

RESOLUTION NO. 15-123
**RESOLUTION CREATING RURAL SPECIAL
IMPROVEMENT MAINTENANCE DISTRICT TO BE KNOWN AS R.S.I.D. #823M
(DIAMOND FALLS SUBDIVISION- PARK)**

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 #823M for Diamond Falls Subdivision-Park, described in Exhibit B as Block 6, Lots 1 through 9 inclusive; Block 7, Lots 4 through 26 inclusive; Block 1, Lots 1-5 inclusive; Block 2, Lots 1-10 inclusive; Block 4, Lots 1-2 inclusive; Block 5, Lots 1-7 inclusive; Block 7, Lot 27 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:

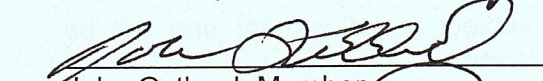
1. **NUMBER OF DISTRICT.** The Rural Special Improvement Maintenance District shall be designated as District No. 823M.
2. **DESCRIPTION OF DISTRICT.** The exterior boundaries of the District are shown in Exhibit A and described in Exhibit B.
3. **DESCRIPTION OF IMPROVEMENTS, DESCRIPTION OF MAINTENANCE, METHOD OF ASSESSMENT AND ESTIMATED COSTS.** Assessments collected on behalf of this district shall be used for the maintenance the park 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.

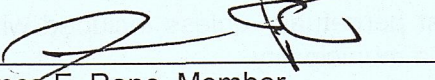
5. The Commissioners desire that an Ad Hoc Committee be appointed to make recommendations to the Commissioners with regard to the need for assessments to be made for maintenance, the amount of assessments, and how the assessments should be spent. The Commissioners request a list of some individuals who 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 November 2015.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


Bill Kennedy, Chairman


John Ostlund, Member


James E. Reno, Member

(SEAL)
ATTEST:


Jeff Martin, Clerk & Recorder
Yellowstone County, Montana

DIAMOND FALLS SUBDIVISION, RSID BOUNDARY (PARK)

SCALE: 1" = 200'

