

RESOLUTION NO. 05-61
Rescinding County Resolution #05-52, a Resolution Creating RSID #724 and 724M

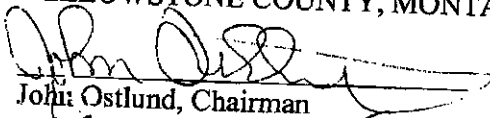
WHEREAS, on the 28th day of June, 2005, the Board of County Commissioners of Yellowstone County, Montana, passed and adopted Resolution Number 05-52 creating RSID #724 and 724M,

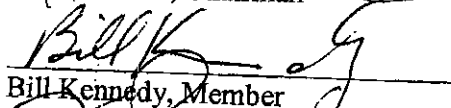
WHEREAS, the legal requirement of mailing Notice of Intention to Create RSID District # 724 and 724M as required under MCA § 7-12-2105(2) to each property owner within the boundaries of the proposed district was not complied with. The mailing of Notice of Intention to Create the RSID District must be completed at the time of first publication of the notice in the official newspaper of the County in order for the district to be established.


WHEREAS, all legal requirements for the creation of RSID # 724 and 724M were not complied with, Resolution Number 05-52 creating RSID #724 and 724M is hereby rescinded and RSID # 724 and 724M is hereby cancelled and all previous actions taken in regard to this district are null and void.

DONE BY ORDER of the Board of County Commissioners, Yellowstone County, Montana, this 26th day of July, 2005.

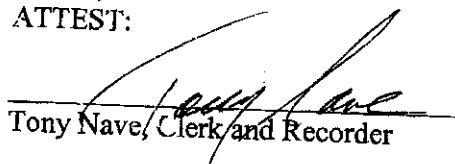
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


John Ostlund, Chairman


Bill Kennedy, Member


Jim E. Reno, Member

(SEAL)
ATTEST:


Tony Nave, Clerk and Recorder

***** AFFIDAVIT OF PUBLICATION *****

The BILLINGS GAZETTE

401 N. 28th
Billings, MT 59101
Phone: (406) 657-1212 Fax: (406) 657-1345

Ad Number: 2824889

Tammy Haar

being first duly sworn, deposes and says: That she is the principal clerk of The Billings Gazette, a newspaper of general circulation published daily in the City of Billings, in the County of Yellowstone, State of Montana, and has charge of the Advertisements thereof.

That the 9 Folios legal regarding:

NOTICE OF INTENT TO CREATE A RURAL

a true copy of which is hereto annexed, was published in said newspaper on the following dates; via:

11/29, 8/05

Making all 2 publication(s)

Mark below if certification for the State of Montana. I hereby certify that I have read sec. 18-7-204 and 18-7-205, MCA, and subsequent revisions, and declare that the price or rate charged the State of Montana for the publication for which claim is made in the attached papers in the amount of \$ 0.00 is not in excess of the minimum rate charged any other advertiser for publication of advertisement, set in the same size type and published for the same number of insertions. I further certify that this claim is correct and just in all respects, and that payment or credit has not been received.

Tammy Haar

STATE OF MONTANA
County of Yellowstone

On this day of Aug 5, 2005, before me, the undersigned Notary Public for the State of Montana, personally appeared Tammy Haar, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Barbara A. Lewitt

NOTARY PUBLIC for the State of Montana
Residing at Billings, MT
My commission expires: 10-06-2008

Barbara A. Lewitt

NOTICE OF INTENT TO CREATE A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) TO BE KNOWN AS R.S.I.D. #734 & R.S.I.D. Maintenance District (734M)

For properties accessing Trask Subdivision First Filing (see map for RSID boundary).

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Yellowstone County, Montana, intends to create a Rural Special Improvement Maintenance District for the purpose of assessing costs for improvements (street paving) and to ensure for the future operation, maintenance, and preservation of the roadway so improved, more particularly described as: Lots 7 through 23 Block 1 of Trask Subdivision 1st Filing, as also listed in the Resolution of Intent to Create R.S.I.D. # 734 & 734M (#05- 62) on file in the office of the County Clerk and Recorder, Room 401, County Courthouse, 217 N. 27th Street, Billings, Montana.

