



RESOLUTION 2015-76

A RESOLUTION ANNEXING LAND INTO THE EAST HELENA VALLEY RURAL FIRE DISTRICT

WHEREAS, the Board of Trustees of the East Helena Valley Rural Fire District received a petition to annex certain lands from the Tri Lakes Fire Service Area into the East Helena Valley Rural Fire District; and

WHEREAS, the petition was signed by the owners of 74% of the real property within the proposed area to be annexed and owners of property representing 78% or more of the taxable value of property within the proposed area to be annexed, attached hereto and made a part thereof as Exhibit "A", including the original petition exhibits contained therein; and

WHEREAS, the East Helena Valley Fire District Board of Trustees convened on April 14, 2015, to consider the petition and acted to accept the petition, attached hereto and made a part thereof as Exhibit "C"; and,

WHEREAS, the Tri Lakes Fire Service Area Board of Trustees convened on April 7, 2015, to consider the petition and acted to accept the petition, attached hereto and made a part thereof as Exhibit "D"; and,

WHEREAS, the petition and the decisions of both aforementioned Boards of Trustees were presented to the Board of County Commissioners pursuant to Section 7-33-2125, MCA; and

WHEREAS, public notice of a hearing on the proposed annexation was published on April 26, 2015 and May 3, 2015; and

WHEREAS, a public hearing was held on June 4, 2015, where the Board of County Commissioners considered the petition, Board of Trustees actions, and written and oral testimony presented at the hearing; and

WHEREAS, the Board of County Commissioners acted on protests received and determined that there was insufficient protest to bar proceeding; the Commissioners also determined that the public interest would be served by the above-requested annexation.

NOW, THEREFORE BE IT RESOLVED, that the Lewis and Clark County Board of County Commissioners approves the annexation of property into the East Helena Valley Rural Fire District described in the attached Petition and East Helena Valley Rural Fire District Board of Trustees letter.

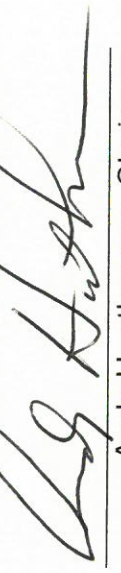
BE IT FURTHER RESOLVED that all property within the annexation area would be assessed for fire protection services and that the annual assessment for such services shall be based upon the tax levy established each year.



BE IT FURTHER RESOLVED that the annexed parcels will be removed from the Tri-Lakes Fire Service Area and will not be assessed the fire service area fee.

DATED this 4th day of June, 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman



- Attachments:
- Exhibit "A"
 - Exhibit "B" (Revised Map)
 - Exhibit "C"
 - Exhibit "D"

Exhibit "A"

**PETITION TO ANNEX ADJACENT LAND INTO THE
EAST HELENA VALLEY RURAL FIRE DISTRICT
LEWIS AND CLARK COUNTY**

We the undersigned, owners of land located within the area described and shown on Exhibits "A" and "B", attached hereto and made a part hereof, hereby petition the Board of County Commissioners to alter the boundaries of the East Helena Valley Rural Fire District to annex certain adjacent lands, as authorized by Section 7-33-2125, MCA. The boundaries of the proposed annexation area are those described in Exhibit "A" and shown on Exhibit "B". It is anticipated that fire protection services would be provided by the existing East Helena Valley Rural Fire District and funded by assessments made within the fire service area. All owners of property with a taxable value, as shown on the valuation sheet for each geocode within the altered boundaries of the rural fire district, would be assessed for fire protection services. Exhibit "C", attached hereto and made a part hereof, is a list of properties within the proposed annexation area and shows the estimated annual assessment for each property under existing conditions (records of the Montana Department of Revenue). The Board of Trustees of the East Helena Valley Rural Fire District would govern and manage the affairs of the annexed areas as part of the entire fire service area.

We the undersigned, also acknowledge that if the property is annexed into the East Helena Valley Rural Fire District, it will be removed from the East Tri-Lakes Fire Service Area and will not be assessed the fire service area millage.










