

RESOLUTION NO. 18-04
RESOLUTION CREATING RURAL SPECIAL
IMPROVEMENT MAINTENANCE DISTRICT TO BE KNOWN AS R.S.I.D. #837M
(EMERALD VIEW PARK SUBDIVISION- ROADS)

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 #837M for Emerald View Park Subdivision, described in Exhibit B as Lot 1-A, Block 1; Lot 1-A Block 2; Lot 1-A Block 3; Lot 1-A Block 4; Lot 1-A Block 5 of Emerald View Park 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. 837M.
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 roads 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 2nd day of January, 2018.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

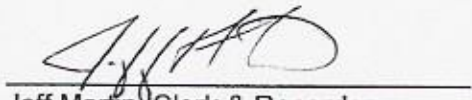


John Ostlund, Chairman

Denis Pitman, Member

Robyn Driscoll, Member

(SEAL)
ATTEST:



Jeff Martin, Clerk & Recorder
Yellowstone County, Montana

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

COVERSHEET

TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this _____ day of _____, 20_____

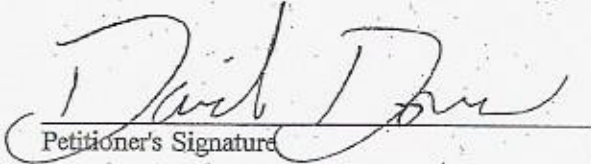
Petitioner/Initiator (and/or) Contact Person:

NAME: David Dorn

ADDRESS: 2680 Overland Ave., Suite F, Billings, MT 59102

PHONE NO: (406) 697-5900

I swear that all of the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.


Petitioner's Signature

11/1/17
Date

LIST ALL ADDITIONAL ATTACHMENTS:

EXHIBIT A

AMENDED PLAT OF
EMERALD VIEW PARK SUBDIVISION
BEING TRACTS 2A & 2B OF AMENDED TRACT 2 OF CERTIFICATE OF SURVEY No. 1869
SITUATED IN THE S.E. 1/4 N.W. 1/4 OF SECTION 30, T.1N., R.27E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

FOR TRI-PAC INVESTORS
PLAT & SURVEY BY: ENGINEERS, INC.
SCALE - 1"=100'

JUNE, 1969
BILLINGS, MONTANA

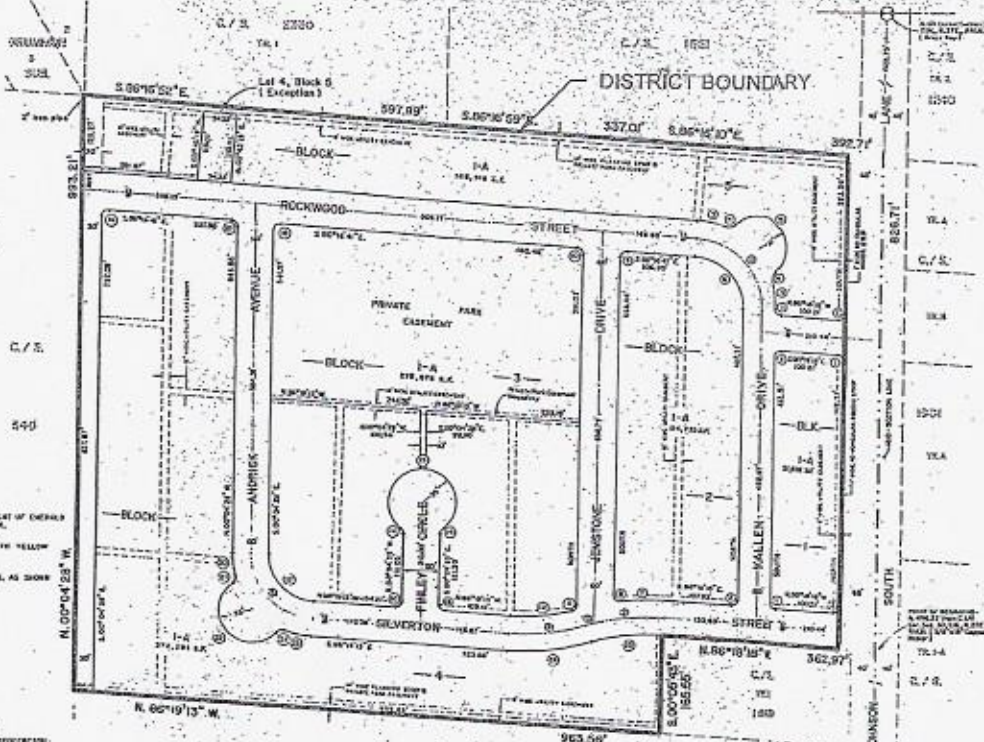


Table with 3 columns: Lot number, Area (sq. ft.), and Area (acres). Lists lots 1 through 26.