The costs of the district shall be assessed on an "equal" method for existing and future lots. The estimated total cost of the district is \$33,000.00. The 16 properties proposed to be included in the RSID would be assessed for the estimated construction costs of \$2,062.50 per parcel. The estimated annual cost per parcel over a 10 year period would be \$307.37 at an estimated interest rate of 8.00%. Said costs shall begin to be assessed against the lots on the Yellowstone County real property tax statement beginning in November, 2005 or in November, 2006 if the assessment deadline for the 2005 tax statement is missed.

NOTICE IS FURTHER GIVEN that on Tuesday, August 30, 2005 at 9:45 a.m., in the Commissioners' Board Room 403A, fourth floor of the Yellowstone County Courthouse, the Board of County Commissioners will conduct a hearing and pass upon any and all protests that may be made against the creation of said Rural Special Improvement District. Written protests may be mailed to: Clerk and Recorder's Office, P.O. Box 35001, Billings, MT, 59107, or may be delivered to Room 401, fourth floor, Yellowstone County Courthouse. All protests shall be received by 5:00 p.m., Monday, August 29, 2005.

For additional information relative to said proposed district, contact the office of the Clerk and Recorder at (406) 256-2785.

DONE BY ORDER of the Board of County Commissioners this 26th day of July, 2005.

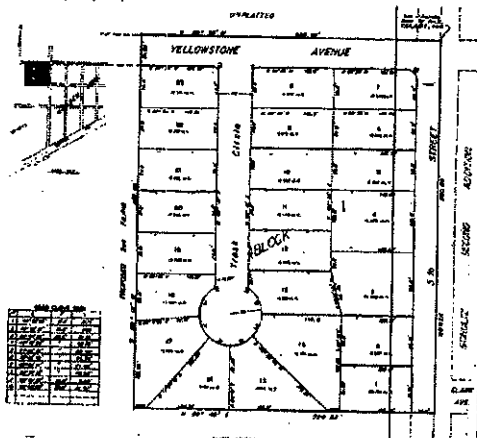
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

/s/ John Ostlund, Chairman

(SEAL)

ATTEST:

/s/ Tony Nave, Clerk and Recorder
By Harriet Buckman, Deputy



7-29, 8-5-05

RESOLUTION NO. 05-52

**AMENDED RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT DISTRICT
KNOWN AS R.S.I.D. #724 AND MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #724M
TRASK SUBDIVISION FIRST FILING**

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 #724 and Maintenance District #724M for Trask Subdivision First Filing, described in Exhibit B as Lots 7 through 23 Block 1 and more particularly shown in Exhibit A (map) and,

WHEREAS, the Clerk and Recorder published the Notice of the passage of Amended Resolution of Intent to Create the District in the Billings Gazette on May 27th, 2005 and June 3rd, 2005, and mailed a copy of the Notice to every person, firm or corporation owning property in the District; and,

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

1. That the public interest or convenience requires the creation of a Rural Special Improvement District and Rural Special Improvement Maintenance District as hereinafter described;
2. That the costs of providing for the construction and maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement District with all existing lots being assessed an equal amount on a per lot basis. The Rural Special Improvement Maintenance District will be assessed for all existing and future lots being assessed an equal amount on a per lot basis;
3. That the purpose of forming the Districts is to provide for the construction, maintenance, preservation, and repair of the streets located within the boundaries of this District;
4. That the Commissioners have been presented with a valid Petition to create the proposed Districts;

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

1. The Commissioners have acquired jurisdiction to create a Rural Special Improvement District No. 724 to provide for improving the roadway system and Rural Special Improvement Maintenance District No. 724M to provide for the annual maintenance, operation and preservation of the streets. The construction costs and property assessments are more particularly described in Exhibits C, D, and E and the maintenance costs are more particularly described in Exhibit F. The estimated maintenance costs shown do not preclude other eligible street maintenance expenditures.

2. All of the costs of the District shall be assessed equally on a per lot basis for all existing and future lots (see Exhibit H). The boundaries of this District are shown on the map attached as Exhibit A and described in Exhibit B.

3. The number of the Rural Special Improvement District thereof shall be No. 724, and the number of Rural Special Maintenance District thereof shall be **No. 724M**.

