

RESOLUTION NO. 07-134

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #769M
(BROOKWOOD 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. #769M for BROOKWOOD Subdivision, described in Exhibit B as Lots 1 through 4 Block 1; Lots 9 through 33 Block 2; Lots 1 and 9 Block 3; Lots 1 through 10 Block 4; Lots 1 through 10 Block 5; Lots 1,2, and 9 through 14 Block 6; and Lots 1 through 7 Block 8 all of BROOKWOOD 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 road, park, drainage, irrigation, groundwater recharge, and fire storage tank 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 road, park, drainage, irrigation, groundwater recharge, and fire storage tank 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. 769M to provide for road, park, drainage, irrigation, groundwater recharge, and fire storage tank maintenance within the district. The estimated costs shown (see Exhibit D) do not preclude other eligible expenditures for road, park, drainage, irrigation, groundwater recharge, and fire storage tank maintenance.

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.

3. The number of the Rural Special Improvement Maintenance District thereof shall be **No. 769M.**

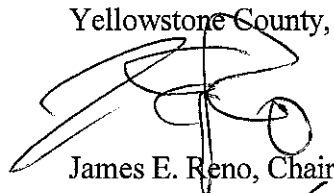
4. All lots will benefit from proposed R.S.I.D. and shall be assessed for maintenance. All lots will be assessed an amount based upon the total cost of the applicable maintenance activity.

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 18th day of December, 2007.

Board of County Commissioners
Yellowstone County, Montana

(SEAL)

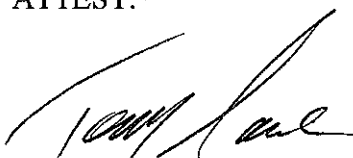


James E. Reno, Chair

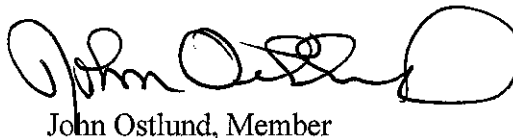


Bill Kennedy, Member

ATTEST:



