

**YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**

Resolution No. 22-06

**Resolution to Create Yellowstone County Rural Special Improvement District No. 874M  
To Maintain Dry Hydrant in Grove Subdivision**

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 construct and maintain a public improvement. When all the owners of the land in the proposed district do not consent to the creation of the 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. When all the owners of the land in the proposed district consent to the creation of a district, the board does not have to hold a public hearing or pass a resolution of intent. The board can create the district with a resolution without a hearing.

WHEREAS, the Yellowstone County Board of County Commissioners received a petition from Taj Mukaman to create a rural special improvement district to maintain the dry hydrant installed in Grove Subdivision. See Exhibits A-F attached. As a condition of subdivision approval, the Board required it to install a dry hydrant and create a district to maintain the dry hydrant. Taj Mukadam owns all properties within the proposed district and has consented to the creation of the district. Because he has consented to the creation of the district, the Board does not have to hold a hearing to create the district. The Board only has to pass a resolution to create the District.

**District Summary**

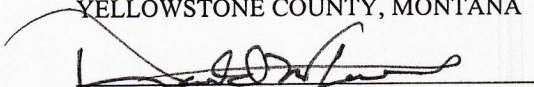
District Name:	Yellowstone County Rural Special Improvement District No. 874M
District Location:	Grove Subdivision
District Parcels:	1 parcel – Grove Subdivision
District Activities:	Maintain Public Parks in Subdivision
District Costs:	\$25 Estimated Cost per lot per year, Subject to Change
District Assessment Method:	Per Parcel
District Assessment:	\$25 Annual Assessment Per Parcel Subject to Change
District Duration:	Indefinite
District Engineer:	Michael Black, Yellowstone County Public Works Department

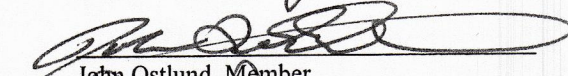
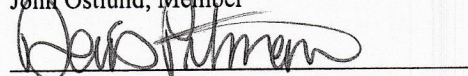
NOW THEREFORE, BE IT RESOLVED,

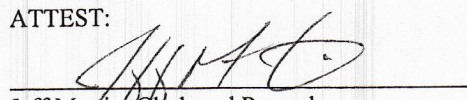
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 874M to maintain the dry hydrant in Grove Subdivision. The specifics of the District are contained in the petition. The Board’s assessment for the District will appear on the property owners 2022 tax statement.

Passed and Adopted on the 18<sup>th</sup> day of January 2022.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
Donald W. Jones, Chair

  
John Ostlund, Member  
  
Denis Pitman, Member

ATTEST:  
  
Jeff Martin, Clerk and Recorder

On January 4, 2022, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition to create a rural special improvement district to maintain the dry hydrant in Grove Subdivision. The petition appears legally sufficient. The petition indicates the land included in the district, the public improvement to be maintained by the district, the maintenance to be provided to the public improvement (this could be a little more descriptive), the cost of the maintenance, how the cost will be apportioned among the landowners in the district, the estimated annual cost for each landowner in the district and whether the landowners in the district agree to the creation of the district. There is only one landowner, the developer. The developer agrees to the creation of the district. Because all the landowners agree to the creation of the district, the County does not have to have a public hearing to create the district.

**COVER SHEET**

**TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS**

This petition is respectfully submitted this 15 day of Dec, 192021.

Petitioner/Initiator (and/or) Contact Person:

NAME: M&J Land Co, LLC

ADDRESS: 6214 Ironwood Drive

Billings, MT 59106

PHONE NO: Taj Mukadam - (406) 647-2353 Ed Jordan - (406) 670-7236

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.

