

RESOLUTION NO. 14-40
RESOLUTION CREATING RURAL SPECIAL
IMPROVEMENT MAINTENANCE DISTRICT TO BE KNOWN AS R.S.I.D. #813M
(WATCHTOWER SUBDIVISION – DRY HYDRANT)

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 RSID #813M for Watchtower Subdivision, described in Exhibit B as Lots 1A-1 and 1A-2, Watchtower Subdivision and more particularly shown in Exhibit A (map) in Yellowstone County, Montana; 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 (Exhibit F); and,

WHEREAS, all of the costs of the district shall be assessed equally on a per lot method for existing and future lots (Exhibit D); and,

WHEREAS, the cost estimate as shown in Exhibit C is only an estimate of annual costs and is subject to cost fluctuations due to maintenance utilization levels and changes in material and labor costs of performing necessary maintenance; and

WHEREAS, the property assessment amount is subject to adjustment and will be established annually by the Board of County Commissioners; and,

WHEREAS, the district shall be considered to exist perpetually unless included within another district providing the same services or assumed by a municipality.

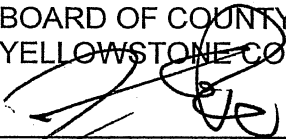
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Yellowstone County, Montana, deeming the public interest or convenience require the creation of the rural special improvement maintenance district, intends to create the following described Rural Special Improvement Maintenance District:

1. **NUMBER OF DISTRICT.** The Rural Special Improvement Maintenance District shall be designated as District No. 813M.
2. **DESCRIPTION OF DISTRICT.** The exterior boundaries of the District are shown in Exhibit A and described in Exhibit B.
3. **DESCRIPTION OF IMPROVEMENTS, DESCRIPTION OF MAINTENANCE, METHOD OF ASSESSMENT AND ESTIMATED COSTS.** Assessments collected on behalf of this district shall be used for the maintenance of the Dry Hydrant located within the district as estimated in Exhibit C. All of the costs of the district shall be assessed equally on a per lot method for existing and future lots (Exhibit D).
4. **DURATION.** The district shall be deemed to be perpetual in nature unless absorbed and replaced by another district or municipality.

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 maintenance, the amount of assessments, and how the assessments should be spent. The Commissioners request a list of some individuals who are willing to serve on the Ad Hoc Committee (Exhibit E).

PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 17th day of June, 2014.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


James E. Reno, Chairman


John Ostlund, Member


Bill Kennedy, Member

(SEAL)
ATTEST:


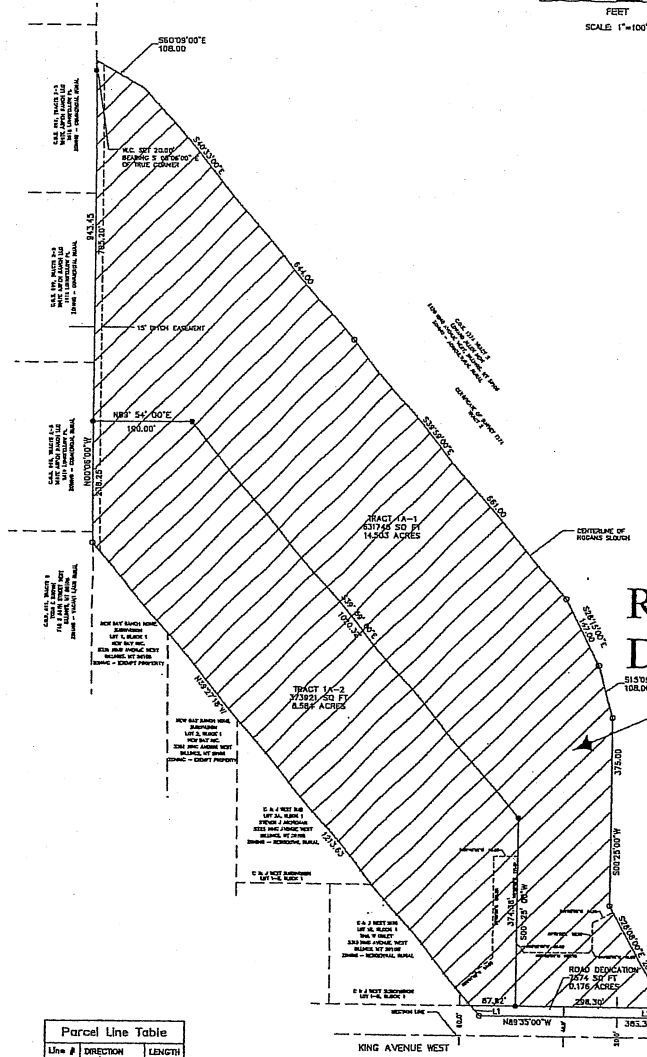
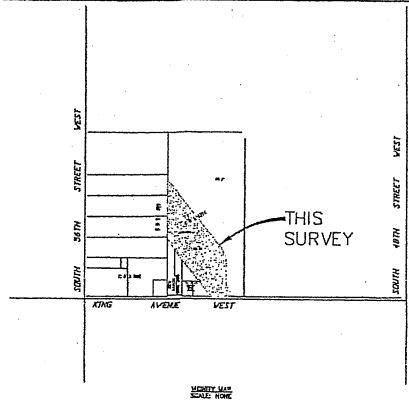
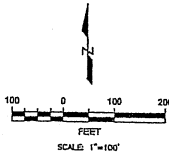

Jeff Martin, Clerk & Recorder
Yellowstone County, Montana

EXHIBIT A

PLAT OF
WATCHTOWER SUBDIVISION
BEING TRACT 1A OF CERTIFICATE OF SURVEY 1374
SITUATED IN THE SW1/4 OF SECTION 9, T.1S., R.25E. P.M.M.
YELLOWSTONE COUNTY, MONTANA

