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RESOLUTION NO. 06-131

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #759M
(SPUR 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. #759M for Spur Subdivision, described in Exhibit B as the Northwest ¼ of Section 34, Township 3 North, Range 28 East, P.M.M., lots 1-4 of Spur 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 lot basis (Exhibit C);

3. That the purpose of forming the District is to provide for street maintenance;

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. 759M to provide for the street maintenance within the district. The estimated maintenance costs shown (see Exhibit C) do not preclude other eligible expenditures for street maintenance.

**FULL COPY FILED IN
CLERK & RECORDER'S
OFFICE**

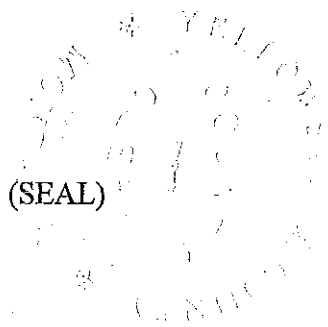
2. All of the costs of the District shall be assessed equally on a per lot basis for all existing and future lots (see Exhibit C). The boundaries of this District are shown on the map attached as Exhibit A and described in Exhibit B. The method of assessment is shown in Exhibit C.

3. The number of the Rural Special Improvement Maintenance District thereof shall be **No. 759M.**

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 5th day of December, 2006.



Board of County Commissioners
Yellowstone County, Montana

Handwritten signature of John Ostlund in black ink.

John Ostlund, Chair

Handwritten signature of James E. Reno in black ink.

James E. Reno, Member

Handwritten signature of Bill Kennedy in black ink.

Bill Kennedy, Member

ATTEST:

Handwritten signature of Tony Nave in black ink.

Tony Nave
Clerk and Recorder

PLAN OF SPUR SUBDIVISION

BEING THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 34 NORTH, RANGE 38 EAST, P.M. 14, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: VESA LANE BAKAWAY, RONALD K. SHOWN, PRESIDENT INTERSTATE ENGINEERING, INC 1002 AVENUE D, SUITE 210 BILLINGS, MT 59104

REMARKS: CENTER 1/4 CORNER FOUND AS NOTED PROPERTY CORNER FOUND AS NOTED YELLOW PLASTIC CAP MARKED "3333" - 141845'

ADDITIONAL DETAILS: GROSS ACRES - 42.50 ACRES NET ACRES - 40.45 ACRES ROAD WIDTH - 20.0 ACRES

REMARKS: CENTER 1/4 CORNER FOUND AS NOTED PROPERTY CORNER FOUND AS NOTED YELLOW PLASTIC CAP MARKED "3333" - 141845'

PROPERTY OWNER'S CERTIFICATION AND PROPERTY DESCRIPTION

I, the undersigned property owner, certify that I have caused to be surveyed, subdivided and shown as shown by the plat hereinafter annexed, the following described land, to-wit:

Being all of the Northwest 1/4 of the Southeast 1/4 of Section 34, Township 34 North, Range 38 East, P.M. 14, Yellowstone County, State of Montana, and being more particularly described as follows:

The herein Point of Beginning being the Center 1/4 corner of Section 34, Township 34 North, Range 38 East, P.M. 14, Yellowstone County, Montana, the following four (4) corners, to-wit: (1) N 89°23'45" E 1370.55 feet; Thence (2) S 0°11'24" E a distance of 1360.72 feet; Thence (3) S 89°13'52" W a distance of 1364.64 feet; Thence (4) N 0°11'13" W a distance of 1364.64 feet; to the enclosed point. Subject to all easements or liens on less and all according to the attached plat. Subject to all easements or liens on less and all according to the public pursuant to Section 76-5-621(5)(c), MCA. The above described tract of land is to be known and designated as:

SPUR SUBDIVISION

An easement is granted to the public for all roads as shown on the annexed plat.

Mesa Land Company, Ronald K. Shown, President

State of Montana) as

County of Yellowstone)

City of _____

Printed Name of History My Commission expires _____, 200__.

CERTIFICATE OF SURVEYOR

State of Montana)

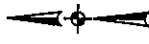
County of Yellowstone)

City of _____

Printed Name of History My Commission expires _____, 200__.

Subscribed and sworn to before me, the History Public Officer for the State of Montana, this _____ day of _____, 200__.

Notary Public for the State of Montana Key M. Lindstrom Residing at Billings, Montana My Commission expires June, 2009



CERTIFICATE OF COUNTY TREASURER I hereby certify that all net property taxes and special assessments assessed and levied on the land above described are paid pursuant to MCA Dated this _____ day of _____, 200__.

CERTIFICATE OF CITY-COUNTY HEALTH DEPARTMENT This subdivision has been reviewed and approved by the Yellowstone City-County Health Department. Dated this _____ day of _____, 200__.

Health Officer/Authorized Representative Yellowstone City-County Health Department

JUSTICE OF PLANNING BOARD APPROVAL State of Montana) County of Yellowstone)

The plat of said subdivision has been approved for filing by the Yellowstone County Clerk pursuant to the recommendations of the Board. Dated this _____ day of _____, 200__.

President _____ Executive Secretary _____

CERTIFICATE OF COUNTY ATTORNEY This document has been reviewed by the Yellowstone County Attorney's Office and is acceptable to them. Dated this _____ day of _____, 200__.

