

RESOLUTION NO. D5-14

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #729M
CASS ESTATES SUBDIVISION**

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 Maintenance District #729M for Cass Estates Subdivision, described in Exhibit A as lots 1-9 of Cass Estates Subdivision amending tracts A-1 and A-2, Certificate of Survey No. 2250 located in the East ½, SW ¼ of section 6, Township 1N, Range 27E, PMM and more particularly shown in Exhibit B (map) and,

WHEREAS, the Clerk and Recorder published the Notice of the passage of Resolution of Intent to Create the District in the Billings Gazette on February 4th, 2005 and February 11th, 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 Maintenance District as hereinafter described;
2. That the costs of providing for the maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement Maintenance District with all existing and future lots being assessed an equal amount on a per lot basis;
3. That the purpose of forming the District is to provide for the 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 District;

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 Maintenance District No. 729M to provide for the annual maintenance, operation and preservation of the streets. The maintenance costs are more particularly described in Exhibit C. 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 C). The boundaries of this District are shown on the map attached as Exhibit B and described in Exhibit A.

3. The number of the Rural Special Improvement Maintenance District thereof shall be No. 729M.

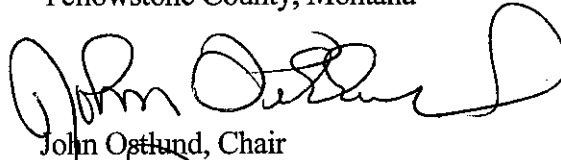
4. All lots accessing their property from the streets will benefit from proposed R.S.I.D. and shall be assessed for maintenance. All lots will be assessed an equal amount based upon the total cost of the maintenance.

5. 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 Commissioners ask that the Petitioners submit a list of some individuals who are willing to serve on the Ad Hoc Committee.

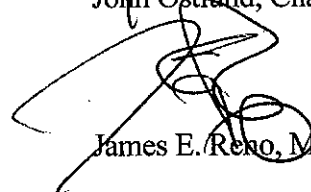
PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 8th day of March, 2005.

Board of County Commissioners
Yellowstone County, Montana

(SEAL)

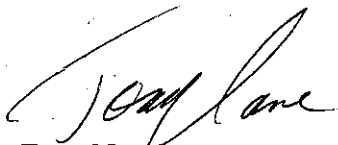


John Ostlund, Chair



James E. Reno, Member

ATTEST:



Tony Naye
Clerk and Recorder

Absent

Bill Kennedy, Member

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT
(RSID) cont.**

Section A – See attached Plat of Cass Estates Subdivision

Section B – Legal Descriptions & Ownership Report

Lots 1-9 of Cass Estates Subdivision

**Amending Tracts A-1 and A-2, Certificate of Survey No. 2250, located in
the East ½, Southwest ¼, of Section 6, Township 1N, Range 27E, PMM,
Yellowstone County, Montana.**

