

RESOLUTION NO. 04-18097

A RESOLUTION DESIGNATING A BLIGHTED AREA WITHIN THE CITY OF BILLINGS AND THE NECESSITY OF REHABILITATION AND REDEVELOPMENT OF SAID AREA; AMENDING THE BOUNDARIES OF THE ORIGINAL DOWNTOWN TAX INCREMENT FINANCE DISTRICT AND ESTABLISHING AN EXTENDED TAX INCREMENT FINANCE DISTRICT WITHIN THE CITY OF BILLINGS, COUNTY OF YELLOWSTONE, STATE OF MONTANA.

WHEREAS, the State of Montana has provided for the "redevelopment of those portions of its cities and towns which constitute a menace to public health and safety, constitute an economic and social liability, and substantially impair the sound growth of a municipality"; and

WHEREAS, sources of Federal funds to accomplish redevelopment objectives have been substantially reduced or eliminated; and

WHEREAS, the City has determined that conditions of blight and deterioration exist within and around the downtown core and the Extended Tax Increment Finance area from Montana Avenue north to 6th Street North and between 22nd and 23rd Streets respectively finding approximately 50% of the structures within the area physically deteriorated and functionally obsolete; and the Extended Tax Increment Finance District Redevelopment Plan also finding that over 50% of the structures within its boundaries are either substandard, physically deteriorated, and/or functionally and economically obsolete; and

WHEREAS, problems of inefficient land use, and problems of access and circulation, physical barriers, and random location of mixed inefficient uses exist within and around both the downtown core and the Extended Tax Increment Finance area; and

WHEREAS, the prevention and elimination of such blighted areas is a matter of City policy and concern in order that the City shall not be endangered by areas which are focal centers of physical deterioration and are conducive to fires, while contributing little to the tax income of the City; and

WHEREAS, problems of inefficient and underutilized land use exist within and around the boundaries of the Extended Tax Increment Finance District; and

WHEREAS, said areas need to be redeveloped and/or rehabilitated to remove the blight and correct the inefficient and underutilized land use; and

WHEREAS, the City desires to exercise all powers conferred by Title 7, Chapter 15, Parts 42 and 43, MCA, in addition to its other powers; and

WHEREAS, it may be necessary for the City to exercise its powers of eminent domain within said Areas to condemn real property for purposes of blight elimination and/or redevelopment; and

WHEREAS, the original 27th Street Redevelopment Plan, having been duly adopted by the City of Billings and Yellowstone County, recommends extensive efforts to utilize "Tax Increment Financing" in implementing recommendations for downtown redevelopment; and, the Extended Tax Increment Finance Redevelopment Plan makes the same recommendations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Billings, Montana:

1. BLIGHTED AREA: The City hereby declares that the area as shown on the map marked Exhibit "A" more fully described under number 5 below is hereby declared a blighted area.
2. REHABILITATION AND REDEVELOPMENT: Rehabilitation and redevelopment, or a combination thereof, within that Area is necessary in the interest of public health, safety, morals, and welfare of the residents of the City.
3. URBAN RENEWAL LAW: This Resolution of necessity is hereby adopted as required by MCA 7-15-4210 to allow the City to utilize all powers conferred upon it by Title 7, Chapter 15, Parts 42 and 43, MCA, in addition to all other powers of the City of Billings.
4. EMINENT DOMAIN: That the City by purchase through negotiations or condemnation within said Area procure the necessary property and land for redevelopment purposes and/or the elimination of

said Area procure the necessary property and land for redevelopment purposes and/or the elimination of blight and conditions detrimental to the public health, safety, morals, and welfare of the residents of the City of Billings.

5. EXTENSION OF BOUNDARIES OF DOWNTOWN REDEVELOPMENT AND TAX INCREMENT FINANCE DISTRICTS: That the original Tax Increment District in the City of Billings which is inside the boundaries described as beginning with the point of intersection of Sixth Avenue North and North 23rd Street; thence in a Southerly direction along the centerline of North 23rd Street across the Burlington Northern Railroad right-of-way, continuing Southerly along South 23rd Street to the intersection of South 23rd Street and 2nd Avenue South, thence Westerly along the centerline of 2nd Avenue South to the intersection of 2nd Avenue South and South 33rd Street; thence Northerly, along the centerline of South 33rd Street, across the Burlington Northern Railroad right-of-way, continuing Northerly along the centerline of North 33rd Street to the intersection of North 33rd Street and Division Street; thence Northerly along the centerline of Division Street to the intersection of Division Street and 6th Avenue North; thence Easterly along the centerline of 6th Avenue North .to the intersection of 6th Avenue North and North 23rd Street which is the point of beginning, be amended to include an additional area of the City of Billings lying East of the original district and described as follows:

A tract of land situated within the City of Billings, being all of Blocks 114, 87, 63, 39, 13, and 264 of Original Town of Billings, Recorded September 1, 1884, Under Document No. 16312, Records of Yellowstone County, Montana, more particularly described as:

Beginning at the street centerline intersection of Sixth Avenue North and North 23rd Street which is a point on the existing Tax Increment District Boundary; thence Northeasterly along the street centerline of Sixth Avenue North to the street intersection of the centerline of Sixth Avenue North and North 22nd Street; thence Southeasterly along the centerline of North 22nd Street to the street intersection of the centerline of North 22nd Street and Montana Avenue; thence Southwesterly along the centerline of Montana Avenue to the street intersection of the centerline of North 23rd Street and Montana Avenue to a point on the existing Tax Increment District Boundary; thence Northwesterly along the existing Tax Increment District Boundary to the street centerline intersection of Sixth Avenue North and North 23rd Street which is the point of beginning, is blighted and that rehabilitation and/or redevelopment of this Area (pursuant to MCA, Title 7, Chapter 15, Parts 42 and 43) is necessary in the interest of public health, safety, morals, or welfare of the residents of the City of Billings.

PASSED by the City Council and APPROVED this 8th day of March, 2004.

THE CITY OF BILLINGS:



BY: Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

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

TAX INCREMENT DISTRICT EX. BIT "A"

