

RESOLUTION NO. 21-04

**RESOLUTION TO CHANGE THE BOUNDARY OF RURAL SPECIAL
IMPROVEMENT MAINTANCE DISTRICT #752M
(EMERALD HILLS SUB- FOREST HILLS DR)**

WHEREAS, pursuant to §7-12-2161(4), MCA, the Commissioners have the power of changing, by resolution, the boundaries of any maintenance district not more than once a year; and

WHEREAS the boundaries of RSID #752M have not been changed within the last year; and

WHEREAS, it has been determined that properties adjacent to the existing Rural Special Improvement District #752M boundaries are not benefited properties accessing the district roads; and

WHEREAS, the non-benefited property status requires the change of boundaries for RSID #752M for the maintenance of streets within the district; and

WHEREAS, the boundaries of the district will be changed to exclude tax codes C17227, C17228, C17229, D06536 and D06539A Yellowstone County, Montana, described in Exhibit B; and

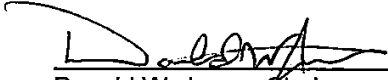
WHEREAS, lots to be excluded from the district and boundaries of the district are shown in Exhibit A (map).

WHEREAS, on January 5, 2021, the Yellowstone County Board of County Commissioners passed a resolution of intent to change the boundary of Rural Special Improvement District No. 752M. A public hearing on the boundary change of the District for March 2, 2021. On January 8, 2021, the Yellowstone County Clerk and Recorder mailed notice of the hearing to all property owners in the District. On January 8, 2021 and January 15, 2021, the Yellowstone County Clerk and Recorder published notice of the public hearings in the Yellowstone County News. On March 2, 2021, the Board held a public hearing on the boundary change of the District. The Board heard comments on the district and considered protests as to the boundary change of the District. The Board did not receive enough protests to prevent the change of the District. out of property owners protested the boundary change of the District. The Board believes that it is in the best interest of the public to change the boundary of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Yellowstone County, Montana, deeming the public interest or convenience require, intends to change the boundary of Rural Special Improvement Maintance District 752M Emerald Hills Subdivision- Forest Hills Drive.

PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone
County, Montana, this 2nd day of March, 2021.

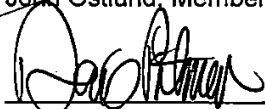
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



Donald W. Jones, Chairman

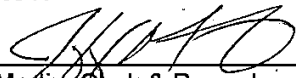


John Ostlund, Member



Denis Pitman, Member

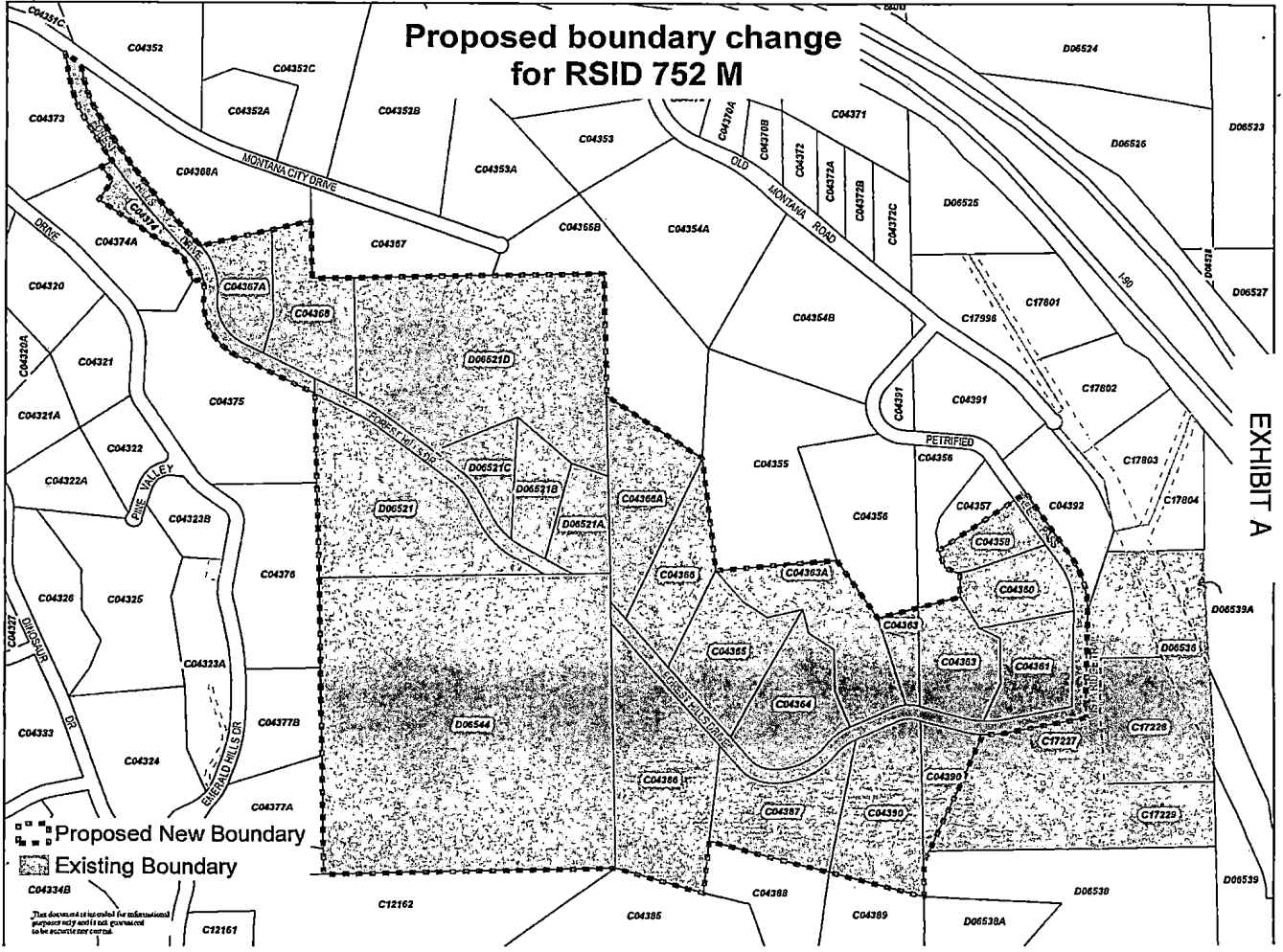
(SEAL)
ATTEST:



