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JB

CERTIFICATE AS TO RESOLUTION ADOPTING ORDINANCE

I, the undersigned, being the duly qualified and acting recording officer of the County of Missoula, Montana (the "County"), hereby certify that the attached Ordinance is a true copy of a Resolution No. 2011-092, entitled: "**ORDINANCE RELATING TO MISSOULA COUNTY AIRPORT TAX INCREMENT FINANCING INDUSTRIAL DISTRICT; MODIFYING THE BOUNDARIES TO INCLUDE CERTAIN PARCELS OF LAND**" (the "Ordinance"), on file in the original records of the County in my legal custody; that the Resolution was duly adopted by the Board of County Commissioners of the County at a regular meeting on July 21, 2011, and a Revised Resolution No. 2011-088 adopted on July 28, 2011, and that the meeting was duly held by the Board of County Commissioners 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 been amended.

I further certify that, upon vote being taken on the Ordinance at said meeting, the following Commissioners voted in favor thereof: Jean Curtiss, Bill Carey and Michele Landquist; voted against the same: None; abstained from voting thereon: None; or were absent: None.

WITNESS my hand and seal officially this 31st day of August, 2011



Vickie M Zeier
County Clerk and Recorder

201116375 B: 883 P: 802 Pages: 29
09/30/2011 02:00:46 PM Resolution
Vickie M Zeier, Missoula County Clerk & Recorder



RESOLUTION NO. 2011 - 092
ADOPTING A MISSOULA COUNTY ORDINANCE

**ORDINANCE MODIFYING THE BOUNDARIES OF THE MISSOULA
COUNTY AIRPORT TAX INCREMENT FINANCING INDUSTRIAL
DISTRICT; MODIFYING THE BOUNDARIES TO INCLUDE
CERTAIN PARCELS OF LAND**

BE IT ORDAINED by the Board of County Commissioners (the "Board") of the County of Missoula, Montana (the "County"), as follows:

Section 1. Recitals.

1.01. The County is authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act") to create tax increment industrial infrastructure districts for industrial infrastructure development projects, to encourage growth and retention of secondary value-adding industries and to use tax increment financing within such districts for industrial infrastructure projects.

1.02. Pursuant to Resolution No. 91-011, duly adopted on February 7, 1991, this Board made certain preliminary findings, declared its intention to create a tax increment industrial infrastructure district designated "Missoula County Airport Industrial District" (the "District"), and called a public hearing on the proposal to create the District.

1.03. At the public hearing held on February 27, 1991, all persons were given an opportunity to be heard with respect to the matter, and after discussion and consideration of all views expressed, the Board adopted Resolution No. 91-029 on March 20, 1991, creating the District and making various findings with respect thereto.

1.04. Pursuant to Resolution No. 91-094, adopted October 15, 1991, this Board modified the boundaries of the District.

1.05. Pursuant to Resolution No. 95-103, adopted on November 28, 1995, the County changed the name of the District to "Missoula County Airport Tax Increment Industrial Infrastructure District."

1.06. When Resolution No. 95-103 was adopted, the boundaries of the District were as shown on Exhibit A attached hereto.

1.07. A. The County has, pursuant to Resolution No. 97-097, approved on September 24, 1997 (the "Bond Resolution"), issued its \$2,465,000 Tax Increment Industrial Infrastructure Bonds, Series 1997. Subsequent to the creation of the District, land within the District had been developed for purposes other than industrial uses and there were additional lands within the District that the County had determined were better suited for other types of development.

B. The County has, pursuant to Resolution No. 2006-127, approved on September 12, 2006 (the "Bond 2006 Project Financing and Refunding Resolution"), and subsequently issued \$4,950,000 of Tax Increment Industrial Infrastructure Bonds, Series 2006 to refund for savings approximately \$1,690,000 of outstanding 1997 bonds and issue approximately \$3,255,000 of new money bonds to finance the "2006 Infrastructure Projects."

1.08. Subsequent to the creation of the District, the Missoula County Airport Authority purchased additional property and has asked the County to include these additional lands within the Tax Increment Financing District.

Additionally, the County owns Lot 1, Block 4, Missoula Development Park – Phase 1. The lot was rezoned from commercial to Missoula Development Park Special Zoning District Light Industrial. The County has requested that the lot be included into the Tax Increment Financing District.

1.09. The County proposes to expand the boundaries of the District the property as shown on Exhibit B attached hereto and more particularly described as shown on Exhibit C (the “Designated Parcels.”)

1.10. Pursuant to Resolution No. 2011-081, adopted on July 21, 2011, and Revised Resolution No. 2011-088 adopted on July 28, 2011, this Board set forth its intention to modify the Missoula County Airport Tax Increment Financing Industrial District boundaries to include certain parcels of land and called for a public hearing thereon.

1.11. At a public hearing duly called and noticed, held on August 10, 2011, and August 31, 2011, the Board gave all persons wishing to comment on the boundary modification an opportunity to do so; representatives of the Missoula County Airport Authority presented Findings of Fact supporting inclusion of the Airport property; Barbara Martens, representing Missoula County, presented Findings of Fact supporting inclusion of Lot 1, Block 4, Missoula Development Park – Phase 1. Copies of the Findings are attached and incorporated herein.

1.12. The Board, after taking into consideration comments at the public hearing and all information available to it, has determined it necessary and desirable that the County modify the boundaries of the Missoula County Airport Tax Increment Financing Industrial District for the purpose of encouraging the location and retention of secondary value adding development projects in the county.

1.13. The Missoula County Airport Tax Increment Financing Industrial District boundary modification meets the following criteria:

- A. The proposed district consists of a continuous area with an accurately described boundary;
- B. The proposed district is zoned for light or heavy industrial use in accordance with the area growth policy document;
- C. The proposed district does not include any property included within an existing urban renewal area, technology district, or aerospace transportation and technology district created pursuant to this part;
- D. The proposed district is found to be deficient in infrastructure improvements for industrial development; and
- E. The proposed district has as its purpose the development of infrastructure to encourage the growth and retention of secondary, value-adding industries.

1.14. The current incremental taxable value of the District is \$2,267,317. The incremental taxable value of the District upon the inclusion of the Designated Parcels is \$2,267,317. The number of mills currently levied in the District is 600.67. The Incremental Taxable Value of the District with the inclusion of the Designated Parcels will be \$2,267,317, and to which, when the 2011 mill rate is applied, produces an estimated Tax Increment of \$1,361,909. The maximum principal and interest requirements on the Outstanding Bonds is \$528,400. The amount of increment to be generated from the District of \$1,367,909 is more than 258% of the maximum principal and interest requirements on the Outstanding Bonds.

Section 2. Purpose. The purpose of this Ordinance is to modify the Missoula County Airport Tax Increment Financing Industrial District boundaries to include certain parcels of land within the district and for the development of infrastructure to encourage the growth and retention of secondary, value-adding industries.

Section 3. Definitions. The definitions set forth in the Ordinance creating the district and the subsequent documents apply to the terms herein.

Section 4. Boundaries of the District. The Board hereby modifies the boundaries of the Missoula County Airport Tax Increment Financing Industrial District (the "District"), the boundaries which are shown on the map identified as Exhibit B and described in Exhibit C.

Section 5. Costs which may be paid by tax increment financing. The tax increment received from the industrial district may be used to pay any costs incurred for an Infrastructure Development Project in the District including the following:

- A. Land acquisition
- B. Demolition and removal of structure
- C. Relocation of occupants
- D. Infrastructure
- E. Preparation of a development plan
- F. Conducting appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of infrastructure development projects
- G. The acquisition of infrastructure-deficient areas or portions thereof
- H. The administrative costs associated with the management of the industrial district
- I. The assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself at its fair value
- J. The compilation and analysis of pertinent information required to adequately determine the infrastructure needs of an industrial district
- K. The connection of the industrial district to existing infrastructure outside the industrial district
- L. The tax increments received may be pledged for the payment of the principal of, premiums, if any, and interest on bonds which the County may issue for the purpose of providing funds to pay for infrastructure development projects

Section 6. Election to Use Tax Increment Financing. The Industrial Act authorizes the use of tax increment financing pursuant to the provisions of Sections 7-15-4828, M.C.A. through 7-15-4299, M.C.A. The County hereby elects to use tax increment financing in the District. Tax increment derived in the District shall be desegregated for the benefit of the District and allocated and applied by the County for the purposes set forth in this Ordinance.

Section 7. Base Year. For the purpose of calculating the incremental taxable value each year for the District, the base taxable value shall be as set forth in the Ordinance creating the District, as modified by the Department of Revenue.

