

RESOLUTION NO.
01-98

**RESOLUTION CREATING
RURAL SPECIAL IMPROVEMENT MAINTENANCE DISTRICT # 681M
BREY SUBDIVISION**

WHEREAS, a Petition signed by more than Sixty Percent (60%) of the Freeholders of the proposed district has been submitted to the Board of County Commissioners for creation of a rural improvement maintenance district for the maintenance of said streets; and,

WHEREAS, the boundaries of the proposed district is Lot 1 & 2, Block 1, Lots 1 & 2, Block 2, Lot 1, Block 3, Brey Subdivision, 1st Filing and Tract 3 C/S #3010; and

WHEREAS, all of the costs of the district shall be assessed on an "per lot" method for existing and future lots; and,

WHEREAS, the district shall be considered a district to exist perpetually unless included within another district providing the same services or assumed by a municipality; and,

WHEREAS, now is the date and time duly noticed and published as required by law for the Board of County Commissioners of Yellowstone County to hear and pass upon all protests that may be made against the making of said maintenance district; and,

WHEREAS, no protests have been delivered to the County Clerk since the duly published first notice of the passing of the Resolution of Intention; and,

WHEREAS, the Board of County Commissioners has acquired the jurisdiction to order the improvements pursuant to Section 7-12-2113, M.C.A.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of County Commissioners of Yellowstone County, Montana, deeming the public interest or convenience require, and having acquired jurisdiction, hereby creates the following Rural Special Improvement Maintenance District:

1. NUMBER OF DISTRICT

Said Rural Special Improvement District shall be designated as District No. 681M.

2. DESCRIPTION OF DISTRICT

The district is described by the exterior boundaries of the following described real property: Lots 1 & 2, Block 1, Lots 1 & 2, Block 2, Lot 1, Block 3, Brey Subdivision and Tract 3 C/S #3010.

3. DESCRIPTION OF IMPROVEMENTS, DESCRIPTION OF MAINTENANCE, METHOD OF ASSESSMENT, AND ESTIMATED COSTS. Said costs shall begin to be assessed against the lots beginning in and for the tax year 2003. See Exhibit "B."

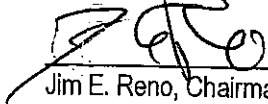
4. DURATION

The district shall be deemed to be perpetual in nature unless absorbed and replaced by another district or municipality.

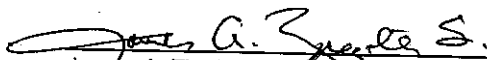
Resolution Creating Rural Special Improvement Maintenance District
Page 2

DONE BY ORDER of the Board of County Commissioners, Yellowstone County, Montana, this
27th day of November, 2001.

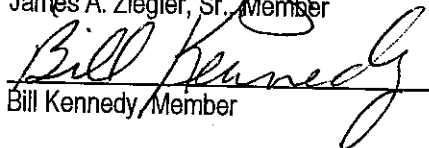
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



Jim E. Reno, Chairman



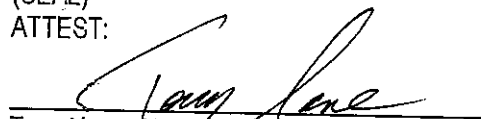
James A. Ziegler, Sr., Member



Bill Kennedy, Member

(SEAL)

ATTEST:



Tony Nave, Clerk and Recorder
Yellowstone County, Montana

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION B
LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

TRACT 2 OF C.O.S. 3010 BEING "BRY SUBD"