4. All lots accessing their property from the improved streets will benefit from proposed R.S.I.D.'s and shall be assessed for road construction and maintenance. All existing lots will be assessed an equal amount based upon the total cost of the construction. All existing and future lots will be assessed an equal amount based upon the total cost of the maintenance.

5. The Commissioners desire that an Ad Hoc Committee (see exhibit G) 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 the assessments, and how the 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 28th day of June, 2005.

Board of County Commissioners
Yellowstone County, Montana

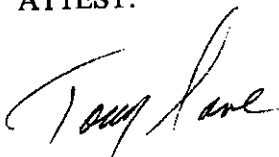
(SEAL)


Bill Kennedy, Member


James E. Reno, Member


John Ostlund, Chair

ATTEST:



Tony Nave
Clerk and Recorder

TRASK SUBDIVISION FIRST FILING

in N²NE⁴SW⁴ Sec. 31, T.3 N., R.29 E., P.M.M.

YELLOWSTONE COUNTY, MONTANA

For: Charles P. Trask

by: Harlan M. Lund 1827 S

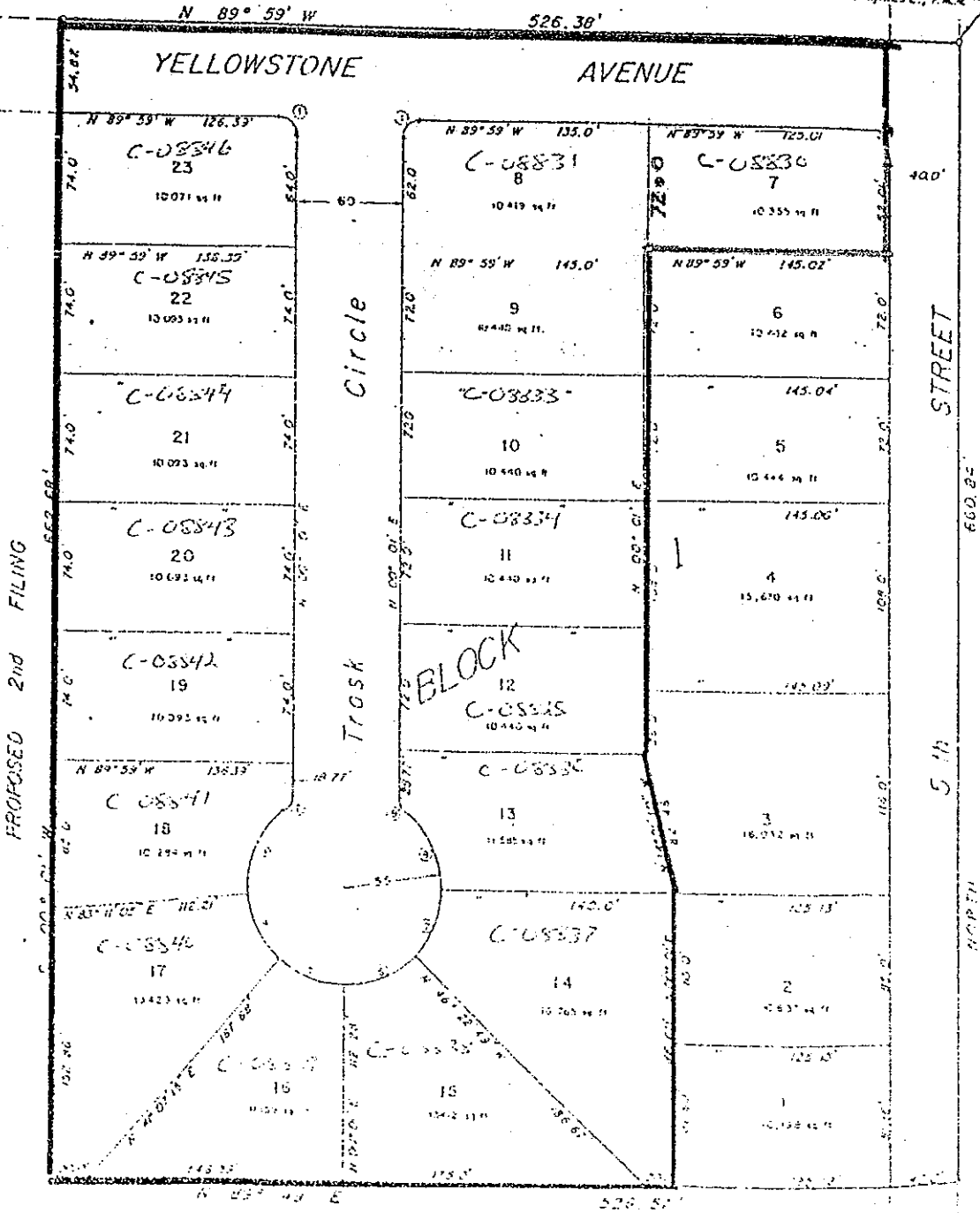
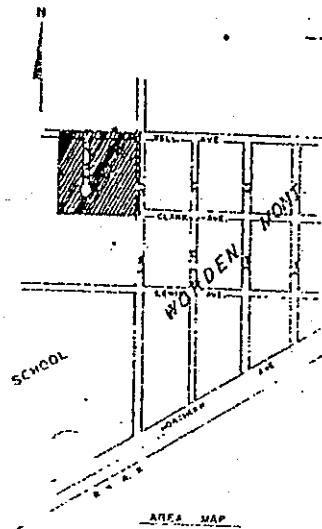
NOVEMBER, 1976