Section 8. Prior Ordinances and Resolutions. All terms set forth in the Ordinance creating the District and subsequent Ordinances and Resolutions approved by this Board are incorporated herein, unless such terms are in direct conflict with the terms herein in which case the conflicting terms are repealed.

Section 9. Calculation of Base, Actual, and Incremental Taxable Values. The County Clerk and Recorder shall file a copy of this Ordinance upon adoption with the Montana Department of Revenue (the "Department") and request that the Department immediately upon receipt of the Ordinance calculate and report to the County and any other affected taxing jurisdiction the base, actual, and incremental taxable values of the property.

Section 10. Filing of the Ordinance. The County Clerk and Recorder shall also file a copy of the Ordinance upon adoption with the Clerk of Missoula County High School District No. 1, Missoula Elementary School District No. 1, DeSmet Elementary School District No. 20, and any other taxing jurisdiction levying a property tax against the property located in the District.

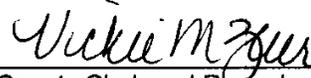
Section 11. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its final passage and adoption by the Board of County Commissioners of Missoula County, Montana.

**APPROVED AND ADOPTED by the Board of County Commissioners of the
County of Missoula, Montana, this 31st day of August, 2011**

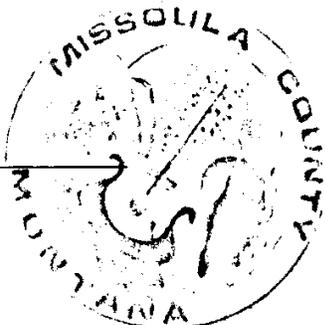


Jean Curtiss, Chair
Board of County Commissioners

Attest:



County Clerk and Recorder
(SEAL)



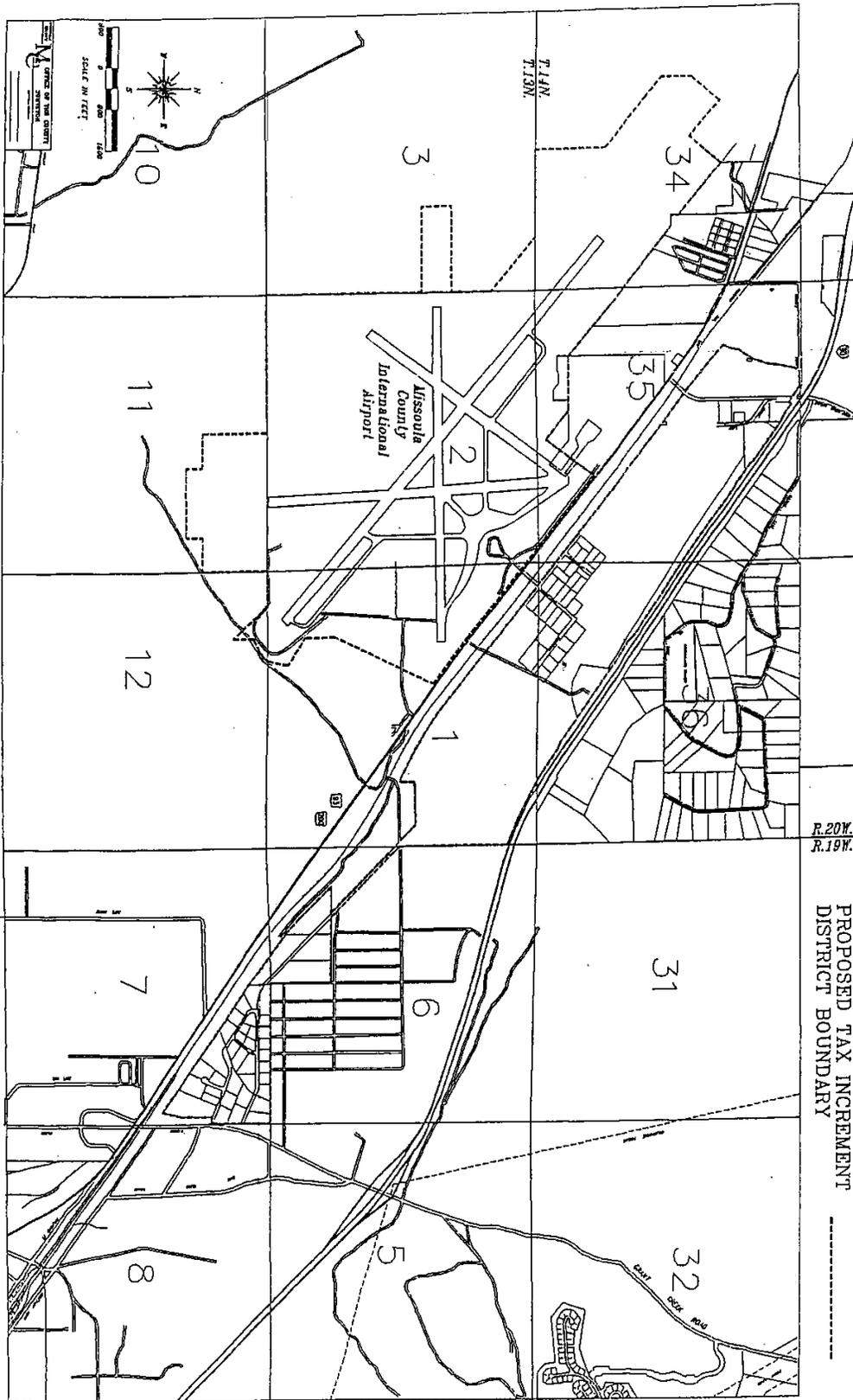
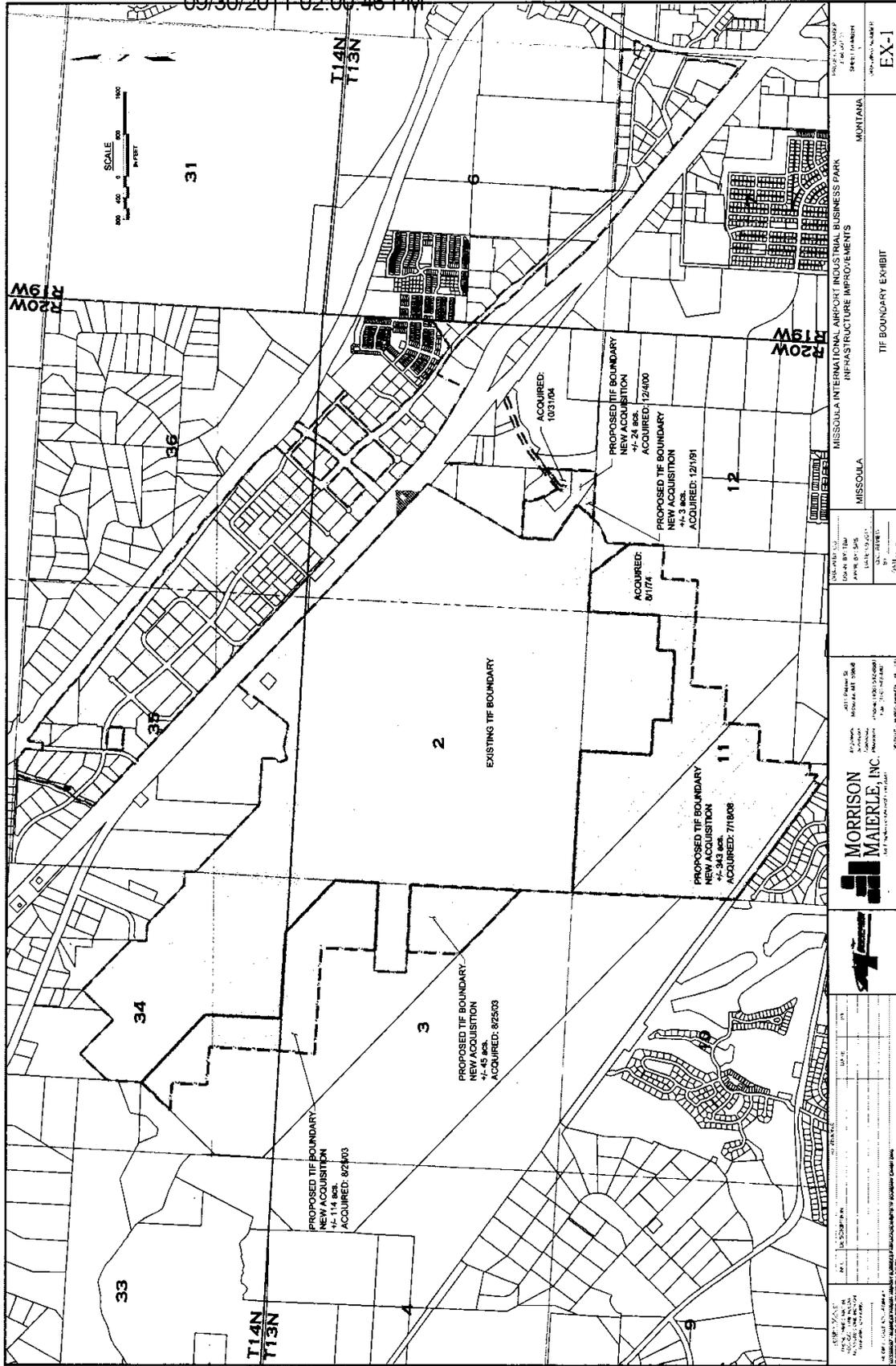


