

**RESOLUTION 21-10948**

**A RESOLUTION DECLARING THE CITY COUNCIL INTENT TO  
MODIFY THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL  
DISTRICT WITH TAX INCREMENT AUTHORITY; DECLARING THE  
EXISTENCE OF BLIGHT WITHIN THE SOUTH BILLINGS BOULEVARD  
URBAN RENEWAL DISTRICT; SETTING A PUBLIC HEARING DATE;  
AND REQUIRING PUBLICATION AND MAILING OF THE NOTICE OF  
HEARING**

WHEREAS, under the provision of Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act"), the City of Billings, Montana (the "City") is authorized, among other things, to identify and declare an area as containing blight with the intention of eliminating it through urban renewal; and

WHEREAS, the City is authorized by the Act to modify urban renewal areas with tax increment provision by adopting a revised urban renewal plan by ordinance; and

WHEREAS, a revised urban renewal plan has been prepared for the proposed South Billings Boulevard Urban Renewal District; and

WHEREAS, the City Council desires to conduct a public hearing on the draft modified urban renewal plan for the proposed South Billings Boulevard Urban Renewal District to determine if it is desirable to modify the District.

NOW, THEREFORE, the City Council of the City of Billings, Montana declares and resolves as follows:

Description of Proposed Modified District. The areas being considered for inclusion in the proposed modified urban renewal area are described as:

*Adkins Property*

A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Tracts of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County. Said tract of land containing 3.574 gross and 3.522 net acres more or less.

#### *Hogan Property*

Tract of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder. Said tract of land containing an area of 3.673 acres more or less.

#### *Compton Property*

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County; Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County. Said tracts of land containing an area of 16.937 acres more or less.

#### *Torgerson Property*

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way. Said tract of land containing an area of 35.94 acres more or less.

#### *City of Billings Property*

A tract of land situated in the SE 1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana. Said tract of land containing an area of 20.000 acres more or less.

*A map of the proposed modified South Billings Boulevard Urban Renewal District is included s Exhibit A*

1. Determination of Blight. A requirement of Montana Code Annotated (7-15-4210) is to justify an urban renewal plan through the determination of blight. Blight is defined as an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the

city and its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present conditions and use, by reason of:

- The substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or non-residential;
- Inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- inappropriate or mixed uses of land or buildings;
- defective or inadequate street layout;
- faulty lot layout in relation size, adequacy, accessibility, or usefulness;
- unsanitary or unsafe conditions;
- deterioration of site;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes

Some of the properties in the proposed district expansion area may be considered blighted, as enumerated in Section 4 and Section 5 of the 2021 Expansion and Amendment to the Urban Renewal Plan. And inclusion of all of the properties will provide consistency of infrastructure improvements and municipal services in the District boundary and to adjacent areas.

2. Intent to Modify and Urban Renewal Area with Tax Increment Authority.

Pursuant to the Act and considering the blighted conditions cited above, the City Council declares its intention to modify the South Billings Boulevard Urban Renewal District and public improvements that will stimulate private investment in the area may be financed in part through tax increment generated from the District, subject to a public hearing and adoption of the draft modified urban renewal plan by ordinance.

3. Public Hearing. A public hearing is hereby called and shall be held on July 12, 2021 at 5:30 p.m. at the Regular Meeting of the Billings City Council held via hybrid format online and at the Billings Public Library Community Room, on whether to expand the South Billings Boulevard Urban Renewal District and adopt the draft modified urban renewal plan.

4. Publication and Mailing of Notice. The City Clerk is hereby authorized and directed to cause notice of the public hearing to be published in the Yellowstone County News at least once a week for two consecutive weeks prior to the date set for the hearing to the persons whose names appear on the county treasurer's tax roll as the

owners, reputed owners, or purchasers under contract for the deed of the Properties legally described above, and at the addresses shown on the tax roll.

APPROVED AND PASSED by the City Council of the City of Billings this 10th day of May, 2021.



CITY OF BILLINGS:

BY: William A. Cole  
William A. Cole, Mayor

ATTEST:

BY: Denise R. Bohlman  
Denise R. Bohlman, City Clerk

# EXHIBIT A

