

RESOLUTION 1994 - 140

A RESOLUTION TO CREATE THE EVERGREEN ESTATES SUBDIVISION  
RURAL IMPROVEMENT DISTRICT

WHEREAS, a resolution of intent to create Rural Improvement District No. 94-4 was adopted by the Board of County Commissioners on July 12, 1994, as Resolution No. 1994-125; and

WHEREAS, legal notice of the passage of Resolution No. 1994-125 was posted in the proposed district, mailed to property owners in the proposed district, and printed in the local newspaper in accordance with the statutory requirements; and

WHEREAS, on August 9, 1994, the Board of County Commissioners held a public hearing and proceeded to hear all protests, comments, and other matters relating to the proposed district, and determined that the boundaries of the district benefit area, as amended, and the method of assessment were equitable; and

WHEREAS, it was determined that there was not sufficient protest to bar proceedings; said protests resulting in six percent (6%) 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. 94-4 for the purpose of funding road improvements on Douglas Circle and Jack Pine Road. The district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

BE IT FURTHER RESOLVED that said district will include those parcels of land abutting and/or accessing Douglas Circle, Jack Pine Road and Timberline Drive, identified on Exhibits A and B, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the proposed improvement would consist of grading, basing, sloping, compacting the road surface, providing proper drainage and applying four inches of road base material on Douglas Circle. Additionally, Jack Pine Road would be sloped, contoured and graded; however, no base material would be applied. No improvements to Timberline Drive are proposed.

BE IT FURTHER RESOLVED that the engineer who is to have charge of the work is Mr. Tom Stewart. It is anticipated that the maintenance shall be administered by the Evergreen Estates Homeowners Association (a representative body of the landowners within the district), under a contractual agreement with the Board of County Commissioners.

BE IT FURTHER RESOLVED that the estimated total cost of the improvement is approximately \$42,090 (including administration, set up fees, insurance, engineering, contingency, and operating reserve). Annual estimated costs are \$7,708.42 (including finance charges) for a period of seven years. Estimated annual maintenance costs are \$1,266.

BE IT FURTHER RESOLVED that all lots would benefit and would be assessed for the maintenance of the improvement. 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 would be approximately \$194 per year for developed lots and \$39 per year for undeveloped lots. After seven years the maintenance assessment would be approximately \$29 per year for a developed

lot and \$6 per year for an undeveloped lot. 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 following definitions and formulas shall be used to determine the annual assessment for the lots within the district:

- 1) A lot is defined as a single parcel of land that can be described by a survey or deed of record at the Clerk and Recorder's Office.
- 2) An undeveloped property is a parcel that has a market valuation for improvements and/or personal property that is not greater than thirteen hundred dollars (\$1,300.00).
- 3) A developed property is a parcel that has a market valuation for improvements and/or personal property in excess of thirteen hundred dollars (\$1,300.00).
- 4) When the administrator of the district has determined the annual budget, the following formula shall be used to determine individual assessments:  
 $ax + by =$  total annual assessment for the district  
 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  $y = 5x$ .
- 5) Terms: Annual budget = annual expenses + operating reserves  
 Annual budget minus non-tax revenues  
 minus cash on hand  
 equals total annual assessment for district.

DATED this 11 day of August, 1994.

BOARD OF COUNTY COMMISSIONERS  
LEWIS AND CLARK COUNTY

*Blake J. Wordal*  
\_\_\_\_\_  
Blake J. Wordal, Chair

ATTEST:

*Paulette DeHart*  
\_\_\_\_\_  
Paulette DeHart, Clerk of Board

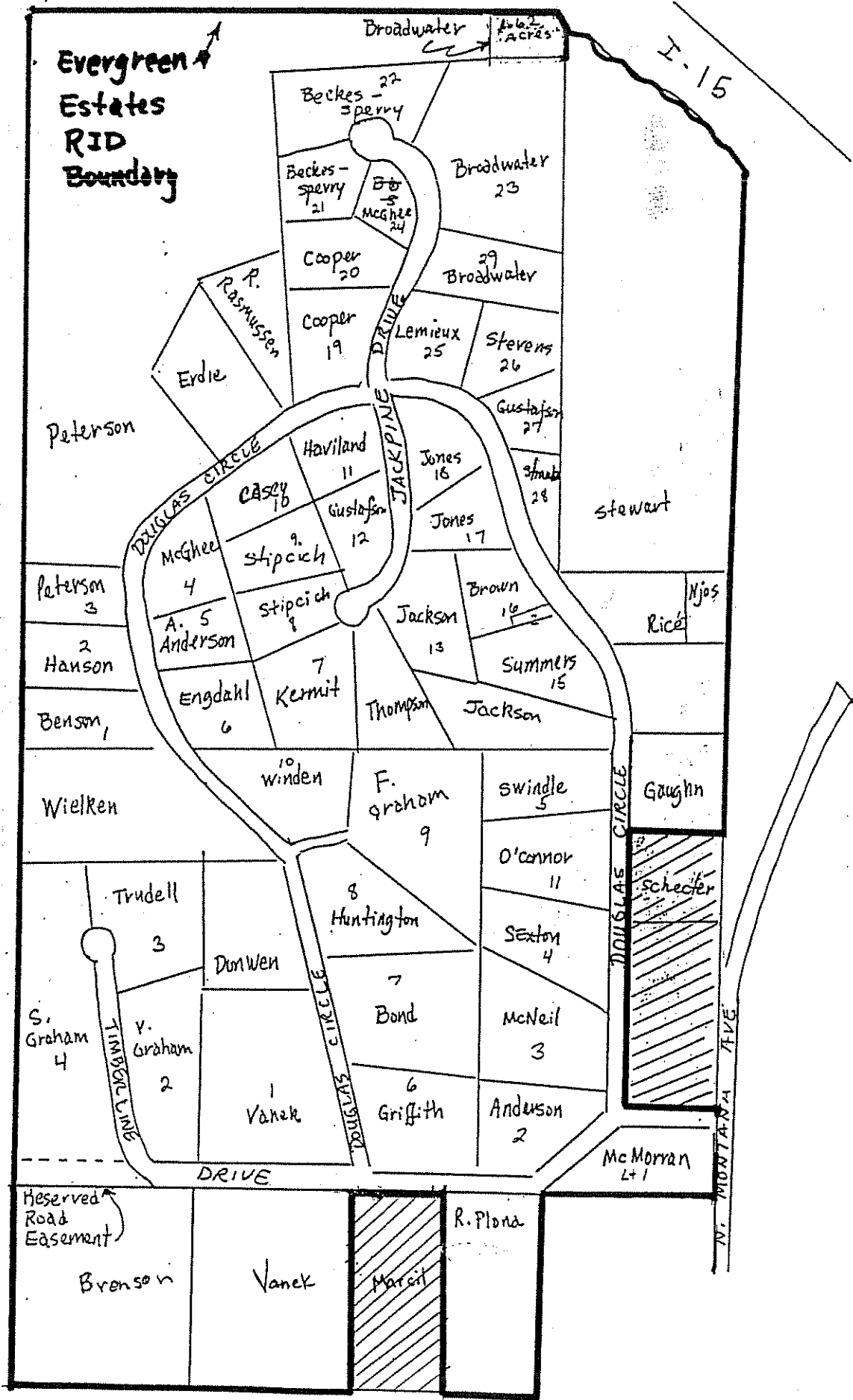
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PAULETTE DEHART  
TREAS / CLK  
LEWIS & CLARK CO., MONT.

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INDEXED *AKI* MIS- 9751  
By *Skuley McDosh*



