

RESOLUTION 2009- 16

**RESOLUTION OF INTENTION TO CREATE ELKHORN
RURAL IMPROVEMENT DISTRICT NUMBER 2009-1**

WHEREAS, the Board of County Commissioners has the authority to propose Rural Improvement Districts for the purpose of funding road improvements and/or maintenance, pursuant to Section 7-12-2101, et. seq., MCA; and

WHEREAS, the roads included within the proposed RID are functionally classified as local roads; and

WHEREAS, the Board of County Commissioners has received a petition, attached hereto and made a part thereof, containing signatures of the owners of over 60% of the parcels to be included in the proposed district.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby establish its intention to create the Elkhorn Rural Improvement District Number 2009-1 for the purpose of equitably funding road improvements and maintenance within said district.

BE IT FURTHER RESOLVED that the district shall include lots as identified on Petition Exhibit 'A' and Petition Exhibit 'B' attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the engineer for the improvements is Stahly Engineering and Associates.

BE IT FURTHER RESOLVED that the general character of the improvements for the proposed Elkhorn Rural Improvement District shall include repairs and resurfacing of a gravel road.

BE IT FURTHER RESOLVED that the estimated annual cost for said improvements and maintenance are \$5,992.88. Improvements shall be administered as funds are collected. All funds collected for the improvement district shall be spent solely for the road improvements and maintenance those improvements within the District.

BE IT FURTHER RESOLVED that all properties within the District would benefit equally and would be assessed an equal amount based upon the total cost of the improvement. Each parcel of record shall be assessed a flat fee of approximately \$176.26 per year.



Lewis & Clark County

COUNTY

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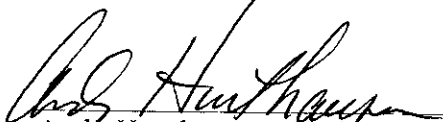
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BE IT FURTHER RESOLVED that the District shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the District.

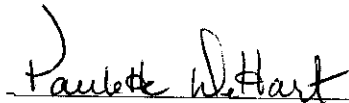
BE IT FURTHER RESOLVED that any owner of property within the proposed district may make protest against the creation of the district, pursuant to Section 7-12-2109, MCA.

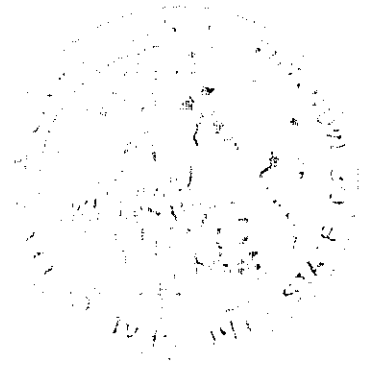
DATED this 20 day of January, 2009.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Andy Hunthausen, Chairman

ATTEST:


Paulette J. DeHart, Clerk of the Board



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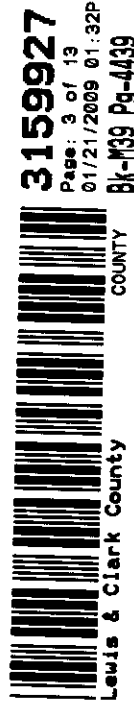
**PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR ELKHORN ROAD**

We the undersigned, owners of real property within the proposed Elkhorn RID, located in Section 7 and Section 8 of T10 R1W, P.M.M., of Lewis and Clark County, do hereby petition the Board of County Commissioners to create the Elkhorn Rural Improvement District for the purpose of funding maintenance on Elkhorn Road, within the boundaries of the RID, as authorized by Section 7-12-2101, et. Seq., MCA. The boundaries of the proposed district are shown on the attached Exhibit "A". The proposed maintenance activities could include snow plowing, grading, signage, weed control, crushed gravel, and other maintenance and repair as necessary to preserve the road surfaces. The estimated annual cost for said maintenance is \$5992.88.

