

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 25- 97

Resolution to Create Yellowstone County Rural Special Improvement District No. 916M

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 maintain public improvements such as roads, dry hydrants and parks. Typically, 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.

WHEREAS, pursuant to Sections 7-12-2102(2)(a), 7-12-2105(4) and 7-12-2113(2)(d) of the Montana Code Annotated, when all the landowners in a proposed district consent to the creation of a district, the board does not have to hold a public hearing. The board can create a district with the passage of a resolution.

WHEREAS, the Yellowstone County Board of County Commissioners received a petition from Cottonwood Holdings, LLC, the developer of Clark Stone Commercial Subdivision in Yellowstone County to create a rural special improvement district to maintain the dry hydrant in Clark Stone Commercial Subdivision. Cottonwood Holdings, LLC owns all the land in the Subdivision. Attached as Exhibit 1 is the petition

Below is a summary of the specifics of the District:

District Summary

District Name:	Yellowstone County Rural Special Improvement District No. 916M
District Location:	Parcels in Clark Stone Commercial Subdivision
District Parcels:	4 parcels
District Activities:	Maintain Dry Hydrant in Clark Stone Commercial Subdivision
District Costs:	\$100 estimated annual
District Assessment Method:	Per Parcel
District Assessment:	Annual Assessment Per Parcel – \$25
District Duration:	Indefinite

Attached as Exhibit 1 is the petition for the district including the details of the District such as name, location, map, parcels, property owners, activities, costs, assessment method, assessment and engineer. The costs for the District and the assessment for the District will likely increase over time. The Board can annually adjust the assessment.

WHEREAS, the Yellowstone County Board of County Commissioners received a petition to create a rural special improvement district to maintain the dry hydrant in Clark Stone Commercial Subdivision. The Board reviewed the petition. The petition appears legally sufficient. The Board believes it would be in the best interest of the public to create the District. All the landowners in the Subdivision consented to the creation of the District. Because all the landowners consent to the creation of the District, the Board does not have to hold a public hearing to create the District.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners creates Rural Special Improvement District No. 916M to maintain the dry hydrant in Clark Stone Commercial Subdivision. The specifics of the District are contained in the petition attached to this Resolution.


Resolution No. 25- 97

Resolution to Create Yellowstone County Rural Special Improvement District No. 916M

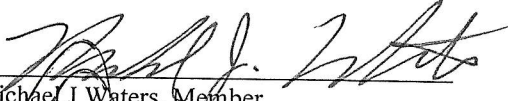
1 of 2

Passed and Adopted on the 12th day of August 2025.

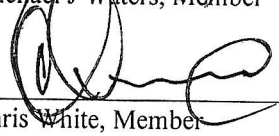
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



Mark Morse, Chair



Michael J. Waters, Member



Chris White, Member

ATTEST:



Jeff Martin, Clerk and Recorder

Exhibit 1

Petition to Create Special Improvement District for Clark Stone Commercial Subdivision – Dry Hydrant

On July 30, 2025, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition to create a rural special improvement district to maintain a dry hydrant to be installed with the construction of the Clark Stone Commercial Subdivision. The petition appears legally sufficient.

The petition indicates what land will be included in the district (Clark Stone Commercial Subdivision), what public infrastructure will be maintained (dry hydrant), what will be done to maintain the infrastructure (inspection), the cost to maintain the infrastructure (\$25 per parcel), how the cost will be paid by the landowners in the district (per parcel) and whether all the landowners consent to the creation of the district (all consent, only developer).

Because all the landowners consented to the creation, the County does not have to hold a hearing to create the district.

Exhibit 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

COVER SHEET

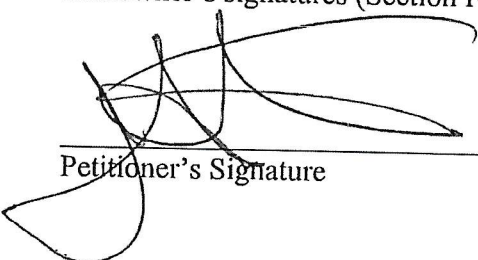
TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this _____ day of _____, 19__.

Petitioner/Initiator (and/or) Contact Person: James Stevenson

NAME: Cottonwood Holdings, LLC
ADDRESS: 81 River Road,
Silesia, Montana 59041
PHONE NO: 406-861-2683

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

7/23/25
Date

LIST ALL ADDITIONAL ATTACHMENTS:

- Proposed plat of Clark Stone Commercial Subdivision with RSID Boundary
- Title Report

Exhibit 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION B

LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

Lots 1 through 4, inclusive, of Clark Stone Commercial Subdivision, Yellowstone County, Montana; 4 lots total

[illegible]

Exhibit 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION C
ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Dry Hydrant Replacement (\$25 per lot per year)	\$ \$100
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$100

Exhibit 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION D
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

<input type="checkbox"/>	Square Footage
<input checked="" type="checkbox"/>	Equal Amount
<input type="checkbox"/>	Front Footage
<input type="checkbox"/>	Other (Describe)

Exhibit 1

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. James Stevenson (Chairman)

406-861-2683

Printed Name

Signature

7/23/25

2.