SAFECO TITLE INS. CO. OF IDAHO

WHILE THIS IS A PHOTOGRAPHIC REPRODUCTION OF THE RECORDED PLAT, THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, WITH A RESURVEY.

UNPLATTED

Point of Beginning
Center Cor. Sec. 31,
T.3N., R.29E., P.M.M.



$$\frac{12}{17} = 71\%$$



Charles Trask
2478 Trask Circle
Worden, MT 59088

June 3, 2004

B-75932

Dear Charles:

As you requested we have prepared an ownership report on the following legal descriptions.

<u>OWNER(S)</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Linda Varela P.O. Box 23 Worden, MT 59088-0023	Lot 7, Block 1 Trask Subdivision First Filing	C-08830
Michael Leon & Kimberly Mink Reiter P.O. Box 265 Worden, MT 59088-0265	Lots 8 & 9, Block 1 ^{Two} Trask Subdivision First _{12/5} Filing	C-08831
Randall J. & Bonnie J. Riley 2485 Trask Circle Worden, MT 59088-2222	Lot 10, Block 1 Trask Subdivision First Filing	C-08833
James P. & Aimee P. Benn 2483 Trask Circle Worden, MT 59088-2222	Lot 11, Block 1 Trask Subdivision First Filing	C-08834
Tara J. Oberlander 2481 Trask Circle Worden, MT 59088-2222	Lot 12, Block 1 Trask Subdivision First Filing	C-08835

EXHIBIT B (page 2)

Tyrone B. & Betty Loenforf
2479 Trask Circle
Worden, MT 59088-2222

Lot 13, Block 1
Trask Subdivision First
Filing

C-08836

Lori R. Ellis
2475 Trask Circle
Worden, MT 59088-2222

Lot 14, Block 1
Trask Subdivision First
Filing

C-08837

Rodney L. & Teresa R. Kosmicki
2485 Trask Circle
Worden, MT 59088-2222

Lot 15, Block 1
Trask Subdivision First
Filing

C-08838

Susan C. Craig
P.O. Box 312
Worden, MT 59088-0312

Lot 16, Block 1
Trask Subdivision First
Filing

C-08839

Charles P. & Marie B. Trask
Co-Trustees of the Trask
Family Trust
2478 Trask Circle
Worden, MT 59088-2222

Lot 17, Block 1
Trask Subdivision First
Filing

C-08840

Todd W. & Rolanda H. Texley
2480 Trask Circle
Worden, MT 59088-2222

Lot 18, Block 1
Trask Subdivision First
Filing

C-08841

Note
Paid of
3 Mo. Ago
@PTTrask

Charles P. & Marie B. Trask &
M.F. & Beverly A. Trask, Trustees
C/O Todd Wayne & Rolanda H.
Texley
2480 Trask Circle
Worden, MT 59088-2222

