

RESOLUTION 2008-82

A RESOLUTION TO CREATE FOX CROSSING RURAL IMPROVEMENT DISTRICT NO. 2008-6

WHEREAS, the Fox Crossing Estates Major Subdivision is located in the NW ¼ of Section 18, T10N, R2W, Lewis and Clark County, Montana; and

WHEREAS, the preliminary plat approval granted by the Board of County Commissioners for the subdivision included at condition that a mechanism for road maintenance be established for internal access roads, Lilly Road, Iris Road, Fox Crossing Road, Sly Road, Lavender Drive, Orchid Drive, Evening Star Drive, Cattail Drive, Lilac Drive, and Violet Drive; and

WHEREAS, a petition has been received from the developer, Skee Tenneson, requesting that the Board of County Commissioners create a Rural Maintenance District for the Fox Crossing Estates Major Subdivision, Phase III, in accordance with the condition of subdivision approval and displayed as Exhibit "C", attached hereto as and made a part thereof; and,

WHEREAS, a petition has been received from the Fox Crossing Subdivision Home Owners Association, requesting to establish a maintenance district for roads in Fox Crossing Subdivision Phases I and II in conjunction with Fox Crossing Subdivision Phase III and displayed as Exhibit "D", attached hereto as and made a part thereof; and

WHEREAS, the internal roads of Fox Crossing Estates Major Subdivision Phase III, are contiguous to internal roads within Fox Crossing Estates Major Subdivision Phase I, Fox Crossing Estates Major Subdivision Phase II and Tenneson Estates Subdivision. A maintenance district would be more equitably created as one Rural Maintenance District; and

WHEREAS, all owners of property in the Fox Crossing Estates Major Subdivision Phases I and II and Tenneson Estates Subdivision have waived the right to protest the creation of RID for the purpose of improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs; and

WHEREAS, the Board of County Commissioners has the authority to order and create the maintenance district based upon receipt of a petition containing the consent of all of the owners of property to be included in the district, pursuant to Section 7-12-2101(2), MCA.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby approve the requested creation of the Fox Crossing Rural Improvement District No. 2008-6 for the purpose of equitably funding the road improvements and maintenance within said district.

BE IT FURTHER RESOLVED that said improvement and maintenance district will include those parcels of land within the Fox Crossing Estates Major Subdivision Phases I, II and III and Tenneson Estates Subdivision, and that the boundaries of the district are shown on Exhibit "A" and listed on Exhibit "B". All lots within the district would benefit equally and would be assessed a flat fee for the maintenance.



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

BE IT FURTHER RESOLVED that the improvements and maintenance of the improvements shall include chip sealing, crack sealing, snow plowing, sweeping, culvert cleaning, drainage control, signage, weed control and other maintenance and repair as necessary to preserve the road surfaces, and that such improvements and maintenance shall be administered by the County. The County will serve 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.

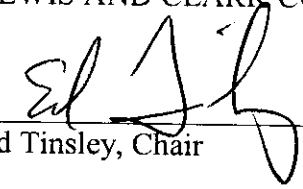
BE IT FURTHER RESOLVED that the estimated annual costs for said maintenance are \$35,725.72. Each lot shall benefit equally and shall be assessed a flat fee of approximately \$290.45 annually for said maintenance. All funds collected for the maintenance district shall be spent solely for the road maintenance activities within the proposed district.

BE IT FURTHER RESOLVED that the annual costs for improvements are \$6,608.44 for a period of fifteen (15) years. Each lot shall benefit equally and shall be assessed a flat fee of approximately \$53.73 annually for said improvements for a period of ten years or until the improvements have been paid in full.