Printed Name

Signature

3.

Printed Name

Signature

4.

Printed Name

Signature

5.

Printed Name

Signature

Exhibit 1

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.

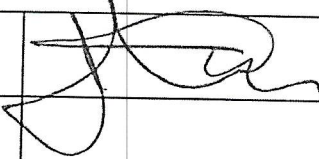
PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN	
			FAVOR	OPPOSED
Lots 1-4, inclusive Clark Stone Commercial Subdivision	Cottonwood Holdings, LLC		X	

Exhibit 1

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION F

(Continued)

**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

Exhibit 1

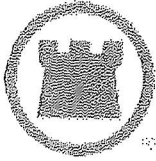
PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

**SECTION G
OWNERSHIP REPORT (ATTACHED)**

SUBDIVISION

Issued By:

Guarantee/Certificate Number:



**CHICAGO TITLE
INSURANCE COMPANY**

3523230046

CHICAGO TITLE INSURANCE COMPANY

a corporation, herein called the Company

GUARANTEES

Forrest Mandeville Consulting

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 Insurance Company

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

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

Countersigned By:

Joyce Bondurant
Authorized Officer or Agent



Exhibit 1

CHICAGO TITLE INSURANCE COMPANY

GUARANTEE/CERTIFICATE NO. 3523230046

ISSUING OFFICE:
Title Officer: Joyce Bondurant Chicago Title Company, LLC 1575 Shiloh Rd, Suite J Billings, MT 59106 Phone: 406-869-3742 Fax: 406-245-5094 Main Phone: (406)245-3064 Email: Joyce.Bondurant@titlegroup.fntg.com

SCHEDULE A

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

Effective Date: May 9, 2025 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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is vested in:

Cottonwood Holdings LLC, a Montana limited liability company

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

END OF SCHEDULE A

Exhibit 1

EXHIBIT "A"

Legal Description

A tract of land located in the SE1/4SE 1/4 of Section 21 and the NE 1/4NE 1/4 of Section 28, Township 2 South, Range 24 East, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Commencing at the northeast corner of said Section 28, thence N 36° 44' 23" W 545.50 ft. to the point of beginning situated on the highway right-of-way;

thence along the highway right-of-way southwesterly 74.24 ft. through a central angle of 1° 57' 34" along on a non tangent curve concave to the northwest having a radius of 2171.01 ft. and subtended by a chord that bears S 72° 36' 24" W 74.24 ft.;

thence along the highway right-of-way S 80° 14' 19" W 110.39 ft. to the beginning of a non-tangent curve @nsave to the northwest having a radius of 2161.00 ft. and subtended by a chord that bears S 81° 00' 24" W 340.01 ft.;

thence along the highway right-of-way southwesterly 340.36 ft. along said curve through a central angle of 09°01' 26";

thence along the highway right-of-way S 49° 11' 33" W 371.27 ft.;

thence along the highway right-of-way S 19° 00' 06" W 365.02 ft. to the beginning of a non-tangent curve concave to the east and northeast having a radius of 3731.74 ft. and subtended by a chord that bears S 07° 01' 25 " E 110.44 ft.;

thence along the highway right-of-way along said curve 110.44 ft. through a central angle of 01° 41' 45"; thence along the highway right-of-way S 05° 20' 48" E 95.31 ft.; thence along the highway right-of-way S 08° 35' 43" E 79.51 ft.;

thence along the highway right-of-way N 8° 24' 17" E 30.28 to a tangent curve concave to the south and southwest having a radius of 280.13 ft.;

thence along the highway right-of-way along said curve 225.65 ft. through a central angle of 46° 09' 11";

thence along the highway right-of-way S 52° 26' 32" E 46.60 ft.; thence along the highway right-of-way N 37° 28' 18" E 245.73 ft.;

thence along the highway right-of-way N 37° 25' 53" E 51.24 ft. to the beginning of a non-tangent curve concave to the northwest having a radius of 2814.80 ft. and subtended by a chord that bears N 32° 24' 34" E 495.32 ft.; thence along the highway right-of-way 495.96 ft. along said curve though a central angle of 10° 05' 44";

thence along the highway right of way N 21° 58' 27" E 147.45 ft. to the beginning of a non tangent curve concave to the north-west having a radius of 2804.80 ft, and subtended by a chord that bears N 22° 23' 04" E 193.55 ft.;

thence along the highway right-of-way along said curve 193.58 ft. through a central angle of 03° 57' 16"; thence along the highway right-of-way N 20° 24' 26" E 80.52 ft, to the point of beginning.

