

A RESOLUTION OF INTENTION TO CREATE RURAL SPECIAL IMPROVEMENT DISTRICT NO. 1979-1 OF THE COUNTY OF LEWIS AND CLARK, MONTANA, DESIGNATING THE NUMBER OF SAID DISTRICT, DESCRIBING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE PURCHASED BY SAID DISTRICT AND THE IMPROVEMENTS TO BE MADE THEREIN, STATING THE APPROXIMATE ESTIMATES OF THE COST THEREOF, AND THE MANNER OF PAYING THEREFOR.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA:

SECTION 1. The public interest and convenience require the creation of rural special improvement district as hereinafter more particularly described, and the intention of said Board of County of Commissioners to create such district is hereby declared.

SECTION 2. The number of said rural special improvement district is hereby declared to be number 1979-1.

SECTION 3. The proposed rural special improvement district is a thickly populated locality outside of the limits of the City of East Helena, Montana.

SECTION 4. The boundaries of said rural special improvement district shall be as set forth in EXHIBIT A attached hereto and by this reference made a part hereof.

SECTION 5. Said rural special improvement district will contain and include the lots and blocks within the boundaries of said district as set forth in EXHIBIT B attached hereto and by this reference made a part hereof, showing the total area of the property benefited by the improvements and to be assessed for payment of the cost thereof is attached hereto, marked EXHIBIT C and by this reference made a part hereof.

SECTION 6. The character of the improvements proposed to be constructed is as follows:

- (a) A sanitary sewer collection system including installed poly vinyl chloride (P.V.C.) pipe, vent holes, effluent irrigation facilities and modifications to an

existing sewer lagoon and a water system and distribution system, including distribution, pump and service lines, and incidental facilities; sufficient to provide complete and adequate water and sewer service for the lots hereinbefore described.

(b) Street improvements for the platted streets within said rural special improvement district, including grading, subsurface, asphaltic concrete paving and concrete curb and gutter, all in compliance with the standards of Lewis and Clark County.

(c) Landscaping and development of the park areas in the rural special improvement district.

(d) Street lighting.

SECTION 7. The estimated cost of the improvements contemplated, including the cost of engineering, inspection and administration is the sum of \$1,291,670.00, as shown in the engineer's estimate on file in this proceeding.

SECTION 8. The total area of the lots to be assessed is 2,618,582 square feet and the estimated cost per square foot is \$.49327.

SECTION 9. The entire cost and expense of purchasing and making said improvements shall be paid by said entire district, each lot within said district to be assessed for that portion of the whole cost, which its area bears to the total area of the entire district, exclusive of streets, avenues, alleys, and public places, and the Board of County Commissioners declares and finds the entire district is benefited by the above described improvements and shall be assessed accordingly to pay the cost and expense thereof.

SECTION 10. The entire cost and expense of said improvements shall be paid out of the proceeds of bonds to be issued and sold by said district, payable over a term of not to exceed fifteen (15) years, and the assessments referred to in Section 9 hereof shall be payable in installments over

a period of fifteen (15) years, and the monies derived therefrom shall be deposited in and shall constitute the fund of said rural special improvement district.

SECTION 11. MENCO, INC., 1300 Marshall Lane, Helena, Montana, 59601, shall be the engineer in charge of said project and LUXAN & MURFITT, P. O. Box 1144, Helena, Montana, 59601, shall be the attorneys for the district.

SECTION 12. On the 8th day of June, 1979, at 2:00 o'clock p.M. on said day in the office of the Board of County Commissioners of Lewis and Clark County, in the Lewis and Clark County Courthouse in the City of Helena, Montana, said Board will consider and pass upon all protests against the creation of said district or against the purchase or making of the improvements referred herein, which are made in writing and delivered to the Clerk and Recorder of Lewis and Clark County, Montana, at any time within fifteen (15) days after the date of the first publication of the notice of the passage of this Resolution of Intention.

SECTION 13. The Clerk and Recorder is hereby directed to give notice of the passage of this resolution by publication for ten (10) consecutive days in the Independent Record, a daily newspaper published nearest to the place where such improvement district is to be created, and shall also cause to be posted within the boundaries of such special improvement district, a copy of such notice in three (3) public places, and to mail a copy of such notice to every person, firm or corporation, or the agent of such person, firm or corporation owning real property within the proposed district, listed in his name upon the last completed assessment roll for state, county and school district taxes, at his last known place of residence upon the same day such notice is first published or posted. Said notice shall be as prescribed in Section 7-12-2105, Montana Code Annotated.

PASSED by the Board of County Commissioners this 21st
day of May, 1979.

Board of County Commissioners
Lewis and Clark County, Montana

John H. Wilburson
Chairman

Bill Lusk
Member

Bob Decker
Member

ATTEST:

Jean Stephenson