

RESOLUTION NO. 98-44

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT DISTRICT  
KNOWN AS R.S.I.D. #663 AND  
MAINTENANCE DISTRICT KNOWN AS R.S.I.D. #663M  
MONTANA MEADOWS SUBDIVISION  
(BUFFALO HORN DRIVE)**

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, met in regular session and executed a Resolution of Intent to Create a Rural Special Improvement District and a Rural Special Improvement Maintenance District #663/663M in the area known as Montana Meadows Subdivision for the purpose of paving Buffalo Horn Drive in Laurel, Montana, and for the maintenance of said street, as described in the Petition for Creation of the above R.S.I.D.; and,

WHEREAS, the Clerk and Recorder published the Notice of the passage of Resolution of Intent to Create said District in the *Yellowstone County News* on April 10 & April 17, 1998, and mailed a copy of the Notice to every person, firm or corporation owing property in the District; and,

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

1. That the public interest or convenience requires the creation of a Rural Special Improvement District and Maintenance District as hereinafter described;
2. That the costs of the repair and improvements and providing maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement District with all lots being assessed an equal amount based upon the total cost of the improvements;
3. The purpose of forming the District is to provide not only for the necessary repairs and improvements, but to ensure for the future operation, maintenance and preservation of the roadway so repaired;
4. That the Commissioners have been presented with a valid Petition to create the proposed District;

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

1. The Commissioners have acquired jurisdiction to order proposed improvements, and they do hereby create Rural Special Improvement District #663 for the purpose of improving the roadway system and to create a Special Maintenance District #663M to provide for the annual maintenance, operation and preservation of the repaired and improved roadway system. Such improvements are more particularly described in Exhibit A, as option #3 inclusive of four (4) speed bumps, attached hereto and by this reference incorporated herein.
2. The projected annual assessments per property are hereby described and designated on Exhibit B attached hereto, and JTL Group, Inc. shall construct the improvements as noted in #1. The boundaries of said District are shown on the map attached hereto as Exhibit C.



3. The number of the Rural Special Improvement District shall be #663 and the number of the maintenance District thereof shall be #663M.
4. The estimated costs of the repairs and improvements, including construction costs, incidental expenses, engineering fees, legal fees, administrative costs, exclusive of interest charges, that will be assessed against the property shall be the sum of \$47,907, as more particularly described in Exhibits B and D attached hereto and spread over a period of ten (10) years.
5. All lots <sup>accessing</sup> ~~accessing~~ their property from Buffalo Horn Drive will benefit from proposed R.S.I.D. and shall be assessed for the improvements and subsequent road maintenance. All lots will be assessed an equal amount based upon the total cost of the improvements. Assessments are to be made on property tax statements beginning in November, 1998. (See Exhibit D). The first year's assessment may include more than one (1) year's interest and subsequently the first year's payment may be higher than the second thru tenth year's assessments. Property owners will have an opportunity to pay off their original principal assessment without interest at the time of original assessment. The estimated original assessment per lot is \$2,395.33; over a ten (10) year 9% Estimated Annual Debt Assessment, the annual cost is estimated at \$373.24 for each lot.
6. Prior to authorizing the use of the County's revolving fund to secure the payment of rural special improvement district bonds that will be issued to fund the cost of constructing and upgrading the improvements in the District, the Commissioners shall take into consideration the factor enumerated in 7-23-3285(3)(1995), M.C.A. The factors that the Commissioners shall take into consideration when determining whether it is in the public interest to secure the payment of rural special improvement district bonds with the County's revolving fund are compiled on Exhibit B attached hereto and with this reference incorporated herein.
7. The Commissioners desire that an Ad Hoc Committee be appointed to make recommendations to the Commissioners with regard to the need for assessments to be made for the maintenance and the amount of such assessments, and how said assessments should be spent. The Commissioners ask that the Petitioners submit a list of some individuals who are willing to serve on the Ad Hoc Committee.

PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 29<sup>th</sup> day of April, 1998.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

Bill Kennedy  
Bill Kennedy, Chairman

Mike Mathew  
Mike Mathew, Member

Absent  
James A. Ziegler, Sr., Member

(SEAL)  
ATTEST:

Tony Nave  
Tony Nave, Clerk & Recorder



EXHIBIT A

**JTL GROUP, INC. - BILLINGS**

**PROPOSAL**

4014 Hesper Road  
 P.O. Box 80066  
 BILLINGS, MONTANA 59108  
 Phone (406)655-2000

**SPECIFICATIONS AND ESTIMATE**

DATE: November 21, 1997

PROPOSAL SUBMITTED TO: Mr. Greg Conser	PHONE: 252-6306
STREET: Buffalo Horn Road	JOB NAME: Buffalo Horn Road Paving
CITY STATE ZIP: Laurel, Montana 59044	JOB LOCATION: Buffalo Horn Road, Laurel, Montana

We offer the following lump sum proposal for the above referenced project. We will not adjust existing street grade or bring in new base gravel.

