

RESOLUTION 2009 - 78

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL BENEFITED PROPERTY WITHIN THE AUTUMN WIND COURT RURAL IMPROVEMENT DISTRICT NO. 2008-7**

WHEREAS, the Board of County Commissioners of Lewis and Clark County (the "County") has properly created a rural special improvement district (the "District") pursuant to Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended (the "Act"), through Resolution 2008-107, denominated Rural Special Improvement District No. 2008-7 (the "District"), and undertaken certain local improvements (the "Improvements") to benefit property located therein; and

WHEREAS, Section 7-12-2158, MCA, provides that the Board of County Commissioners shall by resolution, levy and assess a tax upon all benefited property in a district created for such purpose; and

WHEREAS, Resolution 2008-107 provides a equitable method for assessing benefited properties based upon the benefits received; and

WHEREAS, the property owners of lots within the Autumn Wind Court Rural Improvement District were notified pursuant to Section 7-12-2159, MCA.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lewis and Clark County, that assessments shall be levied and assessed upon all benefited properties, within the boundaries of Rural Improvement District No. 2008-7. The district shall be composed of two funds to be collected through separate County tax bill entity codes. One fund shall be established for the purpose of financing said improvements, and the additional fund shall be established for the purpose of financing the whole cost of maintaining, preserving, or repairing improvements in the District.

BE IT FURTHER RESOLVED the improvement fund shall be levied and assessed for a period of fifteen (15) years or until the improvements have been paid in full. Property owners shall have the right to prepay improvement assessments as provided by law.

BE IT FURTHER RESOLVED the maintenance fund shall be levied and assessed perpetually until otherwise modified by a resolution passed by the County.

BE IT FURTHER RESOLVED that a description of each parcel of land, the name of each owner, if known, and the amount of each estimated annual assessment is listed on Exhibit "A", attached hereto and made a part thereof. The special assessment for the costs of improvements and maintenance shall be levied and assessed against properties in the District in accordance with the method of assessment referred to in Resolution 2008-107.



Lewis & Clark County

COUNTY

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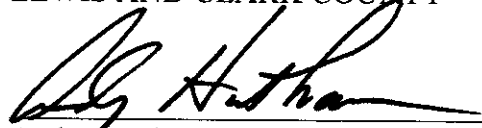
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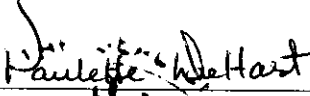
BE IT FURTHER RESOLVED that the assessment amount contained on attached Exhibit "A" shall be made in two equal payments by the day and month specified on the annual tax notice. Payments made after the specified dates shall be delinquent. Assessments will be placed on tax bills in the next available tax year.

DATED this 16<sup>th</sup> day of July, 2009.

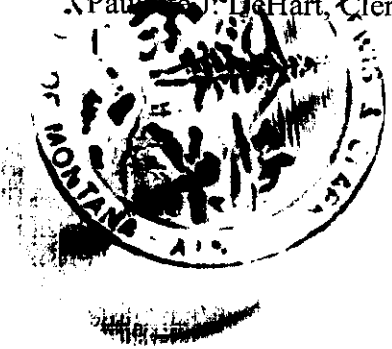
BOARD OF COUNTY COMMISSIONERS  
LEWIS AND CLARK COUNTY

  
\_\_\_\_\_  
Andy Hunthausen, Chair

ATTEST:

  
\_\_\_\_\_  
Pauline J. DeHart, Clerk of Board

File: AWRateResol



# EXHIBIT 'A'

Autumn Wind Rural Improvement District

GeoCode	Owner Name	Legal Description	Annual Estimated Improvement (15 yr)	Annual Maintenance Fund Assessment (Perpetual)
199623401010000	DODGE KENT A & REBECCA A	TR SWSWSE OF SEC 23 & NNWNWNE OF	\$442.65	\$154.08
199623301010000	ALLEN JOHN D & MARCIA J	TR IN SW SEC 23-11-2W	\$442.65	\$154.08
199626210150000	WET CO	LT 6 1.565 AC	\$442.65	\$154.08
199626210190000	COWDREY TRACY	GOLDEN SHORES SUBD LT 7	\$442.65	\$154.08
199626210130000	GEORGE JAMES E & MARY M	GOLDEN SHORES SUBD LT 5 COS #429840/B	\$442.65	\$154.08
199626210110000	BARBER DWIGHT J & LADENE R	GOLDEN SHORES SUBD LT 4 COS 401400	\$442.65	\$154.08
199626210030000	JOHNSON MARK A & ALANA R	GOLDEN SHORES LOT 2 1.177 AC	\$442.65	\$154.08
199626210050000	HUBER LEE EDWARD & AMY OMANG HUBER	GOLDEN SHORES SUBD LT 3 1.040 AC	\$442.65	\$154.08
199626210090000	COWDREY TRACY	GOLDEN SHORES SUBD LT 7A	\$442.65	\$154.08
199626210070000	HOFFMANDEANNA L	GOLDEN SHORES LT 8A, COS #429840/B	\$442.65	\$154.08



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