Taj Mukadam  
Petitioner's Signature

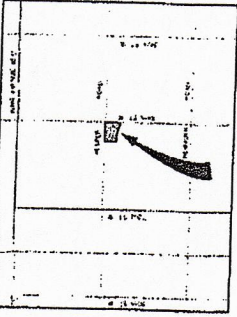
12/15/21  
Date

LIST ALL ADDITIONAL ATTACHMENTS:

AMENDED TRACT 1  
CERTIFICATE OF SURVEY NO. 3753  
SITUATED IN THE NE1/4 OF SECTION 19, T. 1 S., R. 25 E., P.M.M.  
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : BARRY KINSFATHER  
PREPARED BY : SANDERSON SURVEYING

JULY 2020  
BILLINGS, MONTANA



VICINITY MAP  
NOT TO SCALE

BASE OF SURVEY: THE BASE OF SURVEY FOR THIS SURVEY HAS BEEN DETERMINED TO BE THE CORNER OF THE NE1/4 OF SECTION 19, T. 1 S., R. 25 E., P.M.M., YELLOWSTONE COUNTY, MONTANA. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE MONTANA SURVEYING ACT AND THE MONTANA PROFESSIONAL SURVEYING BOARD'S REGULATIONS. THE DISTANCES ARE GIVEN IN METERS AND FEET. APPROXIMATE DISTANCES ARE GIVEN IN METERS AND FEET. APPROXIMATE DISTANCES ARE GIVEN IN METERS AND FEET. APPROXIMATE DISTANCES ARE GIVEN IN METERS AND FEET.

- 0. FOUND MEASUREMENTS AT THE NE CORNER OF SECTION 19.
- 1. FOUND MEASUREMENTS AT THE NE CORNER OF SECTION 19.
- 2. FOUND MEASUREMENTS AT THE NE CORNER OF SECTION 19.

PURPOSE OF SURVEY - CREATE TRACT FOR TRANSFER TO SAGEGATE FAMILY HOUSER

The undersigned hereby certify that the contents of this certificate are true and correct to the best of my knowledge and belief. I am a duly licensed Professional Surveyor in the State of Montana. My license number is 12345. My commission expires on 12/31/2021.

Reference is made to the original plan or map of the land described in this certificate, which is on file in the office of the County Clerk of Yellowstone County, Montana. The original plan or map is identified as Section 19-1-102, M.C.A. 10-102(1), of the Survey of the Montana Department of Transportation, State of Montana, R.S.A. 1911, at the time of the survey. The original plan or map is identified as Section 19-1-102, M.C.A. 10-102(1), of the Survey of the Montana Department of Transportation, State of Montana, R.S.A. 1911, at the time of the survey.

*Barry Kinsfather*  
Barry Kinsfather  
Professional Surveyor

STATE OF MONTANA  
County of Yellowstone

On this 20th day of August, 2020, before me, the undersigned being duly qualified as a Notary Public in and for the State of Montana, personally appeared Barry Kinsfather, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My Comm. Expires 12/31/2021



CERTIFICATE OF SURVEYOR

County of Yellowstone  
City of Yellowstone

The undersigned, a Licensed Surveyor in the State of Montana, hereby certifies that on the 20th day of July 2020, a survey was conducted and the results thereof are set forth in this certificate. The survey was conducted in accordance with the Montana Department of Transportation, State of Montana, R.S.A. 1911, at the time of the survey.

Reference is made to the original plan or map of the land described in this certificate, which is on file in the office of the County Clerk of Yellowstone County, Montana. The original plan or map is identified as Section 19-1-102, M.C.A. 10-102(1), of the Survey of the Montana Department of Transportation, State of Montana, R.S.A. 1911, at the time of the survey.

