

**RESOLUTION 2015-34**

**RESOLUTION TO CREATE FOX TROT ESTATES  
RURAL IMPROVEMENT DISTRICT NO. 2015-1**

WHEREAS, a resolution of intent to create Fox Trot Estates Rural Improvement District No. 2015-1 (the "District") was adopted by the Board of County Commissioners on January 8, 2015, as resolution 2015-17; and

WHEREAS, legal notice of the passage of Resolution 2015-17 was posted for the proposed district, mailed to property owners in the proposed district, and printed in the local newspaper in accordance with MCA §7-1-2121; and

WHEREAS, on February 19, 2015, 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 and the method of assessment were equitable; and

WHEREAS, it was determined that there was not sufficient protest to bar proceedings; said protests constituting 16.66% of the cost of the proposed work; and

WHEREAS, on June 16, 2008, the Subdivision Restrictions for the Fox Trot Estates Major Subdivision were filed stating in item 6.D that "each lot owner waives the right to protest the creation of an 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."

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby create the Fox Trot Estates Rural Improvement District No. 2015-1, for the purpose of maintaining internal access roads, as shown on the attached Exhibit "A."

BE IT FURTHER RESOLVED that the said District will include those parcels of land abutting and/or accessing the roads shown on Exhibit "A."

BE IT FURTHER RESOLVED that the maintenance activities include, but are not limited to grading (3 times annually), dust control (3 times annually), surface compaction (3 times annually), snow removal (4 times annually), gravel road repair (1 time annually), mowing/weed control (2 times annually), and culvert cleaning/signage/miscellaneous repair (1 time annually).

BE IT FURTHER RESOLVED that the estimated cost for said maintenance is \$9,196.95 per year. Each lot shall benefit equally and shall be assessed a flat fee of approximately \$399.87 per year. All maintenance funds collected for the district will be spent solely for the road maintenance within the proposed district.



BE IT FURTHER RESOLVED that the District will be created but a rate hearing will not be held until after final plat approval for the proposed Fox Trot Estates II Subdivision.

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.

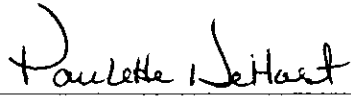
NOW, THEREFORE LET IT BE RESOLVED, by the Lewis and Clark County Board of County Commissioners that it does hereby approve the creation of the Fox Trot Estates Rural Improvement District Number 2015-1.

DATED this 19 day of February, 2015.

BOARD OF COUNTY COMMISSIONERS  
LEWIS AND CLARK COUNTY

  
Andy Hunthausen, Chair

ATTEST:

  
Paulette J. DeHart, Clerk of the Board

Attachments: Exhibit "A"