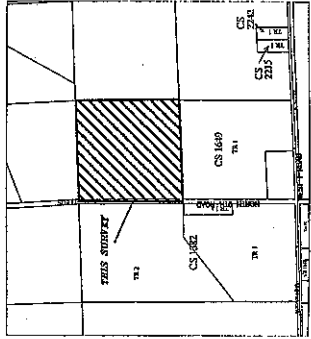
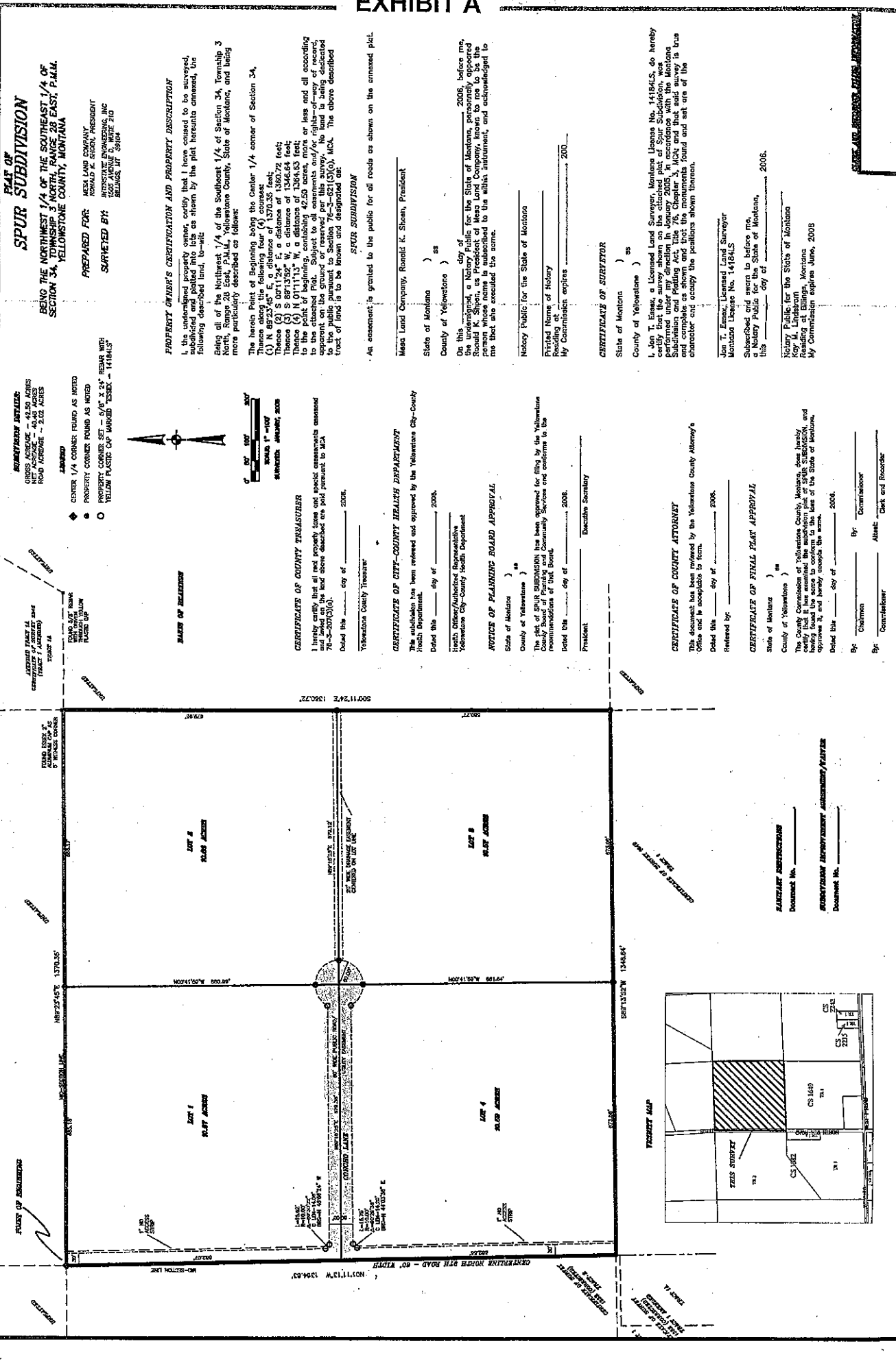
Reviewed by _____

CERTIFICATE OF FINAL PLAT APPROVAL State of Montana) County of Yellowstone)

The County Commissioners of Yellowstone County, Montana, do hereby certify that it has examined the subdivision plat of SPUR SUBDIVISION, and having found the same to conform to the laws of the State of Montana, approve it and hereby accept the same. Dated this _____ day of _____, 200__.

By: _____ Chairman By: _____ Commissioner

By: _____ Clerk and Recorder



SPUR SUBDIVISION

EXHIBIT B

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

Section A – See attached Plat of Spur Subdivision

Section B –Property Descriptions & Ownership Report

Property Description:

Being the Northwest 1/4 of the Southeast 1/4 of Section 34, Township 3 North,
Range 28 East, P.M.M., Yellowstone County, MT

Ownership Report:

Mesa Land Company, Ronald K. Shoen, President

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 Concho Lane

Cost: \$250

WINTER MAINTENANCE:

Activity: None

SPRING MAINTENANCE:

Activity: Gravel Road Grading of Concho Lane

Cost: \$250

SUMMER MAINTENANCE:

Activity: None

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:

\$500.00

Section D – Method of Assessment

Grading of Concho Lane (gravel) equally between lots.
Total of 4 lots = \$125.00 per lot.