

RESOLUTION 2007 - 51

**A RESOLUTION TO CREATE RURAL MAINTENANCE
DISTRICT 2007-5 FOR THE FOOTHILLS ESTATES MAJOR SUBDIVISION**

WHEREAS, the Foothills Estates Major Subdivision is located in the S ½ of Section 9 and the NE ¼ of Section 16, T11N, R3W, 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 the internal access roads, Wooten Road and Geraldine Court; and

WHEREAS, a petition has been received from the developers, Ogle Construction, Inc., requesting that the Board of County Commissioners create a Rural Maintenance District for the Foothills Estates Major Subdivision, in accordance with the condition of subdivision approval; and

WHEREAS, the developers are the sole owners of the lands to be included in the District; 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 Foothills Estates Major Subdivision Rural Maintenance District No. 2007-5 for the purpose of equitably funding road maintenance within said district.

BE IT FURTHER RESOLVED that the district will include Lots 1 through 36 of the Foothills Estates Major Subdivision, shown on Exhibit "A", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the maintenance could include, but is not limited to, road grading, addition of gravel, weed control, snow removal, street signs, and other maintenance and repair as necessary to preserve the road surfaces, and that such maintenance shall be administered by the County. The County will serve only to coordinate the necessary work, collect the assessments, and disburse payments for the district; it is anticipated that the maintenance would be performed by a private contractor.

BE IT FURTHER RESOLVED that the annual costs for said maintenance are \$5,670.00. Each lot would be assessed a flat fee of \$157.50 per lot per year. All funds collected for the maintenance district shall be spent solely for the road maintenance activities on roads in the Foothills Estates Major Subdivision.



Lewis & Clark County

COUNTY

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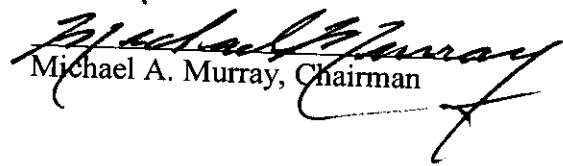
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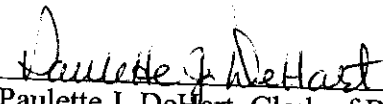
BE IT FURTHER RESOLVED that the district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

DATED this 24 day of May, 2007.

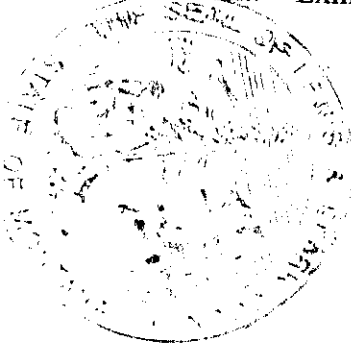
BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Michael A. Murray, Chairman

ATTEST:


Paulette J. DeHart, Clerk of Board

Attachment: Exhibit "A"



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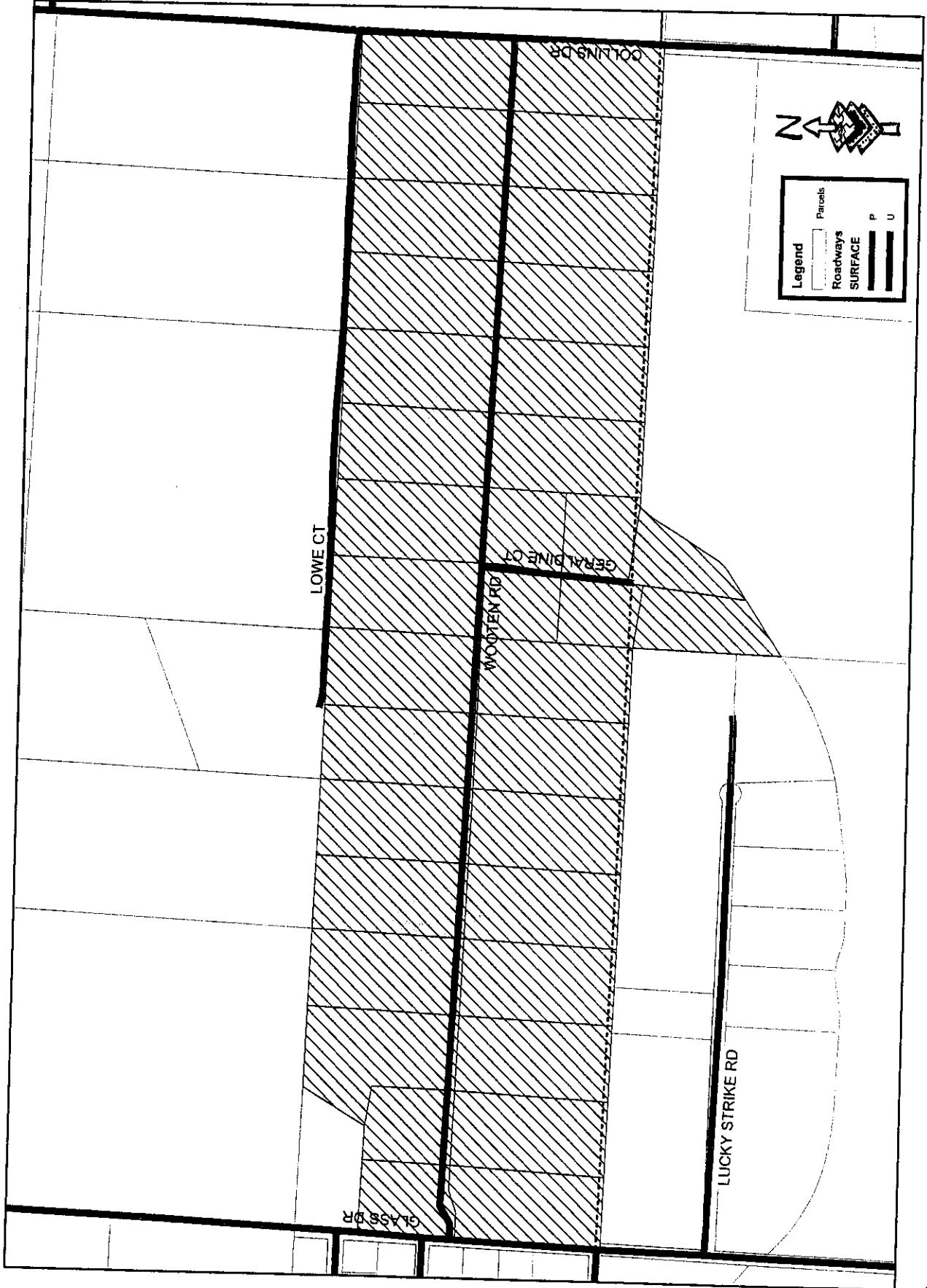
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Lewis & Clark County

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**FOOTHILLS ESTATES RID
EXHIBIT "A"**



Legend

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| | Parcels |
| | Roadways |
| | SURFACE |
| | P |
| | U |