

RESOLUTION 2018 - 97

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA TO ANNEX ADJACENT LAND CONTAINED IN LEWIS AND CLARK COUNTY FIRE SERVICE AREA INTO THE BIRDSEYE RURAL FIRE DISTRICT**

**WHEREAS**, the Board of Trustees of the Birdseye Rural Fire District received a petition to annex certain lands into the Birdseye Rural Fire District; and

**WHEREAS**, the petition was signed by owners of 79% of real property within the proposed area and owners of property representing 67% of the taxable value of area proposed to be annexed; and

**WHEREAS**, the Board of Trustees convened on August 7, 2018, to consider the petition and acted to accept the petition; and

**WHEREAS**, the petition and the decision of the Board of Trustees was presented to the Board of County Commissioners on October 2, 2018, pursuant to Section 7-33-2125, MCA; and

**WHEREAS**, all property within the annexation area will be removed from the Lewis and Clark Fire Service area and will be assessed for fire protection services provided by the Birdseye Rural Fire District. The annual assessment for such services shall be based upon the tax levy established each year.

**WHEREAS**, no protests were received by the Board of County Commissioners regarding the proposed annexation.

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners:

1. That the Board of County Commissioners considers it advisable to approve the annexation of property into the Birdseye Rural Fire District, as approved by the Board of Trustees and described in the attached Exhibits A and B.
2. That a Public Hearing shall be held on 11/08/2018 at 9:00 a.m. in the Chambers of the Board of County Commissioners, at the City-County Building, Helena, Montana, for the purpose of gathering and receiving testimony, input and comments from all interested or affected users, citizens, persons, associations, corporations and/or companies.
3. Notice of the Public Hearing shall be published in the Independent Record two times with at least six days separating each publication, pursuant to 7-1-2121, MCA.

**INTRODUCED** at a Regular meeting of the Board of County Commissioners on November

8, 2018 by Commission Member Andy Hunthausen



**PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 8 Day of November, 2018.**

**LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS**



Andy Hunthausen, Chair

Attest:



Paulette DeHart, Clerk to the Board



### Exhibit "A" to the Resolution: Proposed Birdseye Rural Fire District Annexation Map



#### Legend

- Parcel Boundaries
- Proposed Annexation Boundary
- Paved
- Unpaved
- Driveway
- Birdseye Fire District
- Lewis And Clark County Fire Service Area
- Sections



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