

LEWIS AND CLARK COUNTY COMMISSIONERS RESOLUTION NO. 1978-9

A RESOLUTION OF THE COUNTY COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA, CREATIN LEWIS AND CLARK COUNTY RURAL SPECIAL IMPROVEMENT DISTRICT NO. 1978-1 FOR THE PURPOSE GENERALLY OF CONSTRUCTIONG AND INSTALLING 1) A SANITARY SEWER COLLECTION SYSTEM AND SEWAGE TREATMENT PLANT; 2) A WATER PLANT AND DISTRIBUTION SYSTEM; 3) STREET IMPROVE- MENTS FOR THE PLATTED STREETS WITHIN THE SAID DISTRICT INCLUDING GENERALLY GRADING, SUB-SURFACING, ASPHALTIC CONCRETE PAVING, AND CONCRETE CURB AND GUTTER; AND 4) LAND- SCAPING AND DEVELOPMENT OF THE PARKS CONTAINED THEREIN;

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

WHEREAS, the County Commissioners of Lewis and Clark County, Montana, did earlier recei to establish a Rural Special Improvement District on that land, described in Exhibit "A" app and by reference incorporated herein (and likewise reflected in those maps in Exhibit "B" ap and likewise incorporated herein), all for the general purposes of constructing and installi sanitary sewer collection system and sewage treatment plant, 2) a water plant and distribut 3) street improvements, and 4) landscaping and development of the park areas therein; and,

WHEREAS, a resolution of intention to create the said district was passed by the Commis upon and after proper hearing, on the 1st day of March, 1978; and,

WHEREAS, in the resolution of intention to create said district, a hearing was set by t Commissioners in front of them for Wednesday, the 5th day of April, 1978, at the hour of 10: a.m., Mountain Standard Time, when and where the County Commissioners would hear and pass on if there be any; and,

WHEREAS, the County Clerk and Recorder of Lewis and Clark County, Montana has certified petition for the creation of the district contained the signatures of more than sixty percen of the freeholders within the proposed district boundaries and to be affected thereby; and,

WHEREAS, pursuant to the order of this Board, correct and proper notice, by publication and mailing, of the intention to create this district has heretofore been given by the Count Recorder of Lewis and Clark County, Montana, all in compliance with the prior order of this the Revised Codes of Montana, 1947, as amended, Section 16-1602; and,

WHEREAS, at the time and place set for the hearing of the said protests, no protest wha presented to the Board of County Commissioners, and the Commissioners therefore find that th can be created in accordance with the resolution of intention earlier herein referred to; an

WHEREAS, public interest and convenience require the creation of the aforesaid rural sp improvement district and the Commissioners have and do now determine that all prerequisite t been done, circumstances exist, and facts have been shown, as are necessary, proper or requi the creation of said district;

NOW, THEREFORE, BY THIS RESOLUTION, IT IS DETERMINED AND RESOLVED THAT:

SECTION ONE

Rural Special Improvement District No. 1978-1, Lewis and Clark County, Montana, is hereb established; and

SECTION TWO

The boundaries of the said district are those reflected in Exhibit "A" attached to the of Intention to Create the district and by reference made a part herein (being as reflected attached to said Resolution as Exhibit "B" and by reference made a part hereof); and

SECTION THREE

The purpose of the said district is the construction and installation of 1) a sanitary tion system and sewage treatment plant, together with appurtenances and hereditaments there or necessary; 2) a water plant and distribution system, together with any appurtenances and ments there required or necessary; 3) street improvements for and upon platted streets within rural special improvement district, including grading, subsurfacing, asphaltic concrete pavi concrete curb and gutter, all in compliance with the standards of this County and other stan by any cognizant authority, and 4) landscaping and development of the park areas therein; an

SECTION FOUR

The estimated cost of the improvements to be made is the sum of \$1,478,660.00; and

SECTION FIVE

The total cost of the said district therefor and thereby is estimated to be the sum of and

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SECTION EIGHT

MENCO, INC., 1300 Marshall Lane, Helena, Montana 59601, shall be the engineer in charge of the said project; and SCRIBNER, HUSS & MULRONEY, P. O. Box 514, Helena, Montana 59601, shall be the attorneys for the said district.

PASSED by the Board of County Commissioners this 5th day of April, 1978.

BOARD OF COUNTY COMMISSIONERS
Lewis and Clark County
/s/ Chris Gardner, Chairman
Milan Kovich, Member

TEST: /s/ Helen Kovich, Clerk

Recorded in office of the Clerk & Recorder, Book 116, Page 599.

RESOLUTION NO. 1978-10

RURAL SPECIAL IMPROVEMENT DISTRICT NO. 1978-1

RESOLUTION AUTHORIZING PUBLICATION AND POSTING OF NOTICE TO BIDDERS

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

WHEREAS, on the 5th day of April, 1978, the Board of County Commissioners of Lewis and Clark County, Montana, created Rural Special Improvement District No. 1978-1 in Lewis and Clark County, Montana;

NOW, THEREFORE, the County Clerk and Recorder of Lewis and Clark County, Montana, is hereby directed to publish a notice inviting proposals and bids and referring to the specifications on file with the engineer for the District, which notice shall be published on the 7th day of April, 1978, and the 14th day of April, 1978, in the Helena Independent Record, a copy of said notice shall be posted in at least three (3) public places within the boundaries of the proposed District. The time fixed for the opening of bids shall be at 10:00 o'clock, A.M., on the 2nd day of May, 1978, at the office of the County Commissioners of Lewis and Clark County, Montana, and all bids shall be accompanied by bid security as provided for in Title 6, Chapter 5, R.C.M., 1947, (Section 6-501, R.C.M., 1947, as amended.) The amount of the bid security shall not be less than 10% of the aggregate of said bid and proposal, and shall be payable to Lewis and Clark County, Montana. All bids, proposals and bid security shall be delivered to the Clerk and Recorder of Lewis and Clark County, Montana.

All bidders or contractors shall expressly covenant in any bid that if the bidder shall be awarded the contract, the bidder will, within thirty (30) days, enter into a formal contract and give good and sufficient bond to secure the performance of the terms of the contract; otherwise, the bidder will pay to Lewis and Clark County, Montana, the difference in money between the amount of the bid of the said bidder and the amount for which Lewis and Clark County, Montana, legally contracts with another party to perform the work and supply the materials in accordance with the engineers' plans and specifications for Rural Special Improvement District No. 1978-1, in the event that the bid of a later successful bidder shall be in an amount in excess of the bid submitted; but in no event shall the bidder's liability or the liability of the surety of such bidder exceed the penal sum stated in the bid security, which sum shall not be less than 10% of the bid price as herein stated.

Such notice advertising for bids shall further state that the bid security to constitute compliance shall be in the following form: (1) lawful moneys of the United States, (2) cashier's check, certified check, bank money order, or bank draft, in any case drawn and issued by a national banking association created in the State of Montana, or by any banking corporation incorporated under the laws of the State of Montana, or (3) a bid bond or bonds executed by a surety corporation authorized to do business in the State of Montana, which bid security shall be payable to Lewis and Clark County, Montana.

The aforesaid Helena Independent Record is a newspaper of general circulation printed and published in Helena, Montana, and is published and circulated nearest to the boundaries of said District.

PASSED by the Board of County Commissioners this 5th day of April, 1978.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY, MONTANA
By: /s/ Chris Gardner, Chairman
Milan Kovich, Member

TEST: /s/ Helen Kovich, Clerk

Recorded in office of the Clerk and Recorder, Book 116, Page 600