Lot 19, Block 1
Trask Subdivision First
Filing

C-08842

Jerry L. & Maria Guadalupe Weaver
2362 Vina Del Mar
Oxnard, CA 93035-3635

Lot 20, Block 1
Trask Subdivision First
Filing

C-08843

Juan Antonio Ojeda
724 North 31st Street
Billings, MT 59101-0946

Lot 21, Block 1
Trask Subdivision First
Filing

C-08844

Alberto Ojeda
7441 East Brooks Drive
Tucson, AZ 85730-1732

Lot 22, Block 1
Trask Subdivision First
Filing

C-08845

0:6
Clarence F. & Dorothy D.
Toodgood, Trustees
P.O. Box 104
Belfry, MT 59008-0105

Lot 23, Block 1
Trask Subdivision First
Filing

C-08846

Dated as of May 25, 2004 at 5:00 P.M.

First Montana Title Company of Billings

Sara Staebler

Sara Staebler

1-2-2004

EXHIBIT C
AMENDED RESOLUTION OF INTENT TO CREATE RSID 724 - TRASK SUBDIVISION 1ST FILING

ROAD OVERLAY AND MAINTENANCE

TAX CODE	OWNER(S)	LOT	BLOCK	SUBDIVISION	(A) Improved (1) or Vacant (0)	(B) Market Valuation	(C) Units of Assess.	(D) Delinq. Taxes as of 7/31/04	(E)=(C)X2437.5 Estimated Assessment on RSID	(F)=(E)X(A) Assessments On Improved Properties	(G)=(B)-(D)-(E) Positive Net Values	(H)=(B)-(D)-(E) Negative Net Values
C08830	VERELA, LINDA	7	1	TRASK 1ST FILING	1	73,810	1	-	2,437.50	2,437.50	71,373	
C08831	REITER, MICHAEL LEON & KIMBERLY MINK	8 & 9	1	TRASK 1ST FILING	1	174,995	1	-	2,437.50	2,437.50	172,558	
C08833	RILEY, RANDALL J & BONNIE J	10	1	TRASK 1ST FILING	1	61,782	1	-	2,437.50	2,437.50	59,345	
C08834	BENN, JAMES P & AIMEE P	11	1	TRASK 1ST FILING	1	96,594	1	-	2,437.50	2,437.50	94,157	
C08835	OBERLANDER, TARA J	12	1	TRASK 1ST FILING	1	66,744	1	-	2,437.50	2,437.50	64,307	
C08836	LOENDORF, TYRONE B & BETTY	13	1	TRASK 1ST FILING	1	61,484	1	-	2,437.50	2,437.50	59,047	
C08837	ELLIS, LORI R & KEVIN	14	1	TRASK 1ST FILING	1	68,528	1	-	2,437.50	2,437.50	66,091	
C08838	KOSMICKI, RODNEY L & TERESA R	15	1	TRASK 1ST FILING	1	65,761	1	-	2,437.50	2,437.50	63,324	
C08839	CRAIG, SUSAN C	16	1	TRASK 1ST FILING	1	78,040	1	-	2,437.50	2,437.50	75,603	
C08840	TRASK, CHARLES P & MARIE B TRUSTEE	17	1	TRASK 1ST FILING	1	58,031	1	-	2,437.50	2,437.50	55,594	
C08841	TEXLEY, TODD W & ROLANDA H	18	1	TRASK 1ST FILING	1	80,783	1	-	2,437.50	2,437.50	78,346	
C08842	TRASK, CHARLES P ETUX & M F ETUX	19	1	TRASK 1ST FILING	0	6,035	1	-	2,437.50	-	3,598	
C08843	WEAVER, JERRY L MARIA G	20	1	TRASK 1ST FILING	1	60,892	1	-	2,437.50	2,437.50	58,455	
C08844	OJEDA, JUAN ANTONIO	21	1	TRASK 1ST FILING	0	6,035	1	-	2,437.50	-	3,598	
C08845	OJEDA, ALBERTO	22	1	TRASK 1ST FILING	0	6,035	1	-	2,437.50	-	3,598	
C08846	TOOGOOD, CLARENCE F & TOOGOOD, DOROTHY I	23	1	TRASK 1ST FILING	0	6,027	1	-	2,437.50	-	3,590	
Totals					12	971,576	16	-	39,000.00	29,250.00	932,576	-

