

# YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 18-35

## Resolution to Create Yellowstone County Rural Special Improvement District No. 840M to Maintain the Extension of Coulson Road

WHEREAS, pursuant to Sections 7-12-2101 through 7-12-2113 of the Montana Code Annotated, a board of county commissioners has the authority to create a rural special improvement district to reconstruct roads. To create a district, a board should pass a resolution of intent, set a public hearing, provide notice of the public hearing, receive protests, hold a public hearing, consider protests and pass a resolution that either creates or does not create the district. If all the property owners in a district consent to the creation of the district, the board does not have to hold a public hearing and can create the district through a resolution.

WHEREAS, Coulson Road is a public road within Yellowstone County. This extension of Coulson Road is a public easement created and recorded in early 2018 by Town and Country Supply Association, and it was established by petition (by a Board of Viewers and resolution by Yellowstone County Commissioners). The Yellowstone County Board of County Commissioners has the authority to manage the Road. On October 5, 2017, Town & Country Supply Association filed a petition with the Yellowstone County Board of County Commissioners to extend Coulson Road. The Association would like to extend the Road to have public access to a fertilizer plant it intends to construct. On October 5, 2018, the Association filed a petition with the Board to create a rural special improvement district to maintain the extension of the Road. **Exhibit 1 is the Association's Petition.** All the property owners affected by the district have consented to the creation of the district. The Board does not have to hold a public hearing to create the district. **Exhibit 2** contains the specifics of the district such as name, location, map, parcels, property owners, activities, costs, assessment method, assessment and engineer. Below is a summary of the specifics of the District.

### District Summary

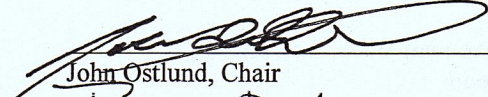
District Name:	Yellowstone County Rural Special Improvement District No. 840M
District Location:	Certificate of Survey No. 1225, Tract 5 (Doc. No. 899448, 01/24/1972). Amended Certificate of Survey No. 1225, Tract 3A-1 (Doc. No. 3816032, 06/07/2017).
District Parcels:	2 parcels
District Activities:	Road Maintenance
District Costs:	\$8,215.00 Estimated Cost Per Year
District Assessment Method:	Per Parcel
District Assessment:	Annual Assessment \$4,107.50 Per Parcel Estimated
District Duration:	Perpetual
District Engineer:	Michael Black, PE, Yellowstone County Public Works Department

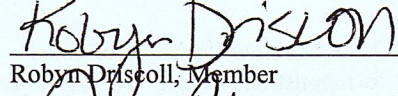
NOW THEREFORE, BE IT RESOLVED,

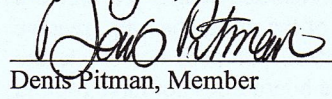
The Yellowstone County Board of County Commissioners creates Rural Special Improvement District No. 840M to maintain the extension of Coulson Road. The specifics of the District are contained in the exhibits attached to this Resolution. The Board assessment for the District will appear on the property owners 2018 tax statement.

Passed and Adopted on the 20<sup>th</sup> day of March 2018.

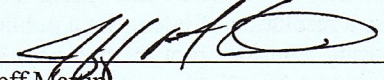
BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
\_\_\_\_\_  
John Ostlund, Chair

  
\_\_\_\_\_  
Robyn Driscoll, Member

  
\_\_\_\_\_  
Denis Pitman, Member

Attest:

  
\_\_\_\_\_  
Jeff Martin  
Yellowstone County Clerk and Recorder

**Exhibit 1**

**Yellowstone County Rural Special Improvement District No. 840M**

**District Summary**

District Name: Yellowstone County Rural Special Improvement District No. 840M  
District Location: Certificate of Survey No. 1225, Tract 5 (Doc. No. 899448, 01/24/1972).  
Amended Certificate of Survey No. 1225, Tract 3A-1 (Doc. No. 3816032, 06/07/2017).  
District Parcels: 2 parcels  
District Activities: Road Maintenance  
District Costs: \$8,215.00 Estimated Cost Per Year  
District Assessment Method: Per Parcel  
District Assessment: Annual Assessment \$4,107.50 Per Parcel Estimated  
District Duration: Perpetual  
District Engineer: Michael Black, PE, Yellowstone County Public Works Department

**District Name:**

The name of the District shall be Yellowstone County Rural Special Improvement District No. 840M.

