 95	A-0099	3,250 S.F.
	LOT 96	A-0100	3,250 S.F.
	LOT 97	A-0101	3,250 S.F.
	LOT 98	A-0102	3,250 S.F.
	LOT 99	A-0103	3,250 S.F.
	LOT 100	A-0104	3,250 S.F.
	LOT 101	A-0105	3,250 S.F.
	LOT 102	A-0106	3,250 S.F.
	LOT 103	A-0107	3,250 S.F.
	LOT 104	A-0108	3,250 S.F.
	LOT 105	A-0109	3,250 S.F.
	LOT 106	A-0110	3,250 S.F.
	LOT 107	A-0111	3,250 S.F.
	LOT 108	A-0112	3,250 S.F.
	LOT 109	A-0113	3,250 S.F.
	LOT 110	A-0114	3,250 S.F.
	LOT 111	A-0115	3,250 S.F.
	LOT 112	A-0116	3,250 S.F.
	LOT 113	A-0117	3,250 S.F.
	LOT 114	A-0118	3,250 S.F.
	LOT 115	A-0119	3,250 S.F.
	LOT 116	A-0120	3,250 S.F.
	LOT 117	A-0121	3,250 S.F.
	LOT 118	A-0122	3,250 S.F.
	LOT 119	A-0123	3,250 S.F.
	LOT 120	A-0124	3,250 S.F.
	LOT 121	A-0125	3,250 S.F.
	LOT 122	A-0126	3,250 S.F.
	LOT 123	A-0127	3,250 S.F.
	LOT 124	A-0128	3,250 S.F.
	LOT 125	A-0129	3,250 S.F.
	LOT 126	A-0130	3,250 S.F.
	LOT 127	A-0131	3,250 S.F.
	LOT 128	A-0132	3,250 S.F.
	LOT 129	A-0133	3,250 S.F.
	LOT 130	A-0134	3,250 S.F.
	LOT 131	A-0135	3,250 S.F.
	LOT 132	A-0136	3,250 S.F.
	LOT 133	A-0137	3,250 S.F.
	LOT 134	A-0138	3,250 S.F.
	LOT 135	A-0139	3,250 S.F.
	LOT 136	A-0140	3,250 S.F.
	LOT 137	A-0141	3,250 S.F.
	LOT 138	A-0142	3,250 S.F.
	LOT 139	A-0143	3,250 S.F.
	LOT 140	A-0144	3,250 S.F.
	LOT 141	A-0145	3,250 S.F.
	LOT 142	A-0146	3,250 S.F.
	LOT 143	A-0147	3,250 S.F.
	LOT 144	A-0148	3,250 S.F.
	LOT 145	A-0149	3,250 S.F.
	LOT 146	A-0150	3,250 S.F.
	LOT 147	A-0151	3,250 S.F.
	LOT 148	A-0152	3,250 S.F.
	LOT 149	A-0153	3,250 S.F.
	LOT 150	A-0154	3,250 S.F.
	LOT 151	A-0155	3,250 S.F.
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	LOT 153	A-0157	3,250 S.F.
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	LOT 156	A-0160	3,250 S.F.
	LOT 157	A-0161	3,250 S.F.
	LOT 158	A-0162	3,250 S.F.
	LOT 159	A-0163	3,250 S.F.
	LOT 160	A-0164	3,250 S.F.
	LOT 161	A-0165	3,250 S.F.
	LOT 162	A-0166	3,250 S.F.
	LOT 163	A-0167	3,250 S.F.
	LOT 164	A-0168	3,250 S.F.
	LOT 165	A-0169	3,250 S.F.
	LOT 166	A-0170	3,250 S.F.
	LOT 167	A-0171	3,250 S.F.
	LOT 168	A-0172	3,250 S.F.
	LOT 169	A-0173	3,250 S.F.
	LOT 170	A-0174	3,250 S.F.
	LOT 171	A-0175	3,250 S.F.
	LOT 172	A-0176	3,250 S.F.
	LOT 173	A-0177	3,250 S.F.
	LOT 174	A-0178	3,250 S.F.
	LOT 175	A-0179	3,250 S.F.
	LOT 176	A-0180	3,250 S.F.
	LOT 177	A-0181	3,250 S.F.
	LOT 178	A-0182	3,250 S.F.
	LOT 179	A-0183	3,250 S.F.
	LOT 180	A-0184	3,250 S.F.
	LOT 181	A-0185	3,250 S.F.
	LOT 182	A-0186	3,250 S.F.
	LOT 183	A-0187	3,250 S.F.
	LOT 184	A-0188	3,250 S.F.
	LOT 185	A-0189	3,250 S.F.
	LOT 186	A-0190	3,250 S.F.
	LOT 187	A-0191	3,250 S.F.
	LOT 188	A-0192	3,250 S.F.
	LOT 189	A-0193	3,250 S.F.
	LOT 190	A-0194	3,250 S.F.
	LOT 191	A-0195	3,250 S.F.
	LOT 192	A-0196	3,250 S.F.
	LOT 193	A-0197	3,250 S.F.
	LOT 194	A-0198	3,250 S.F.
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	LOT 205	A-0209	3,250 S.F.
	LOT 206	A-0210	3,250 S.F.
	LOT 207	A-0211	3,250 S.F.
	LOT 208	A-0212	3,250 S.F.
	LOT 209	A-0213	3,250 S.F.
	LOT 210	A-0214	3,250 S.F.
	LOT 211	A-0215	3,250 S.F.
	LOT 212	A-0216	3,250 S.F.
	LOT 213	A-0217	3,250 S.F.
	LOT 214	A-0218	3,250 S.F.
	LOT 215	A-0219	3,250 S.F.
	LOT 216	A-0220	3,250 S.F.
	LOT 217	A-0221	3,250 S.F.
	LOT 218	A-0222	3,250 S.F.
	LOT 219	A-0223	3,250 S.F.
	LOT 220	A-0224	3,250 S.F.
	LOT 221	A-0225	3,250 S.F.
	LOT 222	A-0226	3,250 S.F.
	LOT 223	A-0227	3,250 S.F.
	LOT 224	A-0228	3,250 S.F.
	LOT 225	A-0229	3,250 S.F.
	LOT 226	A-0230	3,250 S.F.
	LOT 227	A-0231	3,250 S.F.
	LOT 228	A-0232	3,250 S.F.
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	LOT 230	A-0234	3,250 S.F.
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	LOT 232	A-0236	3,250 S.F.
	LOT 233	A-0237	3,250 S.F.
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	LOT 239	A-0243	3,250 S.F.
	LOT 240	A-0244	3,250 S.F.
	LOT 241	A-0245	3,250 S.F.
	LOT 242	A-0246	3,250 S.F.
	LOT 243	A-0247	3,250 S.F.
	LOT 244	A-0248	3,250 S.F.
	LOT 245	A-0249	3,250 S.F.
	LOT 246	A-0250	3,250 S.F.
	LOT 247	A-0251	3,250 S.F.
	LOT 248	A-0252	3,250 S.F.
	LOT 249	A-0253	3,250 S.F.
	LOT 250	A-0254	3,250 S.F.
	LOT 251	A-0255	3,250 S.F.
	LOT 252	A-0256	3,250 S.F.
	LOT 253	A-0257	3,250 S.F.
	LOT 254	A-0258	3,250 S.F.
	LOT 255		