12 PROPERTIES IMPROVED
16 PROPERTIES ASSESSED
75.0% PERCENT DEVELOPED

EXHIBIT D

AMENDED RESOLUTION OF INTENT TO CREATE RSID 724 - EXHIBIT D

TRASK SUBDIVISION ESTIMATED COST OF STREET OVERLAY-PRIVATE BOND SALE AS OF May 16, 2005

Construction cost-Hardrives Construction Inc. 5/12/05	\$ 28,120.96
Construction contingency	5,189.04

TOTAL CONSTRUCTION COSTS	33,310.00
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DIRECT ADMIN. COSTS-PRIVATE SALE

Engineering-Precreation costs	-
Engineering-Design	-
Engineering-Admin, Inspection, Staking, etc.	-
Advertising, title reports, postage, misc.	620.00

SUBTOTAL	33,930.00
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INDIRECT ADMIN. & RESERVE COSTS

County RSID Revolving Fund Collateralization-5% of debt issue	1,950.00
County Administration-5% of debt issue	1,950.00
RSID Debt Reserve-3%, 71% developed	1,170.00

TOTAL ESTIMATED DEBT REQUIREMENT	39,000.00
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Number of parcels in district boundary	16
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Cost per parcel-assessed on equal basis	\$ 2,437.50
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Est. annual cost @ 5.0% over 10 years	\$315.67
Est. annual cost @ 6.0% over 10 years	\$331.18
Est. annual cost @ 7.0% over 10 years	\$347.05
Est. annual cost @ 8.0% over 10 years	\$363.26



Since 1989

EXHIBIT E



4800 A Helfrick Road
Billings, MT 59101
406-245-3128
Fax 406-245-8834

Email: hardrives@hardrives-asphalt.com
www.hardrives-asphalt.com

Licensed, Bonded, Insured

Excavation • Concrete • Asphalt • Utilities

Proposal submitted to:	Yellowstone County	Date:	5/12/2005
	Attn: Tom Kessler	Phone:	254-7929
	Trask Circle-Worden MT	Job Type:	Maint./Chip Seal
		Job Loc:	Trask Circle

We hereby submit specifications and estimates per your request for price to provide asphalt maintenance. We have figured price to:

ASPHALT REPAIR

1. Repair low and sunken asphalt. Approximately 6500 square feet. **\$8,515.00**

CRACK REPAIR

1. Repair new cracks by routing, cleaning, and double filling with hot rubber. Repair old cracks by blowing free all dirt and debris, and refilling.

Approximately 750 lineal feet **\$877.50**

CHIP SEAL

\$10,914.66

CURB AND GUTTER

1. Approximately 270 lineal feet, includes 6" thick fillet **\$7,813.80**

Total \$28,120.96

- Hardrives is not responsible for any damage done to existing asphalt due to weight of machinery.
- One mobilization included.
- All workmanship and materials guaranteed against failure for one full year.
- If you have any questions, please call.

PAYMENT TO BE AS FOLLOWS:
UPON COMPLETION, UNLESS OTHER ARRANGEMENTS HAVE BEEN MADE...
FOR YOUR CONVENIENCE WE NOW ACCEPT MASTER CARD AND VISA.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

****See Above****

THIS PROPOSAL MAY BE WITHDRAWN BY US, IF NOT ACCEPTED WITHIN 90 DAYS

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance. This Document also serves as a Right to Lien.

AUTHORIZED SIGNATURE:

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:

DATE OF ACCEPTANCE:



EXHIBIT F

PETITION TO ESTABLISH A RURLA SPECIAL IMPROVEMENT DISTRICT (RSID)

TRASK SUBDIVISION FIRST FILING

**SECTION C
ESTIMATED ANNUAL MAINTENANCE COST**

FALL MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Snow removal	100.00/year

WINTER MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Snow removal	100.00/year

SPRING MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Snow removal	100.00/year

SUMMER MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Weed control	100.00/year

