

RESOLUTION NO. 5954

A RESOLUTION CREATING A TOURISM BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE TERMS OF TITLE 7, CHAPTER 12, PART 11 OF MONTANA CODE ANNOTATED.

WHEREAS, pursuant to Title 7, Chapter 12, Part 11 of Montana Code Annotated, the City of Kalispell is authorized to create business improvement districts; and

WHEREAS, the City of Kalispell was presented with petitions signed by the owners of more than 60% of the area of the property to be included in the district composed of noncontiguous areas that have the common purpose of providing overnight stays at lodging facilities which properties are shown on the attached Exhibit "A" and which by this reference is made a part hereof; and

WHEREAS, the aforementioned petition requests that the City of Kalispell create a business improvement district for up to ten (10) years, pursuant to Section 7-12-1141 MCA; and

WHEREAS, the purpose of said business improvement district appears to promote the health, safety, prosperity, security and general welfare of the inhabitants of the City of Kalispell and the proposed district, and appears to be of special benefit to the property within the boundaries of said proposed district; and

WHEREAS, on November 4, 2019 the Kalispell City Council issued Resolution 5947 declaring its intent to create a business improvement district for the City of Kalispell, Montana, to fix a date of a public hearing for December 2, 2019, and to provide for publication of notice of said hearing; and

WHEREAS, the City Clerk caused proper notice of passage of the resolution to be published as provided in MCA 7-1-2121 and by mailing a copy of the notice to every owner of real property within the proposed district listed on the last completed assessment roll for state, county, and school district taxes, at the owner's last-known address, on the same day the notice was first published or posted; and

WHEREAS, upon proper notice having been given and upon the expiration of 15 days as required by MCA 7-12-1113, the office of City Clerk received no written protests, and there is therefore insufficient protest to bar proceedings as allowed by MCA 7-12-1114.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KALISPELL AS FOLLOWS:

SECTION 1. That the Kalispell City Council shall create a business improvement district, effective July 1, 2020, pursuant to Title 7, Chapter 12, Part 11 Montana Code Annotated, the term of which shall be ten (10) years and which shall be known as the "Kalispell Tourism Business Improvement District."

SECTION 2. Said business improvement district shall be those properties identified on the attached Exhibit "A" which by this reference is made a part hereof as well as any future lodging facility located within the corporate limits of the City of Kalispell with five or more rooms providing overnight stays for transient patrons as its business.

PASSED AND APPROVED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR OF THE CITY OF KALISPELL, THIS 16TH DAY OF DECEMBER, 2019.



Mark Johnson
Mayor

ATTEST:



Aimee Brunckhorst, CMC
City Clerk



EXHIBIT "A"

**Legal Description
Kalispell Tourism Business Improvement District**

The boundaries of the District shall be all parcels, tracts, lots and blocks within the corporate limits of the City of Kalispell where a five or more room hotel is located and providing overnight stays as a lodging facility for transient patrons as its business.

This description currently identifies all of the following lodging businesses located at the respective described street addresses and within the respective described legal parcel.

**Aero Inn, 1830 Highway 93 South
Siri Hari LLC, 1130 E. Main St, Cut Bank, MT 59427
Assessor No. 0112600
Acres 1.47**

Lot 1A of the Resubdivision of Lot 1 of Block 1 of Airport Addition to Kalispell, Subdivision 73, in Section 20, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

**America's Best Value Inn, 1550 Highway 93 North
SHRI Karishna, LLC, 1130 E. Main St., Cut Bank, MT 59427
Assessor No. 0976349
Acres 0.94**

Resubdivision of Lot 1 of Hall Addition in Section 6, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

**Blue & White Motel, 640 East Idaho
Blue & White Motel, Inc., PO Box 249, Kalispell, 59903
Assessor No. 0084500
Acres 2.81**

Tracts 30-18, 30-20B and 30-27 in the Northwest Quarter of the Southwest Quarter of Section 8, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

**Econo Lodge Inn & Suites, 1680 Highway 93 South
SHRI HARI LLC, 1130 E. Main St., Cut Bank, MT 59427
Acres 1.47**

Assessor No. 0703050
Unit 1 of Diamond Lil's Condominiums in Section 17, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana

Assessor No. 0971720

Unit 3 of Diamond Lil's Condominiums in Section 17, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana

(Johnson Properties LLC) Assessor No. 0277026

Unit 2 of Diamond Lil's Condominiums in Section 17, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana

**Fairbridge Inn & Suites, 1701 Highway 93 South
RMH9 LLC, PO Box 66, Harrison, ID 83833-0066**

Assessor No. 0877530

Acres: 4.67 and 2.29

Lots 1, 2 and 3 of Ryker Addition to Kalispell Amended Lots 1-10 in Block 2 in Section 17, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