ENGINEERING, INC.

Consulting Engineers and Land Surveyors

Robert L. Sanderson, P.E., L.S.
John S. Stewart, P.E.
Duane K. Loken, P.E.
Rick D. Leuthold, P.E.
Dennis D. Randall, P.E., L.S.
Peter B. Knapp, L.S.

EXHIBIT B

October 25, 1996
95106

DISTRICT BOUNDARY DESCRIPTION

PROPOSED SID NUMBER 1334
Billings Townsite Historic District Streetscape
Montana Avenue - North 22nd Street to North 30th Street

To Provide Streetscape Enhancement Improvements along
Montana Avenue from North 22nd Street to North 30th Street

The District Boundary encompasses 536,504 square feet of net assessable area in Blocks 108-115 of the Original Plat of the Town of Billings and portions of Montana Rail Link property. Said district being more particularly described as follows:

Beginning at the point which is the northeast corner of Lot 12, Block 107 of the Original Plat of the Town of Billings; thence, N 34°55'18" E a distance of 2960.00 feet to the northeast corner of Lot 1, Block 114 of the Original Plat of the Town of Billings; thence, S 55°04'42" E a distance of 277.00 feet; thence, S 35°03'45" W a distance of 1248.00 feet; thence, S 55°04'42" E a distance of 27.00 feet; thence, S 34°55'18" W a distance of 1712.00 feet; thence, N 55°04'42" W a distance of 300.00 feet to the northwest corner of Lot 12, Block 107 of the Original Plat of the Town of Billings, said point being the point of beginning. Said boundary encompassing a net total assessment area of 536,504 square feet.