Table with 3 columns: Lot number, Area (sq. ft.), and Area (acres). Lists lots 27 through 31.

CERTIFICATE OF REDUCTION

STATE OF MONTANA
County of Yellowstone

Know all men by these presents: That Theodore J. Gilles, and Lynn Andrich, owners of the following described tract of land hereby certify that they have caused to be surveyed, subdivided and platted into lots, blocks, and streets as shown on the plat hereunto annexed, being Emerald View Park Subdivision, situated in the S.E. 1/4 N.W. 1/4 of Section 30, T.1N., R.27E., P.M.M., Yellowstone County, Montana said tract being more particularly described as follows:

Beginning of a point which is 496.33 feet from the corner of Section 30, T.1N., R.27E., P.M.M. to the said point of beginning, along the north line of Tract 1 of Certificate of Survey Number 1869, a distance of 241.07 feet to the northeast corner of said tract 1; thence S88°12'37"E a distance of 392.56 feet to a point on the east line of Certificate of Survey Number 959; thence, along said line, S20°42'27"W a distance of 232.23 feet to the south-west corner of Tract 3 of Certificate of Survey No. 2302; thence, along the south line of said Tract 3, S80°16'37"E a distance of 346.18 feet to the southeast corner of Tract 1 of Certificate of Survey Number 1869; thence, along the south line of said Section 30, a distance of 624.73 feet to the point of beginning, according to the plat hereunto annexed. All the land included in said tract to be shown and delineated on the AMENDED PLAT OF EMERALD VIEW PARK SUBDIVISION and the same included in all streets, avenues, and alleys, shown on said plat, are hereby granted and conveyed to the use of the public forever.

The undersigned hereby grants with all utility easements, as such are defined and established by Montana Law as necessary for the location, maintenance, repair and removal of their lines over, under and across the area depicted on the plat as "Utility Easements" to have and hold forever.

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, on this 11th day of September, 1969.

Notary Public for the State of Montana
By commission expires 1972

CONSENT TO PLATTING BY RECORD

The undersigned First Interstate Bank, hereby consents to the plating of the tract of land herein described and included hereunto in the undersigned, and hereby releases and releases from said mortgage all portions of the tract dedicated to the public.

In WITNESS WHEREOF, the undersigned has caused this consent and release to be executed and acknowledged. This consent is made pursuant to Section 76-2-101(1), M.C.A.

First Interstate Bank
Attest: [Signature]
STATE OF MONTANA
County of Yellowstone

I hereby certify that I have examined the foregoing annexed AMENDED PLAT OF EMERALD VIEW PARK SUBDIVISION for errors or omissions in calculation and drafting on this 11th day of September, 1969.

Notary Public for the State of Montana
By commission expires 1972

CERTIFICATE OF APPROVAL
STATE OF MONTANA
County of Yellowstone

We hereby certify that we have examined the annexed AMENDED PLAT OF EMERALD VIEW PARK SUBDIVISION, and the said plat conforms with the requirements of the laws of the State of Montana; that the requirements for platting have been met by agreement of the City-County Planning Board. It is therefore approved and accepted.

In WITNESS WHEREOF, we have set our hands and the seal of Yellowstone County, Montana, this 11th day of September, 1969.
BOARD OF COUNTY COMMISSIONERS

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT B

LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

Lot 1-A, Block 1; Lot 1-A, Block 2; Lot 1-A-1, Block 3; Lot 1-A, Block 4; Lot 1-A-1, Block 5 of
Emerald View Park Subdivision.

EXHIBIT C

Estimated Annual Maintenance Cost

Street

	Maintenance Activity	Estimated Annual Cost
1	Chip Seal (Every 7 Years) *	\$ 8,600
2	Snow Removal (3 Times/Year)	\$ 1,000

Total Estimated Annual Maintenance Cost= \$ 9,600

* Based on an annual assessment of \$0.04661/SF of pavement for future chip seal. Estimate based on approximately 5,775 LF of road or approximately 184800 SF of pavement.

Note: Estimated annual maintenance costs have been provided for the purpose of establishing a maintenance budget for the public subdivision roads.

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT D

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

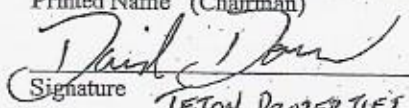
Front Footage

Other (Describe)

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT
RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME	TELEPHONE NUMBER
1. David Dorn Printed Name (Chairman)  Signature TETON PROPERTIES, LLC	(406) 697-5900
2. _____ Printed Name _____ Signature	_____
3. _____ Printed Name _____ Signature	_____
4. _____ Printed Name _____ Signature	_____
5. _____ Printed Name _____ Signature	_____