SANDERSON SURVEYING

*Barry Kinsfather*  
Barry Kinsfather  
Professional Surveyor

My Comm. Expires 12/31/2021



CERTIFICATE OF SAGEGATE HEALTH  
The Certificate of Survey has been reviewed and approved by the undersigned.  
*Barry Kinsfather*  
Barry Kinsfather  
Professional Surveyor

CERTIFICATE OF COUNTY ATTORNEY  
The Certificate of Survey has been reviewed and approved by the undersigned.  
*Barry Kinsfather*  
Barry Kinsfather  
Professional Surveyor

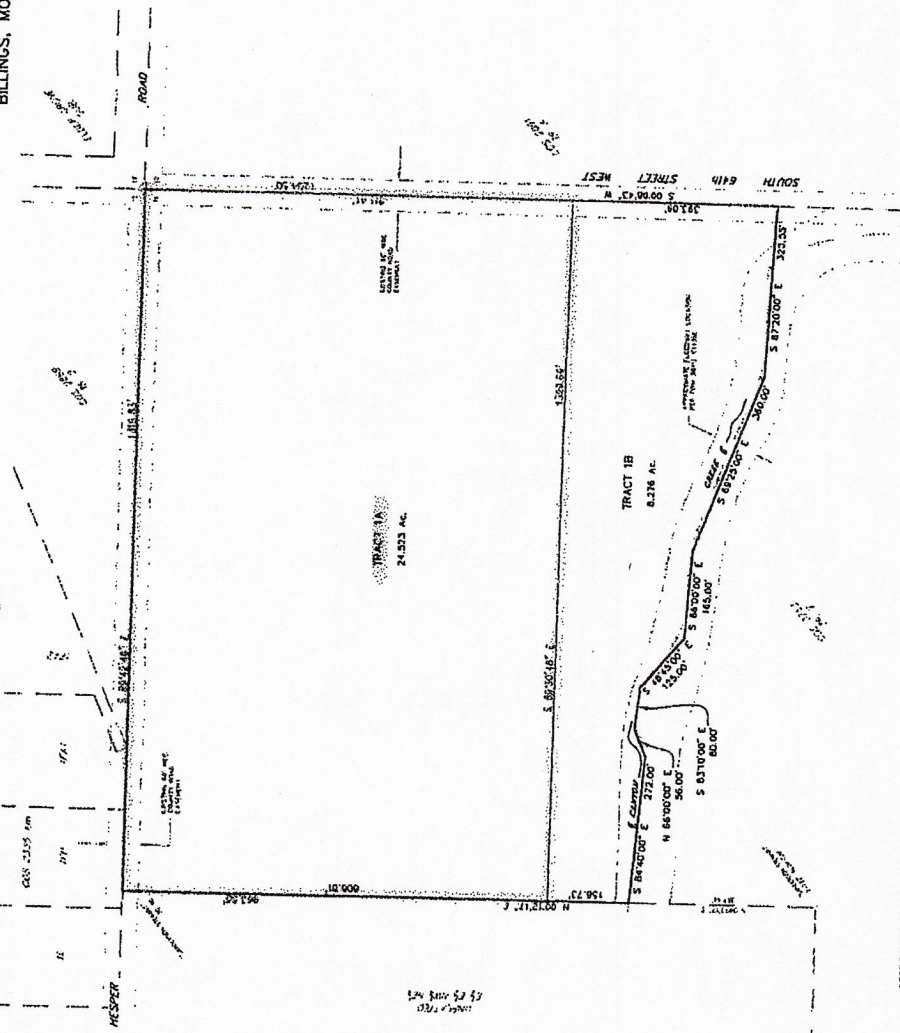
CERTIFICATE OF COUNTY TREASURER  
The Certificate of Survey has been reviewed and approved by the undersigned.  
*Barry Kinsfather*  
Barry Kinsfather  
Professional Surveyor

CSA  
393917  
BARRY KINSFATHER

My Comm. Expires 12/31/2021

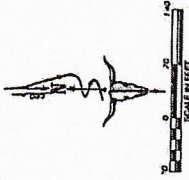
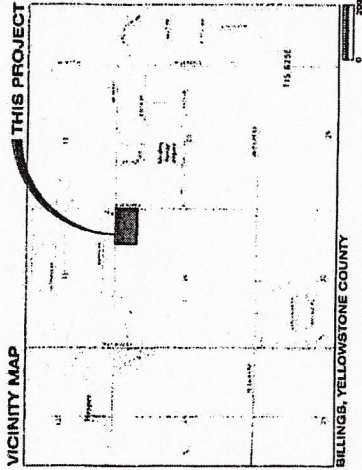


