

RESOLUTION NO. 06-39

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #748M
(CUSTER COULEE SUBDIVISION)**

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, have been presented with a valid petition to create a Rural Special Improvement Maintenance District which shall be known as R.S.I.D #748M for Custer Coulee Subdivision, described in Exhibit B as lots 1-8 block 1 and lots 1 and 2 block 2 of Custer Coulee Subdivision and more particularly shown in Exhibit A (map) and,

WHEREAS, under MCA 7-12-2102(2), a petition was presented to create a rural special improvement district that contains the consent of all (100%) of the owners of property to be included in the district;

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 on a per activity basis (Exhibit C) with lots 1 through 8 block 1 assessed for all maintenance activities and lots 1 and 2 block 2 assessed only for tank maintenance and weed control;
3. That the purpose of forming the District is to provide for dry hydrant maintenance, street maintenance and weed control of Chloe Drive, and weed control of the 20' gated emergency access easement running east to west between Chloe Drive and North 5th Road;
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. 748M to provide for the dry hydrant maintenance, and maintenance and weed control of streets located within the district. The estimated maintenance costs shown (see Exhibit C) do not preclude other eligible expenditures for dry hydrant maintenance, and street maintenance and weed control.

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

3. The number of the Rural Special Improvement Maintenance District thereof shall be No. 748M.

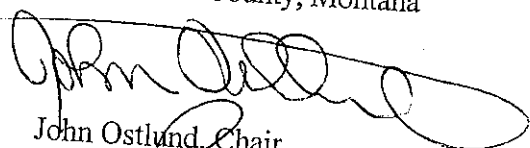
4. All lots accessing their property from the streets will benefit from proposed R.S.I.D. and shall be assessed for maintenance. All lots will be assessed an amount based upon the total cost of the applicable maintenance activity.

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.

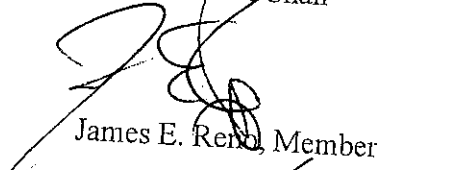
PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 3rd day of April, 2006.

Board of County Commissioners
Yellowstone County, Montana

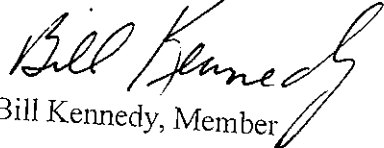
(SEAL)