Jeff Martin, Clerk & Recorder
Yellowstone County, Montana

Proposed boundary change for RSID 752 M

EXHIBIT A



Proposed New Boundary
Existing Boundary

This document is for informational purposes only and is not guaranteed to be accurate and correct.

EXHIBIT B

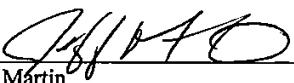
| Tax ID | Owner Name | Address | City | ST | Zip | Legal Description |
|--|---------------------------------|-------------------------|----------|----|------------|--|
| 1 C04358 | EILER, DARWIN | 820 PETRIFIED TREE PASS | BILLINGS | MT | 59101-7232 | EMERALD HILLS SUBD, S23, T01 N, R27 E, BLOCK 6, Lot 11B1, AMND 11-B |
| 2 C04360 | OLSON, JOSEPH D & | 509 8TH AVE SW | SIDNEY | MT | 59270-3883 | EMERALD HILLS SUBD, S26, T01 N, R27 E, BLOCK 6, Lot 11C1 - 12A, (17) |
| 3 C04361 | HAGEN, DANITA | 5555 FOREST HILLS DR | BILLINGS | MT | 59101-7207 | EMERALD HILLS SUBD, S26, T01 N, R27 E, BLOCK 6, Lot 12B - 12D |
| 4 C04363 | BENNETT, GREGORY L | 5529 FOREST HILLS DR | BILLINGS | MT | 59101-7207 | EMERALD HILLS SUBD, S26, T01 N, R27 E, BLOCK 6, Lot 13, ACRES 4.639, |
| 5 C04363A | ZOANNI, MAVIS | 5511 FOREST HILLS DR | BILLINGS | MT | 59101-7207 | EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 6, Lot 14 |
| 6 C04364 | BJORDAHL, ROBERT D | 5483 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 6, Lot 15 |
| 7 C04365 | BJORDAHL, ROBERT D & COURTNEY L | 5455 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 6, Lot 16 |
| 8 C04366 | PETERSON, JOSHUA A | 5415 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 17 |
| 9 C04366A | WRIGHT, CURTIS T | 5403 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 18 |
| 10 C04367A | ZIESKE FAMILY REVOCABLE TRUST | 5147 FOREST HILLS DR | BILLINGS | MT | 59101-7211 | EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 21A |
| 11 C04368 | GIBBS, JOHN W & SHANNON J | 5225 FOREST HILLS DR | BILLINGS | MT | 59101-7210 | EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 6, Lot 21B1, AMD LT 21B BLK 6 (09) |
| 12 C04374 | WILKERSON ROBERT L | 5044 FOREST HILLS DR | BILLINGS | MT | 59101-7212 | EMERALD HILLS SUBD, S22, T01 N, R27 E, BLOCK 8, Lot 3 |
| 13 C04386 | BJORDAHL, ROBERT & | 5483 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 9, Lot 12 |
| 14 C04387 | JERKE, MARGIE J | 5484 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD HILLS SUBD, S27, T01 N, R27 E, BLOCK 9, Lot 13 |
| 15 C04390 | CUSAK, IONATHAN W & JENNIFER R | 5522 FOREST HILLS DR | BILLINGS | MT | 59101-7207 | EMERALD HILLS SUB, BLOCK 9, Lot 16, |
| 16 D06521 | VAVROSKY, DARRELL A & KRISTI J | 5300 FOREST HILLS DR | BILLINGS | MT | 59101-7248 | EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 1, Lot 1 |
| 17 D06521A | SANDERS, PRESTON & JILL | 5434 FOREST HILLS DR | BILLINGS | MT | 59101-7208 | EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 1 |
