

RESOLUTION 1993 - 159

A RESOLUTION TO CREATE THE BIG VALLEY ROAD IMPROVEMENT DISTRICT

WHEREAS, a petition has been received from the landowners who utilize the roads in the Big Valley Subdivision requesting the creation of a Road Improvement District, for the purpose of funding road improvements and on-going maintenance of all or portions of Green Meadow Drive, Diamond Springs Drive, Buffalohorn Drive, Prairie Road, Tamberlee Road, and Woodland Hills Road; the proposed district includes lands located in Sections 1, 2, 3, 10, 11 and 12, T11N, R4W, and Sections 34 and 35, T12N, R4W, P.M.M., Lewis and Clark County; and

WHEREAS, the petition included a description of the boundaries and the benefitting properties, a description and cost estimates for the proposed improvements and maintenance, descriptions of the proposed methods of assessment for and administration of improvements and maintenance, and was signed by 68% of the affected property owners; and

WHEREAS, the Board of County Commissioners has the authority to propose Road Improvement Districts for the purpose of funding road improvements and/or maintenance, pursuant to Section 7-14-2901, et. seq., MCA; and

WHEREAS, a resolution of intent to create Road Improvement District No. 93-5 was adopted by the Board of County Commissioners on October 7, 1993, as Resolution No. 1993-137; and

WHEREAS, legal notice of the passage of Resolution No. 1993-137 was posted in the proposed district, mailed to property owners within the proposed district and certain property owners outside the proposed boundaries, and printed in the local newspaper in accordance with the statutory requirements; and

WHEREAS, on November 16, 1993, the Board of County Commissioners held a public hearing and proceeded to hear all protests, comments, and other matters relating to the proposed district.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby create Road Improvement District No. 93-5 for the purpose of funding road improvements and road maintenance within said district.

BE IT FURTHER RESOLVED that said district will include all or portions of those parcels of land abutting and/or accessing Green Meadow Drive, Diamond Springs Drive, Buffalohorn Drive, Prairie Road, Tamberlee Road, and Woodland Hills Road, as have been determined to benefit from the proposed improvements as shown on Exhibits A and C, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the Commission has identified certain properties within the district boundaries which do not benefit and which will not be assessed, as identified on Exhibit B, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the maintenance will include regular maintenance of the driving surface as conditions warrant, snow removal, drainage maintenance and improvements, and incidental minor improvements to reduce the level of maintenance required on sections of roadway. The following sections of road would be maintained under this district:

Green Meadow Drive: from the south boundary of the district northward to the north lot lines of Lots 115-2 and 55W
Diamond Springs Drive: from Woodland Hills Road northward to the north lot lines of Lots 120 and 116A
Buffalohorn Drive: the entire length
Prairie Road: from Green Meadow Drive westward to Buffalohorn Drive
Tamberlee Road: the entire length
Woodland Hills Road: from Green Meadow Drive westward to Diamond Springs Drive.

BE IT FURTHER RESOLVED that the improvements and maintenance may be administered by a representative body of the landowners within the district, under a contractual agreement with the Board of County Commissioners.

BE IT FURTHER RESOLVED that all lots would benefit and would be assessed for the maintenance of the improvement. Estimated annual costs are approximately \$6,651 (including administration and financing charges) for the first year, \$6,151 for the second year, and \$5,592 for subsequent years. All lots developed with a residence would benefit equally and all undeveloped lots would benefit equally. Owners of undeveloped lots would be assessed twenty (20) percent of the assessment for developed lots. Such assessments will be based upon the assessed valuation of land, improvements, and personal property valuations to distinguish developed and undeveloped lots. Then, thresholds and limits of assessed valuation will be applied resulting in a flat fee assessment for developed lots and another flat fee assessment for undeveloped lots. Based upon the assessment method described applied to current conditions in the district, annual individual lot assessments (approximate) would be as follows:

Term	Developed Lot	Undeveloped Lot
First Year	\$70.00	\$15.00
Second Year	\$65.30	\$13.60
Subsequent years	\$60.00	\$12.00

All funds collected for the district shall be spent solely for the road improvement and maintenance activities within the proposed district.

