

RESOLUTION NO. 07-061

**RESOLUTION CREATING RURAL SPECIAL  
IMPROVEMENT MAINTENANCE DISTRICT R.S.I.D. #765M  
(BREY SUBDIVISION-PARKS AND BIKE PATH)**

WHEREAS, a Petition signed by one-hundred (100%) of the Freeholders of the proposed creation district has been submitted to the Board of County Commissioners for the creation of a rural special improvement maintenance district for the maintenance of said parks and bike path and,

WHEREAS, the boundaries of the district are described as Lots 3 through 9 Block 1, Lots 3 through 5 Block 2, and Lots 1 through 12 Block 4 of Brey Subdivision 2<sup>nd</sup> filing, Yellowstone County, Montana, (Exhibit A) and more particularly shown in Exhibit B (map); and

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 765M have not been changed within the last year.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Yellowstone County, Montana, deeming the public interest or convenience require, and having received an adequate Petition for the expansion of the Rural Special Improvement Maintenance District, intends create the following described Rural Special Improvement Maintenance District:

1. **DESCRIPTION OF IMPROVEMENTS, DESCRIPTION OF MAINTENANCE, METHOD OF ASSESSMENT AND ESTIMATED COSTS.** Assessments collected on behalf of this district shall be used for mowing and weed control within the park boundaries located within this district. The costs (Exhibit D) of the district shall be assessed using an alternate method as follows (Exhibit C):
  - A. Block 1 – Lots 3 through 9, three (3) assessment units each residential lot
  - B. Block 2 – Lots 3 through 5, three (3) assessment units each residential lot
  - C. Block 4 – Lots 1 through 12, one (1) assessment unit each commercial lot
2. All of the costs of the District shall be assessed equally on a per lot basis for all existing and future lots. 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. 765M.
4. All lots accessing their property from the streets will benefit from proposed R.S.I.D. and shall be assessed for park 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 17<sup>th</sup> day of July, 2007.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
\_\_\_\_\_  
James E. Reno, Chairman

  
\_\_\_\_\_  
Bill Kennedy, Member

  
\_\_\_\_\_  
John Ostlund, Member

(SEAL)  
ATTEST:

  
\_\_\_\_\_  
Tony Nave, Clerk & Recorder  
Yellowstone County, Montana

## **EXHIBIT A**

### **PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) for BREY SUBDIVISION, 2<sup>ND</sup> FILING cont.**

**Section A – See attached “Exhibit A” - Brey Subdivision, 2<sup>nd</sup> Filing**

**Section B – Legal Descriptions & Ownership Report**

Brey Subdivision, 2<sup>nd</sup> Filing – Arnie and Mary Lou Brey, Owners

Bike Path – 20 feet wide dedication, along the western and northern boundaries of  
Brey Subdivision, 2<sup>nd</sup> Filing

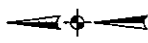
Parkland – as shown on the Plat of Brey Subdivision, 2<sup>nd</sup> Filing

# EXHIBIT B

**PLAT OF  
BREY SUBDIVISION 2ND FILING**  
BEING A PORTION OF TRACT 2, CERTIFICATE OF SURVEY 3010,  
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 1  
SOUTH, RANGE 24 EAST, P.M.M. YELLOWSTONE COUNTY,  
MONTANA

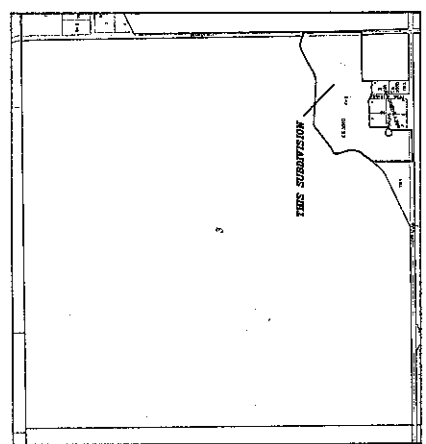
PREPARED FOR: ARNE AND MARY LOU BREY, OWNERS  
SURVEYED BY: INTERSTATE ENGINEERING, INC.  
REGISTERED PROFESSIONAL ENGINEER  
BUTTE, MONTANA 59702