TRACT 3 OF C.O.S. 3010

Presently Lots 1 & 2 BLOCK 1

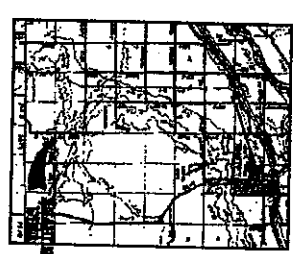
Lots 1 & 2 BLOCK 2

Lots 1 BLOCK 3

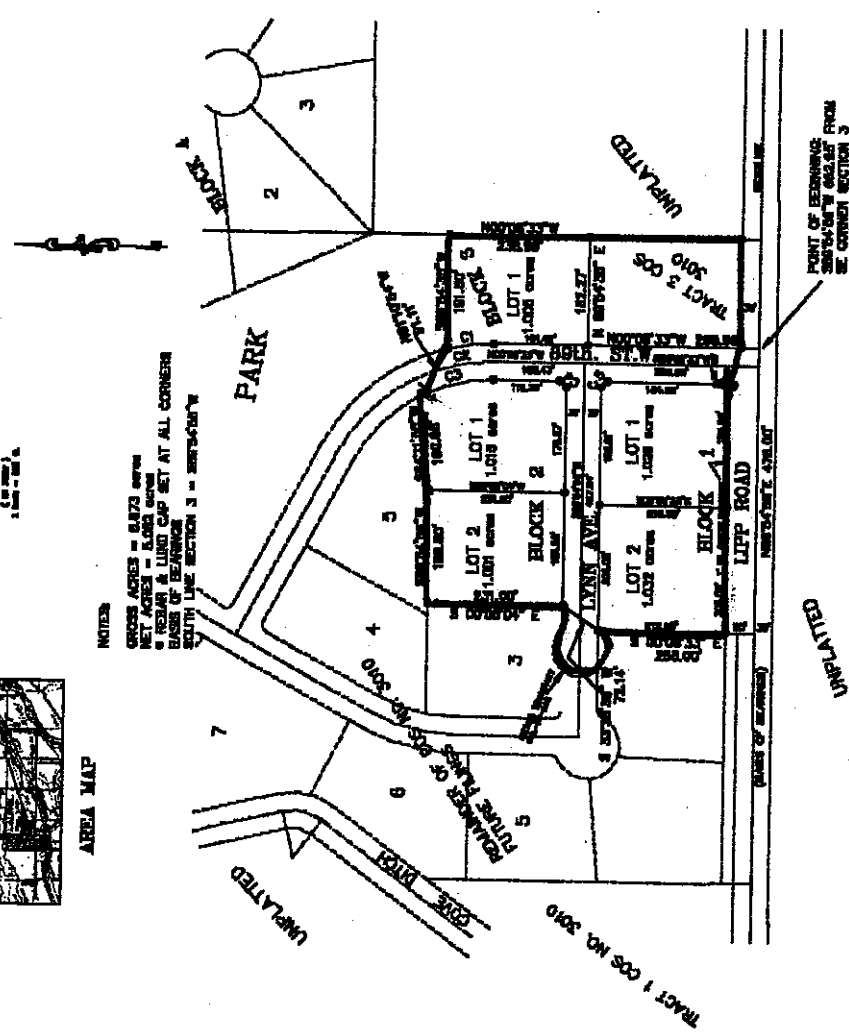
TRACT 3 COS 3010

Exhibit "B"

PLAT OF
 BREY SUBDIVISION 1ST. FILING
 BEING A PORTION OF TRACT 2 C.O.S. 3010
 LOCATED IN SE1/4 SECTION 3, T.1S., R.24E., P.M.M. YELLOWSTONE CO. MT.
 FOR. ARNIE & MARY LOU BREY SEPTEMBER 1999 BY. HARLAN M. LUND R.L.S.



NOTES
 GROSS AREA = 64723 ACRES
 NET AREA = 63023 ACRES
 * REAR & LIND CAP SET AT ALL CORNERS
 BASIS OF BEARING
 SOUTH LINE SECTION 3 = 289740.00"



POINT OF BEGINNING
 SECTION 3 BEARING FROM
 S. CORNER SECTION 3
 T.1S., R.24E., P.M.M.
 FOUND BRASS CAP AT SEC. CORNER

CHUNK	AREA	ACRES	PERCENT	SECTION	LENGTH
1	1.018	1.018	1.57	1	1.018
2	1.022	1.022	1.58	1	1.022
3	1.018	1.018	1.57	1	1.018
4	1.022	1.022	1.58	1	1.022
5	1.018	1.018	1.57	1	1.018
6	1.022	1.022	1.58	1	1.022
7	1.018	1.018	1.57	1	1.018
8	1.022	1.022	1.58	1	1.022
9	1.018	1.018	1.57	1	1.018
10	1.022	1.022	1.58	1	1.022

