

RESOLUTION 2010- 293

**A RESOLUTION OF INTENTION TO CREATE
RURAL IMPROVEMENT DISTRICT 2010-1 FOR WHEAT RIDGE ESTATES SUBDIVISION**

WHEREAS, Lewis and Clark County has developed a functional classification system for the road system within the jurisdiction; and

WHEREAS, revenues generated by the tax levy for roads are not sufficient to adequately maintain the entire road system without adversely affecting other County services; and

WHEREAS, the Board of County Commissioners has prioritized the maintenance and improvement expenditures on those portions of the road system that serve the general public and which facilitate economic activity, being those roads that are classified as arterial or collector in function; and

WHEREAS, the roads within Wheat Ridge Estates Subdivision are functionally classified as local roads; and

WHEREAS, the Board of County Commissioners has the authority to propose Rural Improvement Districts for the purpose of funding road improvements and/or maintenance, pursuant to MCA §7-12-2101; and

WHEREAS, the Board of County Commissioners has received a petition signed by more than 60% of the property owners of the proposed district.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby establish its intention to create the Wheat Ridge Estates Rural Improvement District No. 2010-1 for the purpose of equitably funding road improvements and maintenance within said district.

BE IT FURTHER RESOLVED that the district shall include lots as identified on Petition Exhibits 'A' & 'B', attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the engineer for the improvements is Stahly Engineering and Associates.

BE IT FURTHER RESOLVED that the maintenance for Wheat Ridge Estates Rural Improvement District include ordering work necessary to improve, maintain, preserve and repair Harvest Loop Road (including the 'loop' and the two accesses to Spokane Creek Rd), and the common mailbox easement and structure.

BE IT FURTHER RESOLVED that the estimated annual cost for said maintenance are \$13,611.56 per year. All funds collected for the maintenance district shall be spent solely for the maintenance within the proposed district.

BE IT FURTHER RESOLVED that all properties within the district would benefit equally and would be assessed a flat fee for the improvements. Each parcel of record shall be assessed a flat fee of approximately \$400.34 annually, until such time the commission modifies the assessment pursuant to MCA §7-12-2161.



Lewis & Clark County

COUNTY

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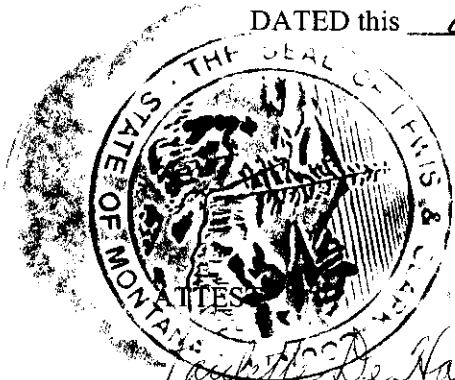
Page: 1 of 6
09/16/2010 09:17A

Bk-M42 Pg-5301

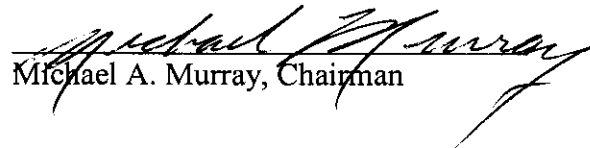
BE IT FURTHER RESOLVED that the district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.


BE IT FURTHER RESOLVED that any owner of property within the proposed districts may make protest against the creation of the district, pursuant to MCA §7-12-2109.

DATED this 09 day of September, 2010.



BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Michael A. Murray, Chairman


Paulette J. DeHart, Clerk of the Board

Attachments: Petition
Petition Exhibit "A"
Petition Exhibit "B"

WheatRidgeRIDIntent.Doc


Lewis & Clark County COUNTY
3192985
Page: 2 of 6
09/16/2010 09:17A
Bk-M42 Pg-5301

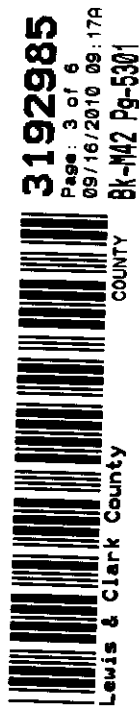
**PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT PER MCA §7-12-2102 WITHIN WHEAT RIDGE
ESTATES SUBDIVISION**

