

RESOLUTION 2018-92

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA TO CREATE THE WHEAT RIDGE ESTATES, PHASE III ROAD RURAL IMPROVEMENT DISTRICT NO. 2018-02

WHEREAS, the Board of County Commissioners (County Commission) may order and create a Rural Improvement District (District) upon the receipt of a petition to create a rural improvement District that contains the consent of all of the property to be included in the District, as per MCA 7-12-2102(2); and

WHEREAS, the attached letter, Exhibit "A", serving as the petition to create a Rural Improvement District, contains the signature of the sole owner of property to be included within the District; and

WHEREAS, the subdivision applicant for the proposed Wheat Ridge Estates, Phase III was granted preliminary approval on May 11, 2006; and

WHEREAS, the subdivision applicant has requested the creation of a Rural Improvement District to satisfy Condition of Approval No. 8 for the Wheat Ridge Estates, Phase III Subdivision; and

WHEREAS, the designated items set forth in MCA 7-12-2103(2) are as follows:

- (a) The designated number of the District is 2018-02.
- (b) The boundaries of the District are shown on Exhibit "B", which encompass the boundaries of Tract E of 3D Ranchettes recorded under Certificate of Survey No. 315854 less the Subdivision final plat for Wheat Ridge Estates, Phase II recorded under Document No. 3121176.
- (c) The County Engineer or his designee is to have charge of the work. The estimated cost for funding said maintenance is \$9,317.58 per year, as shown on Exhibit "C" or \$227.26 per benefited property per year. All maintenance funds collected for the District will be spent solely on maintenance specified in this resolution and exhibits within the proposed District.
- (d) The method by which the costs shall be assessed is described in MCA 7-12-2151(d): "each lot, tract, or parcel of land in the district [will] be assessed an equal amount based upon the total cost of the [maintenance of] improvements."
- (e) Pursuant to MCA 7-12-2103(2)(f), "if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the proposed 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 MCA 7-21-2151(4)."

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of Commissioners, that it does hereby create the Wheat Ridge Estates, Phase III Roads Rural

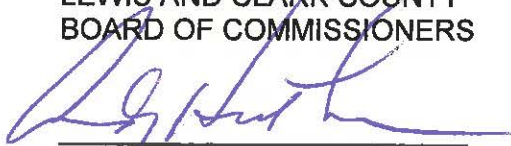


Improvement District No. 2018-02 for the purpose of equitably funding road maintenance and that the Lewis and Clark County Public Works Department is authorized and responsible for coordinating maintenance as described on Exhibit "C" within the District boundary as shown on Exhibit "B".

INTRODUCED at a Regular meeting of the Board of County Commissioners on October 23, 2018 by Commission Member Andy Hunthausen.

PASSED AND APPROVED BY LEWIS AND CLARK COUNTY Board of Commissioners on this 23 Day of October, 2018.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

ATTEST:



Paulette DeHart, Clerk of the Board

Attachments: Exhibit "A", Exhibit "B", and Exhibit "C"



EXHIBIT "A"

August 6, 2018

Lewis and Clark County
Board of County Commissioners
316 North Park Avenue
Helena MT 59623

Subject: Request to establish a maintenance district for roads in the Wheat Ridge III Subdivision

To the Lewis and Clark County Commissioners:

I am proceeding with the fulfillment of the conditions for final plat approval of the Wheat Ridge III Major Subdivision. Item number eight (8) of the preliminary approval letter required the establishment of a road maintenance district to fund the on-going costs of road maintenance within the subdivision.

I hereby petition the Board of County Commissioners to create a road maintenance district for the subdivision, as required by the preliminary approval. I hope the Commission will address this request as soon as possible.

Attached is an estimate of the annual maintenance costs for the subject roads, which may be used for the calculation of assessments.

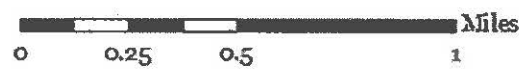
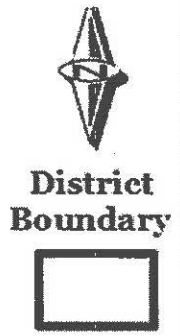
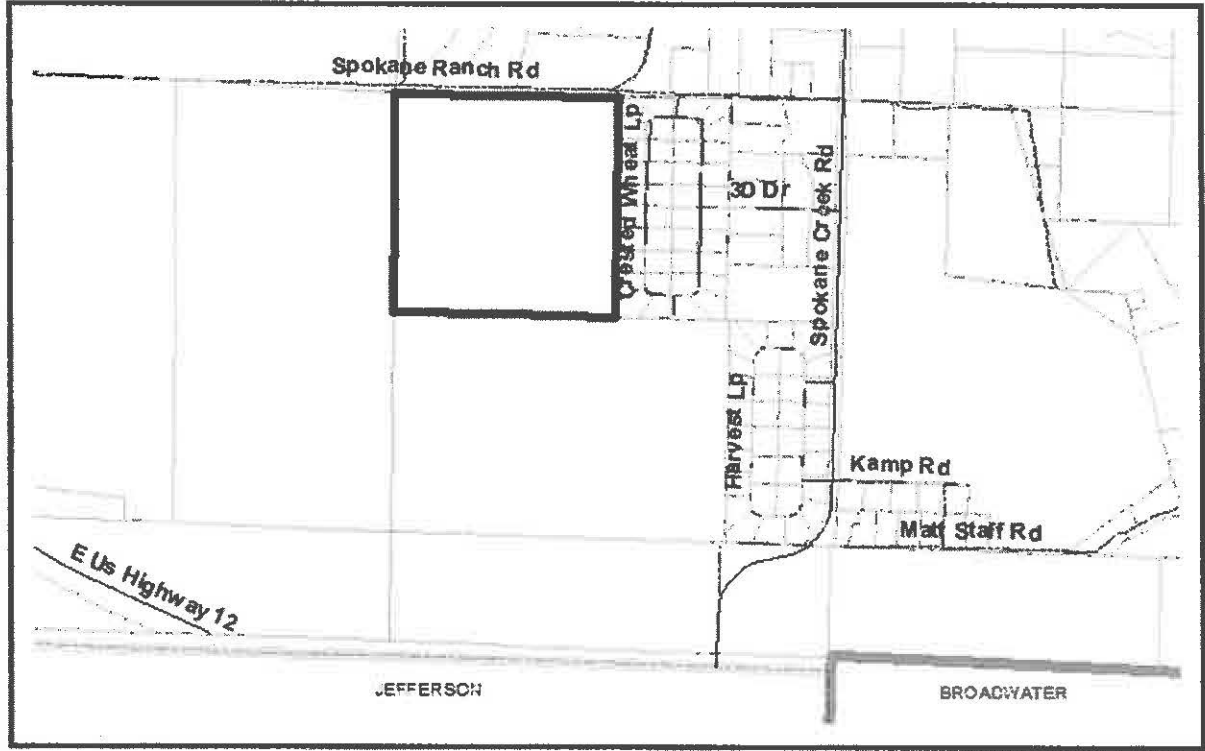
If you have any questions about this request, please contact Aaron Helfert at 594-5000.

Sincerely,



Aaron Helfert
Queen City Home Builders, Inc.

**Exhibit B:
Wheat Ridge Estates, Phase III
Road Rural Improvement District Boundary**



Lewis and Clark County
Community Development & Planning
October 15, 2018

