

RESOLUTION 2016-61

RESOLUTION TO CREATE THE STALLION RIDGE RURAL IMPROVEMENT DISTRICT NO. 2016-1

WHEREAS, a Resolution of intention to create the Stallion Ridge Rural Improvement District (the district) was adopted by the Lewis and Clark County Board of Commissioners (Commission) on June 7, 2016, as Resolution 2016-41; and

WHEREAS, legal notice of the passage of Resolution 2016-41 was mailed to property owners and persons with interest in property within the proposed district, and published in the local newspaper in accordance with 7-12-2105 MCA and 7-1-2121 MCA; and

WHEREAS, on July 14, 2016, the Commission held a public hearing and proceeded to hear all protests, comments, and other matters relating to the district, and determined that the boundaries of the district and the method of assessment were equitable; and

WHEREAS, 98.85% of the property owners within the district waived their right to protest the creation of a rural improvement district for the purpose of improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs, see Book M36, Page 9250, in the Lewis and Clark County Clerk and Recorder's Office; and

WHEREAS, no letters of protest have been received by the County, and it was determined that there was not sufficient protest to bar proceedings as per 7-12-2112 MCA; and

WHEREAS, all roadways within the district boundaries are established and dedicated as public access and utility easements, as recorded in the Certificate of Survey – Corrected Plat of Stallion Ridge Ranch, Doc. No. 3152792, attached as Exhibit "A;" and

WHEREAS, the proposed district is designated Stallion Ridge Rural Improvement District 2016-1; and

NOW, THEREFORE, BE IT RESOLVED by the County Commission that it does hereby create the Stallion Ridge Rural Improvement District No. 2016-1 for the purpose of equitably funding maintenance for roadways within the district boundaries.

BE IT FURTHER RESOLVED that the the district boundaries are shown on the attached Exhibit "B."



BE IT FURTHER RESOLVED that the the general character of the authorized improvements and maintenance activities, for roadways within the district includes, but is not limited to:

1. Snow plowing,
2. Grading,
3. Culvert cleaning,
4. Weed spraying, and
5. Miscellaneous work as needed to adequately maintain roadways

BE IT FURTHER RESOLVED that the cost of the work is estimated as shown in Exhibit "C", and costs shall be assessed equally, as described in Section 7-12-2151(d), MCA: "each lot, tract, or parcel of land in the district may be assessed an equal amount based upon the total cost of the [maintenance]."

BE IT FURTHER RESOLVED that pursuant to Section 7-12-2103(2), MCA, "if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the district during the term of the bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in [Section] 7-12-2151(4).

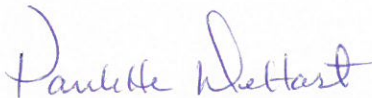
BE IT FURTHER RESOLVED that the Lewis and Clark County Public Works Department is authorized to and responsible for coordinating authorized improvements and maintenance within the district.

DATED this 14 day of July, 2016.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman

ATTEST:



Paulette J. DeHart, Clerk of Board

Attachments:

Exhibit "A"
Exhibit "B"

Exhibit "C"



Exhibit "B": Proposed Stallion Ridge Rural Improvement District Boundaries and Maintained Roadways