EXHIBIT A

91 MAR 20 PM 2 '29

9104152

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 20 DAY OF Mar 19 91 AT 2:29 O'CLOCK P.M. AND IT IS RECORDED
 IN VOL 326 PAGE 1514 OF THE BOOK OF RECORDS, STATE OF MONTANA, ON PAGE 1509 FEE PAID
 RETURN TO _____ WITH MY HAND, WENDY CHAMWELL, COUNTY RECORDER
 ADDRESS Resolution file BY [Signature] DEPUTY DOC RES



<p>MORRISON MAIERLE, INC. 11111 1st Avenue SE Suite 100 Bellevue, WA 98004 Phone: 206.451.1000 Fax: 206.451.1001 www.morrisonmaierle.com</p>		<p>MISSOULA INTERNATIONAL AIRPORT INDUSTRIAL BUSINESS PARK INFRASTRUCTURE IMPROVEMENTS MISSOULA, MONTANA</p>	<p>EX-1</p>
<p>DATE: 09/30/2011 TIME: 02:00:46 PM USER: [unreadable]</p>	<p>PROJECT: MISSOULA INTERNATIONAL AIRPORT INDUSTRIAL BUSINESS PARK INFRASTRUCTURE IMPROVEMENTS</p>	<p>STATE: MONTANA</p>	<p>TIF BOUNDARY EXHIBIT</p>

TIF LEGAL DESCRIPTION – NORTH OF HIGHWAY 10 WEST

LANDS LOCATED WITHIN SECTIONS 35 AND 36, TOWNSHIP 14 NORTH, RANGE 20 WEST, P.M.M., AND WITHIN SECTION 1, TOWNSHIP 13 NORTH, RANGE 20 WEST, P.M.M., AND WITHIN SECTIONS 6 AND 7, TOWNSHIP 13 NORTH, RANGE 19 WEST, P.M.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1. ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 35:

- **ALL LANDS LYING NORTH OF THE MONTANA RAIL LINK RIGHT-OF-WAY, AND SOUTH OF US INTERSTATE 90 AND EAST OF BUTLER CREEK;**

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- **PARCEL B AS DESCRIBED ON CERTIFICATE OF SURVEY NO. 2168, AS RECORDED IN MISSOULA COUNTY, MONTANA;**

2. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 36:

- **ALL LANDS LYING NORTH OF THE MONTANA RAIL LINK RIGHT-OF-WAY, AND SOUTH OF US INTERSTATE 90;**

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- **LOTS 6, 7-A, 7-B, 8, AND 9, BLOCK 9 OF MISSOULA DEVELOPMENT PARK – PHASE 2, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**
- **LOT 1, BLOCK 11 OF MISSOULA DEVELOPMENT PARK – PHASE 2, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**
- **THAT PORTION OF LOT 10, BLOCK 9 OF MISSOULA DEVELOPMENT PARK – PHASE 5A, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**
- **THAT PORTION OF LOT 5, BLOCK 9 OF MISSOULA DEVELOPMENT PARK – PHASE 2, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**
- **THAT PORTION OF LOT 3-A, MISSOULA DEVELOPMENT PARK – PHASE 2, BLOCK 9, LOTS 3-A & 4-A, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**

3. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 1:

- **LOTS 1, 2, AND 3 OF KMJ ADDITION, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**
- **LANDS LYING WITHIN THE RIGHTS-OF-WAY OF AIRWAY BOULEVARD, TRUMPETER WAY, GRIZZLY COURT, EAST HARRIER, Tanager WAY, AND HARLEQUIN COURT;**
- **THAT PORTION OF SAID SECTION 1 LYING NORTH OF THE MONTANA RAIL LINK RIGHT-OF-WAY, AND SOUTH OF EXPRESSWAY;**

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- **LOTS 1-A AND 2-A OF MISSOULA DEVELOPMENT PARK – PHASE 2, BLOCK 10, LOTS 1-A & 2-A, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;**

- LOT 1, BLOCK 13 OF MISSOULA DEVELOPMENT PARK – PHASE 8, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;
 - TRACTS A-1 AND B-1, AND PORTION "A" OF CERTIFICATE OF SURVEY NO. 5891, AS RECORDED IN MISSOULA COUNTY, MONTANA;
4. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 6:
- TRACT A-1 AND A-2 OF CERTIFICATE OF SURVEY NO. 3167, AS RECORDED IN MISSOULA COUNTY, MONTANA;
 - TRACT B OF CERTIFICATE OF SURVEY NO. 2989, AS RECORDED IN MISSOULA COUNTY, MONTANA;
5. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 7:
- ALL LANDS LYING WITHIN GRANT CREEK CENTER, PHASE I, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;
 - ALL LANDS LYING WITHIN GRANT CREEK CENTER, PHASE II, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;
 - ALL LANDS LYING WITHIN GRANT CREEK CENTER, PHASE I, LOTS 1 & 2, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;
 - THOSE PORTIONS OF TRACTS A-1 AND A-2 OF CERTIFICATE OF SURVEY NO. 3167, AS RECORDED IN MISSOULA COUNTY, MONTANA;
6. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 8:
- THAT PORTION OF LANDS LYING WITHIN GRANT CREEK CENTER, PHASE I, LOTS 1 & 2, A RECORDED SUBDIVISION IN MISSOULA COUNTY, MONTANA;
7. TOGETHER WITH ALL LANDS LYING WITHIN THE RIGHT-OF-WAY OF EXPRESSWAY, FROM THE CENTERLINE OF BUTLER CREEK TO THE WEST RIGHT-OF-WAY OF RESERVE STREET.

TIF LEGAL DESCRIPTION – SOUTH OF HIGHWAY 10 WEST

LANDS LOCATED WITHIN SECTIONS 34 AND 35, TOWNSHIP 14 NORTH, RANGE 20 WEST, P.M.M., AND WITHIN SECTIONS 1, 2, 3, 11 AND 12, TOWNSHIP 13 NORTH, RANGE 20 WEST, P.M.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1. ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 34:

- TRACTS A1, A2, A3, B1, B2, D, AND H OF DEED EXHIBIT NO. 2373, AS RECORDED IN THE MISSOULA COUNTY CLERK AND RECORDER'S OFFICE, MISSOULA, MT;
- THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (SE1/4 SE1/4) OF SAID SECTION 34;
- THE SOUTH HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (S1/2 NE1/4 SE1/4) OF SAID SECTION 34;
- THAT PORTION OF TRACT 1 OF CERTIFICATE OF SURVEY NO. 5431, AS RECORDED IN MISSOULA COUNTY, MONTANA, THAT LIES WITHIN SAID SECTION 34;

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (S1/2 NW1/4 SW1/4) OF SAID SECTION 34;
- THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SW1/4 SW1/4) OF SAID SECTION 34;
- THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (W1/2 SE1/4 SW1/4) OF SAID SECTION 34;

2. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 35:

- THAT PORTION OF THE SOUTH ONE-HALF (S1/2) OF SAID SECTION 35 THAT LIES SOUTH OF THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF US HIGHWAY 93 AND 10;

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- TRACT 1 OF CERTIFICATE OF SURVEY NO. 621, AS RECORDED IN MISSOULA COUNTY, MONTANA;
- TRACT A OF CERTIFICATE OF SURVEY NO. 5502, AS RECORDED IN MISSOULA COUNTY, MONTANA;
- THOSE PARTICULAR LANDS OWNED BY THE UNITED STATES OF AMERICA;
- THAT PARTICULAR PORTION OF LAND LOCATED WITHIN SAID S1/2 OF SAID SECTION 35 OWNED BY MISSOULA COUNTY, MONTANA;

3. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 1:

- THAT PORTION OF THE WEST HALF (W1/2) OF SAID SECTION 1 THAT LIES SOUTH OF THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF US HIGHWAY 93 AND 10;
- ALL RIGHTS-OF-WAY FOR WHIPPOORWHILL DRIVE, AN EXISTING PUBLIC ROAD IN MISSOULA COUNTY, MONTANA;

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

Description SOUTH.docx

- TRACT C OF CERTIFICATE OF SURVEY NO. 2505, AS RECORDED IN MISSOULA COUNTY, MONTANA;
 - THAT PORTION OF TRACT B-1 OF CERTIFICATE OF SURVEY NO. 4056, AS RECORDED IN MISSOULA COUNTY, MONTANA, NOT LYING WITHIN THE RIGHT-OF-WAY OF SAID WHIPPOORWHILL DRIVE;
 - THAT PORTION OF LOT 1 OF CROSSROAD SOUTH DEVELOPMENT PARK, A SUBDIVISION RECORDED IN MISSOULA COUNTY, MONTANA, NOT LYING WITHIN THE RIGHT-OF-WAY OF SAID WHIPPOORWHILL DRIVE;
4. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 2:
- THAT PORTION OF SAID SECTION 2 THAT LIES SOUTH OF THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF SAID US HIGHWAY 93 AND 10;
5. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 3:
- THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER (E1/2 NE1/4) OF SAID SECTION 3;
 - THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (N1/2 NW1/4 NE1/4) OF SAID SECTION 3;
 - THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NE1/4 NE1/4 NW1/4) OF SAID SECTION 3;
 - THAT PORTION OF THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER (E1/2 SE1/4) OF SAID SECTION 3 THAT LIES WITHIN TRACT 1 OF CERTIFICATE OF SURVEY NO. 5431, AS RECORDED IN MISSOULA COUNTY, MONTANA;
6. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 11:
- TRACTS 2A AND 2B OF CERTIFICATE OF SURVEY NO. 6069, AS RECORDED IN MISSOULA COUNTY, MONTANA;
 - THAT PORTION OF TRACT 3 OF CERTIFICATE OF SURVEY NO. 5524, AS RECORDED IN MISSOULA COUNTY, MONTANA;
 - THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER (N1/2 NE1/4) OF SAID SECTION 11;
 - THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (N1/2 NE1/4 SW1/4 NE1/4) OF SAID SECTION 11
 - THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (N1/2 NW1/4 SE1/4 NE1/4) OF SAID SECTION 11

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (NE1/4 SE1/4) OF SAID SECTION 11;
- THE SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (S1/2 SE1/4 NE1/4) OF SAID SECTION 11;

- THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (E1/2 NW1/4 SE1/4) OF SAID SECTION 11;
- THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (SW1/4 NW1/4 SE1/4) OF SAID SECTION 11;

7. TOGETHER WITH ALL OF THE FOLLOWING LANDS LOCATED WITHIN SAID SECTION 12:

- THE NORTHWEST ONE-QUARTER OF SAID SECTION 12;

LESS AND EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED LANDS:

- TRACT 5 OF CERTIFICATE OF SURVEY NO. 3176, AS RECORDED IN MISSOULA COUNTY, MONTANA;
- THAT PORTION OF TRACT A OF CERTIFICATE OF SURVEY NO. 4017, AS RECORDED IN MISSOULA COUNTY, MONTANA;
- THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NE1/4 SW1/4 NW 1/4) OF SAID SECTION 12;
- THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (S1/2 SW1/4 NW1/4) OF SAID SECTION 12;



MISSOULA COUNTY AIRPORT TAX INCREMENT FINANCING INDUSTRIAL DISTRICT; MODIFYING THE BOUNDARIES TO INCLUDE ADDITIONAL LANDS OWNED BY THE MISSOULA AIRPORT AUTHORITY

FINDINGS OF FACT AS REQUIRED BY MCA 7-15-4299

A. The proposed district consists of a continuous area with an accurately described boundary.

Findings of Fact

On March 21, 1991, the Missoula County Commissioners approved Resolution No. 91-029 which established a tax increment finance industrial district ("TIF District"), pursuant to § 7-15-4299, MCA.

The proposed district expansion is adjacent to the existing Missoula County Airport Tax Increment Financing Industrial District boundary.

The attached Map Exhibit B illustrates the areas proposed for TIF district expansion.

There are four distinct yet continuous areas proposed for district expansion:

1. An area contiguous to the northeast tail of the existing TIF boundary, containing 24 acres.
2. An area contiguous to the southeast of the existing TIF boundary, containing 343 acres.
3. An area contiguous to the southwest of the existing TIF boundary, containing approximately 114 acres.
4. An area contiguous to the southwest of the existing TIF boundary, containing approximately 45 acres.

The boundaries of the three areas proposed for expansion are described by base parcel survey data and zoning district boundaries as shown in Map Exhibit B. Final metes and bounds descriptions describing district boundaries will be provided by prior to the 30 day ordinance adoption period.

Conclusion of Law

All areas of the proposed district are contiguous to the existing TIF boundary and therefore will be within a continuous area if the boundary is expanded. All areas of the proposed district will be accurately described as shown in Map Exhibit B prior to final ordinance adoption.

B. The proposed district is zoned for light or heavy industrial use in accordance with the area growth policy document.

Findings of Fact

The proposed district is currently zoned C-11, Light Industry per the Missoula County Zoning regulations. See Zoning Map Exhibit A.

Existing plans that impact and governs the construction of a business park:

Missoula County Growth Policy 2005 Update – Amended March 25, 2010

The Growth Policy states:

Conserve resources and minimize transportation demand in rural areas by structuring commercial centers around existing facilities.

Allocate land for commercial and industrial land uses that meets their specific needs and adheres to adopted land use policy. Efficiently and economically provide public services to those areas.

Encourage new industrial projects to locate within existing industrial parks and areas already developed for industrial use.

A business park at the Airport will:

1. Allow for diverse business and employment opportunities and a competitive business climate.
2. Support a stable economy by encouraging “clean” industries that utilize raw materials and diversify demand dependence; concentrating economic expansion on stable industries with long term prospects; encouraging a broad economic base; and encouraging economic expansion that meets residents’ needs first.

Finally, with regard to the airport, the Growth Policy states two action items:

First it is recommended that long-range planning is conducted, specifically, the airport master plan update (accomplished in 2008).

Second, complete regulatory reforms in accordance with adopted policy, review and revise zoning districts with special attention paid to zoning designations in the vicinity of the airport. The TIF expansion is for areas currently zoned for light industrial use. If nonaviation development is proposed in the future outside of the TIF district, regulatory reform including revision of zoning designations will be completed.

Missoula Transportation Improvement Plan (TIP) 2006-2010 did not identify any projects that relate to the development of a business park at the airport.

Missoula Urban Area Comprehensive Plan

The Missoula Urban comprehensive Plan states “...a policy document intended to provide the County and other agencies and districts with a coordinated guide for change over a long period

of time. When making decisions based on the Plan, not all of the goals and implementation proposal can be met to the same degree in every instance. Use of the Plan requires a balancing of its various components on a case-by-case basis, as well as a selection of those goals and implementation proposal most pertinent to the issue at hand.

Chapter 7 of the Missoula Urban Comprehensive Plan: 1998 Update addresses commercial and industrial land uses. For the area around the Missoula International Airport, that plan provides:

"The area surrounding the airport was designated as industrial in the 1975 Urban Comprehensive Plan. This update Plan makes no land use recommendations for this area, designated as the Missoula Airport Planning Area on the Land Use Map. The airport authority has addressed appropriate land use within the airport itself."

2008 Missoula International Airport Master Plan Update

The property within the proposed district is owned by the Missoula County Airport Authority, MCAA.

MCAA is subject to federal laws which require it to conduct airport planning. 49 U.S.C. §§ 47101, 47102(5) and (8), FAA A.C. No. 150/5070-7. The planning required includes development of a Master Plan and an Airport Layout Plan. The Airport Layout Plan must be approved by the Secretary of the Department of Transportation.

MCAA developed a Master Plan and Airport Layout Plan which has been approved by the Secretary of the Department of Transportation. Public meetings were conducted prior to submission of the Master Plan and Airport Layout Plan to the Secretary. The City-County Office of Planning and Grants participated in the development of the Master Plan and the Airport Layout Plan.

In 2008 the Missoula County Airport Authority adopted the 2008 Missoula International Airport Master Plan Update. This document serves as the growth policy for planning on airport lands.

The Master Plan and the Airport Layout Plan designate the Property for aviation or non-aviation commercial industrial development.

Wye-Mullan West Plan

The Wye-Mullan West Plan is a detailed study of an area of Missoula County which includes Missoula International Airport. The Wye-Mullan West Plan designates Airport lands as Public, Quasi Public, Cluster 2 DU/Acre, 4 DU/Acre, Parks and Open Space, Open & Resource and Commercial and Industrial as shown on the Comprehensive Plan Map Exhibit C1 – C2.

Conclusion of Law

The proposed district is zoned light industrial and the proposed land uses are in accordance with the area growth policy document applicable to airport lands.

C. The proposed district does not include any property included within an existing urban renewal area, technology district, or aerospace transportation and technology district created pursuant to this part.

Findings of Fact

The proposed district is adjacent to the existing Missoula County Airport Tax Increment Financing Industrial District boundary, as shown on Map Exhibit B. Airport lands became part of the original Industrial TIF District when the District was created in 1991.

Subsequent to the creation of the District, the Missoula County Airport Authority acquired additional property. For exact acquisition dates, see Map Exhibit B.

The Missoula County Airport Authority is currently requesting that additional properties that comply with state law for creation of TIF districts be added to the existing Missoula County Airport Tax Increment Financing Industrial District

The proposed district additions are not included in any other overlays or districts.

Conclusion of Law

The proposed district does not include any property included within an existing urban renewal area, technology district, or aerospace transportation and technology district.

D. The proposed district is found to be deficient in infrastructure improvements for industrial development.

Findings of Fact

EXCERPTS FROM THE 2008 AIRPORT MASTER PLAN:

The Airport has considered a variety of land use options for the area south of the airport facility and has determined that the ideal future development would comprise of a business park featuring low-rise office and light industrial space. This would provide economic opportunities for the Missoula region by providing additional manufacturing and an additional stream of income for the Missoula County Airport Authority (MCAA).

Airport property development lowers operating cost to the airlines by creating a revenue stream independent of air traffic, thus making the airport more attractive to incoming airlines and the airport more likely to retain existing airlines. Benefits to the community include the creation of jobs, economic activity, tax revenue, etc.

The creation of a business park south of the Missoula International Airport facility is dependent on the provision of utilities.

Currently road access and utilities to the airport property south of the existing main runway is limited.

The majority of the property proposed to be added to the TIF District and south of the airport facility is currently being farmed or is open space with no improvements. There is a one lane,

unpaved private access road entering the property to the east/southeast. There is one irrigation pivot feed from Grant Creek serving the property. There are currently no infrastructure improvements or utilities capable of supporting industrial development.

Conclusion of Law

The property proposed to be added to the TIF District does not contain infrastructure capable of supporting industrial development and is therefore found to be deficient in infrastructure improvements for industrial development.

E. The proposed district has as its purpose the development of infrastructure to encourage the growth and retention of secondary, value-adding industries.

Findings of Fact

The 2008 Airport Master Plan generally discusses the creation of a business park on airport lands. The plan describes an area south of the existing aviation development, which is available for nonaviation development. The Master Plan concludes that a business park will allow for diverse business and employment opportunities and a competitive business climate.

The plan highlights the wood products industry, high-tech and light manufacturers, research and development, and bioscience and bio-medial research as potential industries for growth. They propose to support a stable economy by encouraging "clean" industries that utilize raw materials and diversify demand dependence.

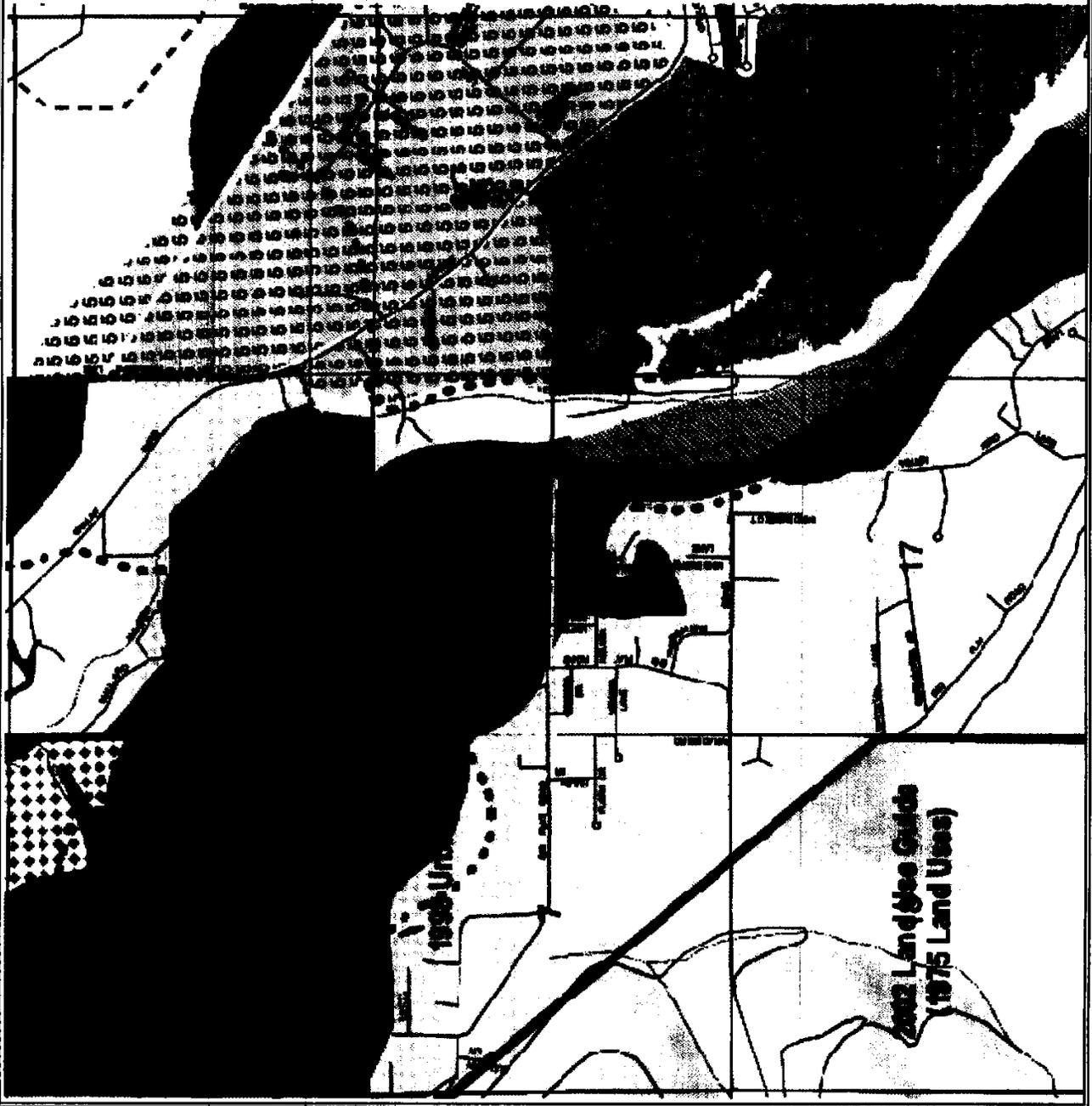
More specifically, the Master Plan included an Industry Sector Analysis and Real Estate Assessment. Findings of the real estate assessment conclude that, "In terms of real estate supply, the flat and level space that is needed to accommodate large industrial and other large-scale business development is somewhat scarce [in Missoula] due to the changing terrain, utilities, access or other factors.

Conclusion of Law

The proposed district expansion will support development as described within the 2008 Airport Master Plan. The purpose of the district is to provide for development of infrastructure to encourage the growth and retention of secondary, value-adding industries in Missoula County.

**COMPREHENSIVE
 PLANS: LAND USE
 T13NR20W Northwest**

- ★ Potential Parks
- Existing Neighborhood Center
- Future Neighborhood Center
- Airport Development Area
- Open Space Corridor (2010 Update)
- Wet Urban Comprehensive Plan Boundary
- Neighborhood Comprehensive Plan Boundary
- Area of Designation #1305 main
- Land Use Designation
- ④ 1 dwelling unit per acre
- ③ 2 dwelling units per acre
- ② 3 dwelling units per 5 acres
- ① 1 dwelling unit per 5-10 acres
- ① 1 dwelling unit per 1/2 acre
- ① Open and Inactive
- ① Cluster 1 dwelling unit per acre
- ① Cluster 2 dwelling unit per acre
- ① Parks and Open Space
- ① Nursery



This land use map is a visual representation of the goals of the Missoula comprehensive plans. While this map and the goals it represents are intended to be the foundation for land use regulatory action, it is not a zoning map. The designations on this map are approximate. Policy decisions based on the designations should consider site-specific conditions and the current controlling plan document.

Prepared by: **City of Missoula**
 Date: **09/30/2011**
 Scale: **1:24,000**
 Source: **City of Missoula Planning & Community Development Department**
 Contact: **City of Missoula Planning & Community Development Department**

Comprehensive Plan Map Exhibit C-2

MISSOULA COUNTY AIRPORT TAX INCREMENT FINANCING INDUSTRIAL DISTRICT; MODIFYING THE BOUNDARIES TO INCLUDE LOT 1, BLOCK 4, MISSOULA DEVELOPMENT PARK – PHASE 1

FINDINGS OF FACT AS REQUIRED BY MCA 7-15-4299

A. The proposed district consists of a continuous area with an accurately described boundary.

Lot 1, Block 4, Missoula Development Park – Phase 1 is located on the southeastern corner of the intersection of Expressway and Butler Creek Road (see Maps A, A-1 and A-2). The subject property is 2.87 acres in size and is currently vacant.

The Missoula County Airport Tax Increment Financing Industrial District currently surrounds Lot 1, Block 4, Missoula Development Park – Phase 1 (see Map B).

B. The proposed district is zoned for light or heavy industrial use in accordance with the area growth policy document.

1) In April of 2011, Lot 1, Block 4, Missoula Development Park – Phase 1 was rezoned from the “Neighborhood Commercial” sub-district to the “Light Industrial sub-district of the Missoula Development Park Special Zoning District (MDPSZD) (see Maps C and C-1). With this rezoning, the request is made to allow Lot 1, Block 4 to rejoin the neighboring lots to become part of the Missoula County Airport Tax Increment Financing Industrial District.

Lot 1, Block 4, Missoula Development Park – Phase 1 is surrounded by the existing Missoula County Airport Tax Increment Financing Industrial District.

- 2) The 1995 Airport Development Park Master Plan anticipated a mix of industrial and commercial uses including Light Industrial uses.
- 3) Missoula County Growth Policy 2005 Update – Amended March 25, 2010
 - a) The Growth Policy states in regards to Development and Patterns and Land Use Objectives for Commercial and Industrial Uses (see Sections 3-4 and 3-5):
 - (1) Allocate land for commercial and industrial land uses that meets their specific needs and adheres to adopted land use policy. Efficiently and economically provide public services to those areas.
 - (2) Encourage new industrial projects to locate within existing industrial parks and areas already developed for industrial use.
- 4) The intent of the Missoula Development Park Special Zoning District is to “accommodate a mix of industry related land uses and community service and support activities.”
- 5) The Missoula Development Park Special Zoning Sub-District of Light Industrial complies with the applicable growth policy and the objectives of the applicable

comprehensive plans, which recommend a mix of commercial and industrial land uses on the site (see Maps D and D-1).

C. The proposed district does not include any property included within an existing urban renewal area, technology district, or aerospace transportation and technology district created pursuant to this part.

Lot 1, Block 4, Missoula Development Park – Phase 1 is surrounded by the existing Missoula County Airport Tax Increment Financing Industrial District and does not include any property within an urban renewal area, technology district, or aerospace transportation and technology district.

D. The proposed district is found to be deficient in infrastructure improvements for industrial development.

Lot 1, Block 4, Missoula Development Park – Phase 1 is surrounded by the existing Missoula County Airport Tax Increment Financing Industrial District. Future infrastructure projects could include curb and gutter. TIF revenue continues to be allocated towards future projects such as landscaping and signage.

The subject property is accessed via Expressway, which is functionally classified as a collector street, and Butler Creek Road, a local street. Via Expressway and Butler Creek Road, the property has access to Interstate 90, a minor arterial street (Highway 10), and another collector street (Airway Boulevard).

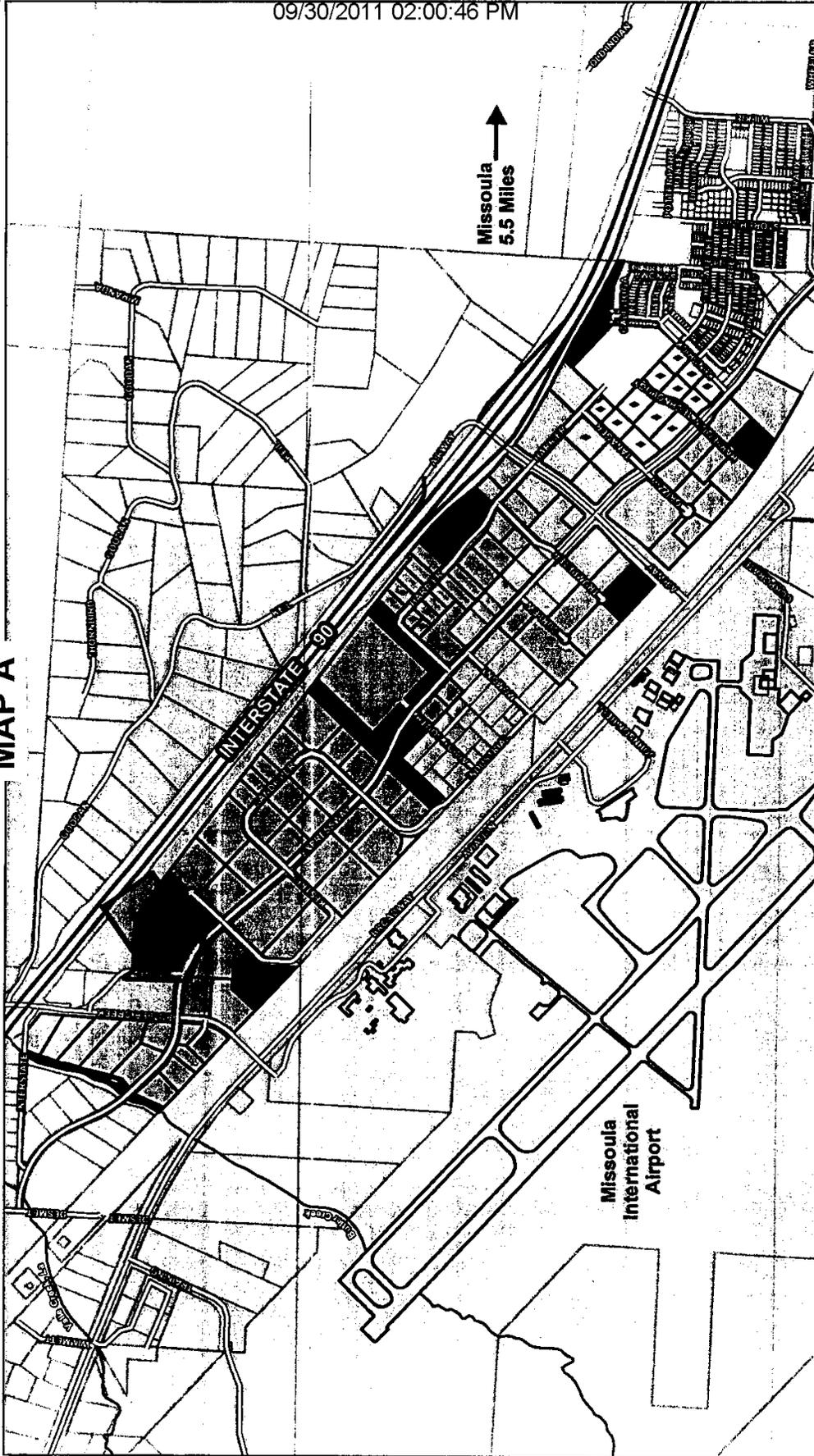
Other public services available to this lot include: water, sewer, gas and electric, and parks.

E. The proposed district has as its purpose the development of infrastructure to encourage the growth and retention of secondary, value-adding industries.

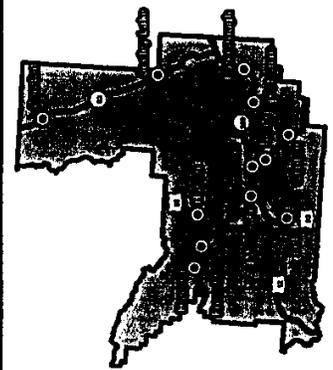
The existing Missoula County Airport Tax Increment Financing Industrial District was originally created in 1991, which included Lot 1, Block 4, MDP – Phase 1. In 2005, this lot was removed from the TIF district because it did not meet the definition of secondary value-adding industry and was zoned "Neighborhood Commercial" sub-district of the Missoula Development Park Special Zoning District.

In April of 2011, Lot 1 Block 4, Missoula Development Park – Phase 1 was rezoned from the "Neighborhood Commercial" sub-district to the "Light Industrial sub-district of the Missoula Development Park Special Zoning District (MDPSZD) and is surrounded by the existing Missoula County Airport Tax Increment Financing Industrial District.

MAP A



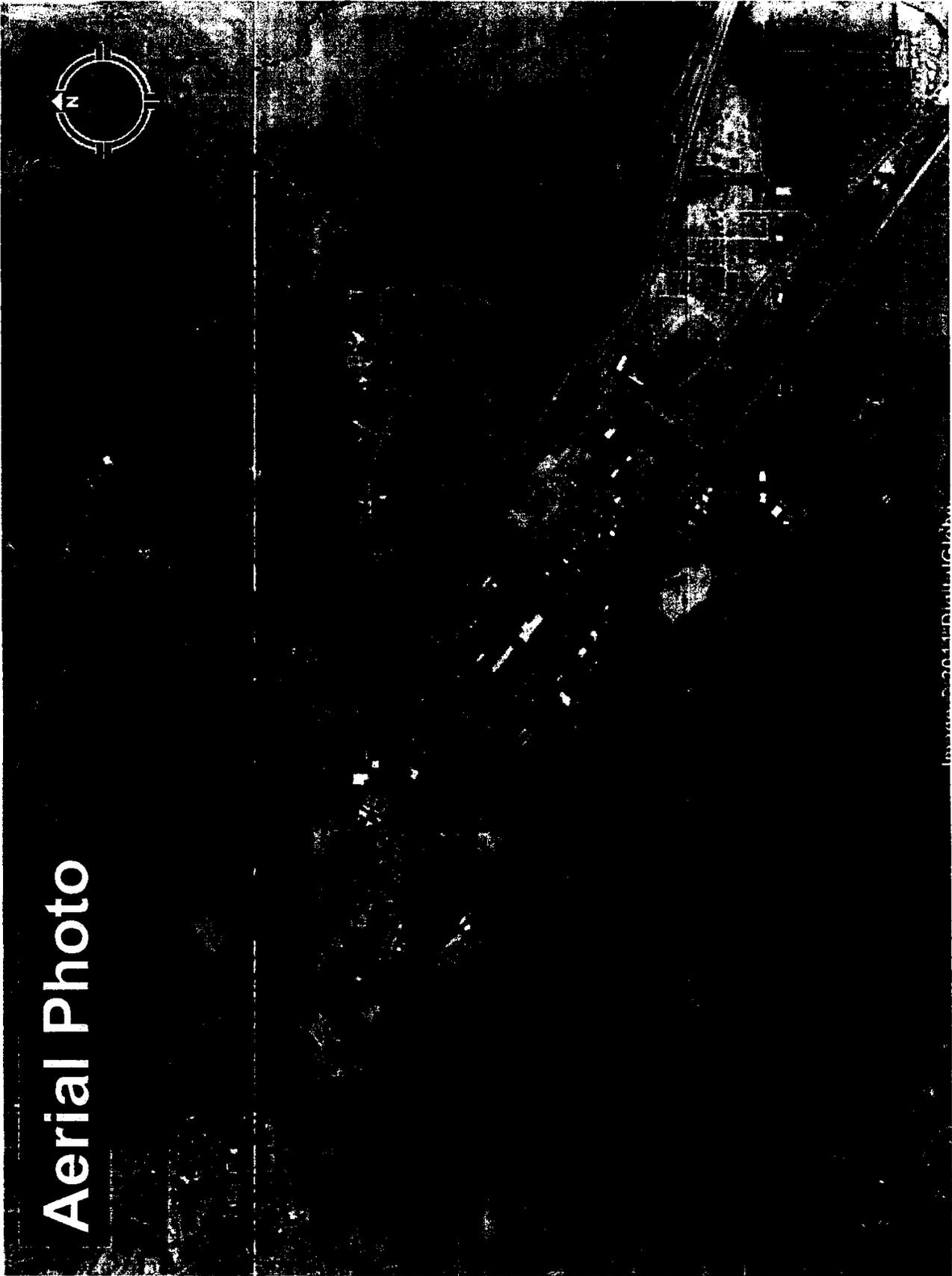
Missoula Development Park



This map was created by Missoula County staff in August 2011. All property lines and boundaries are approximate. The information on this map is for reference only. No reliance should be placed on the completeness or accuracy of information without first consulting original records and personally verifying the accuracy of any and all information displayed on this map.

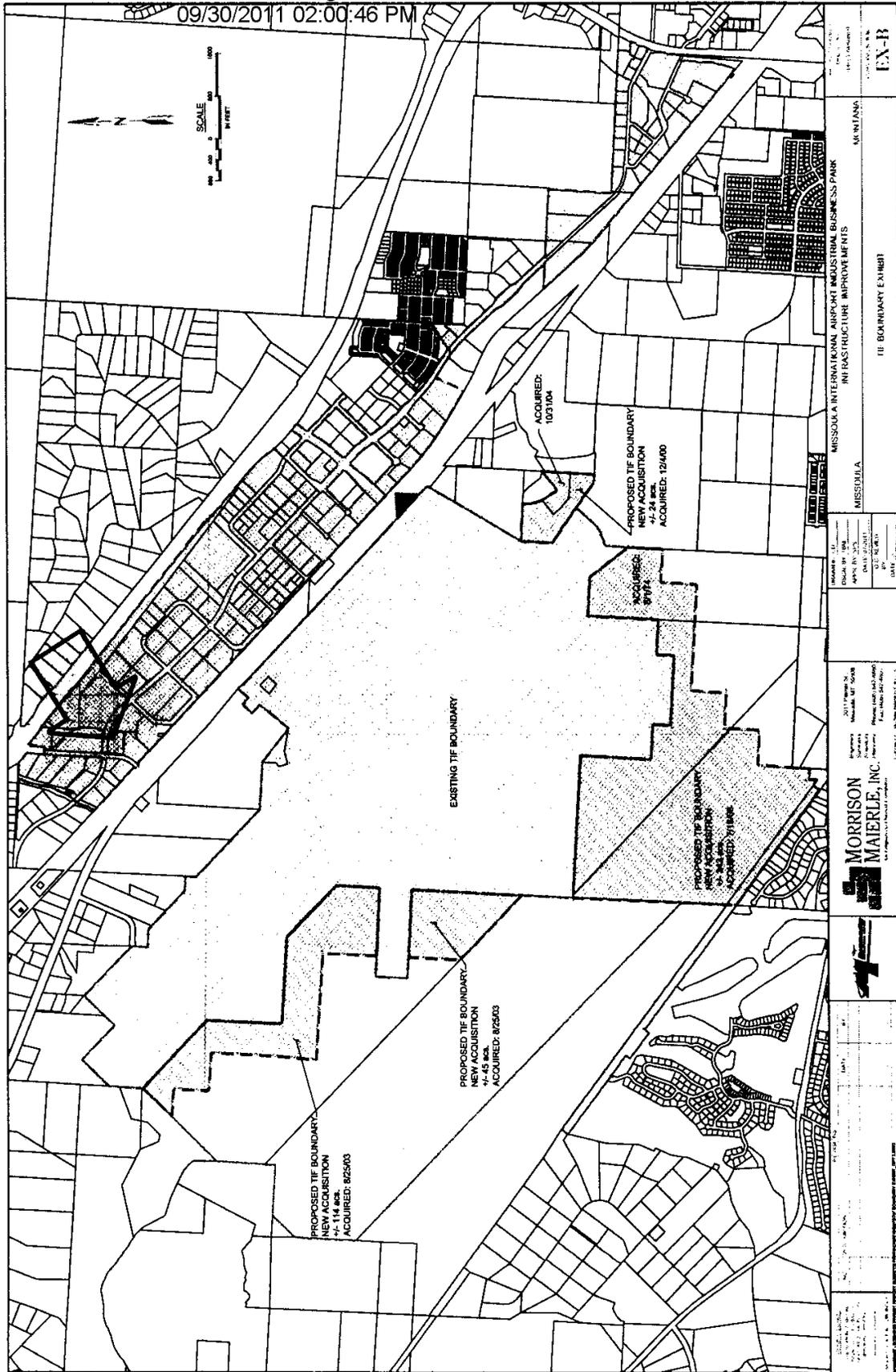
MAP A-1

Aerial Photo



Imagery © 2011 DigitalGlobe

MAP B



MORRISON MAERLE, INC.
 20116375
 MISSOULA, MONTANA
 MISSOULA INTERNATIONAL AIRPORT INDUSTRIAL BUSINESS PARK
 INFRASTRUCTURE IMPROVEMENTS
 TIF BOUNDARY EXHIBIT