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

DATED this 10th day of July, 2008.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Ed Tinsley, Chair

ATTEST:


Paulette J. DeHart, Clerk of the Board

- Attachments: Exhibit "A"
- Exhibit "B"
- Exhibit "C"
- Exhibit "D"

File: FoxviewRIDCreateRes

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Lewis & Clark County COUNTY Bk-M38 Pg-6451



EXHIBIT "A"

Fox Crossing RID

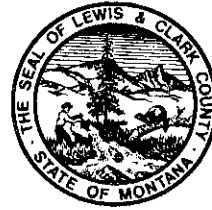
Legend



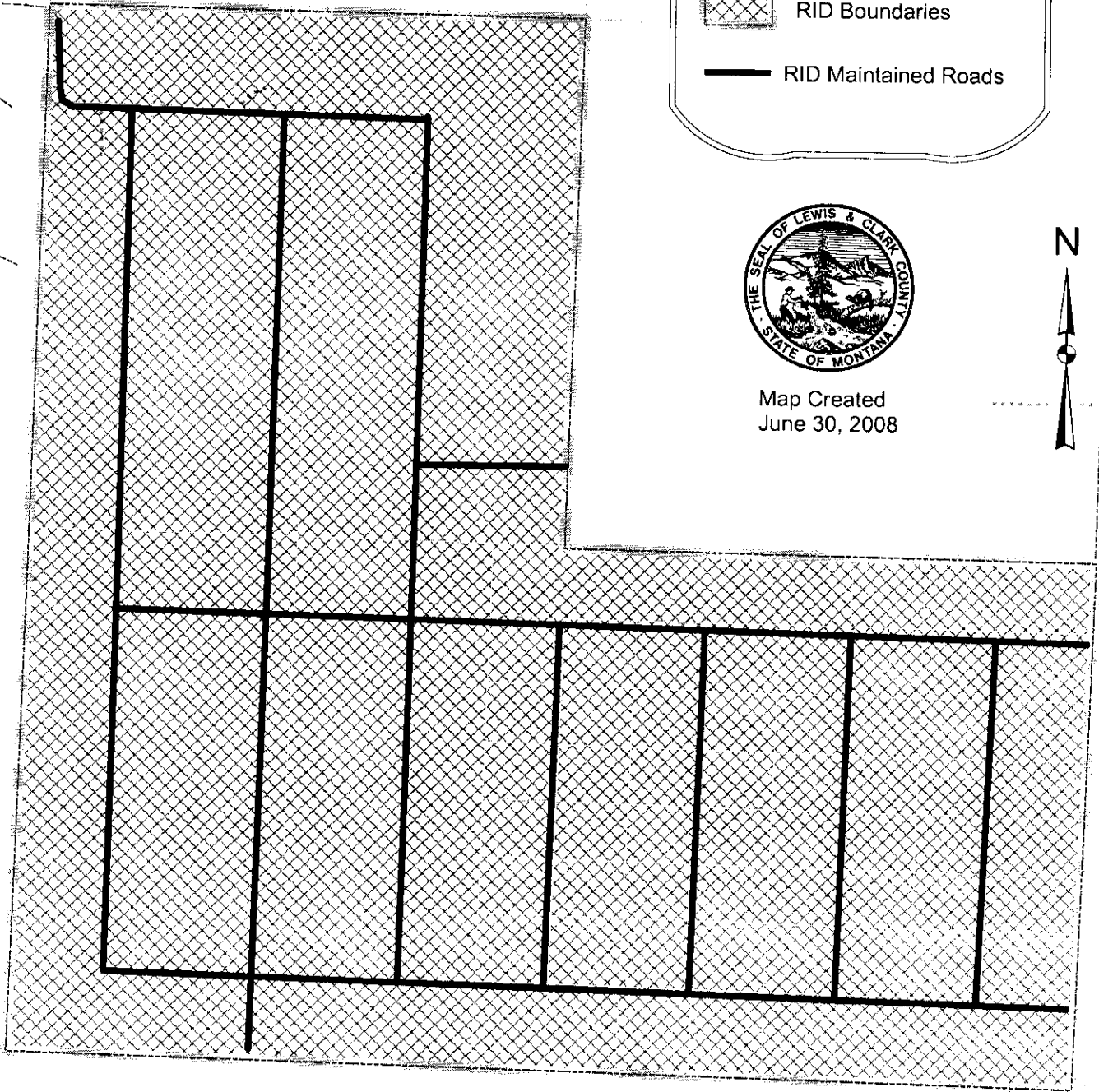
RID Boundaries



RID Maintained Roads



Map Created
June 30, 2008



Lewis & Clark County

COUNTY

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EXHIBIT 'B'