Tony Nave
Clerk and Recorder

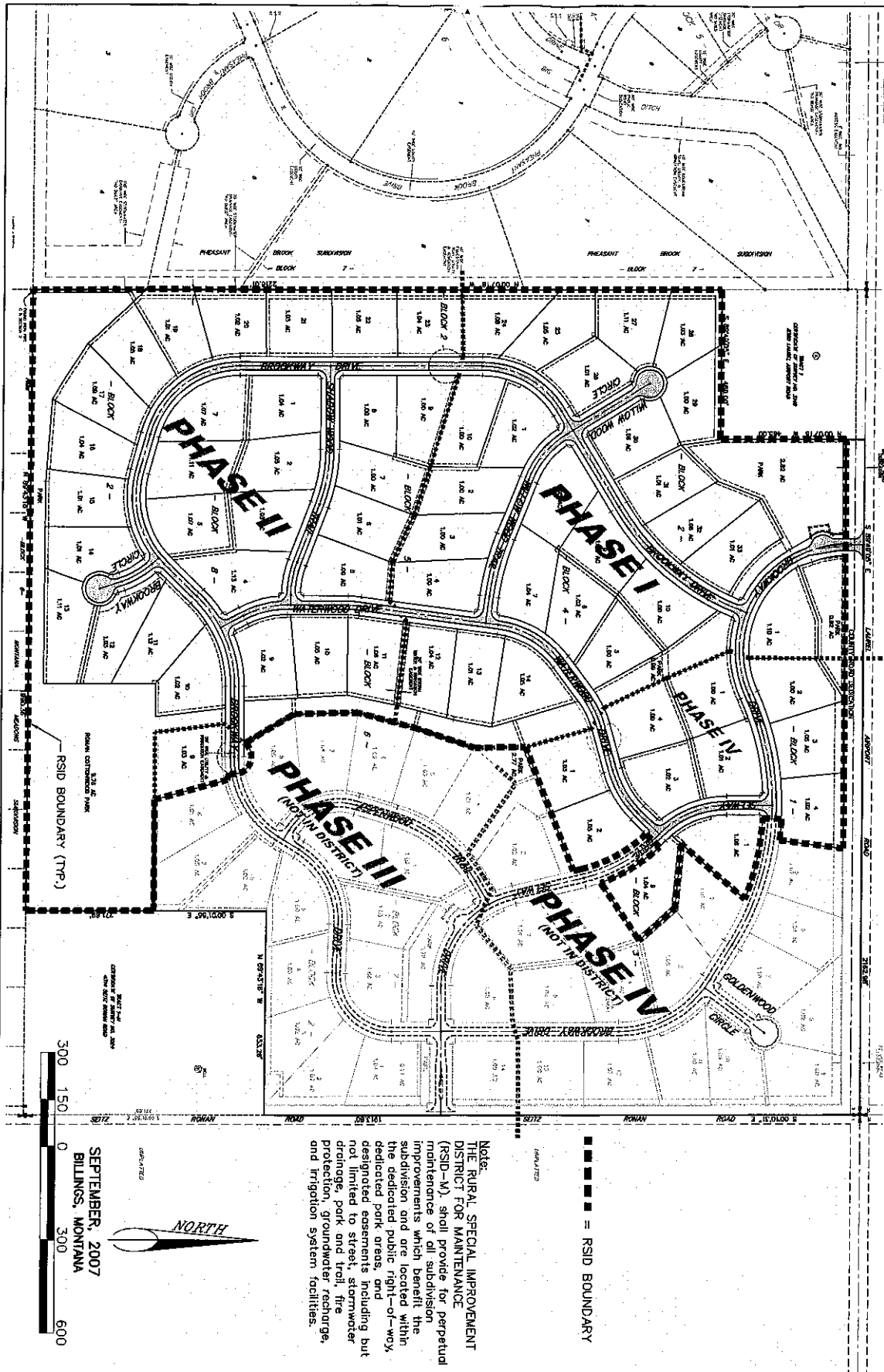


John Ostlund, Member

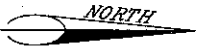
ATTACHMENT A

PREPARED FOR : YUKON DEVELOPMENT CORP.
 PREPARED BY : ENGINEERING, INC.
 SCALE : 1" = 300'

BOUNDARY EXHIBIT OF RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M) FOR
BROOKWOOD SUBDIVISION
 BEING UNPLATTED LANDS SITUATED IN THE N.E. 1/4 OF SECTION 2, T. 2 S., R. 24 E., P.M.M.
 YELLOWSTONE COUNTY, MONTANA



SEPTEMBER, 2007
 BILLINGS, MONTANA



Note:
 THE RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M) shall provide for perpetual maintenance of all subdivision improvements which benefit the subdivision and are located within the dedicated public right-of-way, dedicated park areas and designated easements including but not limited to street, stormwater drainage, park and trail, fire protection, groundwater recharge, and irrigation system facilities.

--- = RSID BOUNDARY

DATE	BY
12/27/07	AS
REVISION	BY
PROJECT TITLE	
BROOKWOOD SUBDIVISION	
SHEET 1 OF 1	

BROOKWOOD SUBDIVISION - PHASE I & II
 YELLOWSTONE COUNTY, MONTANA
 BOUNDARY EXHIBIT OF RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M)



ENGINEERING, INC.
 Consulting Engineers and Land Surveyors
 BILLINGS • BOZEMAN • SHERIDAN

ATTACHMENT B

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION B LEGAL DESCRIPTIONS AND OWNERSHIP REPORTS (ATTACHED)

Brookwood Subdivision

Being the following lots, all in Brookwood Subdivision in Yellowstone County according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana:

Lots 1 through 4, Block 1
Lots 9 through 33, Block 2
Lots 1 and 9, Block 3
Lots 1 through 10, Block 4
Lots 1 through 10, Block 5
Lots 1, 2, and 9 through 14, Block 6
Lots 1 through 7, Block 8

ATTACHMENT D

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT

SECTION C ESTIMATED ANNUAL MAINTENANCE COST (PHASE I & II)

STREET/STORMWATER DRAINAGE FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	ROADSIDE WEED CONTROL	\$250.00
2	SNOW PLOWING (3 PLOWS/YEAR)	\$1,200.00
3	CHIP SEAL (EVERY 7 YEARS) *	\$10,500.00
4	MISC. MAINTENANCE (POTHoles, CRACK SEALING, ETC.)	\$250.00
5	MAINTAIN DRAINAGE DITCHES, SWALES, DETENTION/RETENTION AREAS	\$250.00
6	MAINTAIN DRAINAGE STRUCTURES AND CULVERTS	\$250.00

SUBTOTAL =

*Yellowstone County Public Works recommends an annual assessment of \$0.04661/ft² of pavement for future chip seal. Estimate based on approximately 9,790 LF of road or approximately 25,000 SY (Phase I & II only) of pavement which equals an annual assessment of approximately \$10,500.00.

