

**YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**

Resolution No. 24-36

**Resolution to Create Yellowstone County Rural Special Improvement District No. 901M  
To Maintain Public Roads And Stormwater in Onyx Pointe 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 Myron and Nancy Gross to create a rural special improvement district to maintain the roads and stormwater constructed and dedicated to the public in Onyx Pointe Subdivision. See Exhibits A-G attached. As a condition of subdivision approval, the Board required that any public improvements, such as publicly dedicated roads, must be maintained through the creation of a district. Myron and Nancy Gross own all properties within the proposed district and have consented to the creation of the district. Because all the owners have 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**

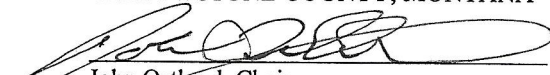
District Name:	Yellowstone County Rural Special Improvement District No. 901M
District Location:	Onyx Pointe Subdivision. See Exhibit A
District Parcels:	35 parcels – Onyx Pointe Subdivision. See Exhibit B
District Activities:	Maintain Public Roads and Stormwater in Subdivision
District Costs:	\$10,850.00 Estimated Cost per year, Subject to Change. See Exhibit C
District Assessment Method:	Per Parcel. See Exhibit D
District Assessment:	\$310.00 Annual Assessment Per Parcel Subject to Change
District Duration:	Indefinite

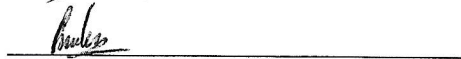
NOW THEREFORE, BE IT RESOLVED,

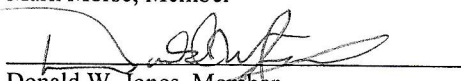
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 901M to maintain the public roads and stormwater in Onyx Pointe Subdivision. The specifics of the District are contained in the petition. The Board's assessment for the District will appear on the property owners 2024 tax statement.

Passed and Adopted on the 19<sup>th</sup> day of March 2024.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
John Ostlund, Chair

  
Mark Morse, Member

  
Donald W. Jones, Member

ATTEST:  
  
Jeff Martin, Clerk and Recorder

On March 5, 2024, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed the resolutions to create three rural special improvement districts for Onyx Pointe Subdivision – roads, dry hydrant and septic system.

The road district will include all the lots in the subdivision. It will maintain the roads. It will assess by the lot. It has projected costs. It will continue to exist until no longer needed. All the owners have executed the petition. A hearing is not needed.

The dry hydrant district will include all the lots in the subdivision. It will maintain the hydrant. It will assess by the lot. It has projected costs. It will continue to exist until no longer needed. All the owners have executed the petition. A hearing is not needed.

The septic system district will include all the lots in the subdivision. It will maintain the system. It will assess by the lot. It has projected costs. It will continue to exist until no longer needed. All the owners have executed the petition. A hearing is not needed. The map does not include all the subdivision. The map and the narrative of the district do not correlate. The map only includes a portion of the subdivision. The narrative includes all the subdivision. There is a typo as to Exhibit F in the resolution. It should be Exhibit E. The resolution does not contain the usual Exhibit E, the committee page. Instead, the usual Exhibit F, the consent page, is Exhibit E. Was the committee page intentionally omitted?

*3/7/24: Per Tim Miller  
Not all lots will be on the drainfield RSID.  
Some will have individual Septics.  
No Committee for drainfield RSID as this RSID  
will be monitored with multi-user and Public  
Drainfield Inspections - See Exhibit C Costs.*





EXHIBIT B

LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

To be known as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 of Onyx Pointe Subdivision

*Current Tax Code: D00715A*

Lined area for additional legal descriptions, consisting of 28 horizontal lines.

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

Activity	Estimated Cost
	\$
	\$

WINTER MAINTENANCE:

Activity	Estimated Cost
Snowplowing	\$3,500 (\$100/lot)
	\$

SPRING MAINTENANCE:

Activity	Estimated Cost
Stormwater Maintenance (Utility Lots 1 and 2)	\$3,500 (\$100/lot)
	\$

SUMMER MAINTENANCE:

Activity	Estimated Cost
Road Maintenance (Chip Sealing, etc)	\$3,500 (\$100/lot)
Mowing/Weed Control	\$350 (10/lot)

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:           \$10,850.00 (\$310/lot)

EXHIBIT D

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount  
\$310 per lot, per year. Total from subdivision: \$10,850/year.