All tracts would benefit and would be assessed a flat fee for maintenance of the road. Annual estimated maintenance per parcel would be \$176.26. Attached Exhibit "B" lists lots within the proposed RID and shows the geocode, owner, legal description, and the estimated annual assessment for each lot. All funds collected for the district shall be spent solely for the road maintenance activities within the proposed district. Exhibit "B" also shows the signatures of the property owners petitioning for the creation of the district.

It is anticipated that the District would be administered by the County, unless an agreement is entered into between the County and a representative body of the landowners within the District. The County will serve only to coordinate the necessary work, collect the assessments, and disburse payments for the district. It is anticipated that a private contractor would perform the maintenance.

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District (RIDs) and Rural Maintenance Districts (RMDs) Policies and Procedures manual which is on file and available for inspection at the Lewis & Clark County Board of County Commissioners. Because of aggregation and subdivision of parcels, the actual number of parcels state in the petition may change between the time the petition is circulated and the time the board considers the resolution of intention to create the RID or RMD, and therefore, the actual assessment per parcel may be greater than or less than the amount stated in the petition and the number of lots to be assessed will be set as of the date of the resolution of intention to create the RID. Lewis and Clark County, by action of the Board in creating the RID does not assume financial responsibility for the maintenance financed by the district. The district is responsible for the continued support and maintenance, except as otherwise provided in the Lewis and Clark County Rural Improvement District (RIDs) and Rural Maintenance Districts (RMDs) Policies and Procedures.






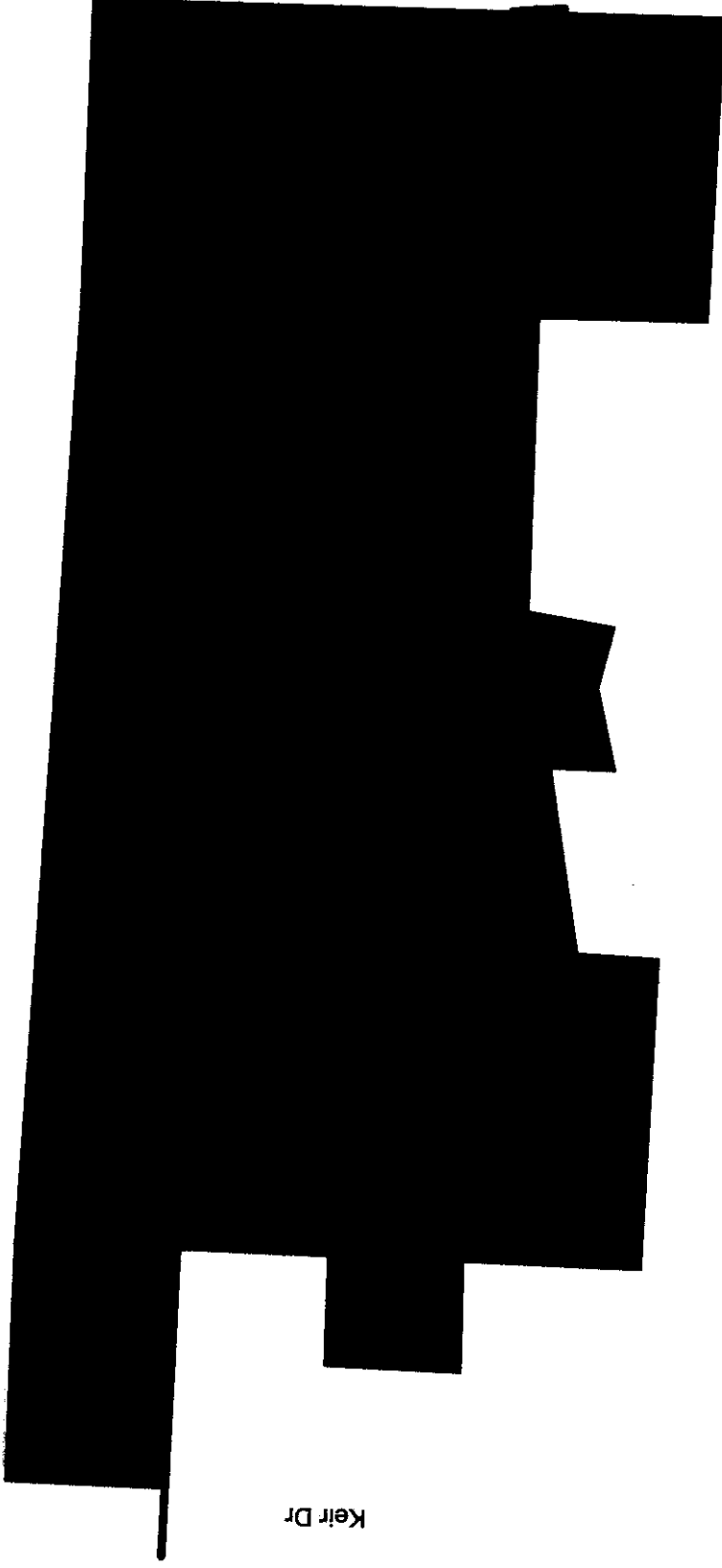
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Lewis & Clark County