Exhibit "A" (Continued)

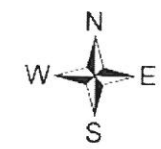
EXHIBIT "C"

Genocode	Property Address	Property Owner Name(s)	Legal Description	Current Assessment	Estimated Assessment	Signature(s) & Date
05188917402130000	4165 DIVINE RD	BYWATER KURT W & LEANN D	CACTUS RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 2-4, COS #597259	\$186.00	\$94.05	<i>Kurt Bywater</i> 2/13/15 12/13/14
05188908401200000	3525 RESERVOIR LN	CHREST KENNETH R & HELEN	S08, T10 N, R02 W, C.O.S. 481489/E, TR A	\$203.00	\$122.32	<i>Christ Chrest</i>
05188917401150000	N/A	DIEHL MARK T	S17, T10 N, R02 W, N2NESE	\$0.00	\$4.37	<i>Mark Diehl</i> 12/13/14
05188917405100000	4170 PANORAMA RD	DOLAN ROBERT D & KELLY RICE	PANORAMA RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 3, COS #615082	\$169.00	\$87.35	<i>Kelly Rice</i> 2/13/15 <i>Robert Dolan</i> 12/13/14
05188917403010000	4110 PANORAMA RD	DOUGLAS J D & CARMEN L	PANORAMA RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 1, COS #615082	\$269.00	\$77.17	<i>John Douglas</i>
05188908401010000	3525 LAKE HELENA DR	GUDERIAN NEVIN & ROBERTA	S08, T10 N, R02 W, TR IN S2SESW	\$169.00	\$53.72	
05188916202050000	4225 KENNY CT	HAGEN ELENA MANESSAH	S16, T10 N, R02 W, C.O.S. 3087303, TR A3	\$0.00	\$25.94	<i>Elena Hagen</i> 2/14/15
05188917402200000	4125 DIVINE RD	HASLIP WILLIAM J & SHELE Y	CACTUS RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 2-1, COS #597259	\$169.00	\$85.30	
05188917101100000	N/A	HAZLEWOOD ROBERT M	S17, T10 N, R02 W, C.O.S. 481489/E, PT TR B	\$0.00	\$7.98	
05188917101050000	3235 RESERVOIR LN	HAZLEWOOD ROBERT M	S17, T10 N, R02 W, C.O.S. 481481/M, PT TR B	\$169.00	\$83.30	
05188917403200000	4115 PANORAMA RD	HUOTARI JEFF W	PANORAMA RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 5, COS #615082	\$169.00	\$84.40	<i>Jeff Huotari</i> 12/13/14
05188917402010000	4120 DIVINE RD	LAVIGNE LAWRENCE J & MISSEY A	CACTUS RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 2-1, COS #597259	\$186.00	\$102.93	<i>Lawrence Lavigne</i> 2-10-15
05188917401010000	3425 DANNY K DR	LIN HUA & CHEN YUN	H&I MINOR SUBD, S17, T10 N, R02 W, Lot 3, COS #264123/S LESS HWY R/W	\$169.00	\$89.78	
05188917403150000	4155 PANORAMA RD	MCNUTT PAULA M	PANORAMA RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 4, COS #615082	\$169.00	\$72.13	<i>Paula M McNutt</i> 12/13/14
05188916201010000	3300 DANNY K DR	MONTAYNE CATHY	S16, T10 N, R02 W, C.O.S. 3087383, TRACT A1 (IN NW4 SEC 16) (IN NE4 SEC 17)	\$152.00	\$92.18	<i>Cathy Montayne</i> 12/13/14
05188917402100000	4185 DIVINE RD	RICKMAN PAUL J & KAREN E	CACTUS RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 2-5, COS #597259	\$169.00	\$75.87	<i>Paul Rickman</i>
05188917401130000	3145 DANNY K DR	RODECK AMY M & MALCOLM J	H&I MINOR SUBD, S17, T10 N, R02 W, Lot 1, COS #624123	\$169.00	\$89.16	<i>Amy Rodeck</i> 12/13/14 <i>Malcolm Rodeck</i>
05188917403010000	4150 PANORAMA RD	WILLIAMS TOM & MARJORIE L	PANORAMA RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 2, COS #615082	\$169.00	\$78.47	<i>Tom Williams</i> <i>Marjorie Williams</i>
05188917402050000	4160 DIVINE RD	ZIMMER JARED & HEATHER L	CACTUS RIDGE MINOR SUBD, S17, T10 N, R02 W, Lot 2-3, COS #597259	\$186.00	\$90.87	<i>Jared Zimmer</i> 12/13/14 <i>Heather Zimmer</i>