**Option No. 1 - 20' Width**  
 - Fine grade & prep existing base gravel  
 - Place three-inches (3") of hot mix asphalt  
 Lump Sum = \$31,667.00

**Option No. 2 - 22' width**  
 - Fine grade & prep existing base gravel  
 - Place three-inches (3") of hot mix asphalt  
 Lump Sum = \$34,614.00

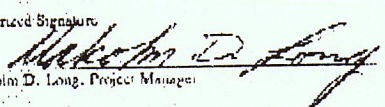
**Option No. 3 - 24' width**  
 - Fine grade & prep existing base gravel  
 - Place three-inches (3") of hot mix asphalt  
 Lump Sum = \$37,560.00

If required, we will furnish base gravel at \$6.00/ton in place.

Place speed bumps as directed - \$ 350.00/each

We include layout and staking as required, and traffic control. We exclude any County permits or right-of-way fees, geotechnical or material testing services, any signage, any/all handling or disposal of hazardous or contaminated materials.

Thank you for the opportunity to furnish this quote. If you have any questions, please call me at 655-2006.

WE PROPOSE hereby to furnish material and labor - complete in accordance with above specifications for the sum of: At the lump sum prices as outlined above	
Payment to be made as follows: Lump sum upon invoicing. Proof of financing, funds escrowed, or bank letter of credit required prior to commencement of work.	
All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted per standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon notices, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance.	Authorized Signature:  Malcolm D. Long, Project Manager  Note: This proposal may be withdrawn by us if not accepted within 16 days.
ACCEPTANCE OF PROPOSAL. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.	Signature _____  Signature _____
Date of Acceptance: _____	

PLEASE SIGN BOTH COPIES AND RETURN ONE (1) TO THE LETTERHEAD ADDRESS ABOVE



EXHIBIT B - RSID 663  
 MONTANA MEADOWS SUB - BUFFALO HORN DRIVE - STREET IMPROVEMENTS  
 AS OF MARCH 27, 1998

TAX CODE	LOT	BLOCK	SUBDIV.	OWNER'S NAME	IMPROVED (1) or VACANT (0)	MARKET VALUATION	OTHER Outstanding Assessments	Delinquent Taxes	Estimated Assessment on RSID #	Positive Net Values	Negative Net Values
1	B02028B	9	MT Meadows	Tim & Noriko Bennett	1	85,023	0	0	2,395.35	82,628	0
2	B02028A	9	MT Meadows	Neil & Kim Roberts	1	79,981	0	0	2,395.35	77,586	0
3	B02028	9	MT Meadows	Randall & Marsha Charles	0	9,847	0	0	2,395.35	7,452	0
4	B02027B	9	MT Meadows	Gregg & Lisa Ceasar	1	88,623	0	0	2,395.35	86,228	0
5	B02027A	8	MT Meadows	Charles & Renee Verbeck	1	77,711	0	0	2,395.35	75,316	0
6	B02027	9	MT Meadows	Shane & Lisa Tracy	1	74,741	0	0	2,395.35	72,346	0
7	B02026B	9	MT Meadows	Robert & Karen Allen	1	78,141	0	0	2,395.35	75,746	0
8	B02026A	5	MT Meadows	Scott & Kathleen Smith	1	79,031	0	0	2,395.35	76,636	0
9	B02025A	2	MT Meadows	David & Linda Schweigert	1	79,241	0	0	2,395.35	76,846	0
10	B02061	6	MT Meadows	Elizabeth & Mark Verlanic	1	70,991	0	0	2,395.35	68,596	0
11	B02062	11	MT Meadows	Ed & Cindy Dimich	1	96,912	0	0	2,395.35	94,517	0
12	B02063	6	MT Meadows	Beartooth View Ranch	0	10,698	0	0	2,395.35	8,303	0
13	B02064	6	MT Meadows	Robert & Carol Brooks	1	67,459	0	0	2,395.35	65,064	0
14	B02065	6	MT Meadows	Dale & Linda Raisal	1	70,789	0	0	2,395.35	68,394	0
15	B02066	6	MT Meadows	David & Tara Crosby	1	60,873	0	0	2,395.35	58,478	0
16	B02067	6	MT Meadows	Daniel & Denise Kennedy	1	73,819	0	0	2,395.35	71,424	0
17	B02049	5	MT Meadows	Thomas & Kelly Waanders	1	64,315	0	0	2,395.35	61,920	0
18	B02048	5	MT Meadows	Gary & Carole Johnson	1	70,470	0	0	2,395.35	68,075	0
19	B02041	5	MT Meadows	M.W. & Tam Rodier	1	83,206	0	0	2,395.35	80,811	0
20	B02040	4	MT Meadows	Frank & Deborah Schaner	1	81,643	0	0	2,395.35	79,248	0
TOTALS					18	1,403,514	0	0	47,907	1,355,607	0
PERCENT DEVELOPED					90.00%						

NOTE: Lots 3&4 Block 9 are excluded because they access homes on Meadow Drive.



