

RESOLUTION 2015-98

**RESOLUTION TO CREATE A RURAL IMPROVEMENT DISTRICT FOR THE
SOUTH FORESTVALE NO. 2 SUBDIVISION 2015-7**

WHEREAS, the board of county commissioners may order and create a special improvement district upon the receipt of a petition to create a special improvement district that contains the consent of all of the owners of property to be included in the district per MCA §7-12-2102(2); and

WHEREAS, the attached petition, "Exhibit A", contains the signature of the sole owner of property to be included within the District; and

WHEREAS, the sole owner of property has preliminary subdivision approval to create nineteen lots with improvements that require future maintenance.

WHEREAS, the resolution of intention designated items set forth in MCA §7-12-2103(2).

- (a) The designated number of the district is 2015-7.
- (b) The boundaries are shown on "Exhibit B" and described as South Forestvale No. 2 Subdivision (AKA Moonlight Estates) located in the SE ¼ of Section 1, T10N, R4W, P.M.M., Lewis and Clark County, Montana.
- (c) The general character of maintenance of roadways within the district boundaries includes, but is not limited to:
 - Snow plowing, road grading, culvert cleaning, fence maintenance, and miscellaneous work as needed.
- (d) Dowl is the engineer to have charge of the work and the estimated cost for said maintenance is \$2,636.38 per year or \$138.76 per parcel per year.
- (e) The method by which the cost shall be assessed is described in MCA §7-12-2151(d); each lot, tract, or parcel of land in the district may be assessed an equal amount based upon the total cost of the improvement; and



NOW, THEREFORE LET IT BE RESOLVED, by the Lewis and Clark County Board of County Commissioners that it does hereby approve the creation of the South Forestvale No. 2 Subdivision Rural Improvement District Number 2015-7.

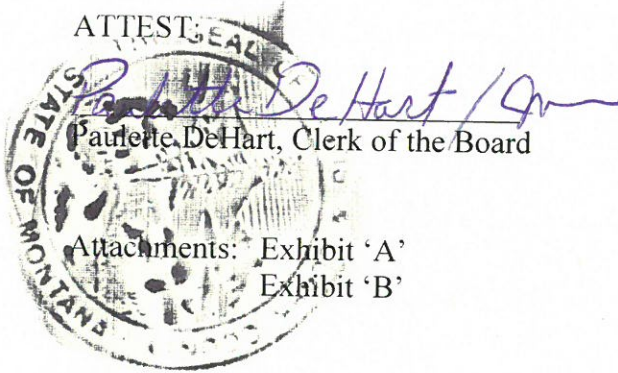
DATED this 14th day of July, 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

ATTEST



Attachments: Exhibit 'A'
Exhibit 'B'

LEWIS & CLARK COUNTY

JUN 30 2015

PERMIT OFFICE

Valley Construction of Helena, LLC
7510 Applegate Drive
Helena, MT 59602

June 30, 2015

Matt Heimel, RID Coordinator
Lewis & Clark County Planning Dept.
316 N. Park Avenue, Rm. 230
Helena, MT 59623

Re: South Forestvale No. 2 Subdivision, Final Plat Requirements
Petition to Create a Rural Improvement District (RID)

Dear Matt:

According to the Lewis and Clark County GIS maps, property known as the proposed South Forestvale No. 2 Subdivision lies outside of an RID or SID boundaries nor within any zoning areas. Per the Modified Conditions of Approval letter, dated May 18, 2015, Condition No. 9 states, "*In cooperation with the County, the Applicant shall create a Rural Maintenance District in order to maintain the following: a. internal access roads, and b. fence along irrigation canal.*"

Therefore for purposes of maintenance of the proposed listed in the conditions above, we hereby petition Lewis and Clark County to create a Rural Improvement District in accordance with MCA Title 7, Chapter 12, Part 21.