EXIBIT 'A'

Legend

 Eikhorn RID



Keir Dr

Canyon Ferry Road

LEWIS & CLARK COMMUNITY
 JAN 28 2009

EXHIBIT 'B'

LEGAL DESCRIPTION OF PROPERTIES TO BE INCLUDED WITHIN THE PROPOSED DISTRICT

ANNUAL ASSESSMENT AMOUNT

SIGNATURE

DATE

GEOCODE	OWNER NAME	LEGAL DESCRIPTION OF PROPERTIES TO BE INCLUDED WITHIN THE PROPOSED DISTRICT	ANNUAL ASSESSMENT AMOUNT	SIGNATURE	DATE
189007304200000	MAYOTTE NANCY	SMITH CORNER ESTATES LT 3 COS #267259	\$176.26		
189007304300000	WOODS HENRY L	SMITH CORNER EST LT 4 COS #267259	\$176.26		
189007304400000	KRUGER SUZANNE E & RONALD J	SMITH CORNER ESTATES LT 5 & TRA	\$176.26	<i>Suzanne Kruger</i>	1/11/09
189007304500000	HALTER WINFRED & ANDREA E	CANYON FERRY ESTATES LT 1 LESS C/S389435	\$176.26		
189007304600000	WILCOX JOYCE & JIM	PT LT 2 COS #275896	\$176.26		
189007304700000	WILCOX JOYCE & JIM	PT LT 2 COS #275895	\$176.26		
189007401200000	CULWELL L DEAN	CANYON FERRY RANCHES LT 10 COS #266277	\$176.26		
189007401250000	HAND KEVIN COLBY	PT LT 11	\$176.26		
189007401300000	HILL DAVID M	CANYON FERRY RANCHES PT LT 12 5.723 AC	\$176.26	<i>David M. Hill</i>	12/30/08
189007401350000	HILL DAVID M	CANYON FERRY RANCHES PT LTS 11-12	\$176.26	<i>David M. Hill</i>	12/30/08
189007401400000	SLAYTON JAMES B	CANYON FERRY RANCHES PT LT 12 COS#275485	\$176.26	<i>James B Slayton</i>	12-8-08
189007401450000	AHMANN ROLAND L & NANCY L FAMILY LVG	CANYON FERRY RANCHES LT 12 TRA	\$176.26		
189007401500000	PIONEER CONSTRUCTION	CANYON FERRY RANCHES PT LT 11 C/S 275483	\$176.26		
189007401550000	BALSAM WREFORD & JULIET L	CANYON FERRY RANCHES PT LT 11 CS 275481	\$176.26	<i>Juliet Balsam Wreford</i>	1/2/09

EXHIBIT 'B'