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION C
ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
ROAD BLADING	\$ 200.00
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
ROAD BLADING	\$ 200.00
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: _____

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION E
PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT
RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME

TELEPHONE NUMBER

1. ARNIE BREY
Printed Name

652-5410

Arnie Brey
Signature

2. JERRY BREY
Printed Name

651-4521

[Signature]
Signature

3. _____
Printed Name

Signature

4. _____
Printed Name

Signature

5. _____
Printed Name

Signature

6. _____
Printed Name

Signature

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION F

CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

LEGAL DESCRIPTION	OWNER'S PRINTED NAME	SIGNATURE
BREY SUBD. 1st FILING	ARNIE BREY	X <i>Arnie Brey</i>
TRACT 3 COS 3010	JERRY BREY	X <i>Jerry Brey</i>
		<i>Manston Brey</i>

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

COVER SHEET

TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this 4TH day of SEPT, 192001.

Petitioner/Initiator (and/or) Contact Person:

NAME: ARNIE BREY

ADDRESS: 9123 LIPP ROAD
BILLINGS, MT. 59106

PHONE NO: 406-652-5410

I swear that all of the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.

Arnie Brey
Petitioner's Signature

Sept 7th, 2001
Date

LIST ALL ADDITIONAL ATTACHMENTS:



AMENDED
CERTIFICATE OF TITLE
for
BREY SUBDIVISION, 1ST FILING

At the request of Harlan Lund, we have made a careful search of the records of Yellowstone County, Montana, as to the following described real property:

Tract 2, of CERTIFICATE OF SURVEY NO. 3010, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3056538.

As of July 27, 2001 at 5:00 P.M. said property vested of record in:

ARNIE BREY AND MARY LOU BREY, husband and wife, as joint tenants with right of survivorship

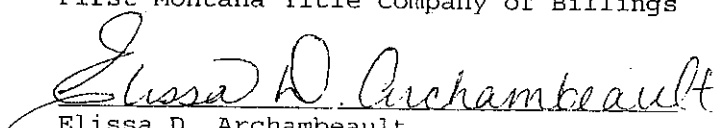
We have searched the records of Yellowstone County, Montana, for Judgments and State and Federal Tax Liens against the above named owner(s) and as of the above date, we find the following:

NONE

We further find no liens, mortgages, or other encumbrances of record which affect said property, except as follows:

(See Exhibit A attached hereto and made a part of this report)

First Montana Title Company of Billings


Elissa D. Archambeault
Title Officer

ks /EDA

EXHIBIT A

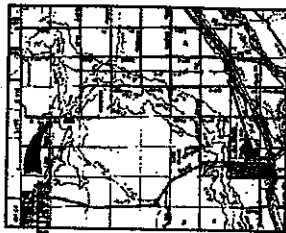
- (1) General and special taxes and assessments for the year 2001, which are a lien, but not yet computed or payable. Tax Code No. D-12528.

NOTE: General and special taxes and assessments for the year 2000, which are paid in full in the amount of \$131.75.

- (2) All easements for utility, telephone, irrigation, roads or trails across the subject property of record, or depicted and referenced in Certificate of Survey No. 3010, or apparent from physical examination and inspection of the premises.
- (3) An easement for the Cove Ditch as disclosed by the plat of Certificate of Survey No. 3010.