John Ostlund, Chair

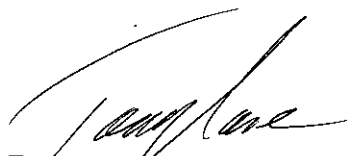


James E. Reno, Member

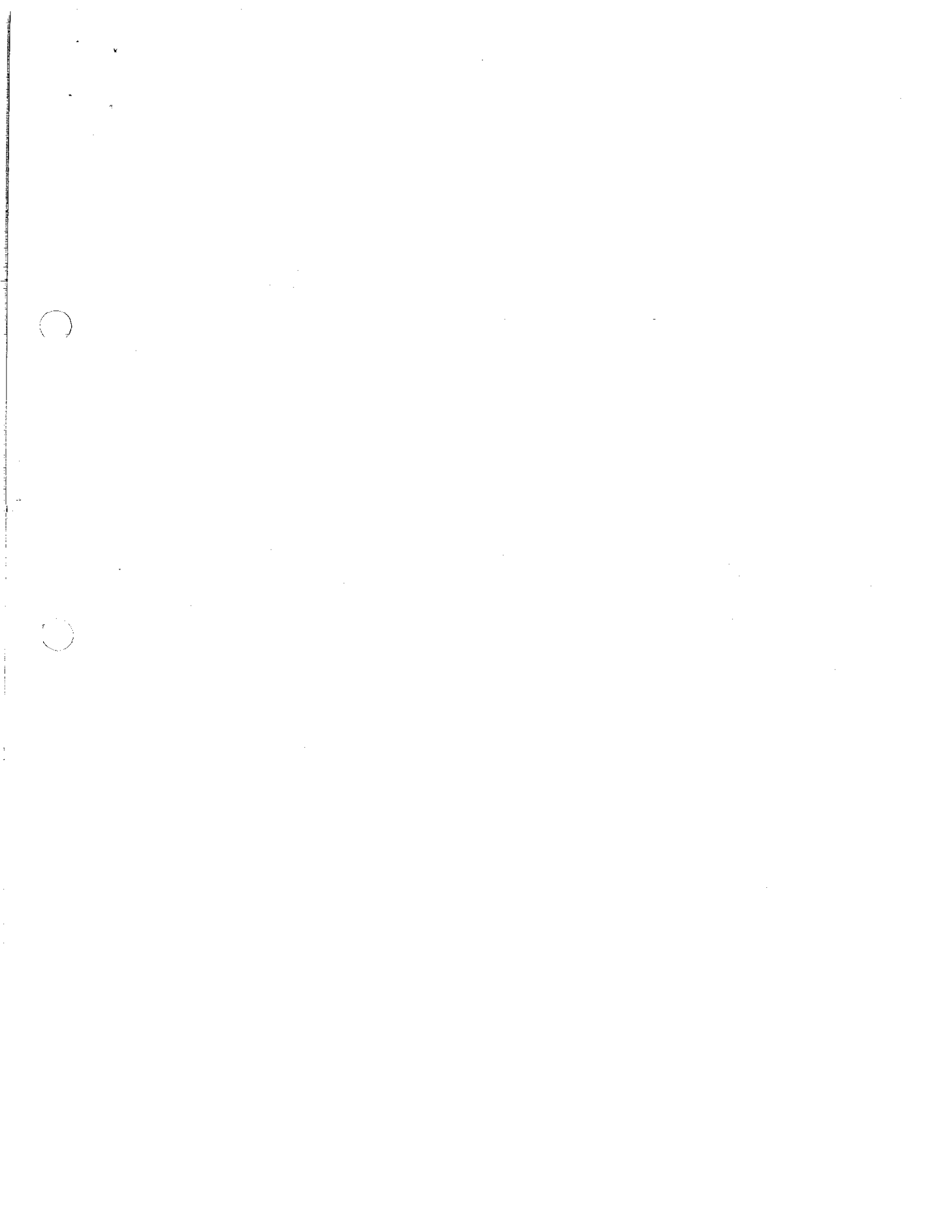


Bill Kennedy, Member

ATTEST:



Tony Nave
Clerk and Recorder



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

Section E – Petition for Creation of RSID Custer Coulee Subdivision

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RSID. It is our understanding that if support exists for the RSID, information will be provided to the County and a public hearing scheduled regarding the creation of this district. Following the hearing, the County Commissioners shall take action on whether or not to create the district. Should the Commissioners create the districts, WE, as property owners, understand the we shall bear the costs of the districts as formally approved by the Commissioners.

Property Owner Printed Name(s) Signature(s) Required	Complete Mailing Address Street, City, State & Zip	Properties Owned Lot & Block Subdivision or C/S	In Favor/Opposed	Method of Assessment
Peila Land Company LLC, Sam Peila, Managing Member	820 Yeoman Road Shepherd, MT 59079	1, 2, 3, 4, 5, 6, 7, and 8 Block 1, Custer Coulee Subdivision <i>lots 1 and 2 block 2 Custer Coulee Subdivision</i>	<i>Approve</i>	Equally between all eight (8) lots
<i>Sam Peila, managing member</i>			<i>FA favor</i>	

EXHIBIT C

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

Section C – Estimated Annual Maintenance Cost

FALL MAINTENANCE:

Activity: Gravel Road Grading of Chloe Drive	Cost: \$300
Tank Maintenance	Cost: \$40
Activity: Weed management of Emergency access	Cost: \$20

WINTER MAINTENANCE:

Activity: None

SPRING MAINTENANCE:

Activity: Gravel Road Grading of Chloe Drive	Cost: \$300
Tank Maintenance	Cost: \$40
Activity: Weed management of Emergency access	Cost: \$20

SUMMER MAINTENANCE:

Activity: None

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$720.00

Section D – Method of Assessment

Grading of Chloe Drive equally between Lots 1, 2, 3, 4, 5, 6, 7, and 8 Block 1.
Total of 8 lots = \$75.00 per lot.

Tank Maintenance divided equally between all 10 lots in Custer Coulee Subdivision = \$8 per lot.

Weed Control for Emergency Access divided equally between Lots all 10 lots in Custer Coulee Subdivision = \$4 per lot.

EXHIBIT D - ASSESSMENT METHOD

ASSESSMENT UNITS				
	<u>Road grading</u>	<u>Tank Maint</u>	<u>Weed mgmnt</u>	<u>Total</u>
Block 1 Lot 1	75	8	4	87
Block 1 Lot 2	75	8	4	87
Block 1 Lot 3	75	8	4	87
Block 1 Lot 4	75	8	4	87
Block 1 Lot 5	75	8	4	87
Block 1 Lot 6	75	8	4	87
Block 1 Lot 7	75	8	4	87
Block 1 Lot 8	75	8	4	87
Block 2 Lot 1	-	8	4	12
Block 2 Lot 2	-	8	4	12
	<u>600</u>	<u>80</u>	<u>40</u>	<u>720</u>

Lots benefitting from road grading will be assessed 75 units per property.

Lots benefitting from dry hydrant tank maintenance will be assessed 8 units per property.

Lots benefitting from weed management will be assessed 4 units per property.

New lots within the district boundary from splits or subdivisions will be assessed based on unit basis stated above.