## "EXHIBIT A"



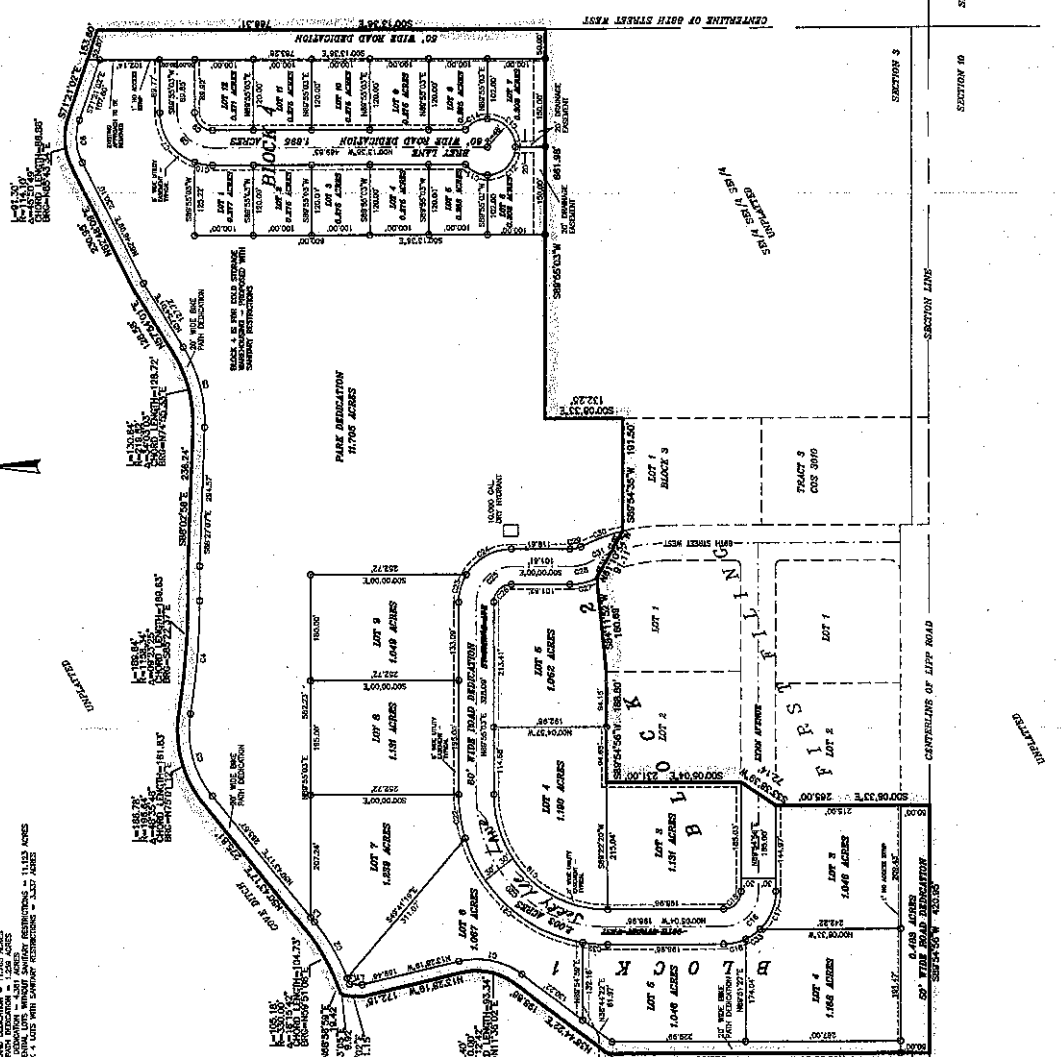
BASIS OF MEASUREMENTS  
CORNER OF SURVEY NO. 3010

**SUBDIVISION AREA SUMMARY**  
COUNTY AREA OF SURVEY: 11.65 ACRES  
TOTAL AREA: 11.65 ACRES  
TOTAL SUBDIVISION: 11.65 ACRES  
TOTAL TRACT: 11.65 ACRES  
TOTAL WITH SURVEY RESTRICTIONS: 11.65 ACRES



LOT	AREA	ACRES
1	1.00	0.023
2	1.00	0.023
3	1.00	0.023
4	1.00	0.023
5	1.00	0.023
6	1.00	0.023
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10	1.00	0.023
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100	1.00	0.023

TRACT	AREA	ACRES
1	1.00	0.023
2	1.00	0.023
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89	1.00	0.023
90	1.00	0.023
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97	1.00	0.023
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100	1.00	0.023



**EXHIBIT C**

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT  
(RSID) for BREY SUBDIVISION, 2<sup>ND</sup> FILING  
cont.**

**Section D – Method of Assessment**

**Choose a method of Assessment:**

**Square Footage**

**Equal Amount**

**Front Footage**

**Other (Describe)**

Block 1 – Lots 3-9 (7 lots)

Block 2 – Lots 3-5 (3 lots)

*3 assessment units*

Total of 10 Lots - ~~\$70.00~~ each lot = \$700.00

Block 4 – Lots 1-12

*1 assessment unit*

Total of 12 Lots - ~~\$25.00~~ each lot = \$300.00

Total            \$1000.00

**EXHIBIT D**

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT  
(RSID) for BREY SUBDIVISION, 2<sup>ND</sup> FILING  
cont.**

**Section C – Estimated Annual Maintenance Cost**

**FALL MAINTENANCE:**

Activity: Mowing	Cost: \$200.00
Activity: Weed Control	Cost: \$200.00

**WINTER MAINTENANCE:**

Activity: N/A	Cost:
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**SPRING MAINTENANCE:**

Activity: Mowing	Cost: \$200.00
Activity: Weed Control	Cost: \$200.00

**SUMMER MAINTENANCE:**

Activity: Mowing	Cost: \$200.00
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<b>TOTAL ESTIMATED ANNUAL MAINTENANCE COST:</b>	<b>\$1,000.00</b>
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