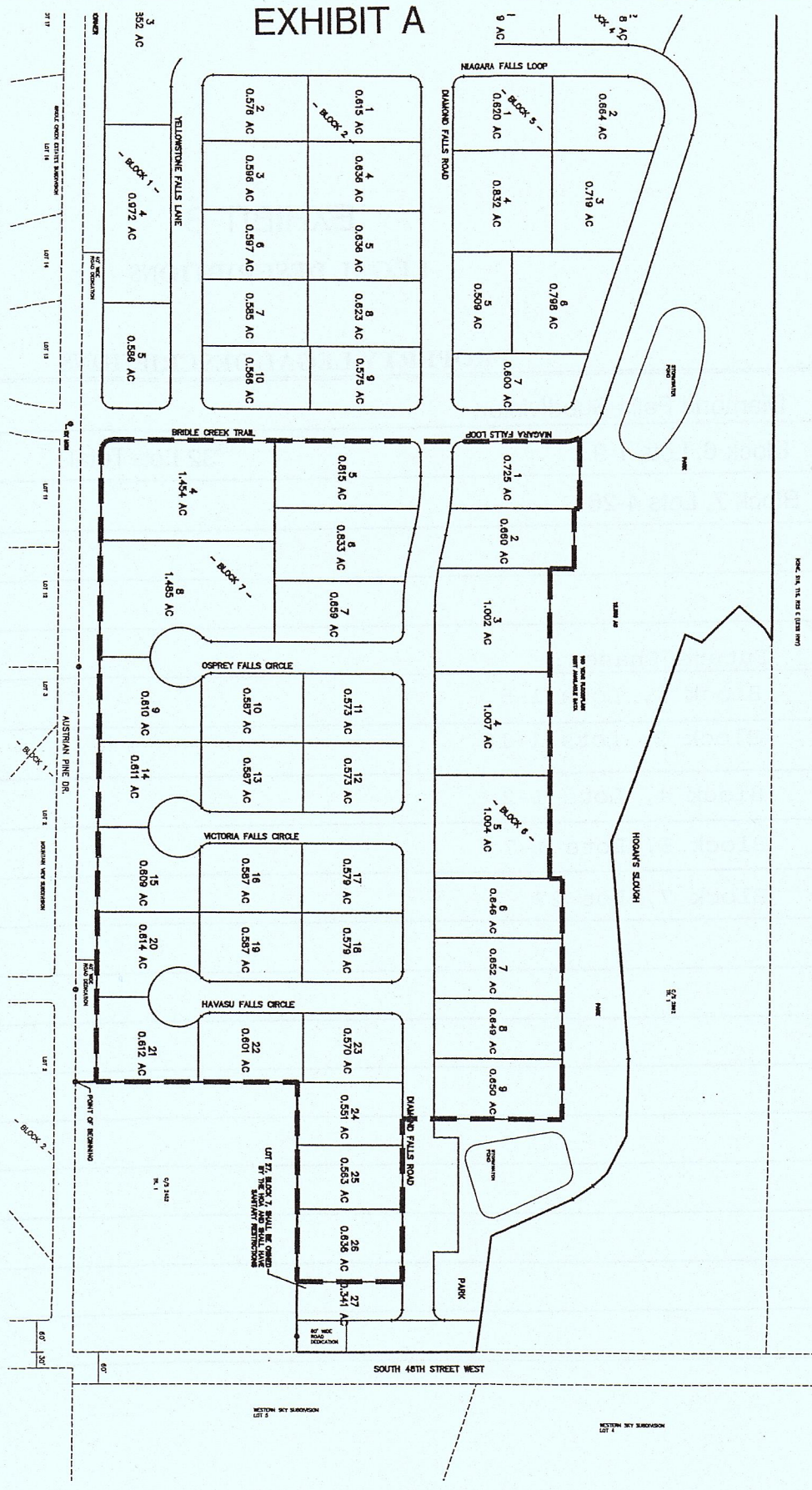


EXHIBIT A



1
1
SHEET

DIAMOND FALLS SUBDIVISION
RSID BOUNDARY

blueline ENGINEERING
2110 OVERLAND AVE.
SUITE 119B
BILLINGS, MT 59102
PHONE (406) 294-2294
FAX (406) 294-2295

NO. DATE
REVISIONS
DATE
DATE: 10/2/15
DRAWN BY: CAG
CHECKED BY: MOP
SCALE: 1"=200'
DRAWING: SHEET/DWG

**EXHIBIT B
LEGAL DESCRIPTIONS**

PROPERTY LEGAL DESCRIPTIONS

Diamond Falls Subdivision

Block 6, Lots 1-9

32 Lots Total

Block 7, Lots 4-26

Future Phases:

Block 1, Lots 1-5

Block 2, Lots 1-10

Block 4, Lots 1-2

Block 5, Lots 1-7

Block 7, Lot 27

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
Park - Weed Control	\$ 150
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Park - Weed Control	\$ 150
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$300

EXHIBIT D

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)

EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME

TELEPHONE NUMBER

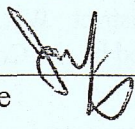
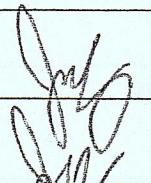
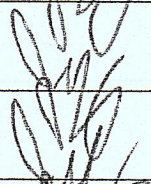
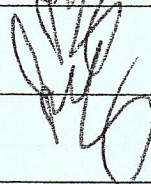
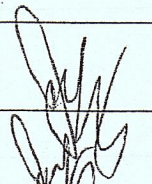
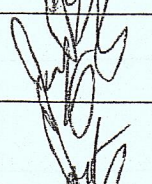
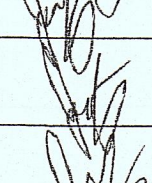
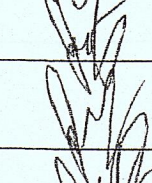

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|----|--|-------|
| 1. | <u>Jason Acetz</u> (Chairman) | _____ |
| | Printed Name | |
| | <u></u> | |
| | Signature | |
| 2. | _____ | _____ |
| | Printed Name | |
| | _____ | |
| | Signature | |
| 3. | _____ | _____ |
| | Printed Name | |
| | _____ | |
| | 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
Diamond Falls Subdivision			X	
Block 6, 1-9			X	
Block 7, Lots 4-26	JAYU HERTZ		X	
	Diamond Falls, LLC			
Future Phases:				
Block 1, ^{Lots} 1-5			X	
Block 2, 1-10			X	
Block 4, 1-2			X	
Block 5, 1-7			X	
Block 7, 27			X	