LEGEND
 * = SET 5/8" REBAR WITH PLASTIC CAP MARKED KELLY 11289LS
 O = MONUMENTS SET PREVIOUS SURVEY OR AS NOTED

DATE: OCTOBER, 2013
 PREPARED FOR: LEGACY HOMES INC.
 PREPARED BY: NORTH STAR LAND SERVICES P.C.
 SCALE: 1"=100'
 BASIS OF BEARING: SOUTH LINE OF CERTIFICATE OF SURVEY 1374
 S 89° 35' 00" E



Parcel Line	Use #	DIRECTION	LENGTH
L1	1	S33° 27' 18"E	25.06
L2	2	S38° 01' 40"E	35.55

CERTIFICATE OF LEGAL DESCRIPTION
 We the undersigned property owners, do hereby certify that we have caused to be surveyed the following described tract of land situated in the SW1/4 of Section 9, T.1S., R.25E. P.M.M. Yellowstone County, Montana, being more particularly described as follows:
 Being Tract 1A, of the Second Amendment of Tract 1, of Certificate of Survey No. 1374 on the east of record in the Yellowstone County Clerk & Recorder's Office under Document No. 1131603, recorded June 8, 1979;
 Together with and subject to covenants, and/or restrictions of record, and/or easements and right-of-way of record appurtenant to the ground or reserved on this survey.
 Said property contains 160,816 gross and net acres.

The undersigned hereby grants unto all utility companies, as such are defined and established under Montana Law, and cable television companies an easement for the location, installation, maintenance, repair and removal of their lines over, under and across the area designated on this plat as "Utility Easement" to have and to hold forever. Said tract of land to be known and designated as "WATCHTOWER SUBDIVISION" and any and all lands included shown and designated on roads, streets, avenues and parks are hereby dedicated to the Public forever.
 Dated this _____ day of _____, 20____.

By: _____
 of LEGACY HOMES INC.

STATE OF MONTANA)
 County of Yellowstone) ss

On this _____ day of _____, 20____ before me, the undersigned a Notary Public for the State of Montana, personally appeared _____ as _____
 known to me to be the persons whose names are subscribed to the written instrument, and acknowledge to me that they executed the same.

Notary Public in and for the State of Montana

Print Name _____
 Residing in _____
 My commission expires _____

RSID DISTRICT BOUNDARY

CERTIFICATE OF APPROVAL
 STATE OF MONTANA)
 County of Yellowstone) ss

We hereby certify that we have examined the enclosed Plat of "Watchtower Subdivision", and find that said plat conforms with the requirements of the laws of the State of Montana and that the park dedication requirements have been met to the satisfaction of the Yellowstone County Board of Planning. It is therefore approved and the dedication in the public use of any and all lands shown on the plat as being dedicated to such use are accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of Yellowstone County Montana, this _____ day of _____, 20____.

BOARD OF COUNTY COMMISSIONERS
 YELLOWSTONE COUNTY, MONTANA

Attest: _____
 Clerk and Recorder

By: _____
 Commissioner
 By: _____
 Commissioner
 By: _____
 Chairman

CERTIFICATE OF RIVERSTONE HEALTH
 This Certificate of Survey has been reviewed and approved by the Riverstone Health Department.
 RIVERSTONE HEALTH DEPARTMENT DATE: _____

CERTIFICATE OF SURVEYOR
 STATE OF MONTANA)
 County of Yellowstone) ss

I, Thomas G. Kelly, a Registered Land Surveyor in the State of Montana, do hereby certify that I have performed the survey shown on this Subdivision Plat and that such survey was made in October, 2013; that said survey is true and complete as shown thereon, and the monuments found and set are of the character and occupy the positions shown thereon.
 Dated this _____ day of _____, 2013.

Thomas G. Kelly
 Registration Number 11289 LS
 233 Columbia Road
 Columbus, MT 59019

COUNTY TREASURER'S CERTIFICATION
 I hereby certify, pursuant to Section 76-3-311 M.C.A., that all red property taxes and special improvement assessments and levies on the land described above and encompassed by the attached "Subdivision Plat", have been paid.
 Dated this _____ day of _____, 2013.
 Yellowstone County, Montana _____, Treasurer

COUNTY ATTORNEY
 THIS SUBDIVISION PLAT SURVEY HAS BEEN REVIEWED BY THE COUNTY ATTORNEY'S OFFICE AND IS ACCEPTABLE TO FORM.
 DATE: _____
 REVIEWED BY: _____

CLERK AND RECORDER INFORMATION

EXHIBIT D
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)

Per Lot

EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME

TELEPHONE NUMBER

1.

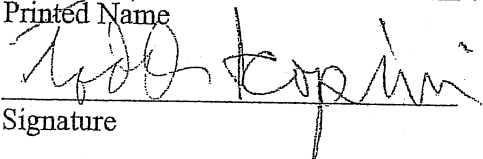
Todd Iacofini

(Chairman)

(408)-860-4416

Printed Name

Signature



2.

Printed Name

Signature

3.

Printed Name

Signature

4.

Printed Name

Signature

5.

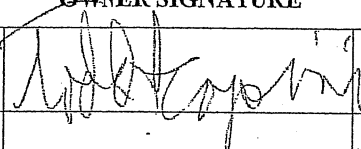
Printed Name

Signature

EXHIBIT F

CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

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 public hearing, the County Commissioners shall take action on whether or not to create the district. Should the County Commissioners create the district, WE, as property owners, understand that we shall bear the costs of the district as formally approved by the County Commissioners.

PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED
Lots 1A-2 and 1A-1 Watchtower Subdivision	Legacy Homes, Inc. (Todd Scopini)		X	