BE IT FURTHER RESOLVED that the assessor shall use the following definitions and formulas to determine the annual assessment for the lots within the district:

- 1) A lot is defined as a parcel of land that can be described by a survey or deed of record at the Clerk and Recorder's Office.
- 2) An undeveloped lot is a parcel that has a land valuation and any valuation for improvements or personal property is less than fifty (50) dollars.
- 3) A developed lot is a parcel that has a land valuation and a valuation for improvements or personal property in excess of fifty (50) dollars.
- 4) When the administrator of the district has determined the annual budget, the following formula shall be used to determine individual assessments:
 - $ax + by = \text{total annual budget}$
 - where a = the number of undeveloped lots in the district,
 - where b = the number of developed lots in the district,
 - where x = the individual assessment for an undeveloped lot,
 - where y = the individual assessment for a developed lot, and
 - where $y = 5x$.

DATED this 30th day of November, 1993

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY

Linda Stoll-Anderson
Linda Stoll-Anderson, Chairwoman

510660

PAULETTE DEHART
TREAS / CLK
LEWIS & CLARK CO., MONT.

ATTEST:

Paulette DeHart
Paulette DeHart, Clerk of Board

File: 2713 BigVal.Res

1993DEC-2 AM 9:12

SEARCHED	INDEXED
SERIALIZED	FILED

NOT ON RECORD BY MESSAGE

Shirley Mcintosh

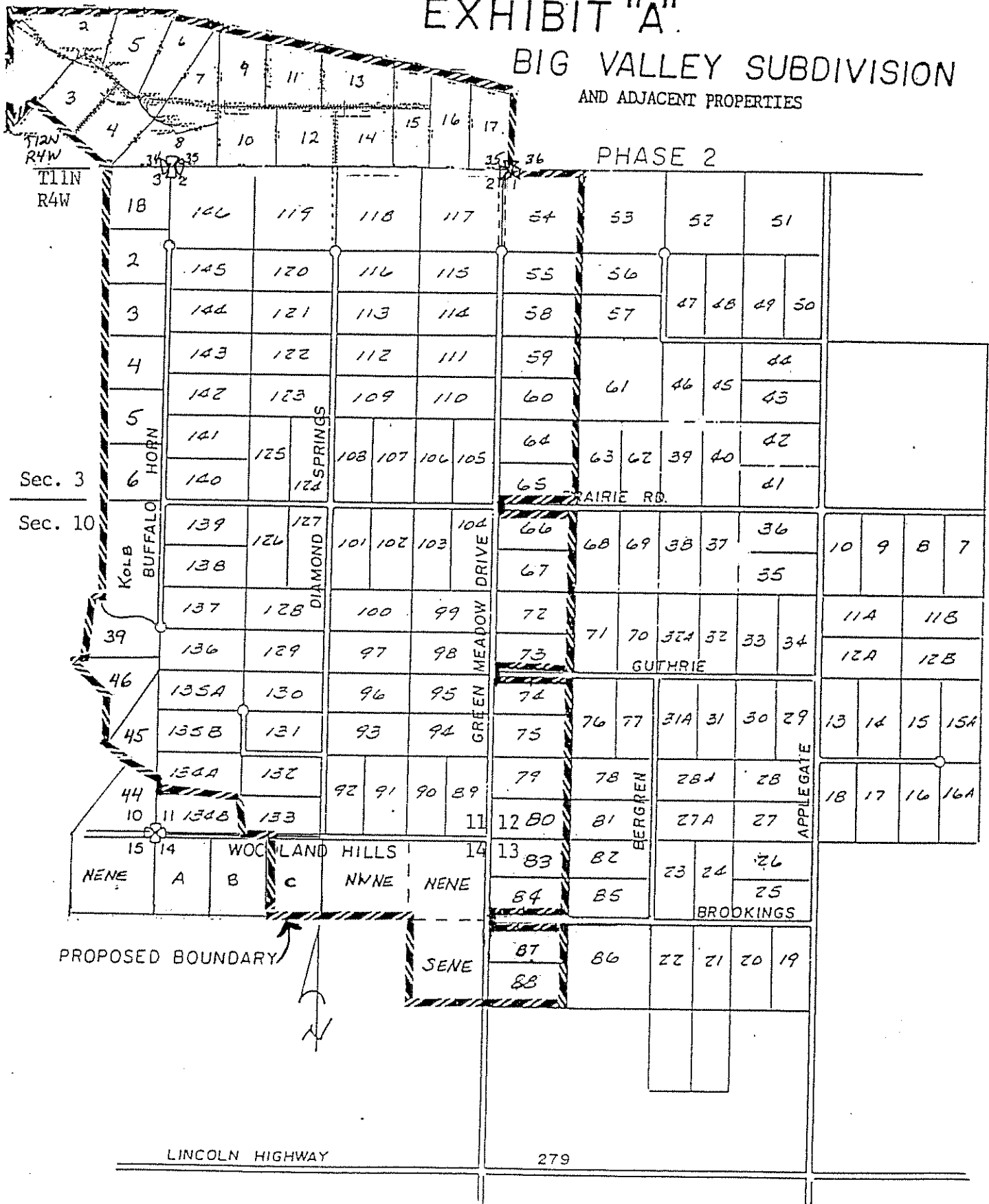
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EXHIBIT "A"