END OF EXHIBIT A

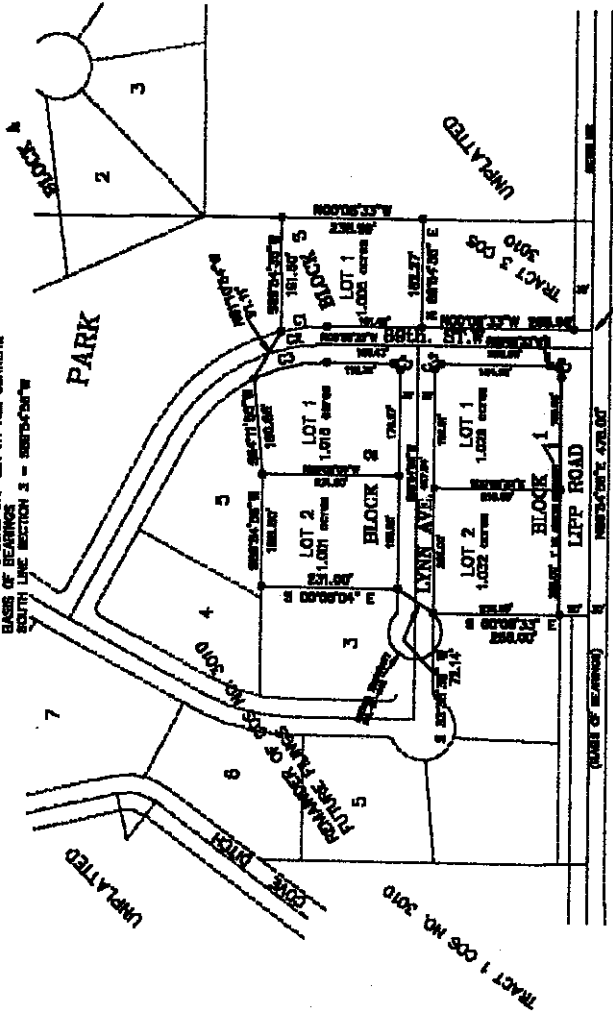
PLAT OF
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LOCATED IN SE1/4 SECTION 3, T.1S., R.24E., P.M.M. YELLOWSTONE CO. MT.
FOR. ARNIE & MARY LOU BREY SEPTEMBER 1999 BY. HARLAN M. LUND R.L.S.



AREA MAP

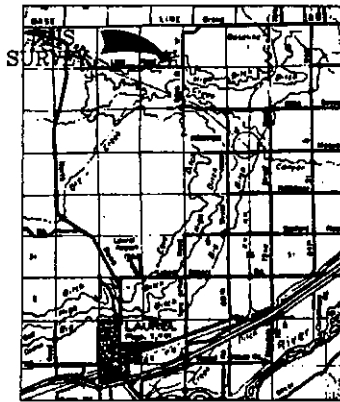


NOTES
 1. CORNER MARKERS ARE 2.00" DIAMETER
 2. ALL LOTS ARE 1.000 ACRES
 3. BEARING & LAND CAP SET AT ALL CORNERS
 4. SOUTH LINE SECTION 3 - 38°25'42" W



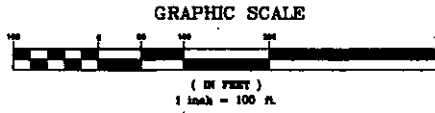
POINT OF BEGINNING
 BEING THE CORNER OF SECTION 3
 T.1S., R.24E., P.M.M.
 FOUND THROUGH CAP AT BEEL CORNER

CURVE	LENGTH	ANGLE	CHORD	CHORD BEARING	CHORD LENGTH
1	100.00	90.00	100.00	S 00°00'00" W	100.00
2	100.00	90.00	100.00	S 00°00'00" W	100.00
3	100.00	90.00	100.00	S 00°00'00" W	100.00
4	100.00	90.00	100.00	S 00°00'00" W	100.00
5	100.00	90.00	100.00	S 00°00'00" W	100.00
6	100.00	90.00	100.00	S 00°00'00" W	100.00
7	100.00	90.00	100.00	S 00°00'00" W	100.00
8	100.00	90.00	100.00	S 00°00'00" W	100.00
9	100.00	90.00	100.00	S 00°00'00" W	100.00
10	100.00	90.00	100.00	S 00°00'00" W	100.00



