

RESOLUTION NO. 87-38

RESOLUTION CREATING

SPECIAL IMPROVEMENT DISTRICT NO. 634M AND

SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 634 M

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WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, gave notice of the passage of the Resolution of Intention to create the above-named district by causing the same to be published in two issues of the Billings Gazette and also caused a copy of such notice to be posted in three public places within the boundaries of the district, and mailed to every person, firm or corporation owning real property within the proposed district at their last known address upon the same day as such notice was first published, the first publication of said notice and proof of its publication, posting and mailing as aforesaid is on file with the County Clerk and Recorder, and

WHEREAS, the Board of County Commissioners on the 28 day of July, 1987, met and heard all protests made against the creation of the district or making the proposed improvements, and

WHEREAS, the Board of County Commissioners hereby finds, determines and declares that:

(1) All lands are benefited and no lands which are not benefited have been included within the district.

(2) No protests were filed against the creation of said district or that the protests were insufficient and should be overruled or denied.

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

1. The commissioners have acquired jurisdiction to order proposed improvements, and they do hereby create Rural Special District No. 634 M and Rural Special Improvement Maintenance District No. 634 M.

2. The District and the Maintenance District are created to ensure the future maintenance of the improvements to be constructed in Harris Park in Woodard Way Subdivision Amended, which improvements will be paid for by a grant from the Montana Department of Fish, Wildlife and Parks and matched by funds from the Yellowstone County Park Development Fund, the total Project cost not to exceed \$ 48,400.00.

3. The boundaries of the District are hereby described and designated on Exhibit "A" attached hereto, and the lands in said District are shown on the map attached hereto as Exhibit "B".

4. The number of the rural special improvement district shall be No. 634 M

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and the number of the maintenance district therefor shall be No. 634 M.

5. The cost of future park maintenance will be assessed against the entire district, and each lot or parcel of land within the District shall be assessed for that part of the maintenance cost which its area bears to the entire District, exclusive of streets, avenues, alleys, parks, and other public places.

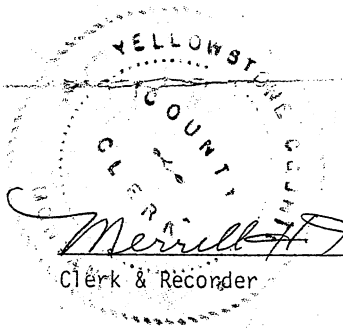
6. There will be no costs paid by the District for the construction of the park improvements in Harris Park.

7. The Commission hereby finds, determines and declares that all of the lands included within the district are benefited and that all of the lands included within the district are benefited and that the lands included will be enhanced in value to the extent of the maintenance assessments to be levied upon such lands, and that all lands included within the district should be assessed accordingly to pay the costs and expenses of the district's maintenance.

PASSED BY the Board of County Commissioners of Yellowstone County, Montana, this 28 day of July, 1987.

Grace M. Edwards

Chairman of the Board of County Commissioners, Yellowstone County, Montana



Merrill F. Hundt
Clerk & Recorder