Fox Crossing RID

GEOCODE	OWNER NAME	LEGAL DESCRIPTION	IMPROVEMENT ASSESSMENT	MAINTENANCE ASSESSMENT
188918104600000	TENNESON EMIL J & MARGARITA S	FOX CROSSING SUBD PHASE II LT 60	\$53.73	\$290.45
188918104470000	TAVENNER JASON C & JULIE A	FOX CROSSING SUBD PHASE II LT 47	\$53.73	\$290.45
188918104460000	LIEBERG JUSTIN J & DARBEED	FOX CROSSING SUBD PHASE II LT 46	\$53.73	\$290.45
188918104330000	COBB RYAN M & MELISSA A	FOX CROSSING SUBD PHASE II LT 33	\$53.73	\$290.45
188918104590000	LIEBERG JASON D & KELSEY R	FOX CROSSING SUBD PHASE II LT 59	\$53.73	\$290.45
188918104480000	SHENKLE DOUGLAS H & CATHY L	FOX CROSSING SUBD PHASE II LT 48	\$53.73	\$290.45
188918104450000	CRAWFORD RONDY & VADA	FOX CROSSING SUBD PHASE II LT 45	\$53.73	\$290.45
188918104340000	QUINONES HECTOR JR & LESLIE M	FOX CROSSING SUBD PHASE II LT 34	\$53.73	\$290.45
188918104310000	BROOKS DARREL & KERSTEN	FOX CROSSING SUBD PH ILT 31	\$53.73	\$290.45
188918104180000	KEELER MICHELE	FOX CROSSING SUBD PH ILT 18	\$53.73	\$290.45
188918104150000	WHITE VIKI M	FOX CROSSING SUBD PH ILT 15	\$53.73	\$290.45
188918104020000	SCOTT GREGORY L & MICHELLE R	FOX CROSSING SUBD PH ILT 2 COS #3072985	\$53.73	\$290.45
188918104570000	GRANTIER KEVIN & LAURI	FOX CROSSING SUBD PHASE II LT 57	\$53.73	\$290.45
188918104500000	KAUFMAN KYLE & COREY	FOX CROSSING SUBD PHASE II LT 50	\$53.73	\$290.45
188918104430000	SENN PAUL A & STEPHANIE A	FOX CROSSING SUBD PHASE II LT 43	\$53.73	\$290.45
188918104360000	HENSEN KAY F & DAVID J JR	FOX CROSSING SUBD PHASE II LT 36	\$53.73	\$290.45
188918104290000	SMITH JASON L & KELI A	FOX CROSSING SUBD PH ILT 29	\$53.73	\$290.45
188918104200000	HARRIS KENT C & LORRIE A	FOX CROSSING SUBD PH ILT 20	\$53.73	\$290.45
188918104130000	RICE ERROL D	FOX CROSSING SUBD PH ILT 13	\$53.73	\$290.45
188918104040000	WILLIAMS SHAWN G & YANNONE JENNIFER	FOX CROSSING SUBD PH ILT 4 COS #3072985	\$53.73	\$290.45
188918102010000	STEEL IAN R & BONNIE L	TENNESON ESTATES SUBD LOT 1-1	\$53.73	\$290.45
188918102050000	BRANNING ASHLEY D & WINIFRED L	TENNESON ESTATES SUBD LOT 1-2 PER COS	\$53.73	\$290.45
188918102100000	INGLE JOHN DUANE & JENNIE L	TENNESON ESTATES SUBD LOT 1-3	\$53.73	\$290.45
188918102150000	KALLIO LISA A & BIRD	TENNESON ESTATES SUBD LOT 1-4 C/S594387S	\$53.73	\$290.45
188918104240000	MOYES STEPHEN R & CHRIS H	FOX CROSSING SUBD PH ILT 24	\$53.73	\$290.45
188918104090000	ROMANO CHRISTOPHER T & MELISSA E JT/ROS	FOX CROSSING SUBD PH ILT 9 COS #3072985	\$53.73	\$290.45
188918104080000	MIKE ALYSON M	FOX CROSSING SUBD PH ILT 8 COS #3072985	\$53.73	\$290.45
188918104540000	ZIETZ ANDREW G & AMBER M	FOX CROSSING SUBD PHASE II LT 54	\$53.73	\$290.45
188918104530000	RUSH WHITNEY & PICKTHORN CARLY	FOX CROSSING SUBD PHASE II LT 53	\$53.73	\$290.45
188918104400000	JOHNSON WAYNE A & CHARLOTTE S	FOX CROSSING SUBD PHASE II LT 40	\$53.73	\$290.45
188918104390000	SILVONEN BRADLY J & CARISSA R	FOX CROSSING SUBD PHASE II LT 39	\$53.73	\$290.45
188918104260000	LOCKEY RICHARD JOSEPH & BETTY M	FOX CROSSING SUBD PH ILT 26	\$53.73	\$290.45
188918104230000	WILLIAMS JAMES KENT & HINKLE LISA LYNNE	FOX CROSSING SUBD PH ILT 23	\$53.73	\$290.45
188918104100000	KLEPZIG SAMUEL W	FOX CROSSING SUBD PH ILT 10	\$53.73	\$290.45
188918104070000	BERTRAM DARREN M	FOX CROSSING SUBD PH ILT 7 COS #3072985	\$53.73	\$290.45
188918104550000	JACOBS SHAWN M & NOEL	FOX CROSSING SUBD PHASE II LT 55	\$53.73	\$290.45
188918104520000	HANKS CHRISTOPHER & TINA	FOX CROSSING SUBD PHASE II LT 52	\$53.73	\$290.45
188918104410000	HOWE MICHELLE N & CLINTON D	FOX CROSSING SUBD PHASE II LT 41	\$53.73	\$290.45
188918104380000	GEORGE RICHARD & TANYA	FOX CROSSING SUBD PHASE II LT 38	\$53.73	\$290.45
188918104270000	INGEBRITSON WILLIAM E	FOX CROSSING SUBD PH ILT 27	\$53.73	\$290.45
188918104220000	WOODWARD JESSE J & HANNAH J	FOX CROSSING SUBD PH ILT 22	\$53.73	\$290.45



