

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 23-10

Resolution to Create Yellowstone County Rural Special Improvement District No. 887M To Maintain Public Roads in Stone Creek Subdivision, Phase 1

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 Dan Wells of Regal Land Development, Inc, to create a rural special improvement district to maintain the roads constructed and dedicated to the public in Stone Creek Subdivision, Phase 1. See Exhibits A-F attached. As a condition of subdivision approval, the Board required it to construct and dedicate the roads to the public and create a district to maintain the roads. Regal Land Development, Inc owns all properties within the proposed district and has consented to the creation of the district. Because it 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. 887M
District Location:	Stone Creek Subdivision, Phase 1. See Exhibit A
District Parcels:	64 parcels – Stone Creek Subdivision, Phase 1, Lots 1-5, Block 1; Lots 1-9, Block 2; Lots 1-14, Block 3; Lots 1-16, Block 4; Lots 1-11, Block 5; Lots 1-9, Block 6. See Exhibit B
District Activities:	Maintain Public Roads in Subdivision
District Costs:	\$6,700.00 Estimated Cost per year, Subject to Change. See Exhibit C
District Assessment Method:	Per Parcel. See Exhibit D
District Assessment:	\$104.69 Annual Assessment Per Parcel Subject to Change
District Duration:	Indefinite
District Engineer:	Michael Black PE., Yellowstone County Public Works Department

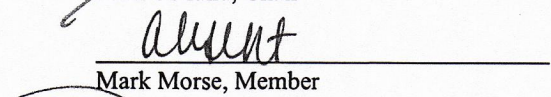
NOW THEREFORE, BE IT RESOLVED,

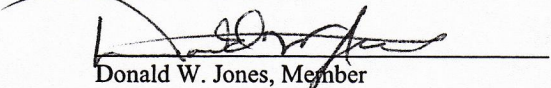
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 887M to maintain the public roads in Stone Creek Subdivision, Phase 1. The specifics of the District are contained in the petition. The Board's assessment for the District will appear on the property owners 2023 tax statement.

Passed and Adopted on the 31st day of January 2023.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


John Ostlund, Chair


Mark Morse, Member


Donald W. Jones, Member

ATTEST:


Jeff Martin, Clerk and Recorder

Resolution No. 23-10

Resolution to Create Yellowstone County Rural Special Improvement District No. 887M
To Maintain Public Roads in Stone Creek Subdivision, Phase 1

On January 25, 2023, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition from Regal Land Development for Yellowstone County to create a rural special improvement district to maintain the internal roads of Stone Creek Subdivision. The petition indicates the land included in the district (Stone Creek Subdivision), the public infrastructure the district will maintain (internal roads), the annual estimated cost to maintain the public infrastructure (\$13,398), the method of assessment (Lot) and all the landowners consent to the creation of the district (Regal Land Development). The petition appears legally sufficient. Because all the landowners consented to the creation of the district, a public hearing is not necessary to create the district.

Jan. 25th

Comments from Yellowstone County GIS about RSIDs for Stone Creek Sub:

Because this subdivision is phased (Phase 1 & 2), the initial RSID should be for only Phase 1 and the legal description and map should reflect that. When the 2nd phase is released is when the RSIDs would expand to cover the new phase. Doing it this way, will cause the entire subdivision to be taxed when only part of it is allowed to be sold.

EXHIBIT B

LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

Lots 1-5, Block 1; Lots 1-9, Block 2; Lots 1-14, Block 3; Lots 1-16 Block 4; Lots 1-11, Block 5; Lots 1-9, Block 6;

of Stone Creek Subdivision, Yellowstone County, Montana

*Total lots = 64

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Snow Removal (3 times per year)	\$ 750
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
Maintain Roadside Ditches and Culverts	\$ 150
Roadside Weed Control	\$ 150

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Maintenance and repair of sidewalks	\$ As Needed
Road Chip Seal (*Every 7 Years)	\$ 5,650

*Yellowstone County Public Works recommends an annual assessment of \$0.04661/SF of pavement for future chip seal. Estimate is based on approximately 5,050 LF of 24-ft wide road. Assessments to begin upon release of tax codes.

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:

\$6700

Total Number of Assessment Lots = 64

Estimated Annual Maintenance Assessment per Lot = \$104.69

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

1. Dan Wells (Chairman)

406-656-1301

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.


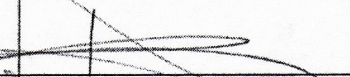


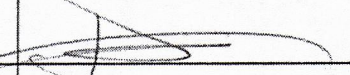

PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED
Lots 1-5, Block 1 of Stone Creek Subdivision	Daniel W. Wells, President Regal Land Development, Inc.		X	
Lots 1-9, Block 2 of Stone Creek Subdivision	Daniel W. Wells, President Regal Land Development, Inc.		X	
Lots 1-14, Block 3 of Stone Creek Subdivision	Daniel W. Wells, President Regal Land Development, Inc.		X	
Lots 1-16, Block 4 of Stone Creek Subdivision	Daniel W. Wells, President Regal Land Development, Inc.		X	
Lots 1-11, Block 5 of Stone Creek Subdivision	Daniel W. Wells, President Regal Land Development, Inc.		X	
Lots 1-9, Block 6 of Stone Creek Subdivision	Daniel W. Wells, President Regal Land Development, Inc.		X	
			X	

EXHIBIT G

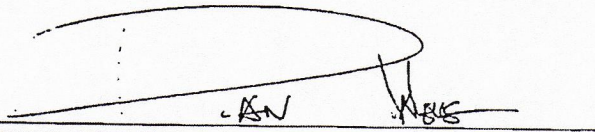
DECLARATION AND SIGNATURES:

The submission of this Final Plat ☒ application constitutes a grant of permission by the subdivider for staff to enter the subject property during the review process. (Sec 23-109).

Legally described as: W2SW OF SECTION 20, T01S, R25E

Generally located at: 80-Acres off the northeast corner of the intersection of 64th and Neibauer

I declare that I am the owner of record of the above-described property and have examined all statements and information contained herein and all attached exhibits, and to the best of my knowledge and belief, is true and correct.



OWNER OF RECORD

DATE

09/20/2022

DATE

OWNER UNDER CONTRACT