**District Location:**

Yellowstone County Rural Special Improvement District No. 840M shall include Certificate of Survey No. 1225, Tract 5 and Amended Certificate of Survey No. 1225, Tract 3A-1. Attached is a map of Yellowstone County Rural Special Improvement District No. 840M.

**District Parcels:**

Yellowstone County Rural Special Improvement District No. 840M shall include 2 parcels in Certificate of Survey No. 1225, Tract 5 and Amended Certificate of Survey No. 1225, Tract 3A-1 that will use the extension of Coulson Road. The parcels benefited by the maintenance of the roads shall be included in the District. Attached is a list of the legal description of each parcel and the current owner of each parcel in Yellowstone County Rural Special Improvement District No. 840M.

**District Activities:**

Yellowstone County Rural Special Improvement District No. 840M shall maintain the extension of Coulson Road.

**District Costs:**

The Yellowstone County Public Works Department estimated cost to maintain the extension of Coulson Road is approximately \$8,215.00. The actual cost may be more or less and will vary from year to year. Attached is an explanation of the maintenance costs for the roads in Yellowstone County Rural Special Improvement District No. 840M.

**District Assessment Method:**

Yellowstone County Rural Special Improvement District No. 840M shall use the per parcel method of assessment to finance the maintenance of the extension of Coulson Road. If the number of parcels increases during the term of the District, the assessment shall be modified to account for the increased number of parcels.

**District Assessment:**

The Yellowstone County Finance Department estimates that annual assessment per parcel to maintain the extension of Coulson Road would be approximately \$4,107.50 per parcel. The assessment would appear on the tax statements for the properties. The actual assessment will vary from year to year. Attached is an explanation of the calculation of the assessment to maintain the roads in Yellowstone County Rural Special Improvement District No. 840M.

**District Duration:**

Yellowstone County Rural Special Improvement District No. 840M shall exist indefinitely.

**District Engineer:**

Michael Black, a civil engineer with the Yellowstone County Public Works Department, shall be the District Engineer for Yellowstone County Rural Special Improvement District No. 840M. As needed, the Yellowstone County Board of County Commissioner will appoint a District Engineer. The District Engineer shall advise the Board as to maintenance required for the extension of Coulson Road.

Yellowstone County Public Works Department  
Attn: Michael Black  
P.O. Box 35024  
Billings Montana, 59107-5024  
(406) 256-2735  
[mblack@co.yellowstone.mt.gov](mailto:mblack@co.yellowstone.mt.gov)

**Attachments**

Map  
Properties and Property Owner Lists  
Maintenance Cost Estimate  
Assessment Estimate

EXHIBIT 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

COVER SHEET

TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this 5<sup>th</sup> day of October, 2017

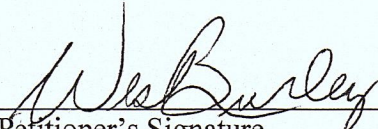
Petitioner/Initiator (and/or) Contact Person:

NAME: Wes Burley - Town & Country Supply Association

ADDRESS: 18 8th Avenue, PO Box 367  
Laurel, MT 59044

PHONE NO: (406) 628-7895

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

October 5, 2017  
 \_\_\_\_\_  
 Date

LIST ALL ADDITIONAL ATTACHMENTS:

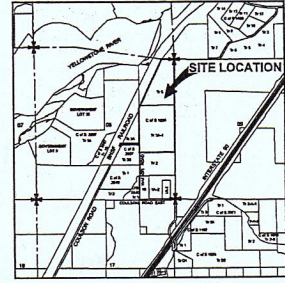
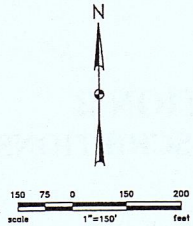
**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)**

