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RESOLUTION 1992 - 56

A RESOLUTION TO CREATE A RURAL IMPROVEMENT DISTRICT FOR ROAD IMPROVEMENTS AND ROAD MAINTENANCE ON BEARTOOTH ROAD

WHEREAS, a resolution of intent to create Rural Improvement District No. 91-3 was adopted by the Board of County Commissioners on December 17, 1991, as Resolution No. 1991-134; and,

WHEREAS, legal notice of the passage of Resolution No. 1991-134 was posted in the proposed district, mailed to property owners in the proposed district, and printed in the <u>Independent Record</u> and the <u>Great Falls Tribune</u> in accordance with the statutory requirements; and,

WHEREAS, written protests were received by the Clerk and Recorder within the specified period of protest and additional protests were received after the protest period, the total of all said protests constituting approximately eleven percent of the cost of the proposed work; and,

WHEREAS, on April 21, 1992, the Board of County Commissioners held a public hearing and proceeded to hear all protests, determined that there was not sufficient protest to bar proceedings, denied those protests submitted by properties that would benefit from the improvements, and accepted those protests received from properties that would not receive benefits from the improvements; and,

WHEREAS, two alternative assessment methods were proposed in Resolution 1991-134 and landowners were given the opportunity to express their preference on several occasions, resulting in fairly equal support for each option.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby create Rural Improvement District No. 91-3 for the purpose of funding road improvements and road maintenance within said district.

BE IT FURTHER RESOLVED that said district will include all benefitting parcels of land within the proposed boundaries as identified on attached Exhibit A, except public lands.

BE IT FURTHER RESOLVED that the owners of public lands within the district will make contributions toward the costs of the improvements and maintenance on a contractual agreement with the County.

BE IT FURTHER RESOLVED that the improvements will consist of grading, shaping and compacting the existing road surface and installing a chip-seal surface, resulting in a road surface of 24 feet in top width, and will include drainage and safety improvements.

BE IT FURTHER RESOLVED that the maintenance shall include crack sealing, resurfacing, and other maintenance and repair as necessary to preserve the road surface, and that such maintenance shall be administered by the County Road Foreman.

BE IT FURTHER RESOLVED that assessments for the improvements and maintenance shall be assessed upon each existing lot within the district and any lots created in the future. All funds collected herein shall be spent solely for activities within

the proposed improvement/maintenance district. Due to the public comment received and the split preference for assessment options, the Board determined that a compromise alternative method of assessment would be appropriate. Assessments shall be based upon property valuation in the following manner:

- All properties that have a taxable value shall be assessed an equal flat fee assessment for approximately 40% of the costs;
- 2. An additional assessment will be made for the remaining percentage of costs based upon total property valuation, resulting in a range of assessments proportionate to the value of the assessed property.

As set forth on attached Exhibit B, estimated costs of improvements to be financed are \$55,600; annual costs for improvements (including interest and administration) are \$10,951; estimated annual maintenance costs (including administration) are \$1,793. Based upon the assessment method described annual individual assessments would range from approximately \$20.23 to \$344.20 for the first seven years, and range from approximately \$2.83 to \$48.60 for subsequent years, depending upon the property valuation.

DATED this 5th day of Thus

BOARD OF COUNTY COMMISSIONERS

LEWIS AND CLARK COUNTY

Blake J. Wordel, Chairman

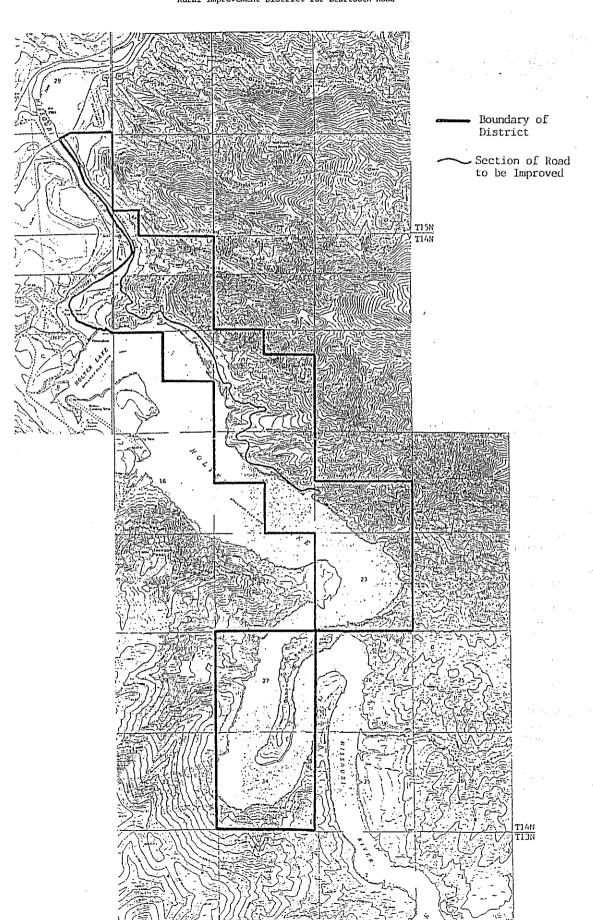
Linda Stoll-Anderson

David/E. Fuller

ATTEST;

Kim Harris, Clerk of Board

EXHIBIT A
Rural Improvement District for Beartooth Road



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