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EXHIBIT 'B'

Fox Crossing RID

GEOCODE	OWNER NAME	LEGAL DESCRIPTION	IMPROVEMENT ASSESSMENT	MAINTENANCE ASSESSMENT
188918104110000	JUSTICE PAUL G & LEONA B	FOX CROSSING SUBD PH I LT 11	\$53.73	\$290.45
188918104060000	WINWARD NATHAN & TIFFANY	FOX CROSSING SUBD PH I LT 6 COS #3072985	\$53.73	\$290.45
188918104560000	OVERTON BRIAN L	FOX CROSSING SUBD PHASE II LT 56	\$53.73	\$290.45
188918104510000	HARVEY ROBERT S & KIMBERLY M	FOX CROSSING SUBD PHASE II LT 51	\$53.73	\$290.45
188918104420000	JOHANSEN ALLEN J	FOX CROSSING SUBD PHASE II LT 42	\$53.73	\$290.45
188918104370000	CARNEY DAVID M & MELISSA A	FOX CROSSING SUBD PHASE II LT 37	\$53.73	\$290.45
188918104280000	CURRIE CHRISTOPHER J & AUBREY G	FOX CROSSING SUBD PH I LT 28	\$53.73	\$290.45
188918104210000	HAMILTON JOSEPH THOMAS & JILL LINETTE	FOX CROSSING SUBD PH I LT 21	\$53.73	\$290.45
188918104120000	EBY DANIELLE	FOX CROSSING SUBD PH I LT 12	\$53.73	\$290.45
188918104050000	WILSON BENJAMIN L	FOX CROSSING SUBD PH I LT 5 COS #3072985	\$53.73	\$290.45
188918104580000	ROLAN CHRISTOPHER R & SANDRA H	FOX CROSSING SUBD PHASE II LT 58	\$53.73	\$290.45
188918104490000	BAKER KODY & CRYSTAL	FOX CROSSING SUBD PHASE II LT 49	\$53.73	\$290.45
188918104440000	LIEBERG JARAD B & HEATHER M	FOX CROSSING SUBD PHASE II LT 44	\$53.73	\$290.45
188918104350000	QUINONES HECTOR JR & LESLIE M	FOX CROSSING SUBD PHASE II LT 35	\$53.73	\$290.45
188918104300000	DELSIGNE DREW A & CRISTA M	FOX CROSSING SUBD PH I LT 30	\$53.73	\$290.45
188918104190000	POLLACK IRVING & ILENE	FOX CROSSING SUBD PH I LT 19	\$53.73	\$290.45
188918104140000	BROWN ALEXANDER L	FOX CROSSING SUBD PH I LT 14	\$53.73	\$290.45
188918104030000	KIRKEBY TERESA A	FOX CROSSING SUBD PH I LT 3 COS #3072985	\$53.73	\$290.45
188918104320000	DEYOUNG SCOTT A & ANGELYN M	FOX CROSSING SUBD PH I LT 32	\$53.73	\$290.45
188918104170000	ROGGE DARIN S & NICOLE R	FOX CROSSING SUBD PH I LT 17	\$53.73	\$290.45
188918104160000	RANALLI RANDY F	FOX CROSSING SUBD PH I LT 16	\$53.73	\$290.45
188918104010000	HAMPER TODD & COLTRIN	FOX CROSSING SUBD PH I LT 1 COS #3072985	\$53.73	\$290.45
188918101010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 01	\$53.73	\$290.45
188918101030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 02	\$53.73	\$290.45
188918101050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 03	\$53.73	\$290.45
188918101070000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 04	\$53.73	\$290.45
188918101090000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 05	\$53.73	\$290.45
188918101110000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 06	\$53.73	\$290.45
188918101130000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 07	\$53.73	\$290.45
188918101150000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 08	\$53.73	\$290.45
188918109010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 09	\$53.73	\$290.45
188918109030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 10	\$53.73	\$290.45
188918109050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 11	\$53.73	\$290.45
188918108050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 12	\$53.73	\$290.45
188918108030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 13	\$53.73	\$290.45
188918108010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 14	\$53.73	\$290.45
188918104610000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 15	\$53.73	\$290.45
188918104620000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 16	\$53.73	\$290.45
188918103010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 17	\$53.73	\$290.45
188918103030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 18	\$53.73	\$290.45
188918103050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 19	\$53.73	\$290.45