Evergreen  
Estates  
RID  
Boundary

I-15

Reserved  
Road  
Easement

Brenson

Vanek

Marcil

R. Plona

McMoran  
Lt 1

DOUGLAS CIRCLE

DOUGLAS CIRCLE

JACKPINE DRIVE

Broadwater

Acres

N. MONTANA AVE

N

EVERGREEN ESTATES -- PROPOSED RID EXHIBIT "B" AREA

PROPERTY OWNER	MAILING ADDRESS	LEGAL	AREA
ANDERSON ALLEN T & DELORES E	8851 DOUGLAS CIRCLE	EVERGREEN EST:LT 5	1.830
ANDERSON GAVIN & SUSAN J	1080 DOUGLAS CIRCLE	EVERGREEN EST:LT 2; 3.05 AC	3.050
BECKES JOYCE C & SPERRY SAM H	8982 JACK PINE RD	EVERGREEN EST:LT 22	3.670
BECKES JOYCE C & SPERRY SAM H	8982 JACKPINE DR	EVERGREEN EST #1:LT 21	1.720
BENSON TOBY T & SHIRLEY A	8842 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 1	2.520
BOND JAMES L	8755 DOUGLAS CIRCLE	EVERGREEN EST:LT 7; 5.5 AC	5.500
BROADWATER RICHARD D & JUDY R	1526 CLEVELAND ST	TR IN NENE; S OF HWY	1.650
BROADWATER RICHARD D & JUDY R	1526 CLEVELAND ST	EVERGREEN EST #1:LT 23	7.940
BROADWATER RICHARD D & JUDY R	1526 CLEVELAND ST	EVERGREEN EST #1:LT 29;	2.940
BROWN GORDON B & PEGGY L	C/O 751 STAR RD	TR IN NWNWNE; 9.957 AC C/S #50570	10.000
BROWN DENNIS R & SHARLENE M	8860 DOUGLAS CIRCLE	EVERGREEN EST #1:PT LT 16	1.936
CASEY DAVID P & SUSAN	8895 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 10	2.090
COOPER ROBERT & KAREN R	8936 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 19; 2.22 AC	2.220
COOPER ROBERT & KAREN R	8936 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 20	2.450
DONWEN DENNIS J & CAROLYN J	8752 DOUGLAS CIRCLE	TR IN E2SWSE 3.5 AC & 2.37 AC W OF LT 8 EVGRN EST	5.870
ENGDAHL RONALD W & MARJORIE A	8837 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 6	2.260
ERDIE THOMAS K & IRENE D	8878 DOUGLAS CIRCLE	TR IN E2; 1.846 AC	1.850
GAUGHAN DARLENE R S	8783 DOUGLAS CIRCLE	TR E2E2SE; 6.16 AC; SUR #297863	6.167
GRAHAM SALLY A	441 S MAPLE LOT #20	EVERGREEN EST #2:LT 4	9.150
GRAHAM VIRGINIA J TRUST	441 S MAPLE LOT 21	EVERGREEN EST #2:LT 2; 4.45 AC	4.450
GRAHAM, KIRSTEN R & FRANK S	8805 DOUGLAS CIRCLE	EVERGREEN EST:LT 9	6.140
GRIFFITH ROBERT J & I BARBARA	970 DOUGLAS CIRCLE	EVERGREEN EST:LT 6	3.910
GUSTAFSON R A & PATRICIA	10514 CHURCHILL	EVERGREEN EST #1:LT 27;	1.620
GUSTAFSON R A & PATRICIA	10514 CHURCHILL	EVERGREEN EST #1:LT 12	2.140
HANSON LARRY L & LYNDA D	8738 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 2	2.260
HAVILAND DAVID J	8907 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 11	2.230
HUNTINGTON GEROGE A & PEGGY J	8785 DOUGLAS CIRCLE	EVERGREEN EST:LT 8; 4.06 AC	4.060
JACKSON MARTHA F	8840 DOUGLAS CIRCLE	TR IN SE 3.05 AC; TR IN SE .11 AC	3.160
JACKSON MARTHA F	8840 DOUGLAS CIRCLE	EVERGREEN EST:LT 13	2.760
JONES GLENN S & HELEN L	8868 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 17;	2.160
JONES GLENN S & HELEN L	8868 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 18	2.360
LEMEUX DANIEL J JR & PAMELA A	8933 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 25	2.380
LIEBEL KERMIT CHARLES JR & ALICE J	12250 MARY AVE	EVERGREEN EST #1:LT 7	3.010
MCGHEE JAMES C & MARY L	4114 N ROGERS RD	EVERGREEN EST #1:LT 4	2.500
MCGHEE MARY LOU & JAMES BRIAN	4114 N ROGERS RD	EVERGREEN EST #1:LT 24	1.150
MC MORRAN STEVEN K	1155 DOUGLAS CIRCLE	EVERGREEN EST:LT 1	3.090
MCNEIL C YVONNE & DWAYNE	8740 DOUGLAS CIRCLE	EVERGREEN EST:LT 3	4.020
NJOS KALVIN D & TAMI K	8865 DOUGLAS CIRCLE	TR IN E2NESE	4.550
O'CONNOR JEANNE MORNINGSTAR & TERI8790 DOUGLAS CIRCLE	8790 DOUGLAS CR	EVERGREEN EST:LT 11; 3.31 AC	3.310

EVERGREEN ESTATES -- PROPOSED RID				EXHIBIT "B"	
GEOCODE	PROP ADDRESS	PROPERTY OWNER	MAILING ADDRESS	LEGAL1	AREA
211131401090000	0 UNKNOWN	PETERSON DOUGLAS F	8866 DOUGLAS CIRCLE	EVERGREEN EST #2:RDS; 2.8 AC	2.800
211131402130000	8866 DOUGLAS CR	PETERSON FLOY E	8866 DOUGLAS CIRCLE	PT OF E2 LESS TRS	1.000
211131402110000	8858 DOUGLAS CR	PETERSON FLOY E	8866 DOUGLAS CIRCLE	EVERGREEN EST #1:LT 3	1.850
199506101060000	8688 NMONTANA AVE	PLONA RICHARD A & AMANDA KENT	8688 N MONTANA	TR IN NE	5.000
211131101090000	8906 DOUGLAS CR	RASMUSON RONALD F & DEBRA R	8906 DOUGLAS CIRCLE	TR IN NE 2.51 AC	2.510
211131404070000	8871 DOUGLAS CR	RICE JAMES A & SHIRLEY M	8871 DOUGLAS CIRCLE	TR IN SE	1.750
211131403980000	8770 DOUGLAS CR	SEXTON ROBERT L & KAREN J	8770 DOUGLAS CIRCLE	EVERGREEN EST:LT 4	3.220
211131405170000	8923 DOUGLAS CR	STEVENS JAMES O	8923 DOUGLAS CIRCLE	EVERGREEN EST:LT 26	2.210
211131103010000	8945 DOUGLAS CR	STEWART THOMAS G & SANDRA J	8945 DOUGLAS CIRCLE	N2NENESE:E2SENE:PT SENENE LYING S OF R/W	1.000
211131403170000	8856 JACKPINE DR	STIPCICH JAMES A & MARGARET M	8856 JACKPINE DR	EVERGREEN EST:LT 8	1.830
11131403190000	8864 JACKPINE DR	STIPCICH JAMES A & MARGARET M	8856 JACK PINE DR	EVERGREEN EST #1:LT 9	2.040
211131405210000	8833 DOUGLAS CR	STRAUB MARK W & GLINDA L	8883 DOUGLAS CIRCLE	EVERGREEN EST:LT 28	1.340
211131403290000	8850 DOUGLAS CR	SUMMERS GARY D & CYNTHIA J	8850 DOUGLAS CIRCLE	EVERGREEN EST:LT 15	2.760
211131403270000	0 UNKNOWN	SUMMERS GARY D & CYNTHIA J	8850 DOUGLAS CIRCLE	EVERGREEN EST #1:PT LT 16 SUR #392776	0.194
211131403350000	8820 DOUGLAS CR	SWINDLE THOMAS O & KATHERINE A	8820 DOUGLAS CIRCLE	EVERGREEN EST:LT 5	2.650
211131403320000	8841 JACKPINE DR	THOMPSON CHARLES R & NANCY C	8841 JACKPINE DR	EVERGREEN EST #1:LT 14	2.740
211131401070000	8771 TIMBERLINE DR	TRUDELL RICHARD G JR & NANCY A	8771 TIMBERLINE DR	EVERGREEN EST #2:LT 3	0.000
199506101080000	0 UNKNOWN	VANEK TIMOTHY E & PHYLLIS M	1350 COLLEGE PLACE RD	TR A IN NE C/S #505398/T	9.280
211131401010000	0 UNKNOWN	VANEK TIMOTHY E & PHYLLIS M	1350 COLLEGE PL RD	EVERGREEN EST #2:LT 1; 4.58 AC	5.000
211131402050000	8824 DOUGLAS CR	WIELKENS ALBERT W	8824 DOUGLAS CIRCLE	TR IN SE; 7.12 AC	7.120
211131403110000	8825 DOUGLAS CR	WINDEN WESLEY J & KARENE E	8825 DOUGLAS CIRCLE	EVERGREEN EST:LT 10	3.220