**SECTION A**  
**MAPS OF RURAL SPECIAL IMPROVEMENT DISTRICT BOUNDARY (ATTACHED)**

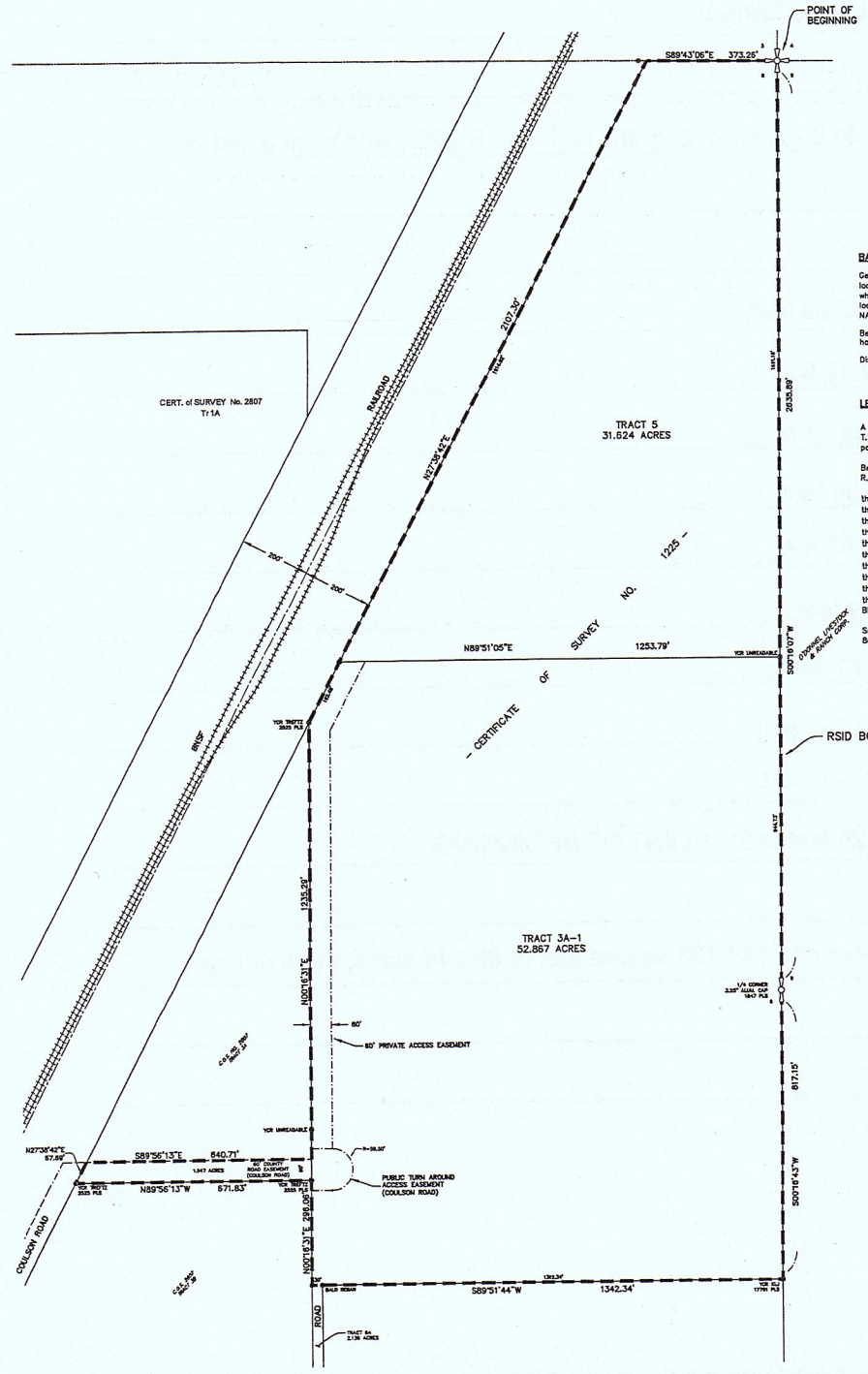
RSID No. **840**

LOCATED IN THE E1/2 E1/2 OF SECTION 8,  
TOWNSHIP 1 NORTH, RANGE 27 EAST, P.M.M.,  
CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

FOR: TOWN & COUNTRY SUPPLY ASSOCIATION  
DATE: FEBRUARY 2017  
SCALE: 1"=150'



VICINITY MAP  
N.T.S.



- LEGEND**
- = Found Section Corner
  - = Found 1/4 Corner
  - = Found Monument, As Noted
  - ◆ = Found Monument, As Noted (Not Accepted As Corner Position)
  - = Set 5/8" X 18" Rebar And Cap Marked With The License Number Of The Underlined Land Surveyor And "KLJ" Unless Otherwise Noted
  - YCR = Yellow Capped Rebar

**BASIS OF BEARINGS:**  
Geodetic North determined at NCS Benchmark designated A 484 located in the NW/4SE1/4 of Section 17, T.1N., R.27E., P.M.M. which is a 3-1/4 inch brass cap in a concrete base, located at Latitude 45°50'02.02392"N, Longitude 108°24'08.82370"W, NAD83(2011) (Epoch 2010.0000).  
Bearings shown are grid bearings and have not been adjusted for convergence.  
Distances shown are ground distances.