**Record Owners – East ½ of the Southwest ¼ of Section 6, Township 1 N, Range
27E**

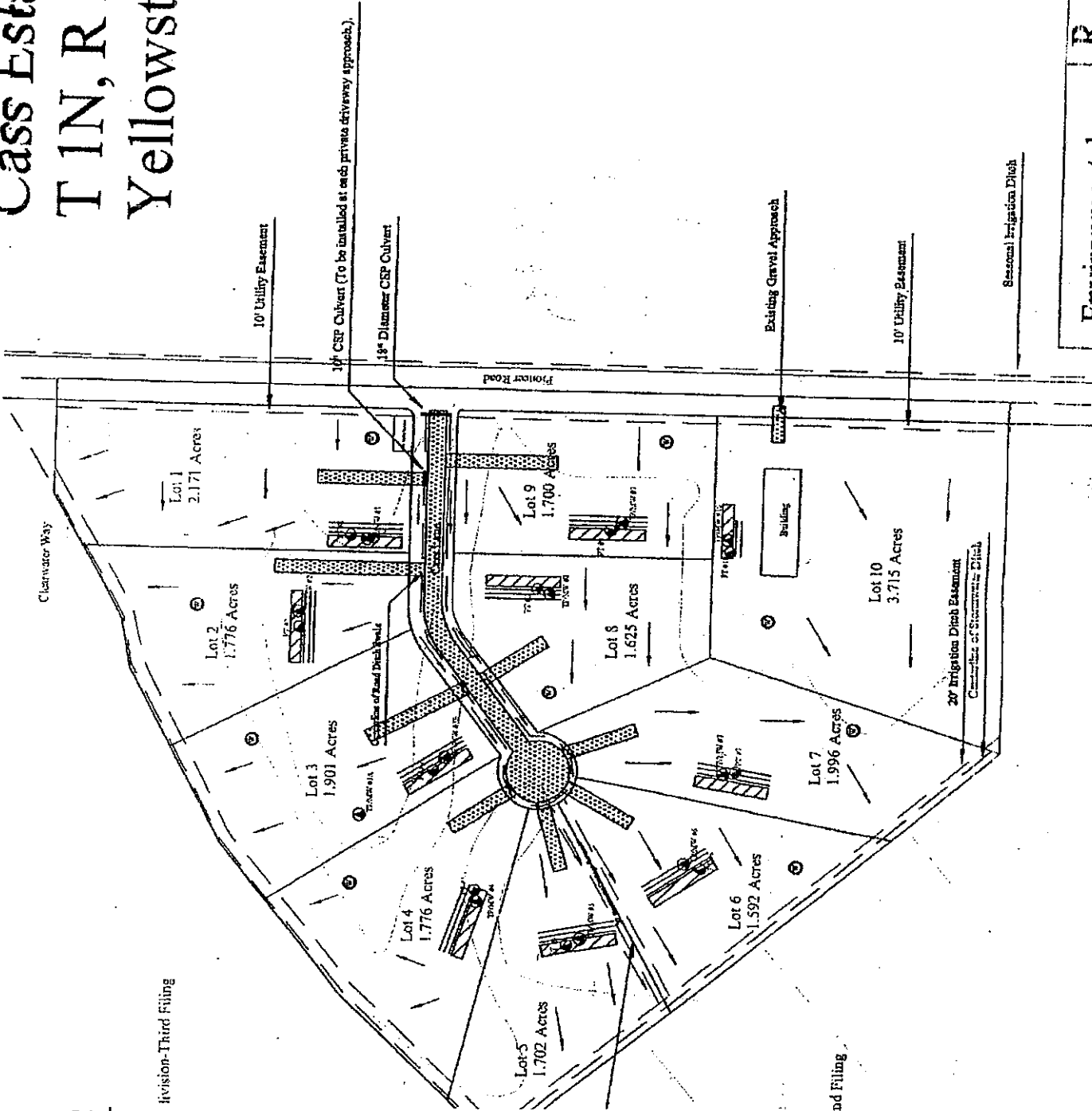
**William J. & Lisa I. Howe
3335 Dover Lane
Billings, MT 59105-6008
(406) 373-9115**

Leinholders or Claimants of Record –

**William J. & Lisa I. Howe
3335 Dover Lane
Billings, MT 59105-6008
(406) 373-9115**

Cass Estates Subdivision T 1N, R 27E, Section 6 Yellowstone County

EXHIBIT B



Legend

Primary Drainfield

Replacement Drainfield

Soil Test Pit/Monitoring Well

Percolation Test

Well

Storm Water Flow Direction

Gravel Road Surface

P. 1

Division-Third Filing

406-373-9115

Doss Electric, Inc and Filing

Jan 21 05 02:07P

Environmental
Health & Land

R S Consulting, LLC
PO Box 194
Columbus, IA
(406) 322-1111

EXHIBIT C

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT
(RSID) cont.**

Section C – Estimated Annual Maintenance Cost

FALL MAINTENANCE:

Activity: Grading of Cass Lane Cost: \$300.00

WINTER MAINTENANCE:

Activity: N/A-Gravel Road Cost: N/A

SPRING MAINTENANCE:

Activity: Grading of Cass Lane Cost: \$300.00

SUMMER MAINTENANCE:

Activity: Dust Control for Cass Lane Cost: \$600.00
Grading of Cass Lane Cost: \$300.00

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$1,500.00

Section D – Method of Assessment

Equal Amounts: 9 lots - \$167.00 per lot per year