BIG VALLEY SUBDIVISION

AND ADJACENT PROPERTIES

PHASE 2



ATTACHMENT B

BIG VALLEY RID - ASSESSMENT LIST

ECCODE	PLACE ADDRESS	PROPERTY OWNER	LEGAL	LAND VALUE	IMPR VALUE	PERS VALUE	TOTAL VALUE	FIRST YEAR	ASSESSMENTS		YEARS
									SECOND YEAR	THIRD YEAR	
199402201010000	8525 GREEN MEADOW DR	TRAINOR JAMES D & JERIE G	S2 LT 58	\$405	\$2,072	\$2,477	\$2,477	1978.62	1972.71	1972.71	66.10
199401201100000	8541 GREEN MEADOW DR	CRABTREE CLIENT ALAN & JOAN J	TR IN N25SWNW; N2 LT 58	\$406	\$1,752	\$2,158	\$2,158	1978.62	1972.71	1972.71	66.10
199401201150000	8583 GREEN MEADOW DR	CAHOON KENNETH & DELORES L	N2SWNW; W2 TR 55	\$408	\$2,777	\$3,185	\$3,185	1978.62	1972.71	1972.71	66.10
199401201200000	8585 GREEN MEADOW DR	BRIESE CHARLES & SMDTH LAURA	N2SWNW; E2 TR 55	\$403	\$1,870	\$2,273	\$2,273	1978.62	1972.71	1972.71	66.10
199401201450000	0 UNKNOWN	BANSCHACH RONALD E & VIVIAN JH	N2SWNW; GOVT LT 4; 43.409 AC; TR 54	\$48	\$592	\$640	\$640	1978.62	1972.71	1972.71	66.10
199401301010000	0 UNKNOWN	WADE DOYLE E & LINDA L	S2SWSW; TR 65A PER C/S 309499	\$398	\$257	\$655	\$655	1978.62	1972.71	1972.71	66.10
199401301050000	80 PRAIRIE RD	EVA DONALD R & PATRICIA A	S2SWSW; TR 60	\$397	\$471	\$868	\$868	1978.62	1972.71	1972.71	66.10
199401301300000	8285 GREEN MEADOW DR	ANDERSEN NIEL K & LYNN G	TR IN N2SWSW; AKA FT TR 64	\$380	\$4,471	\$4,851	\$4,851	1978.62	1972.71	1972.71	66.10
199401301350000	8425 GREEN MEADOW DR	HOLT CHARLES LOUIS & CONNIE M	S2SWNW; 21.034 AC; TR 113	\$145	\$1,676	\$1,821	\$1,821	1978.62	1972.71	1972.71	66.10
199402101010000	8448 GREEN MEADOW DR	WARRNER CHRISTOPHER C & DANETTE M	TR IN S2SENE TR 114A	\$146	\$1,145	\$1,291	\$1,291	1978.62	1972.71	1972.71	66.10
199402101100000	8570 GREEN MEADOW DR	DOUGHERTY RUBY L	TR IN S2SENE TR 114A	\$406	\$230	\$636	\$636	1978.62	1972.71	1972.71	66.10
199402101150000	8580 GREEN MEADOW DR	HOWARD EDWARD L	TR IN S2SENE TR 114A	\$404	\$6	\$410	\$410	1978.62	1972.71	1972.71	66.10
199402101210000	0 UNKNOWN	EGGLESTON STEVE & ROSE	LT 3 OF TR 115 SUR #388650 TR IN NESENE	\$346	\$346	\$346	\$346	1978.62	1972.71	1972.71	66.10
199402101250000	0 UNKNOWN	DUNCAN SHANA D & STOLP NORIMA	TR IN N2SENE TR 115 LT 4 SUR #388650	\$347	\$150	\$497	\$497	1978.62	1972.71	1972.71	66.10
199402101320000	0 UNKNOWN	YONKADA JAMES S	TR IN N2SENE TR 115 LT 1 SUR #388650	\$347	\$347	\$347	\$347	1978.62	1972.71	1972.71	66.10
199402101350000	0 UNKNOWN	HARMON LINDA K	TR IN N2SENE; 10.068 AC TR 116B	\$347	\$878	\$1,225	\$1,225	1978.62	1972.71	1972.71	66.10
199402101270000	6585 DIAMOND SPRINGS DR	WEIS JAMES E & BARBARA E	TR IN N2SWNE; TR 116A 10.988 AC	\$401	\$2,704	\$3,105	\$3,105	1978.62	1972.71	1972.71	66.10
199402101350000	0 UNKNOWN	POWELL RAY	TR IN N2SWNE; TR 116A 10.988 AC	\$410	\$410	\$410	\$410	1978.62	1972.71	1972.71	66.10
199402101490000	6648 DIAMOND SPRINGS DR	NONCROSS JOE E & LINDA	TR IN GOVT LT 2; AKA TR 118; 43.841 AC	\$171	\$237	\$408	\$408	1978.62	1972.71	1972.71	66.10
199402101450000	6644 GREEN MEADOW DR	TABBERT MARYVINE I & JOANN M	S2 GOVT LT 1; FT TR 117	\$146	\$608	\$754	\$754	1978.62	1972.71	1972.71	66.10
199402101500000	6636 GREEN MEADOW DR	OLSEN ALBERT M & JUDINE J	TR B & 30' ROAD EASMT C/S #487104/F	\$402	\$1,587	\$1,989	\$1,989	1978.62	1972.71	1972.71	66.10
199402101550000	6636 GREEN MEADOW DR	WRIGHT HELEN	PARCEL A PER C/S #487104/F	\$317	\$731	\$1,048	\$1,048	1978.62	1972.71	1972.71	66.10
199402201010000	0 UNKNOWN	BARKEN DUANE A & RACHEL A	S2SWNW; TR 144	\$24	\$414	\$438	\$438	1978.62	1972.71	1972.71	66.10
199402201100000	0 UNKNOWN	HEFFNER PATRICIA L	SESESW; TR 124	\$24	\$24	\$24	\$24	1978.62	1972.71	1972.71	66.10
199402201200000	6580 DIAMOND SPRINGS DR	WARRNER JAMES A	SESESW; 21.255 AC TR 121	\$177	\$638	\$815	\$815	1978.62	1972.71	1972.71	66.10
199402201300000	0 UNKNOWN	RENO CHRISTIAN FELLOWSHIP	N2SWNW; 21.225 AC; TR 145	\$24	\$24	\$24	\$24	1978.62	1972.71	1972.71	66.10
199402201350000	0 UNKNOWN	LURASKI DONALD H & MARYA M	TR IN N2SWNW; W2 GOVT LT 4; TR 146	\$24	\$24	\$24	\$24	1978.62	1972.71	1972.71	66.10
199402201400000	0 UNKNOWN	LURASKI DONALD H & MARYA M	TR IN N2SWNW; TR 146; E2 GOVT LT 4	\$147	\$2,012	\$2,159	\$2,159	1978.62	1972.71	1972.71	66.10
199402201450000	0 UNKNOWN	WARDL JOHN C	TR IN NW; FT TR 119; AKA PT GOVT LT 3	\$25	\$25	\$25	\$25	1978.62	1972.71	1972.71	66.10
199402201500000	0 UNKNOWN	EFFERTZ FRANCINE K	TR IN N2SWNW; FT GOVT LT 3; 22.285 AC	\$147	\$1,562	\$1,709	\$1,709	1978.62	1972.71	1972.71	66.10
199402301010000	380 PRAIRIE RD	HART DEBRA K	TR IN SW; 10.447 AC; PT OF TR 140	\$135	\$1,921	\$2,056	\$2,056	1978.62	1972.71	1972.71	66.10
199402301050000	0 UNKNOWN	GIBSON RICHARD T & PATRICIA A 1/2 ETAL	TR IN S2SWSW; E2 LT 140; BIG VALLEY	\$11	\$11	\$11	\$11	1978.62	1972.71	1972.71	66.10
199402301100000	0 UNKNOWN	CUNDALE J AARON & PATRICIA L	TR IN SW; W2SESW; 20.897 AC TR 125	\$23	\$23	\$23	\$23	1978.62	1972.71	1972.71	66.10
199402301200000	6350 GREEN MEADOW DR	GABBERT WAYNE A & LINDA	SESESW; 52; TR 124	\$404	\$2,065	\$2,469	\$2,469	1978.62	1972.71	1972.71	66.10
199402301250000	0 UNKNOWN	KINCAID C MICHAEL & RACHEL	TR IN NESENE; SUR #270705; N PT TR 124A	\$404	\$2,313	\$2,717	\$2,717	1978.62	1972.71	1972.71	66.10
199402301300000	0 UNKNOWN	SMITH JACK S & CLARA K	TR 141 A & B & ROAD RW	\$416	\$2,281	\$2,697	\$2,697	1978.62	1972.71	1972.71	66.10
199402301350000	0 UNKNOWN	SPADY BEYLAMIN & KATHERINE M	TR IN S2SWSW; TR 142	\$23	\$23	\$23	\$23	1978.62	1972.71	1972.71	66.10
199402301450000	0 UNKNOWN	SARBU RENNET A	TR IN N2SENE; 21.000 AC TR 123	\$145	\$4,783	\$4,928	\$4,928	1978.62	1972.71	1972.71	66.10
199402401010000	8425 BUFFALO HORN DR	BARKEN DUANE A & RACHEL A	TR IN N2SENE; 21.066 AC; TR 122	\$146	\$1,823	\$2,069	\$2,069	1978.62	1972.71	1972.71	66.10
199402401050000	7965 APPLEGATE DR	HENNESSY CLIFFORD L	TR IN SWN2SWNW; 21.052 AC; TR 143	\$397	\$3,328	\$3,725	\$3,725	1978.62	1972.71	1972.71	66.10
199402401100000	8322 GREEN MEADOW DR	KAUFMAN ROBERT L & JO ANN	PT LT 105 - A	\$404	\$2,819	\$3,223	\$3,223	1978.62	1972.71	1972.71	66.10
199402401150000	8310 GREEN MEADOW DR	GREEN GERALD G & WILLOW	TR IN SE; SWSESE; TR 106A	\$403	\$1,752	\$2,155	\$2,155	1978.62	1972.71	1972.71	66.10
199402401190000	8320 GREEN MEADOW DR	WALKER ROBERT A & JOYCE A	W222SWSE AKA W2 TR 107	\$404	\$2,652	\$3,056	\$3,056	1978.62	1972.71	1972.71	66.10
199402401200000	0 UNKNOWN	NUMMERDORF ROGER R & JOAN M	BIG VALLEY LOT 108B CO S #299660	\$396	\$910	\$1,306	\$1,306	1978.62	1972.71	1972.71	66.10
199402401250000	0 UNKNOWN	LAPPE KETH L & PEGGY LEE	N2W2SWSE; AKA TR 108 - A; BIG VALLEY PLUS	\$397	\$877	\$1,274	\$1,274	1978.62	1972.71	1972.71	66.10
199402401300000	0 UNKNOWN	ZANDER DUANE A & CONSTANCE J	TR IN SE; NWSESE; FT 105	\$405	\$398	\$803	\$803	1978.62	1972.71	1972.71	66.10
199402401400000	0 UNKNOWN	ALLEN MICHAEL W	SESE; TR 105 - B	\$398	\$164	\$562	\$562	1978.62	1972.71	1972.71	66.10
199402401450000	0 UNKNOWN		SENESE PT OF TR 110	\$349	\$164	\$513	\$513	1978.62	1972.71	1972.71	66.10

BIG VALLEY RID - ASSESSMENT LIST

GEODE	PLACE ADDRESS	TRD PERM OWNER	LEGAL	LAND VALUE	IMPRV VALUE	PERS VALUE	TOTAL VALUE	FIRST YEAR	ASSESSMENTS	
									SECOND YEAR	SUBSEQUENT YEARS
199411401350000	0 UNKNOWN	KIMMER PATRICK W & PATRICIA M	E2 LT 94; TR IN SENESE	\$404	\$1,986		\$2,390	\$78.62	\$72.71	\$66.10
199411401400000	0 UNKNOWN	KIMMER PAT & PATTY SIGSMORF DONALD E	TR IN SENESE; 10.293 AC; W/2 LT 94	\$404			\$403	\$15.72	\$14.54	\$13.22
199411401450000	8075 DIAMOND SPRINGS DR	LITTLE ROBERT L & SANDRA D	TR IN NANWASE; 21.055 AC; TR 93	\$203	\$243		\$23	\$78.62	\$72.71	\$66.10
199411401550000	8085 DIAMOND SPRINGS DR	KUKOLAX ANDREW F & HARPER MONA LEE	TR IN ENPMWSE; E2 TR 86	\$405	\$2,823		\$649	\$78.62	\$72.71	\$66.10
199411401600000	0 UNKNOWN	MERCHEN ROBERT A & SANDRA	TR 95B 10.03 AC COS # 335083	\$405	\$400		\$3,226	\$15.72	\$14.54	\$13.22
199411401650000	8080 GREEN MEADOW DR	ROWSEY BALPH E	TR 95A 10.49 AC COS # 335083	\$402	\$1,347		\$1,749	\$78.62	\$72.71	\$66.10
199412201010000	0 UNKNOWN	BRENSDAL KENNETH L & GEORGIA A	TR IN S2SWNW; TR 73B1 SUR #556408	\$398	\$398		\$398	\$15.72	\$14.54	\$13.22
199412201050000	8105 GREEN MEADOW DR	BRENSDAL KENNETH L & GEORGIA A	TR S2SWNW; TR 73A SUR #556408	\$399	\$3,992		\$3,791	\$78.62	\$72.71	\$66.10
19941220135XG300	0 UNKNOWN	HECKATHORN HARLEY E & DORIE A	NS2SWNW; TR 72	\$96			\$96	\$15.72	\$14.54	\$13.22
199412201450000	8215 GREEN MEADOW DR	HECKATHORN HARLEY E & DORIE A	PT OF TR 66 & 67 C OF S 413457/B	\$184	\$607	\$139	\$930	\$78.62	\$72.71	\$66.10
199412201010000	7825 GREEN MEADOW DR	HANSON GRANT J & SANDRA A	PT OF TR 66 & 67 C OF S #413457/B	\$144	\$2,386		\$2,530	\$78.62	\$72.71	\$66.10
199412301010000	7927 GREEN MEADOW DR	MATTIFELDT CARL J & PEGGY J	TR S2SWNW; TR 80	\$145	\$1,521		\$1,666	\$78.62	\$72.71	\$66.10
199412301250000	7957 GREEN MEADOW DR	SPEE JAMES J HARBARRET E	TR IN NS2SWW; PT TR #79; SUR #370598	\$312	\$301		\$613	\$78.62	\$72.71	\$66.10
199412301350000	7865 GREEN MEADOW DR	REID HAROLD DEB H & L DRILLING	NS2SWW; 16.660 AC; PT TR 79	\$312	\$301		\$312	\$15.72	\$14.54	\$13.22
199412301350000	0 UNKNOWN	MCEYEN THOMAS M & SHARON M	NS2SWW; 16.660 AC; PT TR 79	\$473	\$360		\$833	\$78.62	\$72.71	\$66.10
199412301450000	8015 GREEN MEADOW DR	NIMMIK ROBERT A & GWEN L	PT TR 75 TR A-1; TR IN NS2SWW; 5.00 AC SUR 36390-F	\$690	\$348		\$690	\$78.62	\$72.71	\$66.10
199412301550000	125 GUTTHRE RD	KOHL DORIS J	TR IN N2SWW; PT TR 75A-2; 5.327 AC	\$348	\$319		\$667	\$78.62	\$72.71	\$66.10
199412301700000	8075 GREEN MEADOW DR	BROCKEN SCOTT	TR IN N2SWW; PT TR 75A-2; 5.327 AC	\$403	\$1,268		\$1,671	\$78.62	\$72.71	\$66.10
199412301750000	8085 GREEN MEADOW DR	TALBERT TIMOTHY D & SHERRY A	PT TR 74 TR B; TR IN N2SWW; 9.8520	\$398	\$2,385		\$2,783	\$78.62	\$72.71	\$66.10
199412301010000	* 7749 GREEN MEADOW DR	HALE ROGER A & PATRICIA FAE	LTS A-2-A-3-A-4-A-5 PER C/S #312892	\$381	\$1,928		\$2,309	\$78.62	\$72.71	\$66.10
199412301010000	* 7749 GREEN MEADOW DR	DRENNON PAUL E	LTS A-1 PER C/S #378457	\$312	\$493		\$805	\$78.62	\$72.71	\$66.10
199413201010000	0 UNKNOWN	DRENNON PAUL E	NS2SWW; TR 87	\$76			\$76	\$15.72	\$14.54	\$13.22
199413201600000	7825 GREEN MEADOW DR	PETERSEN STANLEY E & MARJORIE D	S2SWNW; TR 89	\$76	\$399		\$76	\$15.72	\$14.54	\$13.22
199413201700000	7865 GREEN MEADOW DR	PETERSEN EUGENE D & VICKI L	PT S2SWNW; PT TR 84	\$403	\$1,709		\$399	\$78.62	\$72.71	\$66.10
199413201800000	7875 GREEN MEADOW DR	WHEAT KENNETH J & EDWINA S	S2N2N2N2N2N2N2N2 TR 83 LESS W 60 FT FOR RD	\$401	\$1,810		\$2,211	\$78.62	\$72.71	\$66.10
199414101100000	0 UNKNOWN	MOORE JAY NEIL	N2N2N2N2N2N2N2N2 TR 83 C/S #279039	\$411			\$411	\$15.72	\$14.54	\$13.22
199414101100000	0 UNKNOWN	COOPER KURT & CURT J	N2NE; SENE	\$134			\$134	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	HAHN CAROL F	TR IN N2NW; TR C	\$104			\$104	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 1	\$800			\$800	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 2	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 3	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 4	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 5	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 6	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 7	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 8	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 9	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 10	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 11	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 12	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 13	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 14	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 15	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 16	\$75			\$75	\$15.72	\$14.54	\$13.22
211034401010000	0 UNKNOWN	JARDINE JOHN (M/O LEAPHART C W)	COS 508374/E; LOT 17	\$75			\$75	\$15.72	\$14.54	\$13.22

\$39,179 \$112,175 \$298 \$145,652 \$6,651 \$6,151 \$5,592

30-MAR-84
FILE: BYASSMINT.NK3

PETITION FOR THE CREATION OF A
COUNTY MAINTENANCE DISTRICT
FOR
ROADS OF THE BIG VALLEY SUBDIVISION

WHEREAS, the undersigned property owners of the Big Valley Subdivision, Phases 2 and 3, and adjoining landowners who will benefit from the proposed district, do hereby petition the Board of County Commissioners, Lewis and Clark County, to create the following described road improvement district on this ___ day of _____, 1992 as authorized by Section 7-14-2901, et. seq., MCA.

BOUNDARIES OF PROPOSED DISTRICT

The roads to be maintained and improved under said district will consist of those portions of Buffalo Horn Drive, Diamond Springs Drive, Green Meadow Drive, Prairie Road, Tamberlee Road and Woodland Hills Road, approximately 8.5 miles, lying within the boundaries of said Big Valley Subdivision as indicated on the attached Exhibit "A".

The benefited properties and affected landowners shall consist of all properties adjoining the above described roads, as indicated on Exhibit "A".

DESCRIPTION OF IMPROVEMENTS

The proposed scope of improvements to be made to the above described roads shall consist of regular maintenance of the driving surface as conditions warrant, snow removal, drainage maintenance and improvements, and incidental minor improvements to reduce the level of maintenance required on sections of roadway.

ESTIMATED COSTS OF IMPROVEMENTS

Estimated annual costs for the scope of improvements described above are:

Road Surface Maintenance.....	\$ 3803.00 per year
Snow Removal.....	300.00 per year
Drainage Maintenance and Improvement.....	800.00 per year
Minor Improvements.....	500.00 per year
Total Estimated Improvement Costs, yearly.....	\$ 5403.00 per year
Estimated 3.5% Administrative Fee.....	\$ 189.00 per year
Total Estimated Annual Costs, yearly.....	\$ 5592.00 per year
First year start-up Costs: \$500.00 plus 10% of total estimated annual cost (\$559.00) for reserve approximately \$10.00 per developed lot and \$3.00 per undeveloped lot.....	\$ 1059.00
Total Estimated First Year Cost.....	\$ 6651.00
Second year reserve cost, 10% of total estimated annual cost, approximately \$5.30 per developed lot and \$1.60 per undeveloped lot.....	\$ 559.00
Total Estimate Second Year Cost.....	\$ 6151.00

PETITION FOR THE CREATION OF A
COUNTY MAINTENANCE DISTRICT
FOR
ROADS OF THE BIG VALLEY SUBDIVISION

RECEIVED

MAY 01 1992

LEWIS & CLARK COUNTY
PLANNING DEPARTMENT

PROPOSED METHOD OF PAYMENT

The annual estimated costs of the proposed district, including administrative costs would be paid for by the benefitted residents included in the above described district boundary as follows:

Properties with residences would be assessed a proportionate share of the total annual cost, estimated to be \$60.00 per year (\$70.00 first year, \$65.30 second year). Owners of vacant properties would be assessed an amount equal to 20% of the amount paid by owners of occupied property, estimated to be \$12.00 per year (\$15.00 first year, \$13.60 second year). Together, the assessed cost would equal the total estimated annual cost. These proportions will be based on thresholds and limits of assessed valuation.

METHOD OF PROVIDING IMPROVEMENTS

Improvements as defined above would be performed by contracts to qualified parties administered by a board of directors comprised of residents of the district, duly elected by the property owners of the district. Voting would be in proportion to the costs of the improvements assessed to each property.

NOW THEREFOR, the undersigned property owners, having read and understood the conditions and terms of this document, do hereby petition the Board of County Commissioners to create the road improvement district as described herein.

*File
COB*

**BIG VALLEY ROAD IMPROVEMENT DISTRICT
CONTRACT AND AGREEMENT**

This CONTRACT AND AGREEMENT is made and entered into on this day and year as set forth below, between LEWIS AND CLARK COUNTY, State of Montana, hereinafter referred to as the County, and the BIG VALLEY PROPERTY OWNERS ASSOCIATION, hereinafter referred to as the Association.

WHEREAS, the Lewis and Clark Board of Commissioners created Road Improvement District 93-5 (RID No. 93-5, or the District) for the purpose of funding road maintenance within the district; and

WHEREAS, the ongoing maintenance may include grading, snow plowing, dust control, maintenance of drainage structures, traffic control and street identification signs, and other incidental improvements, maintenance, and repairs as necessary to preserve and upgrade the road bed and road surface; and

WHEREAS, the maintenance of all RIDs is to be administered by the County unless the Board of County Commissioners enters into a contractual arrangement with a representative body of the landowners within a district; and

WHEREAS, the Association represents to the Board of County Commissioners that it is a representative body of all the landowners within the District and is incorporated in the state of Montana; and

WHEREAS, the Association wishes to enter into a contractual arrangement with the Board of County Commissioners to provide for the administration of maintenance funds.

NOW, THEREFORE, the parties to this agreement, in consideration of the mutual covenants and stipulation set out herein, agree as follows:

1. The Association, through its Board of Directors and officers, shall prepare and submit a budget during the regular County budget process designed to provide for road improvement and maintenance within the boundaries of RID No. 93-5. The Board of County Commissioners shall review the budget submitted and may alter the budget, before final adoption, in conjunction with and with the approval of the Association. The approved budget shall be administered by the Board of Directors of the Association through its officers.
2. The Association, through its Board of Directors and its officers, shall determine all facets of administration, including what improvements and maintenance are to be done (within the scope of the resolution establishing RID No. 93-5), where they are to be done, how they are to be done, and when they are to be done.
3. The Association has the authority, subject to review and approval by the Board of County Commissioners, to enter into and terminate road improvement and maintenance contracts with persons and businesses it deems necessary for the proper maintenance of the road surface and structures. All contracts must comply with all federal, state, county and local laws. This includes provisions of the Little Davis Bacon Act.
4. Debts and claims incurred by the Association are to be paid through the county claims process. All claims must be approved by the Board of Directors of the Association, filed with the County Auditor for audit, and approved by the County Commission.
5. The county is not subject to any claim or liability in an amount greater than the total amount authorized in the annual budget to be expended for improvements and maintenance in any given year for RID No. 93-5.
6. Any improvements and maintenance work administered by the Association shall be within the scope of the resolution establishing RID No. 93-5, meet

all applicable requirements, and shall be approved by the Association Board of Directors or its designee prior to initiation of any work.

7. The County shall assess the account of RID No. 93-5 a yearly administrative fee and liability insurance fee based on the annual budget and at the same rate of assessment as other similar county budgets.

8. The County shall not assess the account of RID No. 93-5 any fees for engineering services. The Association shall provide a professional engineer for all engineering services required for the development of bid specifications, construction inspection, on-going maintenance, and any other tasks that require professional engineering services.

9. The account of RID No. 93-5 shall participate in the County pooled investment program and shall accrue interest in the same manner as all other participants.

10. This agreement shall coincide with the County fiscal year and shall continue from year to year, subject to the right of either party to terminate or amend this agreement by giving written notice to the other party prior to April 1st of each year.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed this _____ day of _____, 1995.

STATE OF MONTANA)
)
) :ss
COUNTY OF _____)

Signature for the Association

On this _____ day of _____, 19____, before me a Notary Public for the State of Montana appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same.

(Notary's Seal)

Notary Public for the State of Montana
Residing at _____, Montana.
My commission expires _____.

ATTEST:

Michael A. Murray, Chairman
Board of County Commissioners

Paulette DeHart, Clerk and Recorder

(seal)