# MONTANA MEADOWS SUB.

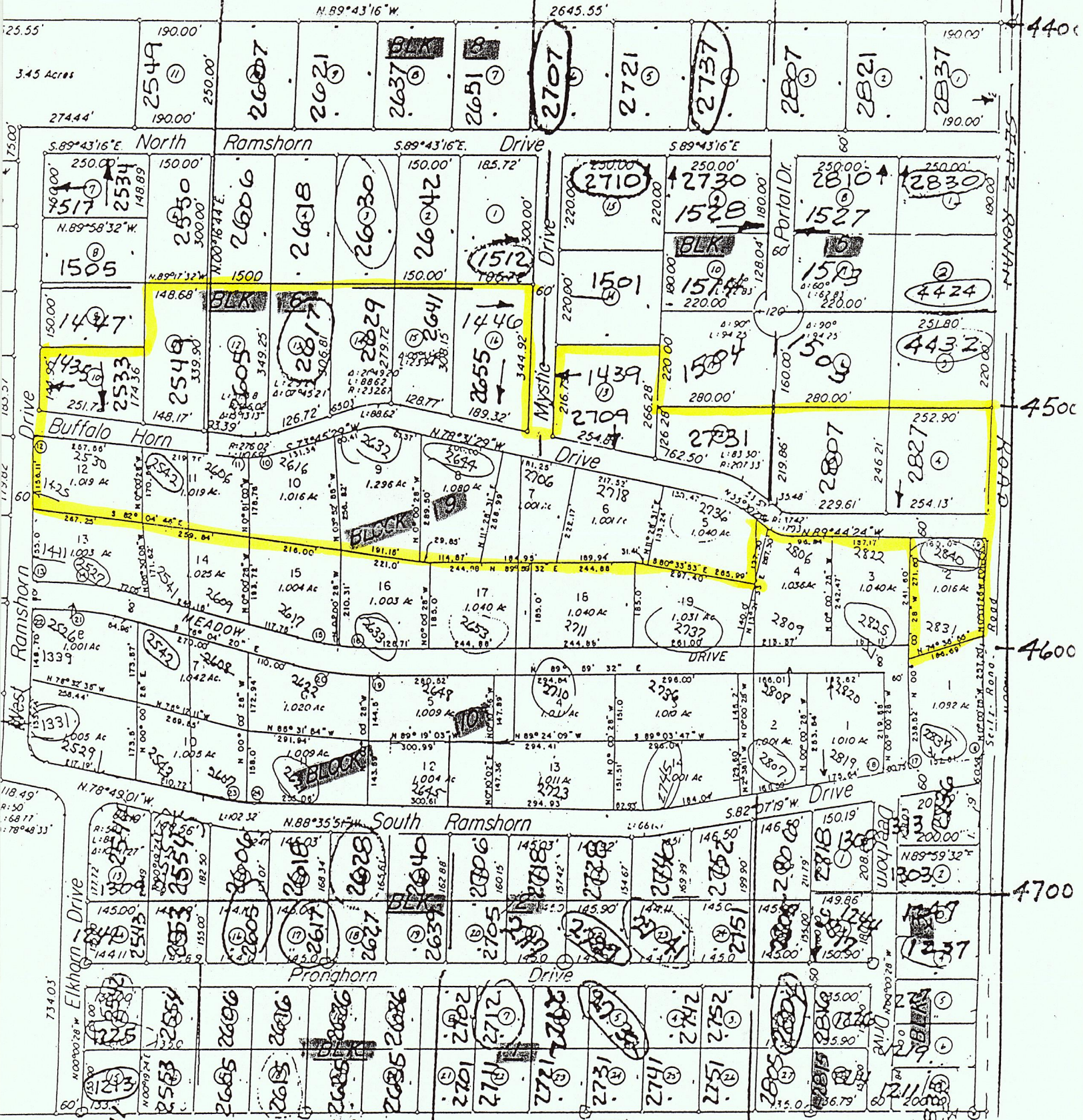
2600E

2700E

2800E

2900E

Unplotted



CERTIFICATE OF DEDICATION

CERTIFICATE OF SURVEY

STATE OF MONTANA  
County of Yellowstone

THIS IS TO CERTIFY that Harlan M. Lund, Registered Land Surveyor #18275, in the State of Montana, being first duly sworn, deposes and says that during the month of June 1975, he made a plat and survey of a certain tract of land to be known as MONTANA MEADOWS in accordance with the request of the owners thereof and in conformity with the pro-