| 18 D06521B | WALDO, WARD E & DANA M & | 5335 FOREST HILLS DR | BILLINGS | MT | 59101-7248 | EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 2 |
| 19 D06521C | LUPTON, ROBERT | PO BOX 4267 | PAHRUMP | NV | 89041-4267 | EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 3 |
| 20 D06521D | YOUNG, ROBERT & JUSTYNE | 5155 ALKALI CREEK RD | BILLINGS | MT | 59106-9557 | EMERALD FOREST SUB (08), S22, T01 N, R27 E, BLOCK 2, Lot 4B, AMD (09) |
| 21 D06544 | MARLER, GREGORY L & EMMYLOU D | 5350 FOREST HILLS DR | BILLINGS | MT | 59101-7248 | S27, T01 N, R27 E, NWNE |
| <u>To be removed from the existing RSID</u> | | | | | | |
| C17227 | J&V PROPERTIES LLP | 825 AHOY AVE | BILLINGS | MT | 59105-2523 | EUBANK SUBD (20), S26, T01 N, R27 E, Lot 1 |
| C17228 | MARTINZ, SHAUN MARIE | 635 VISTA RIDGE TRAIL | BILLINGS | MT | 59101 | EUBANK SUBD (20), S26, T01 N, R27 E, Lot 2, 2017 MID COUNTRY WESTLAND TITLE: AA4358625 |
| C17229 | J&V PROPERTIES LLP | 825 AHOY AVE | BILLINGS | MT | 59105-2523 | EUBANK SUBD (20), S26, T01 N, R27 E, Lot 3 |
| D06536 | J&V PROPERTIES LLP | 825 AHOY AVE | BILLINGS | MT | 59105-2523 | S26, T01 N, R27 E, C.O.S. 3654, PARCEL 1, REMAINDER RD (20) |
| D06539A | SPERRY FAMILY TRUST | 5825 OLD MONTANA RD | BILLINGS | MT | 59101-7240 | S26, T01 N, R27 E, C.O.S. 2376, PARCEL 1, & CS 3654 TR 2 (18) |

**Affidavit of Publication and Mailing of Notice of Hearing
for Rural Special Improvement District No. 752M**

STATE OF MONTANA)
 : ss.
County of Yellowstone)

Jeff Martin, being first duly sworn, deposes and says:

I am the Yellowstone County Clerk and Recorder. I am the Secretary for the Yellowstone County Board of County Commissioners. On January 5, 2021, the Board passed a resolution of intent to create Rural Special Improvement District No. 752M to change the boundary of Rural Special Improvement District 752M. It set a public hearing on the proposed boundary change of the District for March 2, 2021 and ordered me to publish notice of the public hearing, mail notice of the public hearing to all property owners within the District, receive written comments and protests on the District and provide the comments and protests to the Board before the hearing. In compliance with the order, I published notice of the public hearing in the *Yellowstone County News* on January 8, 2021 and January 15, 2021. Attached is a copy of the notice published in the *Yellowstone County News*. I mailed notice of the public hearing to all the property owners within the District. Attached is the list of property owners I sent the notice to and the notice I sent. I received 2 comments on the boundary change of the District and 2 protests on the boundary change of the District. I provided the comments and protests to the Board prior to the hearing.



Jeff Martin
Yellowstone County Clerk and Recorder

SUBSCRIBED AND SWORN to before me this 2nd day of March 2021.