GEO CODE	OWNER NAME	LEGAL DESCRIPTION OF PROPERTIES TO BE INCLUDED WITHIN THE PROPOSED DISTRICT	Annual Assessment Amount	SIGNATURE & DATE
189007304200000	MAYOTTE NANCY	SMITH CORNER ESTATES LT 3 COS #267259	\$176.26	
189007304300000	WOODS HENRY L	SMITH CORNER EST LT 4 COS #267259	\$176.26	<i>Henry L Woods</i> 4/1/09
189007304400000	KRUGER SUZANNE E & RONALD J	SMITH CORNER ESTATES LT 5 & TRA	\$176.26	
189007304500000	HALTER WINFRED & ANDREA E	CANYON FERRY ESTATES LT 1 LESS C/S389435	\$176.26	
189007304600000	WILCOX JOYCE & JIM	PT LT 2 COS #275896	\$176.26	
189007304700000	WILCOX JOYCE & JIM	PT LT 2 COS #275895	\$176.26	
189007401200000	CULWELL L DEAN	CANYON FERRY RANCHES LT 10 COS #266277	\$176.26	
189007401250000	HAND KEVIN COLBY	PT LT 11	\$176.26	
189007401300000	HILL DAVID M	CANYON FERRY RANCHES PT LT 12 5.723 AC	\$176.26	
189007401350000	HILL DAVID M	CANYON FERRY RANCHES PT LTS 11-12	\$176.26	
189007401400000	SLAYTON JAMES B	CANYON FERRY RANCHES PT LT 12 COS#275485	\$176.26	
189007401450000	AHMANN ROLAND L & NANCY L FAMILY LVG	CANYON FERRY RANCHES LT 12 TRA	\$176.26	
189007401500000	PIONEER CONSTRUCTION	CANYON FERRY RANCHES PT LT 11 C/S 275483	\$176.26	
189007401550000	BALSAM WREFORD & JULIET L	CANYON FERRY RANCHES PT LT 11 CS 275481	\$176.26	

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COUNTY

Lewis & Clark County

EXHIBIT 'B'

GEO CODE	OWNER NAME	LEGAL DESCRIPTION OF PROPERTIES TO BE INCLUDED WITHIN THE PROPOSED DISTRICT	Annual Assessment	
			Amount	SIGNATURE & DATE
189007302050000	ORE JURIS & WINIFRED M	TR B-1 COS #3020661 IN SW4SW4	\$176.26	
189007302060000	O'DONNELL THOMAS F & JONI L	TR B-2 COS 3020661 IN SW4SW4	\$176.26	
189008301010000	GUERIN KEVIN & BRIDGET F	CANYON FERRY RANCHES ADDN PT LT 8	\$176.26	
189008301100000	PURUS WILLIAM J & G JEAN	W PT TR A LT 8	\$176.26	
189008301200000	DUFRECHOU JAY P & MARGARET	CANYON FERRY RANCHE E PT LT 8A	\$176.26	
189008301300000	DUFRECHOU JAY P & MARGARET	CANYON FERRY RANCHES LT 7 C/S 266277	\$176.26	
189008301400000	HELVEY PATRICIA B	CANYON FERRY RANCHES TR 5, COS #266277	\$176.26	
189008301500000	KARST HERBERT S & CAROL A	CANYON FERRY RANCHES: TR 6	\$176.26	
189008301550000	VOGL THOMAS J & RHONDA K	TR IN LT 6 COS 421113/M	\$176.26	
189007302200000	JOHNSON BRENT & FRONAPEL DIANE L	TR IN SESW AKA LT 14A & 14B COS 426778/M	\$176.26	
189007302300000	COMAN KENNETH W & JUDY L	PT LT 13 AKA LT 13A	\$176.26	
189007302400000	VICKORY ANDREA G & LANCE B	CANYON FERRY RANCHES LT 13B C/S 283534	\$176.26	
189007303010000	BEARDEN THOMAS LEE & CAROL LAN	TR IN SESW AKA LT 15A COS 3151500	\$176.26	
189007304100000	HAMILTON TRACY A & JENNIFER	SMITH CORNER ESTATES LT 2	\$176.26	

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189007302050000	ORE JURIS & WINIFRED M	TR B-1 COS #3020661 IN SW4SW4	\$176.26	<i>James Ore</i> 11-24-08
189007302060000	O'DONNELL THOMAS F & JONIL	TR B-2 COS 3020661 IN SW4SW4	\$176.26	<i>Thomas F. O'Donnell by Joni L. O'Donnell</i> 11/24/05
189008301010000	GUERIN KEVIN & BRIDGET F	CANYON FERRY RANCHES ADDN PT LT 8	\$176.26	
189008301100000	PURUS WILLIAM J & G JEAN	W PT TR A LT 8	\$176.26	
189008301200000	DUFRECHOU JAY P & MARGARET	CANYON FERRY RANCH E PT LT 8A	\$176.26	
189008301300000	DUFRECHOU JAY P & MARGARET	CANYON FERRY RANCHES LT 7 C/S 266277	\$176.26	
189008301400000	HELVEY PATRICIA B	CANYON FERRY RANCHES TR 5, COS #266277	\$176.26	
189008301500000	<i>Not Contract for deed recorded w/ Clerk</i> KARST HERBERT S & CAROLA <i>Records</i>	CANYON FERRY RANCHES: TR 6	\$176.26	<i>Bob Brand-Vogel</i> 1-7-09
189008301550000	VOGL THOMAS J & RHONDA K	TR IN LT 6 COS 421113/M	\$176.26	<i>Bob Brand-Vogel</i> 1-7-09
189007302200000	JOHNSON BRENT & FRONAPEL DIANE L	TR IN SESW AKA LT 14A & 14B COS 426778/M	\$176.26	<i>Diane Fronapel</i> 11/7/09
189007302300000	COMAN KENNETH W & JUDY L	PT LT 13 AKA LT 13A	\$176.26	<i>Frontal</i>
189007302400000	VICKORY ANDREA G & LANCE B	CANYON FERRY RANCHES LT 13B C/S 283534	\$176.26	
189007303010000	BEARDEN THOMAS LEE & CAROL LAN	TR IN SESW AKA LT 15A COS 3151500	\$176.26	<i>Carol Lane Bearden</i> 11/27/08
189007304100000	HAMILTON TRACY A & JENNIFER	SMITH CORNER ESTATES LT 2	\$176.26	



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189007302060000	O'DONNELL THOMAS F & JONIL	TR B-2 COS 3020661 IN SW4SW4	\$176.26	
189008301010000	GUERIN KEVIN & BRIDGET F	CANYON FERRY RANCHES ADDN PT LT 8	\$176.26	
189008301100000	PURUS WILLIAM J & G JEAN	W PT TR A LT 8	\$176.26	<i>John Purus / G Jean</i> 12-31-08
189008301200000	DUFRECHOU JAY P & MARGARET	CANYON FERRY RANCH E PT LT 8A	\$176.26	<i>Margaret & Jay Dufrechou</i> 12/2/08
189008301300000	DUFRECHOU JAY P & MARGARET	CANYON FERRY RANCHES LT 7 C/S 266277	\$176.26	<i>Margaret & Jay Dufrechou</i> 12/2/08
189008301400000	HELVEY PATRICIA B	CANYON FERRY RANCHES TR 5, COS #266277	\$176.26	<i>Patricia B Helvey</i> 12/31/08
189008301500000	KARST HERBERT S & CAROLA	CANYON FERRY RANCHES: TR 6	\$176.26	
189008301550000	VOGL THOMAS J & RHONDA K	TR IN LT 6 COS 421113/M	\$176.26	
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189007302300000	COMAN KENNETH W & JUDY L	PT LT 13 AKA LT 13A	\$176.26	
189007302400000	VICKORY ANDREA G & LANCE B	CANYON FERRY RANCHES LT 13B C/S 283534	\$176.26	<i>Andrea G Vickory</i> 12/18/08 <i>Lance B Vickory</i> 12/18/08
189007303010000	BEARDEN THOMAS LEE & CAROL LAN	TR IN SESW AKA LT 15A COS 3151500	\$176.26	
189007304100000	HAMILTON TRACY A & JENNIFER	SMITH CORNER ESTATES LT 2	\$176.26	