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City of Missoula  
435 Ryman St.  
Missoula MT 59802

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 ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year" (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 \_\_\_\_\_, 2022, 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notice of such meeting given as required by law; and that the resolution has not as of the date hereof been amended or repealed.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: \_\_\_\_\_

\_\_\_\_\_ ; voted against the same: \_\_\_\_\_

\_\_\_\_\_ ; abstained from voting thereon: \_\_\_\_\_

\_\_\_\_\_ ; or were absent: \_\_\_\_\_

Witness my hand and seal officially this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Martha I. Rehbein, CMC  
City clerk

(seal)

Resolution no. \_\_\_\_\_

A resolution relating to ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year

Whereas, the city is granted the power pursuant to section 7-14-4109, section 7-14-4122, section 7-15-4125, M.C.A. and city of Missoula municipal code title 12, chapter 12.10, to order, regulate and provide for the construction or repair of 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 (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 attached hereto describing the improvements.

The actual cost to be assessed against any benefited property will be determined by the actual amount of work completed 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 twenty (20) 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.

Passed by the city council of the city of Missoula, Montana, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
John Engen, Mayor

Attest: \_\_\_\_\_  
Martha I. Rehbein, CMC  
City Clerk