**LEGAL DESCRIPTION**  
A tract of land situated in the E1/2 of Section 8, T.1N., R.27E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows:  
Beginning at a Section Corner Common to Sections 4, 5, 8 and 9, T.1N., R.27E., said point being the POINT OF BEGINNING;  
thence S.00°16'07"W, a distance of 2,635.89 feet;  
thence S.00°16'43"W, a distance of 817.15 feet;  
thence S.89°51'44"W, a distance of 1,342.34 feet;  
thence N.00°16'31"E, a distance of 236.06 feet;  
thence N.89°56'13"W, a distance of 671.83 feet;  
thence N.27°38'42"E, a distance of 67.69 feet;  
thence S.89°56'13"E, a distance of 640.71 feet;  
thence N.00°16'31"E, a distance of 1,235.29 feet;  
thence N.27°38'42"E, a distance of 2,107.30 feet;  
thence S.89°43'06"E, a distance of 373.26 feet to the POINT OF BEGINNING.  
Said described tract containing a gross area of 3,774,198 square feet or 86.644 acres, more or less.



**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)**

**SECTION B  
LEGAL DESCRIPTIONS**

**PROPERTY LEGAL DESCRIPTIONS**

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A tract of land situated in the E1/2 of Section 8, T.1N., R.27E., P.M.M., Yellowstone County, Montana,  
said tract being more particularly described as follows:

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Beginning at a Section Corner Common to Sections 4, 5, 8 and 9, T.1N., R.27E., said point being the  
POINT OF BEGINNING;

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thence S.00°16'07"W., a distance of 2,635.89 feet;

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thence S.00°16'43"W., a distance of 817.15 feet;

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thence S.89°51'44"W., a distance of 1,342.34 feet;

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thence N.00°16'31"E., a distance of 296.06 feet;

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thence N.89°56'13"W., a distance of 671.83 feet;

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thence N.27°38'42"E., a distance of 67.69 feet;

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thence S.89°56'13"E., a distance of 640.71 feet;

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thence N.00°16'31"E., a distance of 1,235.29 feet;

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thence N.27°38'42"E., a distance of 2,107.30 feet;

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thence S.89°43'06"E., a distance of 373.26 feet to the POINT OF BEGINNING.

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Said described tract containing a gross area of 3,774,198 square feet or 86.644 acres, more or less.

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**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)**

**SECTION C  
ESTIMATED ANNUAL MAINTENANCE COST**

**FALL MAINTENANCE:**

ACTIVITY	ESTIMATED COST
Dust Control - \$0.91/LF at 750 LF	\$ 682.50
	\$

**WINTER MAINTENANCE:**

ACTIVITY	ESTIMATED COST
Snow Removal - \$400/occurrence	\$ 1,600.00
	\$

**SPRING MAINTENANCE:**

ACTIVITY	ESTIMATED COST
Gravel - \$0.25/SF at 750 LF Long by 28 LF Wide	\$ 5,250.00
	\$

**SUMMER MAINTENANCE:**

ACTIVITY	ESTIMATED COST
Dust Control - \$0.91/LF at 750 LF	\$ 682.50
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:           \$8,215.00

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

**SECTION D**  
**METHOD OF ASSESSMENT**

**CHOOSE A METHOD OF ASSESSMENT:**

Square Footage

Equal Amount

Front Footage

Other (Describe)

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PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION E  
PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT  
RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME	TELEPHONE NUMBER
1. <u>Wes Burley</u> (Chairman) Printed Name <u>Wes Burley</u> Signature	<u>406-860-6451</u>
2. <u>Josh Starr</u> Printed Name <u>[Signature]</u> Signature	<u>406-208-6448</u>
3. _____ Printed Name _____ Signature	_____
4. _____ Printed Name _____ Signature	_____
5. _____ Printed Name _____ Signature	_____

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)**

**SECTION 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
Tract 3A-1, Amd COS 1225	Wes Burley	<i>Wes Burley</i>	X	
Tract 5, Amd COS 1225	Wes Burley	<i>Wes Burley</i>	X	

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)**

**SECTION G  
OWNERSHIP REPORT (ATTACHED)**