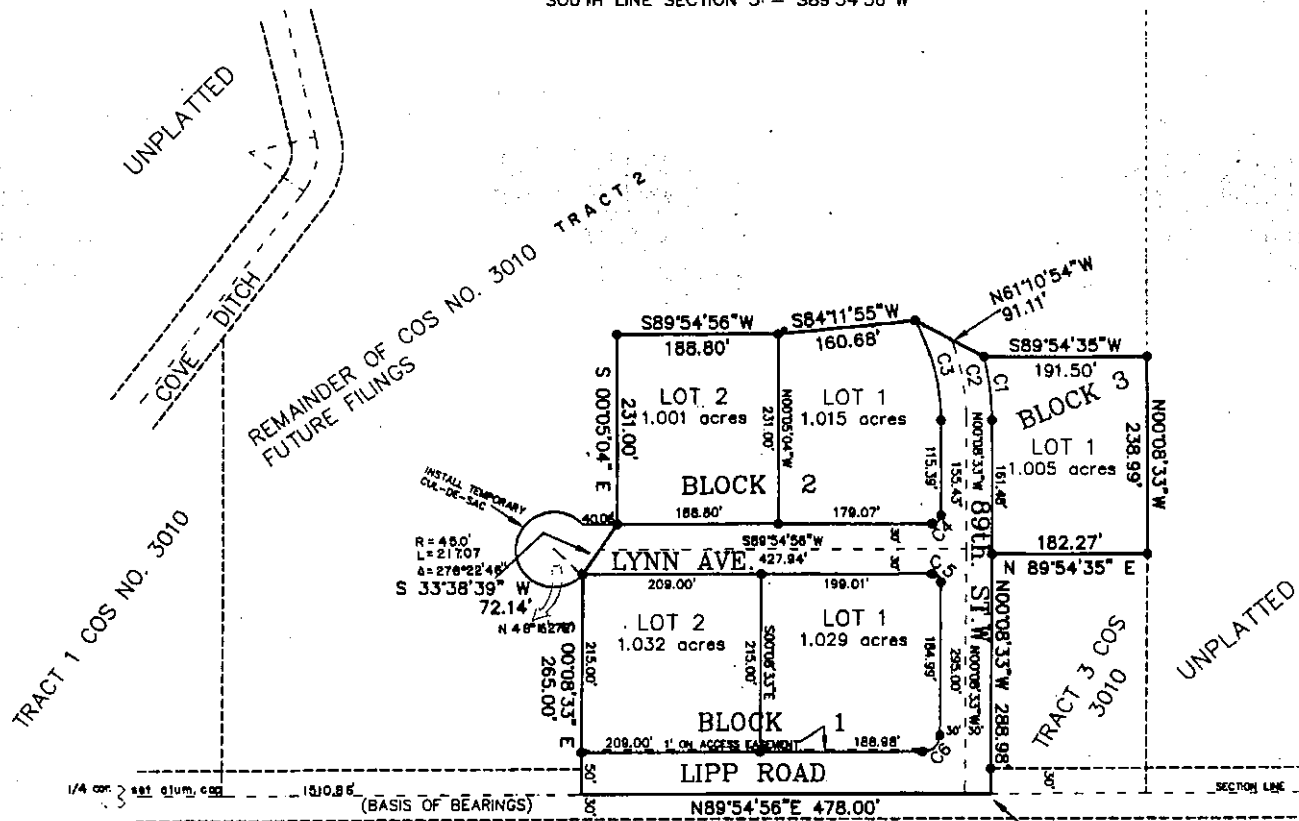
AREA MAP

BREY
 BEING A P
 LOCATED IN SE1/4 SECTION
 FOR. ARNIE & MARY LOU BF



NOTES:

GROSS ACRES = 6.873 acres
 NET ACRES = 5.082 acres
 • REBAR & LUND CAP SET AT ALL CORNERS
 BASIS OF BEARINGS
 SOUTH LINE SECTION 3 = S89°54'56"W



POINT OF BEGINNING:
 S89°54'56"W 662.95' FROM
 SE CORNER SECTION 3
 T.1S., R.24E., P.M.M.
 FOUND BRASS CAP AT SEC. CORNER

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	DIRECTION	CHORD LENGTH
C1	78.25	330.00	13°35'09"	N08°56'08"W	78.07
C2	99.99	300.00	19°05'46"	N09°41'26"W	99.52
C3	126.18	270.00	28°46'31"	N13°31'49"W	125.03
C4	15.72	10.00	90°03'29"	N44°53'11"E	14.15
C5	15.70	10.00	89°56'31"	N45°06'49"W	14.13
C6	31.44	20.00	90°03'29"	N44°53'11"E	28.30