My Comm. Expires 12/31/2021



# PRELIMINARY PLAT OF THE GROVE SUBDIVISION

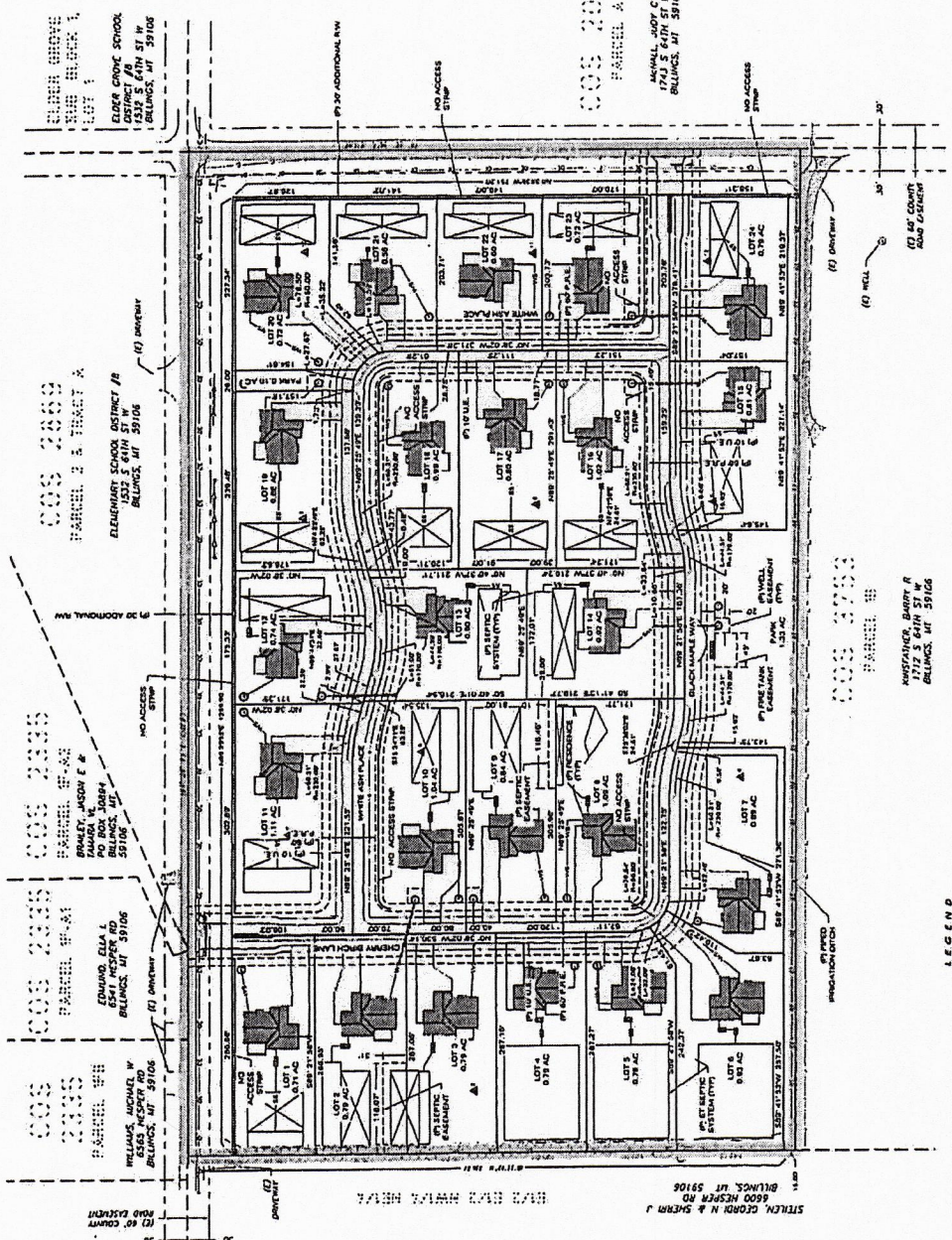
LOCATED IN THE NE1/4 NE1/4 OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 25 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA



APPLICABLE  
MONTANA PLAT ACTS  
APPLICABLE  
MONTANA PLAT ACTS  
APPLICABLE  
MONTANA PLAT ACTS  
APPLICABLE  
MONTANA PLAT ACTS

SITE DATA	
NUMBER OF LOTS	24
TOTAL LOT AREA	5.11 AC
TOTAL AREA OF PAVED DRIVEWAYS	0.8 AC
TOTAL AREA OF PARKING	0.8 AC
LINEAR FEET OF DRIVEWAYS	1,700 LF
NET ACRES	1.7 AC
GROSS ACRES	2.4 AC
EXISTING ZONING	RM
PROPOSED ZONING	RM
EXISTING LAND USE	RESIDENTIAL
PROPOSED LAND USE	RESIDENTIAL

SHEET 1 OF 1  
BY CAROL BERENSON  
PLANNING BY TERRITORIAL LANDWORKS, INC.



DATE	BY	REVISION
11/19/12	CB	1
11/19/12	CB	2
11/19/12	CB	3
11/19/12	CB	4
11/19/12	CB	5
11/19/12	CB	6
11/19/12	CB	7
11/19/12	CB	8
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11/19/12	CB	19
11/19/12	CB	20
11/19/12	CB	21
11/19/12	CB	22
11/19/12	CB	23
11/19/12	CB	24

**PREEMPTOR LEGAL DESCRIPTION**  
BLACK HAWK TRACT, A SUBDIVISION OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 25 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA, AS SHOWN ON PLAT 1234567890, YELLOWSTONE COUNTY, MONTANA, DATED 11/19/12.

**LEGEND**  
 [Symbol] - PAVED DRIVEWAY  
 [Symbol] - UNPAVED DRIVEWAY  
 [Symbol] - PARKING LOT  
 [Symbol] - WELL  
 [Symbol] - EASEMENT  
 [Symbol] - UTILITY LINE  
 [Symbol] - FENCE  
 [Symbol] - PROPERTY LINE  
 [Symbol] - ROAD RIGHT-OF-WAY

**TERRITORIAL LANDWORKS, INC.**  
 1000 WEST 10TH AVENUE  
 BILLINGS, MONTANA 59102  
 TEL: 360-422-1111  
 WWW.TERRITORIALLANDWORKS.COM



## EXHIBIT C

### ESTIMATED ANNUAL MAINTENANCE COST

#### FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
Dry Hydrant Cistern Maintenance	\$ 6.25 per lot
	\$

#### WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$ 6.25 per lot
	\$

#### SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$ 6.25 per lot
	\$

#### SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$ 6.25 per lot
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$25 per lot per year

**EXHIBIT D**  
**METHOD OF ASSESSMENT**

**CHOOSE A METHOD OF ASSESSMENT:**

Square Footage

Equal Amount

Front Footage

Other (Describe)

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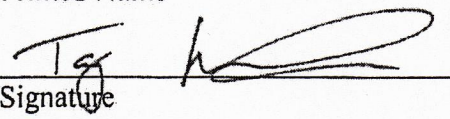
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## EXHIBIT E

### PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME	TELEPHONE NUMBER
1. <u>Taj Mukadam</u> (Chairman) Printed Name  Signature	<u>(406) 647-2353</u>
2. _____ Printed Name  _____ Signature	_____
3. _____ Printed Name  _____ Signature	_____
4. _____ Printed Name  _____ Signature	_____
5. _____ Printed Name  _____ Signature	_____