We the undersigned, owners of real property within the proposed Harvest Loop Rural Improvement District, within Lewis and Clark County, do hereby petition the Board of County Commissioners to create the Harvest Acres Rural Improvement District ("District"), located in Section 36 Township 10 North, Range 2 West, as authorized by §7-12-2101, et. Seq., MCA. The boundaries of the proposed district and the portions of road and easement to be serviced are shown on the attached Exhibit "A". The proposed district may include ordering work necessary to improve, maintain, preserve and repair Harvest Loop Road (including the 'loop' and the two accesses to Spokane Creek Rd), and the common mailbox easement and structure. The total estimated annual cost for said improvement, maintenance, repair and preservation is \$13,611.56.

Benefited lots, tracts or parcels of land in the district shall be assessed an equal amount based upon the total cost. The assessment per lot, tract or parcel per year would be \$400.34. Attached as Exhibit "B" is a list of lots within the proposed Rural Improvement District and shows the property identification number, owner, legal description, and the estimated annual assessment for each lot, tract or parcel. Exhibit "B" also shows the signatures and date of the property owners petitioning for the creation of the district. All funds collected for the District shall be spent solely for the improvement, maintenance, repair or preservation of items within the District's scope of service.

It is anticipated that the District would be administered by the County, unless an agreement is entered into between the County and a representative body of the property owners within the District. The County will serve only to coordinate the necessary work, collect the assessments, and disburse payments for the district. It is anticipated that a private contractor would perform the maintenance.

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District and Rural Maintenance Districts Policies and Procedures manual which is on file and available for inspection on the Lewis & Clark County Board of County Web Site or at the Special District Coordinator's Office. Because of aggregation and subdivision of parcels, the actual number of parcels stated in the petition may change between the time the petition is circulated and the time the board considers the resolution of intention to create the Rural Improvement District and therefore, the actual assessment per parcel may be greater than or less than the amount stated in the petition.



SEP 01 2010

PERMIT OFFICE

EXHIBIT 'A'

SPOKANE CREEK RD

Mailbox
Easement
and Structure

3192985
Page: 4 of 6
09/16/2010 09:17A
BK-M42 Pg-5301



COUNTY

Lewis & Clark County

HARVEST LOOP

MATT STAFF RD

Legend



-  Roads & Easements Serviced by District
-  Benefitting Properties

Exhibit 'B'

Property Identification Number	Owner Name	Legal Description	Number of Lots	Proposed Annual Maintenance Assessment	Owner's Signature & Date
188936402010000	CLINGAN EDWARD L & YONG CHA	WHEAT RIDGE ESTATES, Lot 022, COS #3097152	1	\$400.34	
188936402030000	NUNN DAVID E & ANGELA C	WHEAT RIDGE ESTATES, Lot 021, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936402050000	KUXHAUS TODD K	WHEAT RIDGE ESTATES, Lot 020, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-28-10
188936402070000	MULDER AL	WHEAT RIDGE ESTATES, Lot 019, COS #3097152	1	\$400.34	
188936402090000	GLEICH JAMES W & TORI	WHEAT RIDGE ESTATES, Lot 018, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-30-10
188936402110000	MAY JEREMY & LINDA	WHEAT RIDGE ESTATES, Lot 017, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-30-10
188936402130000	HODIK CHRIS & MCMAHON JENNIE	WHEAT RIDGE ESTATES, Lot 016, COS #3097152	1	\$400.34	
188936402150000	SCHERER KEVIN B & SANDRA J MOISEY	WHEAT RIDGE ESTATES, Lot 015, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-30-10
188936402170000	COLLINS JASON MICHAEL & KAMMY JO	WHEAT RIDGE ESTATES, Lot 014, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-30-10
188936402190000	ALASTRA JOHN E & HOLLY M HUMPHREY-ALASTRA	WHEAT RIDGE ESTATES, Lot 013, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936402210000	JACKSON JONATHAN R & PAMELA S	WHEAT RIDGE ESTATES, Lot 012, COS #3097152	1	\$400.34	<i>[Signature]</i> 30 Aug 10
188936402230000	MILLER RENO T & WOODARD DONNA M	WHEAT RIDGE ESTATES, Lot 011, COS #3097152	1	\$400.34	
188936402250000	CLAY SANDRA MARIE & JOHN	WHEAT RIDGE ESTATES, Lot 010, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/2010
188936402270000	GASSETT KLINTON H & KERRY M	WHEAT RIDGE ESTATES, Lot 009, COS #3097152	1	\$400.34	
188936402290000	CRUICKSHANK GEORGE F & WALCH JEAN E	WHEAT RIDGE ESTATES, Lot 008, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-28-10
188936402310000	FENHAUS JASON E & CHERYL M	WHEAT RIDGE ESTATES, Lot 007, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/3/10
188936402330000	BROPHY MATTHEW T & JANE C	WHEAT RIDGE ESTATES, Lot 006, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/31/10
188936402350000	BAIRD TIMOTHY J & STACY JO	WHEAT RIDGE ESTATES, Lot 005, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/31/10
188936402370000	GOODMAN PAUL & KIM	WHEAT RIDGE ESTATES, Lot 004, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936402390000	HEFFELFINGER SHERI S	WHEAT RIDGE ESTATES, Lot 003, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10