PARK AND TRAIL FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	MOWING/WEED CONTROL	\$750.00
2	MAINTAIN SUBDIVISION TRAILS AND PARK FACILITIES	\$500.00
3	FUTURE PARK IMPROVEMENTS	\$1,000.00

SUBTOTAL =

FIRE PROTECTION FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	MAINTAIN DRY HYDRANT STRUCTURES AND WATER LEVEL	\$250.00

SUBTOTAL =

GROUNDWATER RECHARGE FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	REMOVE AND DISPOSE SILT/SEDIMENT FROM BASINS	\$500.00
2	RIP, TILL, AND DISC BASINS	\$500.00
3	LEVEL BASIN FLOORS	\$500.00
4	GROUNDWATER LEVEL MONITORING AND ANALYSIS	\$2,500.00
5	OPERATION COSTS	\$1,500.00

SUBTOTAL =

IRRIGATION SYSTEM FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	DRAIN/WINTERIZE SYSTEM	\$250.00
2	MISC. MAINTENANCE AND REPAIR	\$250.00
3	ANNUAL WATER SHARE FEES (\$55.00 per lot)	\$2,970.00

SUBTOTAL =

TOTAL ESTIMATED ANNUAL MAINTENANCE COST =	\$24,170.00
TOTAL NUMBER OF ASSESSMENT UNITS (# OF LOTS) =	66
ESTIMATED ANNUAL MAINTENANCE COST PER LOT =	\$366.21
ESTIMATED MONTHLY MAINTENANCE COST PER LOT =	\$30.52

NOTE:

ESTIMATED ANNUAL MAINTENANCE COSTS HAVE BEEN PROVIDED FOR THE PURPOSE OF ESTABLISHING A MAINTENANCE AND OPERATION BUDGET FOR THE PUBLIC SUBDIVISION FACILITIES. ANNUAL ASSESSMENTS MAY NEED TO BE ADJUSTED UP OR DOWN BY THE RSID-M AD-HOC COMMITTEE IN THE FUTURE, BASED ON ACTUAL COSTS INCURRED TO MAINTAIN AND OPERATE SUBDIVISION FACILITIES.

YELLOWSTONE COUNTY
FINAL SUBDIVISION PLAT ROUTING SLIP

IN CH 1000
11-23-07

LEGAL DESCRIPTION: Brookwood Subdivision

Surveyed for: Donald W. Rowan + Janet L. Rowan

Tax code(s): D-02502A

1. Laurel
PLANNING DEPARTMENT

Date Received: _____ Date Out: _____ To Whom _____

Reviewed By: _____

Comments: note James signed my name

wrong route slip was attached

2. **COUNTY TREASURER**

Date Received: _____ Date Out: _____ To Whom _____

Reviewed By: _____

Comments: _____

note - 2006 taxes delinquent & 2007 not paid

3. **COUNTY PUBLIC WORKS**

Date Received: 11/23 Date Out: 11/26/07 To Whom Health

Reviewed By: S Johnson

Comments: RS11D has been approved to be ~~expanded to phase II & I~~ reduced to include ~~phase II & I~~

Letter of credit is required - Pat Davies said it should be ready this week. Developer proposes expanding RS11D upon full buildout of phases

4. **COUNTY HEALTH**

Date Received: _____ Date Out: _____ To Whom _____

Reviewed By: _____

Comments: _____

5. **GIS**

Date Received: _____ Date Out: _____ To Whom _____

Reviewed By: _____

Comments: _____

6. **COUNTY ATTORNEY**

Date Received: _____ Date Out: _____ To Whom _____

Reviewed By: _____

Comments: _____

7. **CLERK & RECORDER**

Date Received: _____ Date Out: _____ To Whom _____

Reviewed By: _____

Comments: _____

Return to:
KLJ - Billings
2611 Gabel Road
Billings, MT 59102

CERTIFICATE BROOKWOOD SUBDIVISION

The undersigned, the duly authorized representative of the Department of Public Works, Yellowstone County, Montana, does hereby certify that the public improvements required to serve the following described property in Yellowstone County, Montana have been constructed.

Lots 5 through 14 of Block 1, Lots 2 through 8 of Block 3, Lot 3 of Block 6 and Lot 8 of Block 2 in Brookwood Subdivision, Yellowstone County, Montana, according to the official plat on file and of record in the office of the Clerk and Recorder of said county, under Document No. 3449279.

This certificate is being executed to show compliance with the terms of that certain Subdivision Improvements Agreement dated the 18th day of December, 2007, by and between **YUKON DEVELOPMENT CORP., DONALD W. RONANA, JANET L. RONANA, and YELLOWSTONE COUNTY**, and that certain Declaration of Restriction on Transfers and Conveyances dated the 8th day of November 2007, covering Brookwood Subdivision, and to provide the basis for the execution and recording of a Release from the terms of said Declaration pursuant to the terms of said Agreements.

DATED this 17th day of September, 2015

DEPARTMENT OF PUBLIC WORKS
CITY OF BILLINGS, MONTANA

By: Tim Mills

Title: Public Works Director