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$400.00/year

EXHIBIT G

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

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

	NAME	TELEPHONE NUMBER
1.	<u>Todd W Texley</u> Printed Name	<u>406.967.2435</u>
	<u>Todd W Texley</u> Signature	
2.	<u>Tara J. Oberlander</u> Printed Name	<u>406-967-2623</u>
	<u>Tara J Oberlander</u> Signature	
3.	<u>Aimee P. Benn</u> Printed Name	<u>406-967-2962</u>
	<u>Aimee P. Benn</u> Signature	
4.	<u>Susan Craig</u> Printed Name	<u>406-967-2388</u>
	<u>Susan Craig</u> Signature	
5.	<u>Robbie Kolonic</u> Printed Name	<u>406-967-3167</u>
	<u>Robbie Kolonic</u> Signature	
6.	<u>Kevin Ellis</u> Printed Name	<u>406-967-3191</u>
	<u>Kevin Ellis</u> Signature	

EXHIBIT H

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION D
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Equal Amount: *PER Lot*

Front Footage:

Other (Describe):

Square Footage (Please list the square footage for each lot within the proposed district):

Property Owner

Lot & Block, Subdivision or C/S

Total Square Footage

Lined area for listing property details.

RESOLUTION NO. 05- 52

**AMENDED RESOLUTION OF INTENTION TO CREATE A RURAL SPECIAL
IMPROVEMENT DISTRICT KNOWN AS R.S.I.D.#724 AND MAINTENANCE
DISTRICT KNOWN AS R.S.I.D.#724M
TRASK SUBDIVISION FIRST FILING**

WHEREAS, the Board of County Commissioners of Yellowstone County ("Commissioners") met in regular session this day to consider the formation of a Rural Special Improvement District and Maintenance District for properties within Trask Subdivision First Filing for the purpose of paving and maintaining those streets, as shown on Exhibit A; and,

WHEREAS, the Commissioners find, determine and declare:

1. That the public interest or convenience requires the creation of a Rural Special Improvement District and Maintenance District as described below;
2. That the costs of the improvements and providing maintenance and repair 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 and maintenance;
3. That 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 improved;
4. That the Commissioners have been presented with a valid Petition signed by more than 60% of the freeholders of the proposed district to create the proposed District;
5. That the Commissioners have the authority to sign the Resolution of Intention to Create the proposed Rural Special Improvement District No.724/724M.

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

1. It is the intention of the Commissioners to create a Rural Special Improvement District for the purpose of improving the roadway system and to create a Special Maintenance District to provide for the annual maintenance, operation, and preservation of the repaired and improved roadway system. These improvements and costs are more particularly described in Exhibit E. The estimated maintenance costs are shown in Exhibit F.

2. The total project cost, individual property assessment, and annual assessments per property are estimated and described on Exhibit D. The individual affected properties and property attributes are shown in Exhibit C. The boundaries of the District are shown on the map in Exhibit A and are more particularly described in Exhibit B.

3. The number of the Rural Special Improvement District shall be **No. 724** and the number of the Maintenance District shall be **No. 724M**.

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 properties shall be the sum of \$39,000.00, as more particularly described in Exhibits C and D and spread over a period of eight years.

5. All lots and tracts accessing their property from the improved streets 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 2005 or in November 2006 if the assessment deadline for the 2005 tax statement is missed. The first year's assessment may include more than one 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 \$2,437.50. If the original assessment is financed over a ten year period at an 8.0% estimated interest rate, the annual cost is estimated at \$363.26 for each full assessment on a district property. All annual maintenance costs of the district shall be assessed equally on a per lot method for existing and future lots (Exhibit H).

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 factors enumerated in 7-12-2185(3), 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 in Exhibit C.

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 the assessments and how the assessments should be spent. The Petitioners have submitted a list of some individuals who are willing to serve on the Ad Hoc Committee on Exhibit G.

Page 3

Amended Resolution of Intent
R.S.I.D.#724/724M

8. On Tuesday, June 28, 2005 in the Commissioners' Board Room 403A, fourth floor, Yellowstone County Courthouse, Billings, Montana, at the hour of 9:45 a.m., the Board of County Commissioners intends to create the Rural Special Improvement District and related Maintenance District, and will hear, discuss, review, and act upon all written protests against the creation of the District and Maintenance District, which protests have been received by the Clerk and Recorder not later than 5:00 p.m. June 27, 2005 by any persons or other entity who are owners of any lots within the District.