Exhibit 'B'

Property Identification Number	Owner Name	Legal Description	Number of Lots	Proposed Annual Maintenance Assessment	Owner's Signature & Date
188936402410000	THOMAS WILLIAM MICHAEL & PATRICIA ANN	WHEAT RIDGE ESTATES, Lot 002, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936402430000	HAETER FREDERICK A & MELISSA J	WHEAT RIDGE ESTATES, Lot 001, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936403010000	GRAUER TIMOTHY L & BERNARDINE R	WHEAT RIDGE ESTATES, Lot 023, COS #3097512	1	\$400.34	
188936403030000	FLATOW HENRY K & KIM S	WHEAT RIDGE ESTATES, Lot 034, COS #3097152	1	\$400.34	
188936403050000	HAVENS ROBERT D & RANDI R	WHEAT RIDGE ESTATES, Lot 033, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-30-10
188936403070000	PETERSON DAVID L & JEANNIE L	WHEAT RIDGE ESTATES, Lot 032, COS #3097152	1	\$400.34	<i>[Signature]</i> 8-28-10
188936403090000	KRYDER MICHAEL & MY LINH	WHEAT RIDGE ESTATES, Lot 031, COS #3097152	1	\$400.34	
188936403110000	BLUBAUGH MARVIN L & PATRICIA L	WHEAT RIDGE ESTATES, Lot 030, COS #3097152	1	\$400.34	<i>[Signature]</i> 08/30/10
188936403130000	DAVIS JAMES CADIGAN III & KAREN ERMA	WHEAT RIDGE ESTATES, Lot 029, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/2010
188936403150000	STAPLEY ROBERT & CHRISTY	WHEAT RIDGE ESTATES, Lot 028, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936403170000	SAKAGUCHI CONSTRUCTION INC	WHEAT RIDGE ESTATES, Lot 027, COS #3097512	1	\$400.34	
188936403190000	TIEDEMAN RONALD E AND ALYSSA B	WHEAT RIDGE ESTATES, Lot 026, COS #3097152	1	\$400.34	
188936403210000	THATCHER SEAN M & TRACI J	WHEAT RIDGE ESTATES, Lot 025, COS #3097152	1	\$400.34	<i>[Signature]</i> 8/30/10
188936403230000	JACKSON JEFFREY G & AMANDA KAY	WHEAT RIDGE ESTATES, Lot 024, COS #3097512	1	\$400.34	<i>[Signature]</i> 8/30/10
				Total Annual Maintenance Assessment	\$13,611.56



3192985
 Page: 6 of 6
 09/16/2010 09:17A
 Bk-M42 Pg-5301

Lewis & Clark County