Kroll and Tillie Kroll, his wife, and Richard Lee Kroll, do hereby certify that they have caused to be surveyed, subdivided and platted into public parks, roads and streets as shown on the plat and Certificate hereunto annexed the following described tract of land situated

NA (ovatoe) as y these presents:

900E



EXHIBIT D

BUFFALO HORN RSID  
ESTIMATED COST OF STREET OVERLAY WITH PRIVATE FINANCING  
AS OF MARCH 31, 1998

	<u>BUDGET</u>
Construction cost – JTL GROUP	37,560
Speed Bumps (4)	1,400
Construction contingency – 10%	3,756
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TOTAL CONSTRUCTION COSTS	41,316

<b><u>OTHER COSTS:</u></b>	
Legal fee	0
Engineering	0
Testing Costs	1,000
Advertising – mailing – misc	300
Title reports	500
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SUBTOTAL	43,116

<b><u>DEBT ISSUANCE COSTS – PRIVATE FINANCING:</u></b>	
County RSID Revolving Fund Collateralization – 5% of debt	2,395
County Administration – 5% of debt	2,395
RSID Debt Reserve – 0% of debt (over 90% developed)	0
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TOTAL ESTIMATED DEBT REQUIREMENT	47,907
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TOTAL COST	47,907
NUMBER OF PROPERTIES TO BE ASSESSED	20

<b>ASSESSMENT based on equal cost per property</b>	<b>\$2,395.33</b>
Estimated annual assessment at 9% @ 10 yrs	\$373.24



SECTION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION F  
 CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE
LOT 12 Block 9 B-02028B	TIM + NORIKO BENNETT	<i>[Signature]</i> X <i>[Signature]</i> Bennett
LOT 11 Block 9 B-02028A	NEIL + KIMBERLY ROBERTS	X
LOT 10 Block 9 B-02028	RANDY + MARSHA CHARLES	<i>[Signature]</i> X <i>[Signature]</i> Charles
LOT 9 Block 9 B-02027B	GREGG + LISA CEASER	<i>[Signature]</i> X <i>[Signature]</i> Ceaser
LOT 8 Block 9 B-02027A	CHARLES + RENEE VERBECK	<i>[Signature]</i> X <i>[Signature]</i> Verbeck
LOT 7 Block 9 B-02027	SHANE + LISA TRACY	<i>[Signature]</i> X <i>[Signature]</i> Tracy
LOT 6 Block 9 B-02026B	ROBERTS + KAREN ALLEN	<i>[Signature]</i> X <i>[Signature]</i> Allen
LOT 5 Block 9 B-02026A	SCOTT + KATHLEEN SMITH	<i>[Signature]</i> X <i>[Signature]</i> Smith
LOT 4 Block 9 B-02026	DIXIE + MAURINE WILSON	X
LOT 3 Block 9 B-02025B	ANDREW + KARIN RACKI	X
LOT 2 Block 9 B-02025A	DAVID + LINDA SCHWEIGERT	<i>[Signature]</i> X <i>[Signature]</i> Schweigert
LOT 10 Block 6 B-02061	MARLY + BETTY VERLANIC	<i>[Signature]</i> X <i>[Signature]</i> Verlanic
LOT 11 Block 6 B-02062	ED + CINDY D'AMICO	<i>[Signature]</i> X <i>[Signature]</i> D'Amico
LOT 12 Block 6 B-02063	ROBERT + ALEEN BRATER	<i>[Signature]</i> X <i>[Signature]</i> Brater
LOT 13 Block 6 B-02064	ROBERT + CANDI BROOKS	<i>[Signature]</i> X <i>[Signature]</i> Brooks
LOT 14 Block 6 B-02065	DAVE + LINDA RAISL	<i>[Signature]</i> X <i>[Signature]</i> Raisl
LOT 15 Block 6 B-02066	DAVID + TARA CROSBY	<i>[Signature]</i> X <i>[Signature]</i> Crosby

CONTINUED...



PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

PROPERTY LEGAL DESCRIPTION      OWNER (PRINTED NAME)      OWNER SIGNATURE

LOT 10 BLOCK 6 B-02067 DANIEL + DENISE KENNEDY X DRY *Daniel Kennedy*

LOT 13 BLOCK 5 B-02049 Thomas + Kelly WAINWERS / X *X*

LOT 12 BLOCK 5 B-02048 GARY + CAROLE JOHNSON X GARY + CAROLE JOHNSON

LOT 5 BLOCK 5 B-02041 (BILL) M.W. + TAM RODIER ~~III~~ X TAM RODIER

LOT 4 BLOCK 5 B-02040 FRANK + DEBORAH SCHANER *Frank Schaner*



PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION D  
ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
NONE NEEDED.	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \_\_\_\_\_



SECTION E  
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)

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