

RESOLUTION 2011- 26

**A RESOLUTION OF INTENTION TO CREATE
RURAL IMPROVEMENT DISTRICT 2011-1 FOR FANTASY ROAD (EAST OF FERRY DRIVE)**

WHEREAS, Lewis and Clark County has developed a functional classification system for the road system within its 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, Fantasy Road, east of Ferry Drive, is functionally classified as a local road; 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 have received a petition containing signatures representing owners of property in the proposed district to be assessed for 71% of the cost of the proposed improvements as determined by the method of assessment described in the petition, attached hereto and made a part hereof.

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 Fantasy Road Rural Improvement District No. 2011-1 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 Resolution Exhibits 'A' & 'B', attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the engineer to have charge of the improvements is DOWL, HKM.

BE IT FURTHER RESOLVED that the general character of improvements includes grading, shaping compacting, and drainage improvements to the portion of Fantasy Road to the east of Ferry Drive.

BE IT FURTHER RESOLVED that the estimated cost for said improvements is \$1,937.83 per year for a period of fifteen (15) years. All funds collected for the improvement district shall be spent solely for the improvements 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 \$80.74 annually for a period of fifteen (15) years or until the loan has been repaid in full.

BE IT FURTHER RESOLVED that the estimated annual cost for said maintenance is \$5,571.94 per year. All funds collected for the maintenance district shall be spent solely for the maintenance, repair or preservation of the improvements including, but not limited to, snow plowing, grading, culvert cleaning, signs, weed control, gravel and drainage features on the portion of Fantasy Road east of Ferry Drive.

BE IT FURTHER RESOLVED that all properties within the district would benefit equally and would be assessed a flat fee for the maintenance. Each parcel of record shall be assessed a flat fee of approximately \$232.16 annually, until such time the commission modifies the assessment pursuant to MCA §7-12-2161.



Lewis & Clark County

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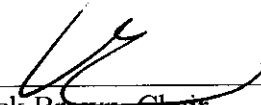
Bk-M43 Pg-2498

BE IT FURTHER RESOLVED that the maintenance 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 district may make protest against the creation of the district, pursuant to MCA §7-12-2109.

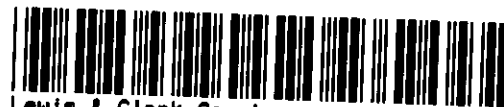
DATED this 1st day of FEBRUARY, ~~2010~~ 2011.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



Derek Brown, Chair


ATTEST
Paula Hart
Clerk of the Board
Resolution Exhibit A
Resolution Exhibit B
Petition Document
Petition Exhibit "A"
Petition Exhibit "B"


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NORTH SLOPE RD

Resolution Exhibit A

TEARD

FERRY DR

FANTASY RD

Legend

-  Road to be serviced
-  District Boundaries



Lewis & Clark County COUNTY

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Resolution Exhibit 'B'

| Property Identification Number | Owner Name | Legal Description of Property | Estimated Annual Improvement Assessment (15 Years) | Estimated Annual Maintenance Assessment (Perpetual) |
|--------------------------------|----------------------------|---|--|---|
| 199511203100000 | KINTZING DONALD & MAGDA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47A COS# 3114094 | \$80.74 | \$232.16 |
| 199511203050000 | JAMES JOHN H & DARIANA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47B COS# 3114094 | \$80.74 | \$232.16 |
| 199511203010000 | JAMES JOHN H & DARIANNA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47C COS# 3114094 | \$80.74 | \$232.16 |
| 199511203150000 | HOPKINS LEE & MELANIE | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47D COS# 3114094 | \$80.74 | \$232.16 |
| 199511101120000 | OLDS JOANNE | S11, T11 N, R03 W, LOT 53A COS #615304 | \$80.74 | \$232.16 |
| 199511101110000 | LAVINDER VANCE | S11, T11 N, R03 W, LOT 54A COS #615304 | \$80.74 | \$232.16 |
| 199511401150000 | PALERMINI VIOLET MALINDA | S11, T11 N, R03 W, LOT 55A COS #3093068 | \$80.74 | \$232.16 |
| 199511101170000 | ROLAN TERRY D & CHARMA M | S11, T11 N, R03 W, LOT 48 COS #373705 | \$80.74 | \$232.16 |
| 199511101190000 | RAGGL LOUIE E & ARLENE M | S11, T11 N, R03 W, LOT 46 COS #373705 | \$80.74 | \$232.16 |
| 199511101200000 | CONRAD RUSSELL W TRUSTEE | S11, T11 N, R03 W, LOT 45 COS #373705 | \$80.74 | \$232.16 |
| 199511101210000 | HOVLEY WILLIAM DOUG | S11, T11 N, R03 W, LOT 44 COS #373705 | \$80.74 | \$232.16 |
| 199511101220000 | POPPE LOWELL & TAMMY | S11, T11 N, R03 W, LOT 43A, COS #546352/F | \$80.74 | \$232.16 |
| 199511101230000 | TOPLIKAR WILLIAM A TRUSTEE | S11, T11 N, R03 W, LOT 42 COS #373705 | \$80.74 | \$232.16 |



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Resolution Exhibit 'B'

| Property Identification Number | Owner Name | Legal Description of Property | Estimated Annual Improvement Assessment (15 Years) | Estimated Annual Maintenance Assessment (Perpetual) |
|--------------------------------|------------------------------------|---|--|---|
| 199511101240000 | TOPLIKAR WILLIAM A JR TRUSTEE | S11, T11 N, R03 W, LT 41A PER COS #508286/B | \$80.74 | \$232.16 |
| 19951110122SA22 | DALTON IAN & TERESA E | S11, T11 N, R03 W, LOT 43B, COS #546352/F | \$80.74 | \$232.16 |
| 199511101140000 | BARNES SUSAN R | S11, T11 N, R03 W, LOT 51 COS #373705 | \$80.74 | \$232.16 |
| 199511101260000 | UTICK ANDREW J | S11, T11 N, R03 W, LOT 39 COS #373705 | \$80.74 | \$232.16 |
| 199511102010000 | MARSHALL JENNIFER UTICK & ROBERT J | S11, T11 N, R03 W, LOT 40B COS #3022794 | \$80.74 | \$232.16 |
| 199511101130000 | TYLER JAY & AMANDA | S11, T11 N, R03 W, LOT 52 COS #373705 | \$80.74 | \$232.16 |
| 199511101250000 | UTICK STEVEN R | S11, T11 N, R03 W, LOT 40A COS #3022794 | \$80.74 | \$232.16 |
| 199511401050000 | HEUVEL BRYAN D & LINDA L | S11, T11 N, R03 W, LOT 55B-3 COS #3117932 | \$80.74 | \$232.16 |
| 199511401010000 | HEUVEL BRYAN D | S11, T11 N, R03 W, LOT 55B-2 COS #3117932 | \$80.74 | \$232.16 |
| 199511401100000 | HEUVEL BRYAN D & LINDA L | S11, T11 N, R03 W, LOT 55B-1 COS #3117932 | \$80.74 | \$232.16 |
| 199511101150000 | HULTIN MELANIE A & JAMES I | S11, T11 N, R03 W, 373705, PARCEL 000, TR E2NWSW C/S 373705 A/K/A | \$80.74 | \$232.16 |
| Total | | | \$1,937.83 | \$5,571.94 |



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 COUNTY

**PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR IMPROVEMENTS AND MAINTENANCE FOR A PORTION OF FANTASY ROAD**

We the undersigned, owners of real property within the proposed Fantasy Road Rural Improvement District, located in Section 11 of T11N, R3W, P.M.M., of Lewis and Clark County, do hereby petition the Board of County Commissioners to create a Rural Improvement District for the purpose of improving and maintaining Fantasy Road (from its intersection with Ferry Drive, east to the end of the Public Road Easement as shown on Certificate of Survey 373705), as authorized by MCA §7-12-2101, et. Seq. The boundaries of the proposed district are shown on the attached Exhibit "A". The proposed improvement activities would include grading, shaping, compacting, drainage and culverts. The estimated annual cost for said improvements is \$1,937.83, or \$84.25 per lot per year, for a period of fifteen years. The proposed maintenance activities could include snow plowing, grading, culvert cleaning, and other maintenance and repair as necessary to preserve the road surfaces. The estimated annual cost for said maintenance is \$5,571.94, or \$242.26 per parcel per year.

All parcels within the proposed district would benefit and would be assessed a flat fee for the maintenance of the road. The assessment per parcel per year would be \$326.51 for the first fifteen years and would reduce to an annual estimated maintenance of \$242.26. Attached as Exhibit "B" is a list of lots within the proposed RID which shows the geocode, owner, legal description, and the estimated annual assessment for each lot. All funds collected for the district shall be spent solely for the improvement and maintenance activities within the proposed district. Exhibit "B" also shows the signatures of the property owners petitioning for the creation of the district.