I, Larry Kim Smith, for Valley Construction of Helena, LLC, am the sole owner of the property, therefore satisfies the 60% requirement for the petition policy of Lewis and Clark County to form the RID.

 member
Larry Kim Smith for Valley Construction of Helena, LLC

FINAL PLAT SOUTH FORESTVALE NO. 2 SUBDIVISION (A.K.A. MOONLIGHT ESTATES)

FOR: VALLEY CONSTRUCTION OF HELENA, LLC.
PURPOSE: 19 LOT MAJOR SUBDIVISION AND
RETRACEMENT OF LOT "A", C.O.S. #362340

LEGEND:

- CALCULATED POSITION NOTHING FOUND OR SET
- SET 5/8 REBAR W/R P.C. (RES & ASSOC.)
- SET 5 FOOT W.C. 5/8 REBAR W/R P.C. (RES & ASSOC.)
- FOUND 5/8" OR 1/2" REBAR W/R P.C. (WILSON-21055)
- FOUND 5/8 REBAR W/R P.C. (WADE-76335)
- D.P.E. DRAINAGE POND EASEMENT
- OE — OVERHEAD ELECTRIC/UTILITY LINES

LINE TABLE:

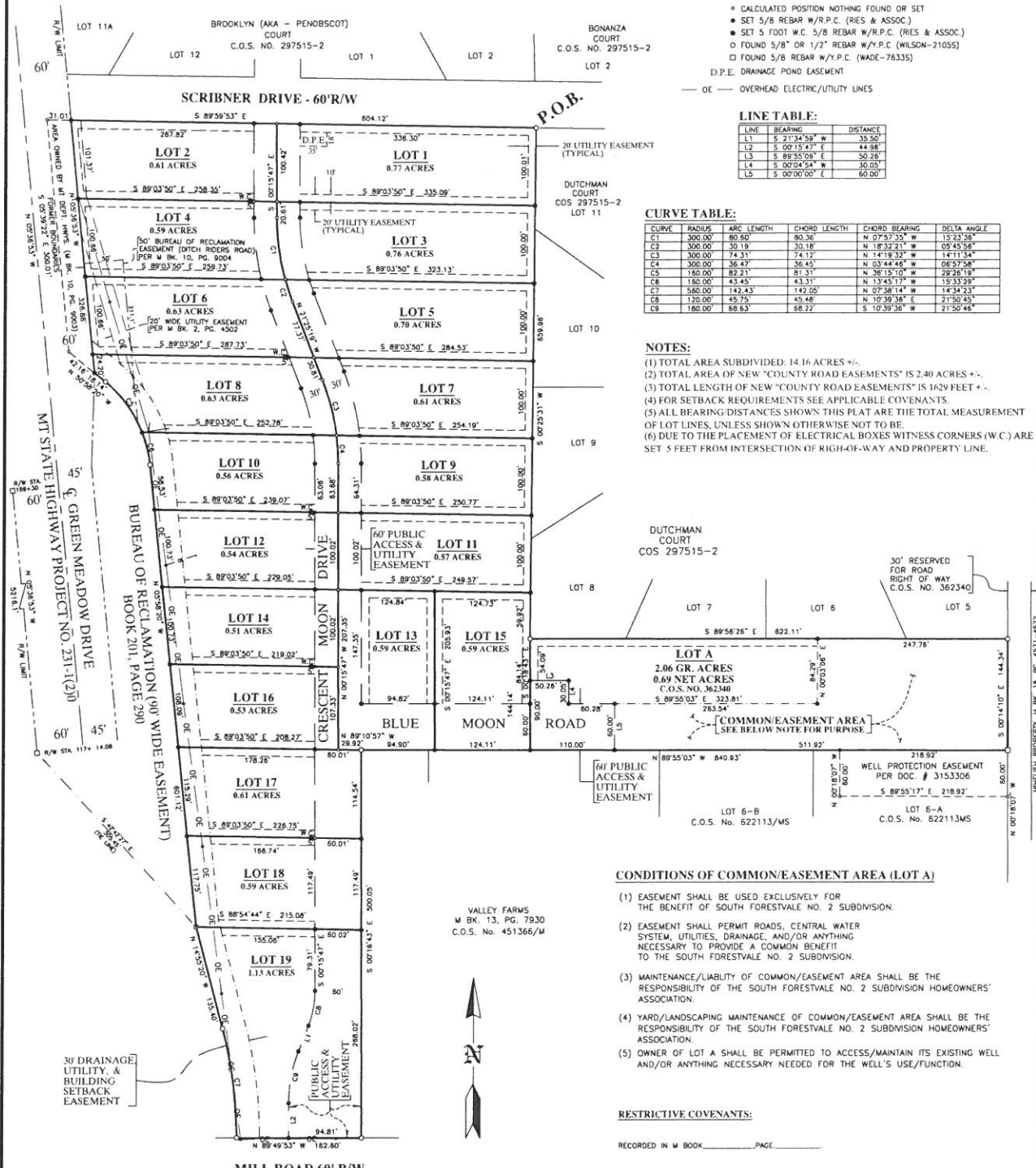
LINE	BEARING	DISTANCE
L1	S 21°34'50" W	35.50
L2	S 00°15'47" E	44.88
L3	S 89°55'06" E	50.28
L4	S 00°04'54" W	30.05
L5	S 00°00'00" E	60.00