Front Footage

Other (Describe)

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EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT  
RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME

TELEPHONE NUMBER

1. Myron Gross (Chairman)  
Printed Name

(406) 855-0649

Myron Gross

Signature

2. Nancy Gross  
Printed Name

Nancy Gross

Signature

3. \_\_\_\_\_  
Printed Name

Signature

4. \_\_\_\_\_  
Printed Name

Signature

5. \_\_\_\_\_  
Printed Name

Signature







# EXHIBIT G

## SUBDIVISION

Issued By:



CHICAGO TITLE  
INSURANCE COMPANY

Guarantee/Certificate Number:

3523230157

CHICAGO TITLE INSURANCE COMPANY  
a corporation, herein called the Company

### GUARANTEES

Forrest Mandeville, AICP

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

### LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

Chicago Title Company, LLC  
1575 Shiloh Rd, Suite J  
Billings, MT 59106

Countersigned By:

Handwritten signature of Joyce Bondurant.

Joyce Bondurant  
Authorized Officer or Agent



Chicago Title Insurance Company

By:

Handwritten signature of Michael J. Nolan.

Michael J. Nolan, President

Attest:

Handwritten signature of Marjorie Nemzura.

Marjorie Nemzura, Secretary

<b>ISSUING OFFICE:</b>
Title Officer: Trevor Styles Chicago Title Company, LLC 1575 Shiloh Rd, Suite J Billings, MT 59106 Phone: 406-869-3747 Fax: 406-245-5094 Main Phone: (406)245-3064 Email: Trevor.Styles@CTT.com

**SCHEDULE A**

Liability	Premium	Tax
\$10,000.00	\$150.00	\$0.00

Effective Date: January 2, 2024 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

That part of NE1/4 Quarter of Section 19, Township 1 South, Range 25 East, of the Principal Montana Meridian, in Yellowstone County, Montana, described as Tract 3, of Certificate of Survey No. 3753, on file in the office of the Clerk and Recorder of said County, under Document No. 3923939.

Title to said real property is vested in:

Myron Gross and Nancy J. Gross, as joint tenants

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

**END OF SCHEDULE A**

## SCHEDULE B

1. General Taxes for the year 2023  
1st Half: \$498.74 PAID  
2nd Half: \$498.72, Due but not delinquent until June 1, 2024  
Tax ID No.: D00715A
2. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.
3. Easement, if any, for ditches, and any secondary easement rights and incidental purposes, in conjunction therewith.
4. Recitals, notes, sanitary restrictions, ordinances, resolutions, easements, dedications and covenants as contained or referred to on Certificate of Survey No. 3753. Reference is hereby made to the survey for more particulars.  
Recording No.: 3923939
5. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.

END OF SCHEDULE B

## FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective December 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

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### Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

### Other Online Specifics

**Cookies.** When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

**Web Beacons.** We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

**Do Not Track.** Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

**Links to Other Sites.** FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.



### Use of Personal Information

FNF uses Personal Information for these main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.
- To provide reviews and testimonials about our services, with your consent.

### When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

### Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

### Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Connecticut Residents: For additional information about your Connecticut consumer privacy rights, or to make a consumer privacy request, or to appeal a previous privacy request, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

For Colorado Residents: For additional information about your Colorado consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: [aqinquiries@ag.state.nv.us](mailto:aqinquiries@ag.state.nv.us).

**For Oregon Residents:** We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

**For Utah Residents:** For additional information about your Utah consumer privacy rights, or to make a consumer privacy request, please call (888) 714-2710.

**For Vermont Residents:** We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

**For Virginia Residents:** For additional information about your Virginia consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

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FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

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#### **Your Consent To This Privacy Notice; Notice Changes**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

#### **Accessing and Correcting Information; Contact Us**

If you have questions or would like to correct your Personal Information, visit FNF's [Privacy Inquiry Website](#) or contact us by phone at (888) 714-2710, by email at [privacy@fnf.com](mailto:privacy@fnf.com), or by mail to:

Fidelity National Financial, Inc.  
601 Riverside Avenue,  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer