

RESOLUTION 1992 - 65

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A RESOLUTION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR ROAD IMPROVEMENTS AND ROAD MAINTENANCE
ON THE COLORADO GULCH ROAD

LEWIS & CLARK COUNTY
PLANNING DEPARTMENT

WHEREAS, a resolution of intent to create Rural Improvement District No. 92-1 was adopted by the Board of County Commissioners on April 28, 1992, as Resolution No. 1992-51; and,

WHEREAS, legal notice of the passage of Resolution No. 1992-51 was posted in the proposed district, mailed to property owners in the proposed district, and printed in the Independent Record in accordance with the statutory requirements; and,

WHEREAS, written protests were received by the Clerk and Recorder within the specified period of protest, the total of all said protests constituting 49.56 percent of the cost of the proposed work; and,

WHEREAS, on May 19, 1992, the Board of County Commissioners held a public hearing, proceeded to hear all protests, rescindments, comments from staff, and accepted any comments from the public; and,

WHEREAS, the Board of County Commissioners continued action until May 26, 1992, and again until May 28, 1992, at which time it determined that there was not sufficient protest to bar proceedings, denied five protests that were not submitted in accordance with statutory procedures, accepted rescindments of two protests received prior to the public hearing on May 19, 1992, and acknowledged all other protests received; said actions resulting in a protest of 44.55 percent of the cost of the proposed work.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby create Rural Improvement District No. 92-1 for the purpose of funding road improvements and road maintenance within said district.

BE IT FURTHER RESOLVED that said district will include all lands located within the W 1/2 and the W 1/2, E 1/2 of Section 6 and all of Section 7, T9N, R4W; the E 1/2 and the E 1/2, SW 1/4 of Section 1, the NE 1/4 and the S 1/2 of Section 12, and all of Section 13, T9N, R5W; and a portion of the S 1/2 of Section 31, T10N, R4W, P.M.M. of Lewis and Clark County; the benefitting lands are identified on Exhibit A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the improvements will consist of grading, sloping, and compacting the existing road surface, providing drainage, making certain safety improvements, and installing two layers of chip seal (3/4 inch per layer) for a finished top width of approximately 20 to 22 feet, extending approximately three miles south of U.S. Highway 12.

BE IT FURTHER RESOLVED that the maintenance shall include crack sealing, resurfacing, and other maintenance and repair as necessary to preserve the road surfaces, and that such maintenance shall be administered by the County Road Foreman, unless the Board enters into a contractual agreement with a representative body of landowners in the Colorado Gulch Rural Improvement District.

BE IT FURTHER RESOLVED that assessments for the improvements and subsequent maintenance of the improvement shall be assessed upon each lot within the district. It is proposed that developed lots would be assessed for 80% of the costs and undeveloped lots would be assessed for 20% of the costs. 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. Estimated costs of improvements are \$149,807; estimated annual costs for improvements (including interest and administration) are \$28,190 for a period of seven years. Estimated costs of maintenance at the end of seven years are \$60,984; estimated annual costs for maintenance (including interest and administration) are \$15,050 for a period of seven additional years. Estimated annual maintenance costs are \$8,712 for subsequent years.

Based upon the assessment method described, individual lot assessments (approximate) would be as follows:

Term	Developed Lot		Undeveloped Lot	
	Annually	Monthly	Annually	Monthly
Years 1 through 7	\$256.32	\$21.36	\$131.16	\$10.93
Years 8 through 14	\$216.00	\$18.00	\$110.52	\$ 9.21
Subsequent years	\$ 79.20	\$ 6.60	\$ 40.56	\$ 3.38

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

DATED this 28th day of May, 1992 .

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY

Blake J. Wordal
Blake J. Wordal, Chairman

Linda Stoll-Anderson
Linda Stoll-Anderson

David E. Fuller
David E. Fuller

ATTEST:

Kim Harris
Kim Harris, Clerk of Board

486023

LEWIS AND CLARK COUNTY
CLERK
200 N. 2ND ST., BOZEMAN, MONT.

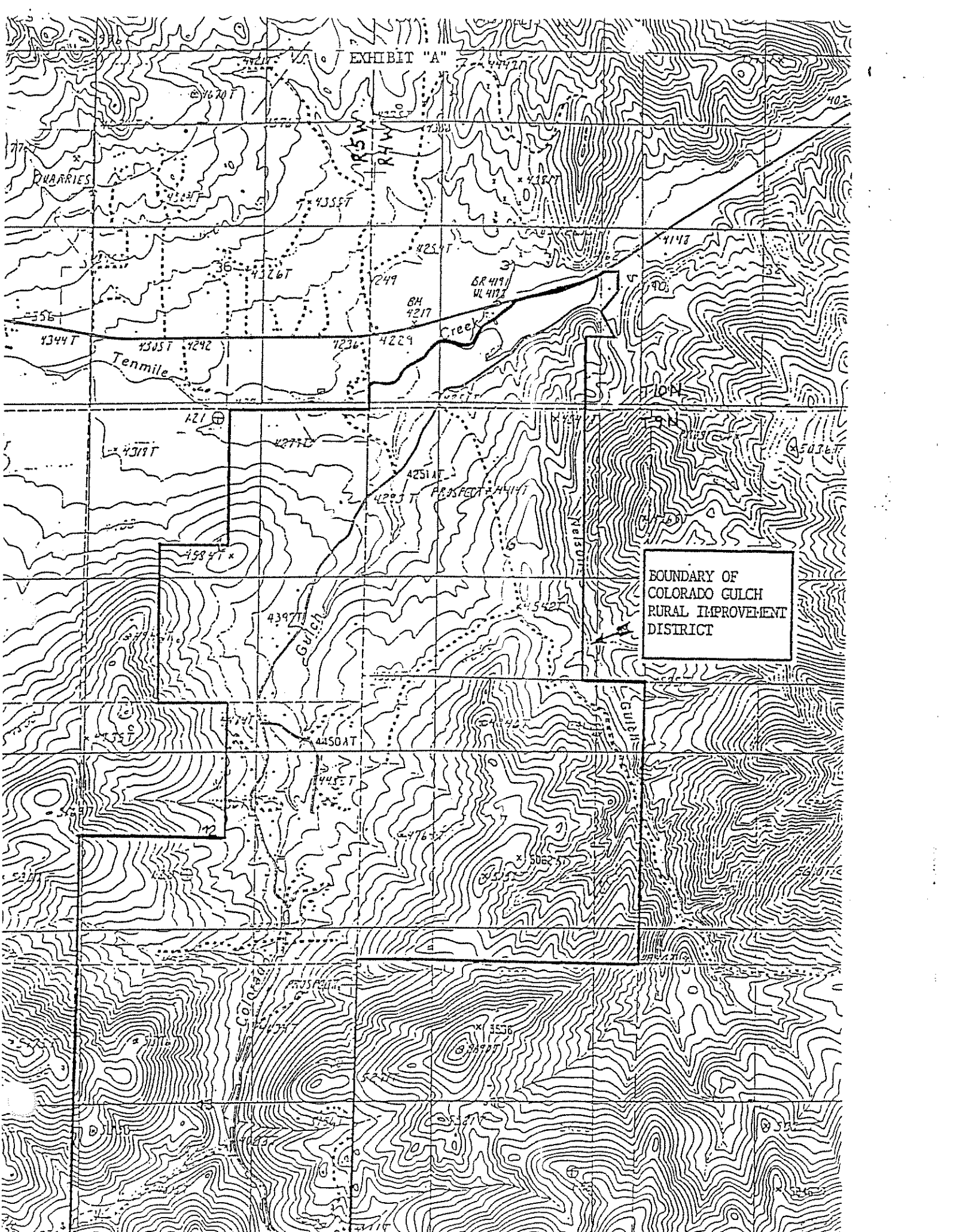
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Phyllis Mcintosh

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EXHIBIT "A"



BOUNDARY OF
COLORADO GULCH
RURAL IMPROVEMENT
DISTRICT

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