C29:HstrcDst.Des

Suite 200 Creekside, 1001 South 24th Street West, Billings, Montana 59102
P. O. Box 81345, Billings, MT 59108-1345

406/656-5255
FAX 406/656-0967

TAX ID NUMBER	AREA OF ASSESSMENT	REMOVE AND REPLACE 4" CONC.		REMOVE AND REPLACE 6" CONC.		REMOVE AND REPLACE CURB		SAW CUT CONCRETE CURB		CONCRETE SAWCUT		STREET RESTORATION		TOTAL COST
		CODE	RATE	CODE	RATE	CODE	RATE	CODE	RATE	CODE	RATE	CODE	RATE	
8-15	41-52	23	31-48	41-54	31-40	73-86	55	59-62	53-71	55	56-62	53-71	73-84	
		QUANTITY	MEASURE	QUANTITY	MEASURE	QUANTITY	MEASURE	QUANTITY	MEASURE	QUANTITY	MEASURE	QUANTITY	MEASURE	
A-00810	16,250.0	0	SF	\$5.74	0	0	LF	\$28.35	0	EA	14	LF	58.75	\$73,515.32
A-00811	6,500.0	0	8F	\$5.74	8	84	SF	\$7.18	0	EA	28	LF	86.75	\$10,708.68
A-00817	3,250.0	0	SF	\$5.74	0	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00818	3,250.0	0	49	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,852.75
A-00818	3,250.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00818A	3,250.0	0	0	6F	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00820	3,250.0	0	8	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00821	3,250.8	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00822	3,250.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00823	3,250.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00824	6,500.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00825	8,500.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00832	6,500.0	0	280	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00832A	8,500.0	0	700	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00833	13,000.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00834	13,000.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00837	29,250.0	8	0	SF	\$5.74	8	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
A-00838	9,750.0	0	231	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
BN-1	27,000.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
MRL-2	27,000.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
MRL-3	27,000.0	0	0	SF	\$5.74	0	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
MRL-4	51,480.0	0	565	SF	\$5.74	8	SF	\$7.18	0	EA	0	LF	86.75	\$4,524.24
C.O.B.	92,024.0	0	2,555	SF	\$5.74	0	678	SF	\$7.18	0	555	LF	\$6.75	\$17,004.87
SUBTOTAL PAGE2	364,264	0	4,570		0	2,112		934	21	EA	38	LF	\$6.75	\$17,004.87
TOTAL:	535,544	0	5,214		0	2,388		1,086	25		201			\$ 841,033.28

EXHIBIT "D"

**ESTIMATE OF PROBABLE COST
SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 4011**

**MONTANA AVENUE STREETScape AND
LANDSCAPE MAINTENANCE DISTRICT**

1. The streetscape and landscape improvements to and along Montana Avenue as shown on attached Exhibit "A" will be constructed as a part of SID 1334 and will not be a cost to said district.
2. The costs to create the maintenance district are estimated to be \$500.00.
3. The City Parks and Recreation Department estimates the maintenance of the improvements for the first year at \$10,800.00. The first year's assessment is estimated as follows.

Account Description

Proposed Budget

Salary and Wages:

Salaries: 10 hrs @ \$29.00/hr.	\$ 290.00
Wages: 75 hrs. @ \$20.00/hr.	1,500.00
Temporary Wages: 485 hrs. @ \$6.65/hr.	<u>3,225.00</u>
Salary and Wages Total	\$ 5,015.00

Operations and Supplies, etc:

Clothing and uniforms	10.00
Other operating supplies	225.00
Gas, oil, grease, etc.	40.00
Motor vehicle parts	30.00
Machinery/equipment parts	50.00
Tires, tubes, etc.	25.00
Consumable tools	45.00
Electricity	15.00
Water services	675.00
Natural gas expense	10.00
Labor-motor vehicles	50.00
Ground maintenance	250.00
Other repair/maintenance	185.00
Other service/finance charges	875.00
Other contract services	<u>300.00</u>
Operation and Supplies Total	\$ 2,785.00

Capital Reserve \$ 3,000.00

Montana Avenue Streetscape PMD Total \$10,800.00

4. Total assessment area is as follows:

<u>Original Plat of the Town of Billings</u>	<u>Lot Area</u>
Block 107	39,000SF
Block 108	39,000SF
Block 109	39,000SF
Block 110	39,000SF
Block 111	39,000SF
Block 112	39,000SF
Block 113	39,000SF
Block 114	39,000SF
B.N. 1	27,000SF
M.R.L. 1	27,000SF
B.N. 2	27,000SF
M.R.L. 2	51,480SF
City of Billings	<u>92,024SF</u>
	536,504SF

5. Estimated annual assessment per lot for the first year:

Cost per square foot of lot area = \$10,800/536,504SF

Assessment rate per square foot of lot = \$00.020130

Cost for typical 3,250 SF lot = (\$00.020130SF)(3,250SF) = \$65.42/yr.