

**A RESOLUTION TO CREATE RURAL IMPROVEMENT
DISTRICT 2005-5 FOR THE HOFF MINOR, LOT 3 AMENDED PLAT**

WHEREAS, the Hoff Minor, Lot 3 Amended Plat/Major Subdivision is located in the NW ¼ of Section 32, T11N, R2W; 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 subdivision; and

WHEREAS, a petition has been received from the developers, Floyd Hoff and John Herrin, requesting that the Board of County Commissioners create a Rural Improvement District for the Hoff Minor, Lot 3 Amended Plat/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 have also requested that the formal statutory process of public notice, hearing, and period of protest be waived; and

WHEREAS, the Board of County Commissioners has the authority to propose Rural Improvement Districts for the purpose of equitably funding road improvements and/or maintenance, pursuant to Section 7-12-2101, et. seq., 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 Hoff Minor, Lot 3 Rural Improvement District No. 2005-5 for the purpose of equitably funding road maintenance within said district.

BE IT FURTHER RESOLVED that the district will include all twelve lots anticipated to be developed as Hoff Minor, Lot 3 Amended Plat/Major Subdivision, shown on Exhibit "A", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the maintenance could include grading, gravel application, snow plowing, sanding, weed control, dust control, and other maintenance and repair as necessary to preserve the road surfaces, and that such maintenance shall be administered by the County. In addition, walking path maintenance and/or paving and lighting could be added and the assessments could be adjusted to accommodate these costs. 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 \$3,157.90. Each lot would be assessed a flat fee of \$263.16 per lot per year. All funds collected for the maintenance district shall be spent solely for the road maintenance activities on roads in the Hoff Minor, Lot 3 Amended Plat/Major 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.

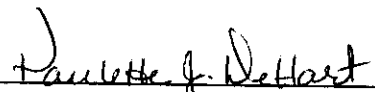
DATED this 6th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



Ed Tinsley, Chairman

ATTEST:



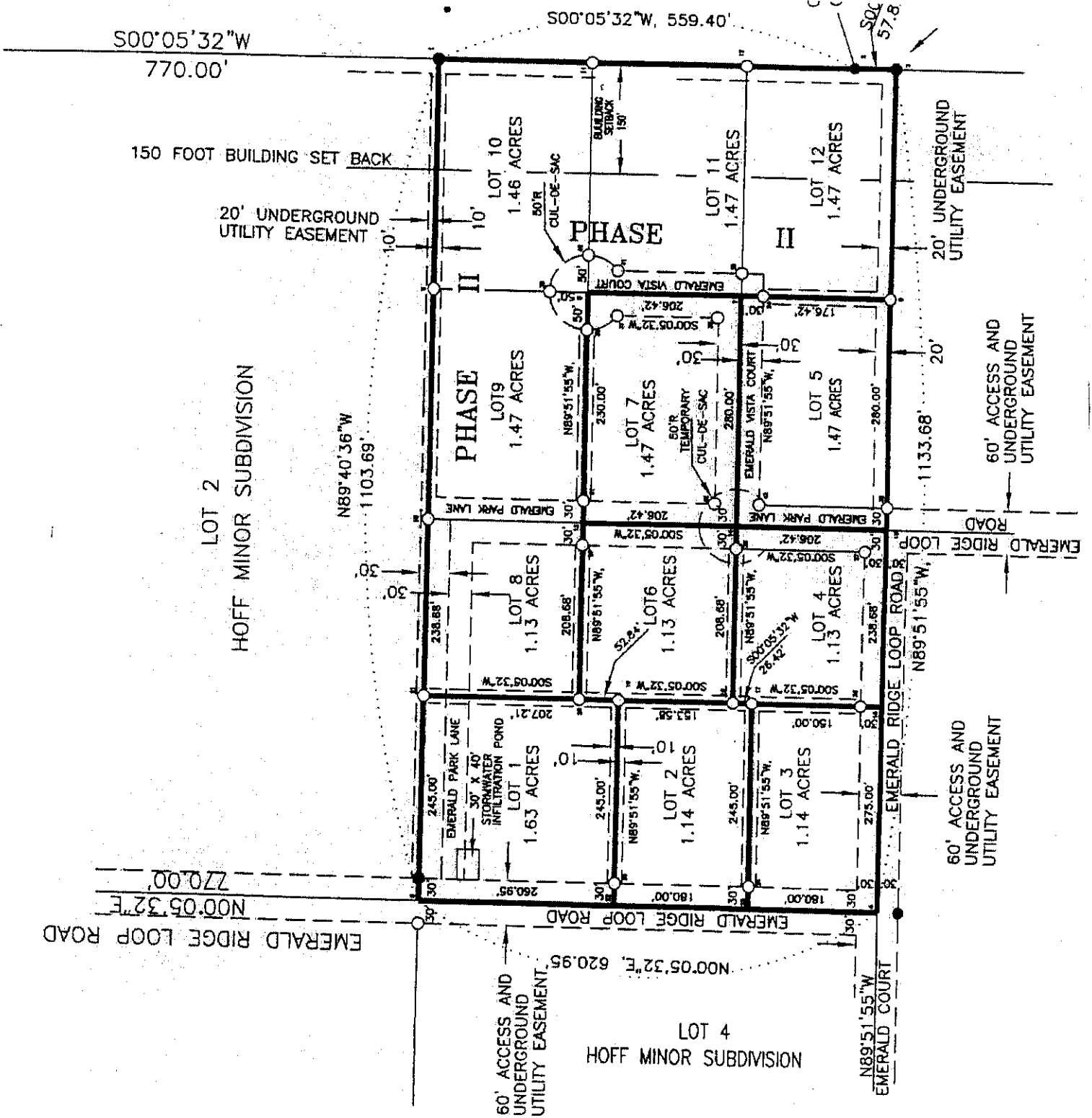
Paulette J. DeHart, Clerk of Board

Attachment: Exhibit "A"


Lewis & Clark County COUNTY **3094890**
Page: 2 of 3
10/07/2005 02:52P
Bk-M33 Pg-3499

EXHIBIT "A"

HOFF MINOR SUBDIVISION, LOT 3 AMENDED PLAT RURAL IMPROVEMENT DISTRICT



3094890
 Page: 3 of 3
 10/07/2005 02:52P
 Bk-M33 Pg-3499