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CLARK COUNTY
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EXHIBIT 'B'

Fox Crossing RID

GEOCODE	OWNER NAME	LEGAL DESCRIPTION	IMPROVEMENT ASSESSMENT	MAINTENANCE ASSESSMENT
188918102170000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 20	\$53.73	\$290.45
188918102190000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 21	\$53.73	\$290.45
188918102210000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 22	\$53.73	\$290.45
188918102230000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 23	\$53.73	\$290.45
188918102250000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 24	\$53.73	\$290.45
188918102270000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 25	\$53.73	\$290.45
188918102290000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 26	\$53.73	\$290.45
188918102310000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 27	\$53.73	\$290.45
188918103070000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 28	\$53.73	\$290.45
188818103090000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 29	\$53.73	\$290.45
188918103110000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 30	\$53.73	\$290.45
188918104630000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 31	\$53.73	\$290.45
188918105010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 32	\$53.73	\$290.45
188918106010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 33	\$53.73	\$290.45
188918106030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 34	\$53.73	\$290.45
188918106050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 35	\$53.73	\$290.45
188918107010000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 36	\$53.73	\$290.45
188918107030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 37	\$53.73	\$290.45
188918107050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 38	\$53.73	\$290.45
188918107070000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 39	\$53.73	\$290.45
188918107090000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 40	\$53.73	\$290.45
188918107110000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 41	\$53.73	\$290.45
188918107130000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 42	\$53.73	\$290.45
188918107150000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 43	\$53.73	\$290.45
188918106070000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 44	\$53.73	\$290.45
188918106090000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 45	\$53.73	\$290.45
188918106110000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 46	\$53.73	\$290.45
188918105030000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 47	\$53.73	\$290.45
188918105050000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 48	\$53.73	\$290.45
188918105070000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 49	\$53.73	\$290.45
188918105090000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 50	\$53.73	\$290.45
188918105110000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 51	\$53.73	\$290.45
188918105130000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 52	\$53.73	\$290.45
188918105150000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 53	\$53.73	\$290.45
188918105170000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 54	\$53.73	\$290.45
188918105190000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 55	\$53.73	\$290.45
188918105210000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 56	\$53.73	\$290.45
188918105230000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 57	\$53.73	\$290.45
188918105250000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 58	\$53.73	\$290.45
188918105270000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 59	\$53.73	\$290.45
188918105290000	SKEE TENNESON INC	FOX CROSSING SUBD PH III LT 60	\$53.73	\$290.45