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.00	80.50	80.36	N 07°57'35" W	15°23'36"
C2	300.00	30.19	30.18	N 18°32'21" W	05°45'58"
C3	300.00	74.31	74.12	N 14°19'32" W	14°11'54"
C4	300.00	36.47	36.45	N 03°44'46" W	06°57'58"
C5	180.00	82.21	81.31	N 36°15'10" W	28°28'19"
C6	180.00	43.45	43.31	N 13°45'17" W	15°33'29"
C7	360.00	142.43	142.05	N 07°38'14" W	14°34'23"
C8	120.00	45.75	45.48	N 10°39'38" E	21°50'45"
C9	180.00	88.63	88.27	S 10°39'38" W	21°50'45"

NOTES:

- (1) TOTAL AREA SUBDIVIDED: 14.16 ACRES +/-.
- (2) TOTAL AREA OF NEW "COUNTY ROAD EASEMENTS" IS 2.40 ACRES +/-.
- (3) TOTAL LENGTH OF NEW "COUNTY ROAD EASEMENTS" IS 1629 FEET +/-.
- (4) FOR SETBACK REQUIREMENTS SEE APPLICABLE COVENANTS.
- (5) ALL BEARING/DISTANCES SHOWN THIS PLAT ARE THE TOTAL MEASUREMENT OF LOT LINES, UNLESS SHOWN OTHERWISE NOT TO BE.
- (6) DUE TO THE PLACEMENT OF ELECTRICAL BOXES/WITNESS CORNERS (W.C.) ARE SET 5 FEET FROM INTERSECTION OF RIGHT-OF-WAY AND PROPERTY LINE.



CONDITIONS OF COMMON/EASEMENT AREA (LOT A)

- (1) EASEMENT SHALL BE USED EXCLUSIVELY FOR THE BENEFIT OF SOUTH FORESTVALE NO. 2 SUBDIVISION.
- (2) EASEMENT SHALL PERMIT ROADS, CENTRAL WATER SYSTEM, UTILITIES, DRAINAGE, AND/OR ANYTHING NECESSARY TO PROVIDE A COMMON BENEFIT TO THE SOUTH FORESTVALE NO. 2 SUBDIVISION.
- (3) MAINTENANCE/LIABILITY OF COMMON/EASEMENT AREA SHALL BE THE RESPONSIBILITY OF THE SOUTH FORESTVALE NO. 2 SUBDIVISION HOMEOWNERS' ASSOCIATION.
- (4) YARD/LANDSCAPING MAINTENANCE OF COMMON/EASEMENT AREA SHALL BE THE RESPONSIBILITY OF THE SOUTH FORESTVALE NO. 2 SUBDIVISION HOMEOWNERS' ASSOCIATION.
- (5) OWNER OF LOT A SHALL BE PERMITTED TO ACCESS/MAINTAIN ITS EXISTING WELL AND/OR ANYTHING NECESSARY NEEDED FOR THE WELL'S USE/FUNCTION.

RESTRICTIVE COVENANTS:

RECORDED IN W BOOK _____ PAGE _____
RECORDED IN W BOOK _____ PAGE _____

14	SEC.	TWN.	RNG.
1	10N	4W	
P.M. MONTANA, LEWIS AND CLARK COUNTY.			

DATE: JUNE 29, 2015
JOB NO.: 97121-2
FIELD BY: CJR, PAC
DRAFTED BY: CJR, PAC

PREPARED BY:
RIES & ASSOCIATES, PC
6850 GREEN MEADOW DR.
HELENA, MONTANA 59602

BASIS OF BEARINGS:
C.O.S. NO. 297515, WILLIAM J. WILSON - 21055

DOCUMENT NO. _____
SHEET 2 OF 2