Inclusive of that part of NE1/4NE1/4 of Section 28, Township 2 South, Range 24 East, of the Principal Montana Meridian, in Yellowstone County, Montana, described as Tract 1, of Certificate of Survey No, 2698-M on file in the Office of the Clerk and Recorder of said County, under Document #1638713

SCHEDULE B

GENERAL EXCEPTIONS

- A. Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of said Land or by making inquiry of persons in possession of the Land.
- B. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown in the Public Records.
- C. Easements, claims of easements, or encumbrances which are not shown by the Public Records.
- D. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
- E. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters accepted under (a), (b), (c) are shown by the Public Records.
- F. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- G. County road rights-of-way, not recorded and indexed as a conveyance of record in the office of the Clerk and Recorder pursuant to Title 70, Chapter 21 M.C.A., including but not limited to any right of the public to use and occupy those certain roads and trails.
- H. Mineral rights, claims or title to minerals in or under said Land, including but not limited to metals, oil, gas, coal, and other hydrocarbons, sand, gravel, or stone, and geothermal energy rights, and easement or other rights or matters relating thereto, whether express or implied, recorded or unrecorded.

SPECIAL EXCEPTIONS

1. General Taxes for the year 2024
1st Half: \$993.82, PAID
2nd Half: \$993.81, PAID
Tax Account No.: D02858B
2. General Taxes for the year 2024
1st Half: \$189.38, PAID
2nd Half: \$189.36, PAID
Tax Account No.: D02974A
3. General County Taxes for the year 2025 and subsequent years, which are a lien but not yet due or payable.
4. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Exhibit 1

CHICAGO TITLE INSURANCE COMPANY

GUARANTEE/CERTIFICATE NO. 3523230046

SCHEDULE B
(continued)

5. Easement(s) and rights incidental thereto, as granted in a document::
Granted to: L.O. Ling his heirs and or assigns
Recording Date: February 7, 1913
Recording No.: 19603, Book L Misc._
6. Easement(s) and rights incidental thereto, as granted in a document::
Granted to: State of Montana
Recording Date: September 23, 1938
Recording No.: 331610, Book 206

and a portion of Easement Quit Claimed back to the Owners

Recording Date: January 21, 1939
Recording No.: 334939, Book 208
7. Easement(s) and rights incidental thereto, as granted in a document::
Granted to: State of Montana
Recording Date: February 25, 1939
Recording No.: 335745, Book 208_
8. Easement(s) and rights incidental thereto, as granted in a document::
Granted to: The State of Montana
Recording Date: October 22, 1948
Recording No.: 443437 Book 330_
9. Easement(s) and rights incidental thereto, as granted in a document::
Granted to: Interstate Oil Pipeline Company
Recording Date: March 17, 1949
Recording No.: 448242, Book 340_
10. Recitals, notes, sanitary restrictions, ordinances, resolutions, easements, dedications and covenants as contained or referred to on Certificate of Survey No. 2698-M. Reference is hereby made to the survey for more particulars.
Recording No.: 1638713
11. Agricultural Covenant
Recording Date: January 31, 1974
Recording No.: 954001
12. Easement granted to Williston Basin Interstate Pipeline Company, recorded January 20, 1987, under Document No. 1426410._

Exhibit 1

CHICAGO TITLE INSURANCE COMPANY

GUARANTEE/CERTIFICATE NO. 3523230046

SCHEDULE B
(continued)

13. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: ExxonMobil Pipeline Company
Recording Date: June 17, 2013
Recording No.: 3671703
14. Recitals, notes, sanitary restrictions, ordinances, resolutions, easements, dedications and covenants as contained or referred to on Certificate of Survey No. 2809. Reference is hereby made to the survey for more particulars.
Recording No.: 1743447
15. Terms, Provisions, Reservations and Covenants in the State of Montana Department of Transportation Bargain and Sale Deed
Recording Date: October 8, 2013
Recording No.: 3686367
16. Legal right of access to and from said land has been limited by State of Montana Bargain and Sale Deed, recorded October 8, 2013, under Document No. 3686367.
17. 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

Exhibit 1

CHICAGO TITLE INSURANCE COMPANY

GUARANTEE/CERTIFICATE NO. 3523230046

SCHEDULE B