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 landowners 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 (RIDs) and Rural Maintenance Districts (RMIDs) Policies and Procedures manual which is on file and available for inspection at the Lewis & Clark County Board of County Commissioners. 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 RID, and therefore, the actual assessment per parcel may be greater than or less than the amount stated in the petition and the number of lots to be assessed will be set as of the date of the resolution of intention to create the RID.

TEA RD

Exhibit 'A'

Legend

 Road to be serviced

 District Boundary

FERRY DR

NORTH SLOPE RD

LAKEVIEW DR



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COUNTY

Lewis & Clark County

Exhibit 'B'




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Property
 Identification
 Number

Lewis & Clark County

| Property Identification Number | Owner Name | Legal Description of Property | Estimated Annual Improvement Assessment (15 Years) | Estimated Annual Maintenance Assessment (Perpetual) | Signature & Date |
|--------------------------------|----------------------------|---|--|---|------------------------------|
| 199511203100000 | KINTZING DONALD & MAGDA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47A COS# 3114094 | \$84.25 | \$242.26 | <i>Donna Kintzing</i> 1-9-11 |
| 199511203050000 | JAMES JOHN H & DARIANA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47B COS# 3114094 | \$84.25 | \$242.26 | |
| 199511203010000 | JAMES JOHN H & DARIANA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47C COS# 3114094 | \$84.25 | \$242.26 | |
| 199511203150000 | HOPKINS LEE & MELANIE | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47D COS# 3114094 | \$84.25 | \$242.26 | |
| 199511101120000 | OLDS JOANNE | S11, T11 N, R03 W, LOT 53A COS #615304 | \$84.25 | \$242.26 | <i>Johnnie Olds</i> 1-10-11 |
| 199511101110000 | LAVINDER VANCE | S11, T11 N, R03 W, LOT 54A COS #615304 | \$84.25 | \$242.26 | <i>Vance Lavinder</i> |
| 199511401150000 | PALERMINI VIOLET MALINDA | S11, T11 N, R03 W, LOT 55A COS #3093068 | \$84.25 | \$242.26 | |
| 199511101170000 | ROLAN TERRY D & CHARMA M | S11, T11 N, R03 W, LOT 48 COS #373705 | \$84.25 | \$242.26 | <i>Charma Rolan</i> 1-3-11 |
| 199511101190000 | RAGGL LOUIE E & ARLENE M | S11, T11 N, R03 W, LOT 46 COS #373705 | \$84.25 | \$242.26 | <i>Arlene Raggl</i> 1-9-11 |
| 199511101200000 | CONRAD RUSSELL W TRUSTEE | S11, T11 N, R03 W, LOT 45 COS #373705 | \$84.25 | \$242.26 | <i>Russell Conrad</i> 7/9/11 |
| 199511101210000 | HOVLEY WILLIAM DOUG | S11, T11 N, R03 W, LOT 44 COS #373705 | \$84.25 | \$242.26 | <i>William Hovley</i> |
| 199511101220000 | POPPE LOWELL & TAMMY | S11, T11 N, R03 W, LOT 43A, COS #546352/F | \$84.25 | \$242.26 | <i>Lowell Poppe</i> 1-2-2011 |
| 199511101230000 | TOPLIKAR WILLIAM A TRUSTEE | S11, T11 N, R03 W, LOT 42 COS #373705 | \$84.25 | \$242.26 | |

Exhibit 'B'



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 Lewis & Clark County

Property
 Identification
 Number

Legal Description of Property

Signature & Date

Estimated Annual
 Improvement
 Assessment
 (15 Years)