Glacier Ridge Suites, 281 1st Avenue WN

Camren Center LLC, 281 1st Ave WN

Assessor No. 0946500

Acres 0.16

Lots 19 and 20 in Block 6, Kalispell Original Townsite, in Section 18, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

Hampton Inn Kalispell, 1140 Highway 2 West

Spring Creek Development, LLC, 12906 N. Addison St, Spokane, WA 99218

Assessor No. 0981479

Acres 4.78

Tract 1 of Certificate of Survey 15567 located in the Southeast Quarter of the Southeast Quarter of Section 12, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana

Hilton Garden Inn, 1845 Highway 93 South

Kalispell Hotel, LLC,

Assessor No. 0586900

Acres 3.44

Tract 1 of Certificate of Survey No. 17045, a tract of land situated, lying, and being the North half of the Northwest Quarter of Section 20, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

Holiday Inn Express, 275 Treeline Road

DNRC, Property Owner: Cal Clausen, Sterling Hospitality, 8923 E. Mission #135, Spokane Valley, WA 99210

Assessor No. 0012481 and 0503466

Acres 3.45

Imp 1906 on Lot 1 of the Holiday Inn Express Subdivision in Section 36, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana

Homewood Suites by Hilton, 195 Hutton Ranch Rd

Buffalo Ventures II LLC, 17 Lockwood Dr., Ste, 400, Charleston, SC 29401

Assessor No. 0501948

Acres 3.21

Lot 6 of Hutton Ranch Plaza Phase 1 Subdivision in the Northwest quarter and Southwest quarter of Section 31, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana

Kalispell Grand Hotel, 100 Main Street

CM Clark, PO Box 986, Kalispell, 59903

Assessor No. 0020900

Acres 0.16

Lots 1 and 2 of Kalispell Original Townsite in Section 18, Township 28 North, Range 21 West, P.M.M. Flathead County, Montana

Marriott Springhill Suites, 250 Old Reserve Drive

DNRC, Property Owner: Mike Johnson, 2900 Harrison Ave, Butte, MT 59701

Assessor No. 0014871

Acres 2.304

That portion of the south one-half (S 1/2), Section 36, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, more particularly described as follows:

Commencing at the center 1/4 corner of said Section 36; thence along the East-West mid-section line of said Section 36, S89°58'06" E 867.68 feet to the southerly right-of-way of Reserve Loop and to the beginning point of a curve to the left having a radius of 935.04 feet from which the radius point bears N21°02'033" E, thence along said right-of-way and along said curve an arc length of 342.96 feet; thence continuing along said right-of-way S89°58'22" E 57.56 feet to the true point of beginning of the tract of land herein described; thence continuing along said right-of-way S89°58'06" E 335.13 feet; thence S00°12'01" W 300.00 feet; thence N89°58'06" W 333.92 feet; thence N00°01'47" W 300.00 feet to the true point of beginning, containing 2.304 acres.

Montana Base Camp, 1000 Base Camp Drive
Andy Matthews
Assessor No. 0013911
Acres 47.8

Tract 1 and Tract 2 of Certificate of Survey 20796 in the Southern Half of the Southeast Quarter of Section 29 and North Half of the Northeast Quarter of Section 32, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

Motel 6, 1540 Highway 93 South
Ashish Patel, Rujava LLC, 818 Scott Blvd, Santa Clara, CA 95050
Assessor No. 0599250
Acres 1.87

A portion of Lot 7 and a portion of the Northerly 50 feet of Lot 8, Block 1 of the Plat of Poston Addition in Section 17, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

My Place, 755 Treeline Rd
Mike Johnson, 2900 Harrison Ave, Butte, MT 59701
Assessor No. 0507168
Acres 2.29

Lot 1 of Treeline Center Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Quality Inn, 1330 Highway 2 West
Nikhil Parekh, Rujava LLC, 818 Scott Blvd, Santa Clara, CA 95050
Assessor No. 0428680
Acres 2.65

A portion of Tract 1B in 4B's Addition Number 45 in Section 12, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana

Red Lion Hotel, 20 North Main
RLH Corp, Gary Sims, 1550 Market St, Ste 350, Denver, CO 80202
Assessor No. 0974450
Acres 22.45

Tracts SBA and 2AB in Southeast Quarter of the Southwest Quarter of the South Half of the Southeast Quarter in Section 7, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

Super 8, 1341 1st Avenue East
RL Morse Inc, 1341 1st Ave E, Kalispell 59901-5801
Assessor No. 0036470
Acres 1.01

Tracts 5XB, 5-23A, 5-23AA and 5FA in the Southwest Quarter of the Southwest Quarter of Section 17, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana

Travelodge, 350 North Main
Hari Darshan LLC, 1130 E. Main St., Cut Bank, MT 59427-3126
Assessor No. 0263865
Acres 0.964

Lots 1 through 6 and 9 through 12 of Block 241, Kalispell Addition 6, in Section 7, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana