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RURAL SPECIAL IMPROVEMENT DISTRICT NO. 515

The following resolution, introduced by Commissioner _____
Robert, who moved its adoption, and seconded by
Commissioner Carlson, was unanimously adopted:

"RESOLUTION CREATING RURAL SPECIAL
IMPROVEMENT DISTRICT NO. 515.

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, being in regular session, and having heretofore on March 21, 1967, passed and adopted a Resolution of Intention to create Rural Special Improvement District No. 515 for the purpose of constructing and installing a sanitary sewerage system for an area within the Community of Custer in Yellowstone County, Montana, and designating the boundaries thereof, which said Resolution of Intention is now on file in the office of the County Clerk of Yellowstone County, Montana; and

WHEREAS, the Board of County Commissioners of said County caused notices of the time of passage and adoption of said Resolution of Intention to be published in the Billings Times, a weekly newspaper published in Billings, Yellowstone County, Montana, which the said Board designated as the newspaper published closest to said Rural Special Improvement District No. 515, in the manner and form and during the period of time required by law, and also caused on the 23rd day of March, 1967, being the first day of publication of said Notice, a copy of said Notice to be posted within the boundaries of such proposed district in three and more public places, and also on the same day caused a copy of such Notice to be mailed to every person, firm or corporation, owning property within the proposed District at their last known place of residence, a copy of said Notice and proof of its posting, publishing and mailing, as aforesaid, being on file with the County Clerk of this County; and

WHEREAS, the Board of County Commissioners of said County met in regular session at the time and place fixed in said Resolution of Intention and as set forth in said Notice of the time

for the hearing of protests against the creation of said proposed district. The Commissioners thereupon heard the protestants and proponents and their respective attorneys and fully considered all of the protests and all evidence presented for and against the creation of the District and the making of said improvements and the Board has determined and hereby finds that said protests are insufficient to prevent the creation of the District and the making of said improvements, and the Board does hereby wholly overrule said protests; and

WHEREAS, the protests filed in writing as heretofore stated do not represent fifty (50%) percent of the area of the property included within the boundaries of the Rural Special Improvement District and it appears that the public interest requires the creation of said Rural Special Improvement District No. 515.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of County Commissioners of Yellowstone County, Montana:

1. That the Board of County Commissioners have acquired jurisdiction to order the proposed improvements; that there is hereby created a Rural Special Improvement District described as Rural Special Improvement District No. 515 in Yellowstone County, Montana; that the general character and improvements to be made in said District is to construct and install a sanitary sewerage system for the area within the Community of Custer as is more particularly described in a Resolution of Intention heretofore passed by the Board of County Commissioners and on file in the Office of the County Clerk of Yellowstone County, Montana, to which reference is hereby made.

2. That the name of the engineer who is to have charge of said work is Mueller Engineering, by Jack F. Mueller, engineer, of the City of Billings, Montana.

3. That the names of the attorneys who shall have charge of said improvements are designated as ANDERSON, SYMMES, FORBES, PEETE & BROWN, attorneys at law, of Billings, Montana.

4. That the boundaries of said Rural Special Improvement

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District No. 515 shall be, and the same are hereby declared to be, the same as described and set forth in the aforementioned Resolution of Intention to create, adopted March 21, 1967, declaring the intention of creating District No. 515, which said Resolution of Intention to Create is filed in the office of the Clerk and Recorder for Yellowstone County, Montana, to which reference is hereby made for a more specific description of said boundaries and for further particulars herein.

5. That said improvements shall not be constructed unless and until the District or the Commissioners shall obtain a commitment for grant from the Federal Water Pollution Control Agency, or its successor, in the amount of thirty (30%) percent of the cost of construction of the interceptor sewer, sewage lagoon and outfall sewer and the proportionate administrative costs incidental to the foregoing.

6. That the entire cost of said improvements in this District, less the Federal Grant aforesaid, shall be assessed against the entire District, and each and every lot or parcel of real estate within the District shall be assessed with that part of the aforesaid net costs of the Project which its assessed value, or stipulated assessed value, as hereinafter described, bears to the total assessed value, including stipulated assessed values of all of the lots and parcels of real estate within the District.

7. That School District No. 15, the Community Congregational Church, The Montana Conference of Seventh Day Adventists, and the Roman Catholic Church, own property within the boundaries of said District, which, because of their governmental or religious status, are not subject to general property taxes and therefore do not have an assessed value, and accordingly they have filed with the Clerk and Recorder of Yellowstone County their respective Petition and Agreement whereby they stipulate as to the assessed value for purposes of determining their proportionate share of the cost of said District; and likewise the State of Montana may hereafter file its agreement of assessed valuation in order to obtain benefits of this

District for the State Highway properties located within this District; and that stipulated assessed values shall be employed in like manner as other assessed properties within the District for purposes of determining the proportionate share of the cost of this District to be borne by each said property owner.

PASSED AND ADOPTED this ^{20th} ~~thirteenth~~ day of April, 1967.

BOARD OF COUNTY COMMISSIONERS OF
YELLOWSTONE COUNTY, MONTANA

By

M. E. McClintock
Chairman

ATTEST:

Edmon S. Redding

County Clerk

By

Dorothea de Graaff
Deputy