Estimated Annual
 Maintenance
 Assessment
 (Perpetual)

| Property Identification Number | Owner Name | Legal Description of Property | Estimated Annual Improvement Assessment (15 Years) | Estimated Annual Maintenance Assessment (Perpetual) | Signature & Date |
|--------------------------------|----------------------------|---|--|---|--------------------|
| 19951120310000 | KINTZING DONALD & MAGDA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47A COS# 3114094 | \$84.25 | \$242.26 | |
| 19951120305000 | JAMES JOHN H & DARIANA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47B COS# 3114094 | \$84.25 | \$242.26 | |
| 19951120301000 | JAMES JOHN H & DARIANNA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47C COS# 3114094 | \$84.25 | \$242.26 | |
| 19951120315000 | HOPKINS LEE & MELANIE | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47D COS# 3114094 | \$84.25 | \$242.26 | <i>[Signature]</i> |
| 19951101120000 | OLDS JOANNE | S11, T11 N, R03 W, LOT 53A COS #615304 | \$84.25 | \$242.26 | |
| 19951101110000 | LAVINDER VANCE | S11, T11 N, R03 W, LOT 54A COS #615304 | \$84.25 | \$242.26 | |
| 19951140115000 | PALERMINI VIOLET MALINDA | S11, T11 N, R03 W, LOT 55A COS #3093068 | \$84.25 | \$242.26 | |
| 19951101170000 | ROLAN TERRY D & CHARMA M | S11, T11 N, R03 W, LOT 48 COS #373705 | \$84.25 | \$242.26 | |
| 19951101190000 | RAGGL LOUIE E & ARLENE M | S11, T11 N, R03 W, LOT 46 COS #373705 | \$84.25 | \$242.26 | |
| 19951101200000 | CONRAD RUSSELL W TRUSTEE | S11, T11 N, R03 W, LOT 45 COS #373705 | \$84.25 | \$242.26 | |
| 19951101210000 | HOVLEY WILLIAM DOUG | S11, T11 N, R03 W, LOT 44 COS #373705 | \$84.25 | \$242.26 | |
| 19951101220000 | POPPE LOWELL & TAMMY | S11, T11 N, R03 W, LOT 43A, COS #546352/F | \$84.25 | \$242.26 | |
| 19951101230000 | TOPLIKAR WILLIAM A TRUSTEE | S11, T11 N, R03 W, LOT 42 COS #373705 | \$84.25 | \$242.26 | |

Exhibit 'B'

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Property
 Identification
 Number

Lewis & Clark County

COUNTY

| Property Identification Number | Owner Name | Legal Description of Property | Estimated Annual Improvement Assessment (15 Years) | Estimated Annual Maintenance Assessment (Perpetual) | Signature & Date |
|--------------------------------|----------------------------|---|--|---|------------------------------------|
| 199511203100000 | KINTZING DONALD & MAGDA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47A COS# 3114094 | \$84.25 | \$242.26 | |
| 199511203050000 | JAMES JOHN H & DARIANA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47B COS# 3114094 | \$84.25 | \$242.26 | |
| 199511203010000 | JAMES JOHN H & DARIANA | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47C COS# 3114094 | \$84.25 | \$242.26 | |
| 199511203150000 | HOPKINS LEE & MELANIE | S11, T11 N, R03 W, VALLEY VIEW HEIGHTS LOT 47 MINOR LT 47D COS# 3114094 | \$84.25 | \$242.26 | |
| 19951110120000 | OLDS JOANNE | S11, T11 N, R03 W, LOT 53A COS #615304 | \$84.25 | \$242.26 | |
| 199511101110000 | LAVINDER VANCE | S11, T11 N, R03 W, LOT 54A COS #615304 | \$84.25 | \$242.26 | |
| 199511401150000 | PALERMINI VIOLET MALINDA | S11, T11 N, R03 W, LOT 55A COS #3093068 | \$84.25 | \$242.26 | |
| 199511101170000 | ROLAN TERRY D & CHARMA M | S11, T11 N, R03 W, LOT 48 COS #373705 | \$84.25 | \$242.26 | |
| 199511101190000 | RAGGL LOUIE E & ARLENE M | S11, T11 N, R03 W, LOT 46 COS #373705 | \$84.25 | \$242.26 | |
| 199511101200000 | CONRAD RUSSELL W TRUSTEE | S11, T11 N, R03 W, LOT 45 COS #373705 | \$84.25 | \$242.26 | |
| 199511101210000 | HOVLEY WILLIAM DOUG | S11, T11 N, R03 W, LOT 44 COS #373705 | \$84.25 | \$242.26 | |
| 199511101220000 | POPPE LOWELL & TAMMY | S11, T11 N, R03 W, LOT 43A, COS #546352/F | \$84.25 | \$242.26 | |
| 199511101230000 | TOPLIKAR WILLIAM A TRUSTEE | S11, T11 N, R03 W, LOT 42 COS #373705 | \$84.25 | \$242.26 | <i>William A. Toplikar Trustee</i> |