9. The County Clerk and Recorder is authorized and directed to publish a copy of the Notice of Passage of the Resolution of Intention to Create, in the Billings Gazette, a newspaper of general circulation printed and published in the City of Billings, Yellowstone County, Montana, on May 27 and June 3, 2005; to post a copy of the Notice in three public places within the boundaries of the District; and to mail a copy of the Notice to every person or persons who are owners or agents of every person, firm or corporation owning property in the proposed District, listed in his name upon the last completed assessment roll, at his last known place of residence on the same day the Notice is first published.

10. The engineering services will be provided by Yellowstone County Public Works and the Yellowstone County Attorney's Office shall be the attorneys for the district for purposes of creation of the district.

11. This resolution supersedes Resolution #04-86, RESOLUTION OF INTENTION TO CREATE A RURAL SPECIAL IMPROVEMENT DISTRICT KNOWN AS R.S.I.D. #724 AND MAINTENANCE DISTRICT KNOWN AS R.S.I.D. #724M.

12. This resolution supersedes Resolution #04-89, AMENDED RESOLUTION OF INTENTION TO CREATE A RURAL SPECIAL IMPROVEMENT DISTRICT KNOWN AS R.S.I.D. #724 AND MAINTENANCE DISTRICT KNOWN AS R.S.I.D. #724M.

13. This resolution supersedes Resolution #04-102, RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT DISTRICT KNOWN AS R.S.I.D. #724 AND MAINTENANCE DISTRICT KNOWN AS R.S.I.D. #724M.

**TO BE KNOWN AS R.S.I.D. #724 AND #724M
(TRASK SUBDIVISION 1ST FILING)**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Yellowstone County, Montana, intends to create a Rural Special Improvement District and Maintenance District for Properties within Trask Subdivision 1st Filing for the purpose of paving and maintaining those streets.

That the costs of the improvements and providing maintenance and repair 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 and maintenance.

NOTICE IS FURTHER GIVEN that on **Tuesday, June 28th, 2005 at 9:45 a.m.** in the Commissioners' Board Room 403A, fourth floor of the Yellowstone County Courthouse, the Board of County Commissioners will conduct a hearing and pass upon any and all protests that may be made against the creation of said Rural Special Improvement Maintenance District. Written protests may be mailed to: Clerk and Recorder's Office, P.O. Box 35001, Billings, MT, 59107, or may be delivered to Room 401, fourth floor, Yellowstone County Courthouse. All protests shall be received by 5:00 p.m., Monday June 27th, 2005.

For additional information relative to said proposed district, contact the office of the Clerk and Recorder at (406) 256-2785.

DONE BY ORDER of the Board of County Commissioners this 24th, day of May, 2005.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

/s/John Ostlund, Chairman

/s/sTony Nave, Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS

P.O. BOX 35000

BILLINGS, MT 59107

TO: Tammy
Legals' Clerk, *Billings Gazette*

FROM: Harriett Buckman, Commissioners' Clerk
Yellowstone County Commissioners

DATE: 5/25/05

SUBJECT: NOTICE OF INTENT TO CREATE – RSID 724 & 724M (TRASK SUB)

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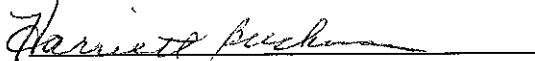
Please publish the following **Friday: May 27th, 2005 and Friday: June 3rd, 2005**

Please bill the County Commissioners at this address:

Clerk and Records Office
P.O. Box 35001
Billings, MT 59107
ATTN: Harriett

Please furnish Affidavit of Publication.

Thank you.


Harriett Buckman

FAXED & E-MAILED _____ **Time:** _____

TRASK SUBDIVISION FIRST FILING

in N²NE⁴SW⁴ Sec. 31, T.3 N., R.29 E., P.M.M.

YELLOWSTONE COUNTY, MONTANA

for: Charles P. Trask

by: Harlan M. Lund 1827 S

NOVEMBER, 1976

SAFECO TITLE INS. CO. OF IDAHO

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UNPLATTED

Point of Beginning
Center Cor. Sec. 31,
T.3N., R.29E., P.M.M.