East Helena Valley RFD Annexation of Tri-Lakes FSA (Exhibit "B")



- Legend**
-  Property to be Annexed
 -  Parcel Boundaries
 -  PLSS Townships
 -  PLSS Sections
 -  PAVED
 -  UNPAVED
 -  DRIVEWAY
 -  East Helena Valley RFD
 -  Tri-Lakes FSA



Lewis & Clark County
 Community Development and Planning
 316 N Park Ave
 Helena, Montana
 406-447-8375
 Exhibit Created 8/22/2014

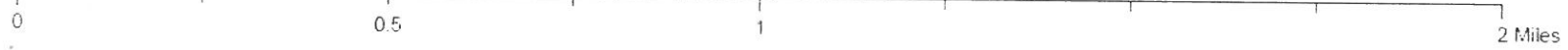


Exhibit "C"

East Valley Fire District
PO Box 2087
East Helena, MT 59635-2087

Lewis & Clark County
Board of County Commissioners
316 N. Park Ave, RM 345
Helena, MT 59623

Date: April 14, 2015

Subject: Proposed Annexation

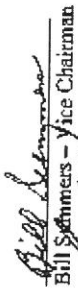
The East Helena Valley Fire District Board of Trustees has received a petition to annex property to become part of the East Helena Valley Fire District, as authorized by Section 7-33-2126, MCA. It is anticipated that fire protection services would be provided by the existing East Helena Valley Fire District and funded by assessments made within the fire district. All property within the annexation area would be assessed for fire protection services. The Board of Trustees of the East Helena Valley Fire District would govern and manage the affairs of the annexed areas as part of the entire fire district.

After a review of the proposed annexation of these properties will be removed from Tri-Lakes Fire Service Area, it has been determined that the properties would be better served by the services of the East Helena Valley Fire District. Therefore, the East Helena Valley Fire District Board of Trustees officially approves the proposed annexation as presented in the petition at the scheduled trustees meeting on April 14, 2015.

Sincerely,

EAST HELENA VALLEY RURAL FIRE DISTRICT


Vincent Williams - Chairman


Bill Summers - Vice Chairman


Bill Wegner - Secretary


Wayne Noem - Treasurer


Patty Reeder - Trustee

Exhibit "D"



Tri-Lakes Volunteer Fire Department
3200 Spokane Creek Road
East Helena, MT 59635
Phone & Fax: 406.475.3552

April 7, 2015

Board of County Commissioners
316 N. Park Ave, RM 345
Helena, MT 59623

Dear Commissioners:

The purpose of this letter is to notify you that at the duly noticed and conducted April 07, 2015 meeting on of the Board of Trustees of the Tri-Lakes Volunteer Fire Department, we approved and support the Petition to Annex Adjacent Land into the East Helena Valley Rural Fire District. We understand the Petition will alter our boundaries by moving the identified parcels out of our fee service area and into East Valley's Fire District.

Sincerely,
TRI-LAKE VOLUNTEER FIRE DEPARTMENT

G. Nathan Bartow, Secretary

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EAST HELENA VALLEY RURAL FIRE DISTRICT
LEWIS AND CLARK COUNTY**

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We the undersigned, also acknowledge that if the property is annexed into the East Helena Valley Rural Fire District, it will be removed from the East Tri-Lakes Fire Service Area and will not be assessed the fire service area millage.

EXHIBIT "A"

Legal Description of Area to be Annexed into the
East Helena Valley Rural Fire District