G & B CONSTRUCTION AND DEVELOPMENT
G & B CONSTRUCTION AND DEVELOPMENT



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EXHIBIT "C"

Date: 03/22/2007

Skee Tenneson, Inc.
Fox Crossing III Subdivision
3703 Sly Rd.
Helena, MT. 59602

Lewis and Clark County
Board of County Commissioners
316 North Park Avenue
Helena MT 59623

Subject: Request to establish a maintenance district for roads in the Fox Crossing III Subdivision

To the Board:

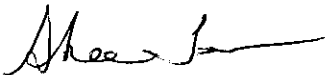
I am proceeding with the fulfillment of the conditions for final plat approval of the Fox Crossing III Subdivision. Item Number 8 of the preliminary approval letter required the establishment of a road maintenance district to fund the on-going costs of road maintenance within the subdivision.

I hereby petition the Board of County Commissioners to create a road maintenance district for the subdivision, as required by the preliminary approval. Since I am the sole owner of the affected property and desire an expedient consideration of this petition, I also hereby request that the statutory requirements for public notice, public hearings, and protest period, be waived. I hope that the Commission will address this request as soon as practical.

I have enclosed a copy to the proposed final subdivision plat which shows the lots and roads to be included in the district. I have also enclosed an engineer's estimate of the annual maintenance costs for the subject roads which may be used for the calculation of assessments.

If you have any questions about this request, please contact me at (406) 439-1003.

Sincerely,



Skee Tenneson
Owner/Developer



EXHIBIT "D"

Fox Crossing Subdivision HOA
16 Fox Crossing Road
Helena, MT 59602

September 7, 2007

RECEIVED

OCT 02 2007

LEWIS & CLARK COUNTY
Community Development & Planning

Lewis and Clark County
Board of County Commissioners
Attn: Marni Bentley
316 North Park Avenue
Helena, MT 59623

RE: Request to establish a maintenance district for roads in Fox Crossing Subdivision Phases I and II in conjunction with Fox Crossing Subdivision Phase III

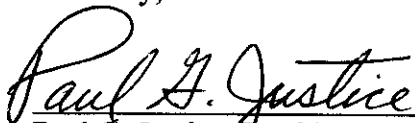
To the Board:

We, the officers of Fox Crossing Homeowners Association, petition the Board of County Commissioners to incorporate our existing Phases I and II into the road maintenance district for the new Phase III subdivision to the west of us.

As the new Phase III subdivision will use our Fox Crossing and Sly Roads as their primary egress, we believe a unified road maintenance district would serve all residents the most efficiently.

We appreciate your consideration of this request.

Sincerely,

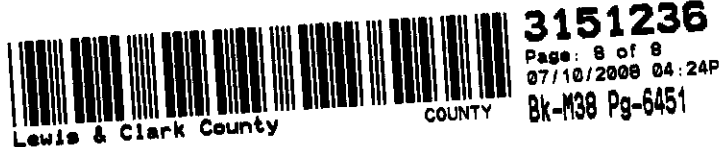

Paul G. Justice, President


Sandra Rolan, Secretary/Treasurer


Jill Hamilton, Vice President


Cathy Sheikle, Director


Kay Hensen, Director



Paul Justice
President

Jill Hamilton
Vice President

Sandra Rolan
Secretary/Treasurer