Missoula, Montana
 20116375
 MISSOULA INTERNATIONAL AIRPORT INDUSTRIAL BUSINESS PARK
 INFRASTRUCTURE IMPROVEMENTS
 TIF BOUNDARY EXHIBIT

MAP C

Zoning



MAP C-1

SEC. 35
 T14N R20W

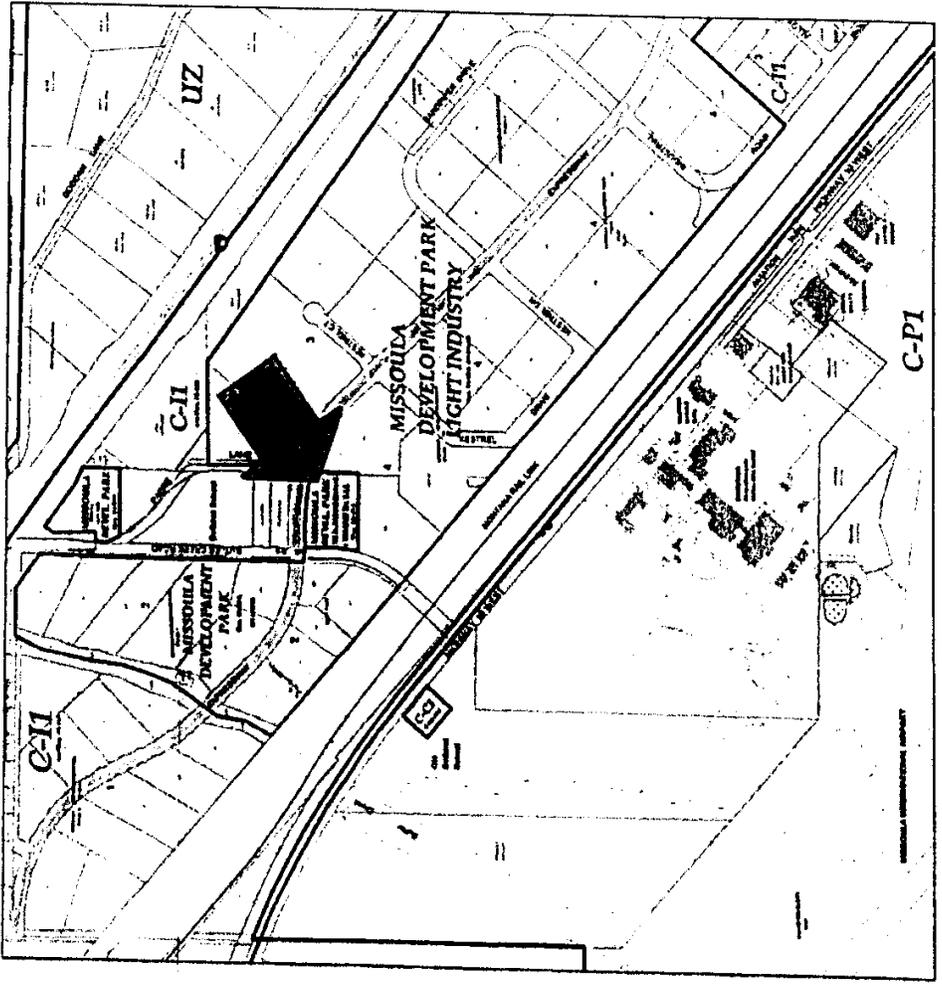
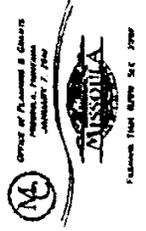
- CITY LIMITS
- ZONING BOUNDARY
- PROPERTY LINE
- SUBDIVISION LOT WITH NUMBER
- CERTIFICATE OF SURVEY WITH NUMBER
- PRIMARY TRAVEL CORRIDOR
- AIRPORT INFLUENCE AREA RES. 1978-95

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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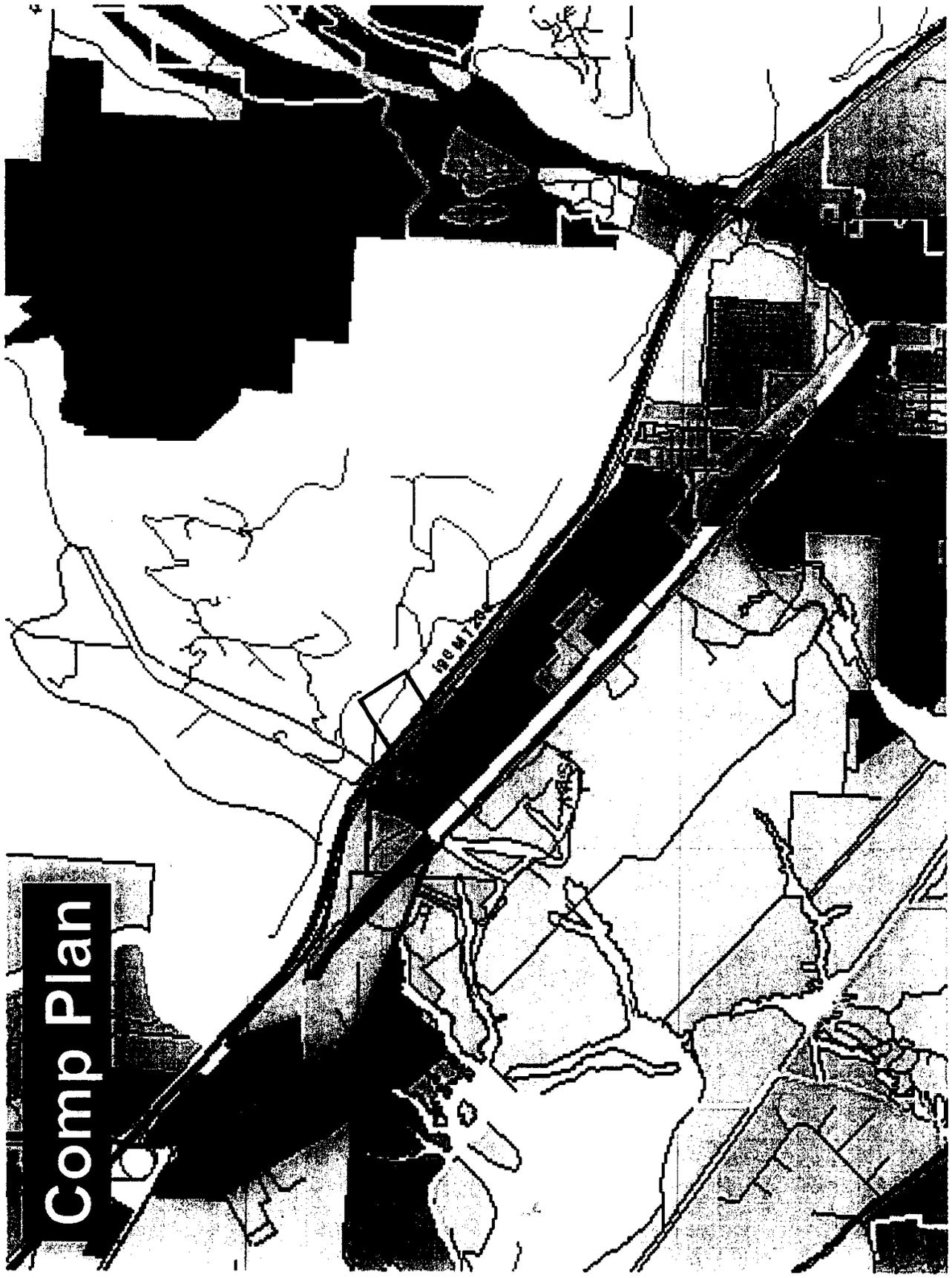
For definition descriptions of zoning designations see County Zoning Resolution 16-113 and City Zoning Ordinance Title 20 available at Office of Planning and Grants (OPG). Standards for Special Incentives can also be found at OPG. City zoning codes CC, IC, C1R, and C1R-1 approved under Title 19 prior to November 4, 2009 are shown on zoning maps.

Zoning designations may also include special conditions or plan amendments. Zoning determinations may be affected by the location of air-traffic corridors and other pertinent documents in addition to this map.

Survey information is provided by Missoula County Surveyors Mapping/GIS Department. Zoning information is compiled from legal descriptions in ordinances and resolutions and minor maps scaled 1 in. = 400 ft. Questions or comments about zoning can be directed to the Office of Planning and Grants.



MAP D



Comp Plan