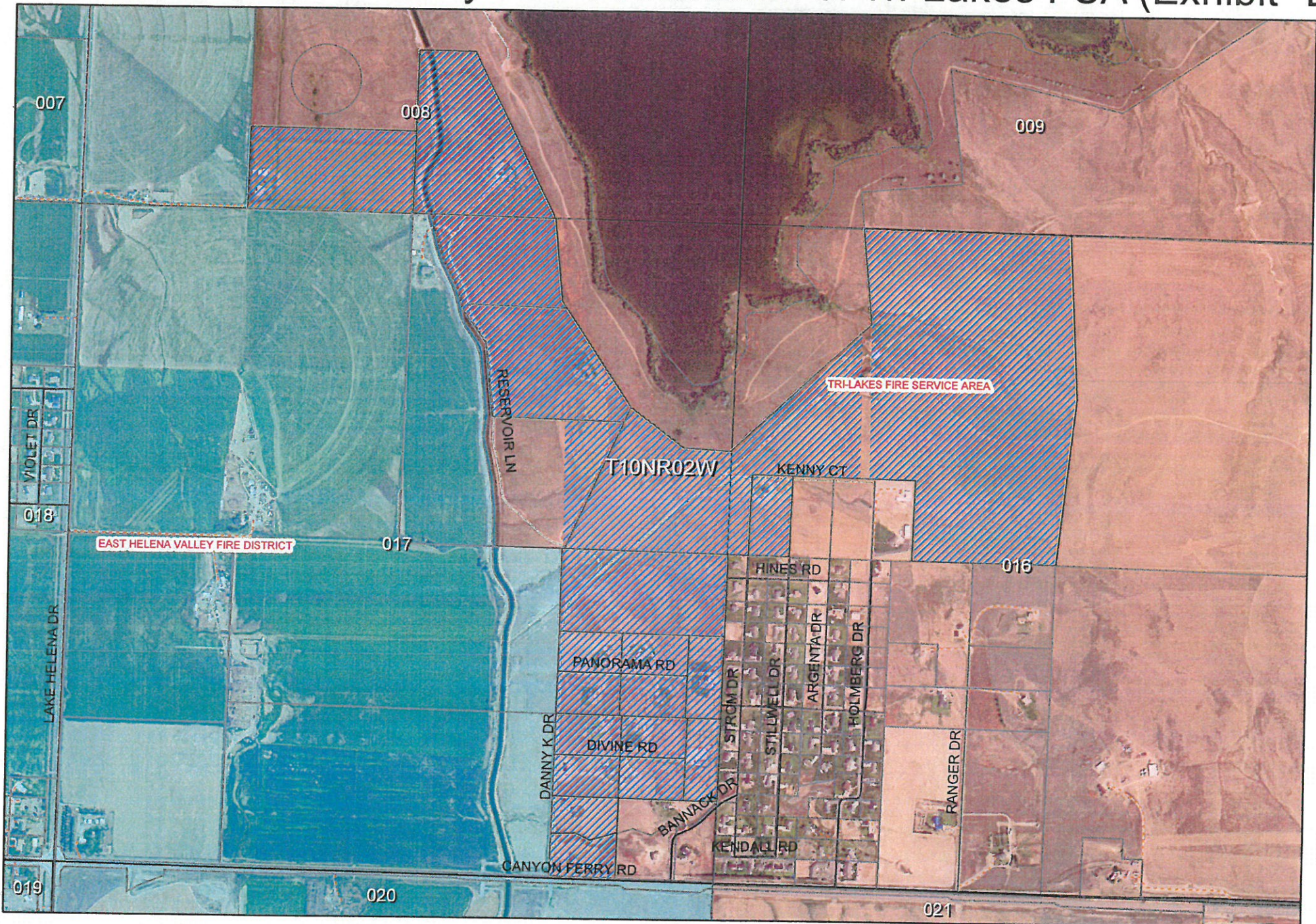
The property to be annexed is described as all lots in T10N R02W Section 17 not currently assessed within the East Helena Rural Fire District, excluding three properties in the southeastern corner identified by Property ID as '188917401040000', '188917401110000', and '188917401080000', and one property located in the northeastern corner identified by property ID as '188916202010000'. In addition to the aforementioned property, the property to be annexed is described as one Property in T10N R02W Section 16 identified by Property ID as '188916202050000'. In addition to the aforementioned property, the property to be annexed is described as two Properties located along the southern edge of T10N R02W Section 8 identified by Property ID as '188908401010000' and '188908401200000'.










The area to be annexed is shown on the attached map (Exhibit "B")

EXHIBIT "C"

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East Helena Valley RFD Annexation of Tri-Lakes FSA (Exhibit "B")



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 Community Development and Planning
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 Helena, Montana
 406-447-8375
 Exhibit Created 8/22/2014

