

RESOLUTION 2007 - 28

A RESOLUTION TO CREATE RURAL IMPROVEMENT DISTRICT 2007-2 FOR THE HAUSER LAKE ESTATES SUBDIVISION

WHEREAS, the Hauser Lake Estates Subdivision is located in the Section 27, 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 internal access roads; and

WHEREAS, a petition has been received from the developers, Hauser Lake Company and from Kevin Wood, requesting that the Board of County Commissioners create a Rural Improvement District for the Hauser Lake Estates Subdivision, in accordance with the condition of subdivision approval; and

WHEREAS, the developers and Mr. Wood are the owners of all the lands to be included in the District; and

WHEREAS, the Board of County Commissioners has the authority to order and create the improvement 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 Hauser Lake Estates Rural Improvement District No. 2007-2 for the purpose of equitably funding road maintenance within said district.

BE IT FURTHER RESOLVED that the district will include Lots 1 through 19 of the Hauser Lake Estates Subdivision and the lot in the W ½, W ½, SW ¼, SW ¼ of Section 27, T11N, R2W shown on Certificate of Survey No. 162453, 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



Lewis & Clark County

COUNTY

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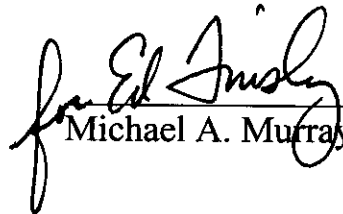
serve only to coordinate the necessary work, collect the assessments, and disburse payments for the district; it is anticipated that the maintenance would be performed by a private contractor.

BE IT FURTHER RESOLVED that the annual costs for said maintenance are \$3,412.50. Each lot would be assessed a flat fee of \$170.63 per lot per year. All funds collected for the maintenance district shall be spent solely for the road maintenance activities on roads in the Hauser Lake Estates Subdivision.

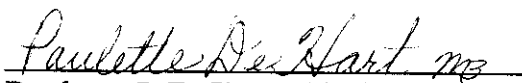
BE IT FURTHER RESOLVED that the district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

DATED this 15th day of March, 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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EXHIBIT "A"



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HAUSER LAKE ESTATES

PURPOSE: 19 LOT MAJOR SUBDIVISION
 FOR: HAUSER LAKE CO.

CERTIFICATE OF INDICATION

WE, THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, DIVIDED AND PLATTED INTO LOTS AND EASEMENTS, AS SHOWN BY THE PLAT HERETO ANNEXED; THE FOLLOWING DESCRIBED LAND IN LEWIS AND CLARK COUNTY TO WIT,

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 27, TOWNSHIP 11 NORTH, RANGE 2 WEST, P.M. MONTANA, LEWIS AND CLARK COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 27;

- THENCE N 00°30'45"E, 378.88 FEET ALONG THE WEST LINE OF SAID SECTION 27;
- THENCE N 48°41'35"E, 157.81 FEET ALONG THE SOUTHERLY BOUNDARY OF C.O.S. No. 182453;
- THENCE N 89°17'42"E, 127.78 FEET ALONG THE SOUTHERLY BOUNDARY OF C.O.S. No. 182453;
- THENCE N 05°18'15"W, 188.81 FEET ALONG THE EASTERLY BOUNDARY OF C.O.S. No. 182453;
- THENCE S 81°28'18"W, 44.81 FEET ALONG THE EASTERLY BOUNDARY OF C.O.S. No. 182453;
- THENCE N 01°02'51"E, 199.88 FEET;
- THENCE N 88°40'43"E, 429.55 FEET;
- THENCE N 80°00'00"E, 275.01 FEET;
- THENCE S 73°08'14"E, 886.06 FEET;
- THENCE S 42°40'11"E, 113.01 FEET;
- THENCE S 33°27'00"W, 41.53 FEET;
- THENCE ALONG A CURVE WITH A RADIUS OF 225.00 FEET FOR A DISTANCE OF 226.15 FEET THROUGH A CENTRAL ANGLE OF 57°38'23" (CHORD BEARING S 27°45'18"E 216.75 FEET);
- THENCE S 01°02'24"W, 558.83 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 27;
- THENCE N 88°54'32"W, 1883.48 FEET ALONG THE SOUTH LINE OF SECTION 27 TO THE POINT OF BEGINNING.

THE TRACT CONTAINS 34.48 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EXISTING EASEMENTS, EASEMENTS SHOWN ON PLAT, AND DOCUMENTS OF RECORD.

THE ABOVE DESCRIBED TRACT OF LAND IS TO BE KNOWN AND DESIGNATED 'HAUSER LAKE ESTATES'.

INDICATION (1) THE UNDERSIGNED HEREBY GRANTS UNTO EVERY PERSON, FIRM OR CORPORATION - PROVIDING OR OFFERING TO PROVIDE TELEPHONE, ELECTRIC POWER, GAS, CABLE TELEVISION, WATER - THE RIGHT TO THE JOINT USE OF (AND INGRESS AND EGRESS TO AND FROM) AN EASEMENT FOR THE AND REMOVAL OF THEIR LINES AND OTHER FACILITIES, IN AND UNDER EACH AREA DESIGNATED ON THIS PLAT TO HAVE AND HOLD FOREVER - TOGETHER AS DEFINED BY MONTANA LAW AND WITH THE FOLLOWING STRUCTURES MAY BE PLACED ON THE EASEMENT; (B) FEATURES SUCH AS FENCING OR LANDSCAPING MAINTENANCE NEEDS.

INDICATION (2) THE UNDERSIGNED HEREBY ESTABLISHES THE PUBLIC ACCESS EASEMENTS AS SHOWN

INDICATION (3) THE UNDERSIGNED HEREBY ESTABLISHES THE DRAINAGE POND EASEMENT AS SHOWN A

OWNER: HAUSER LAKE CO. SECRETARY: JOHN H. GRANT
 PRESIDENT: BARRY E. DAMSCHEN

ON THIS _____ DAY OF _____, 2007, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED THE ABOVE NAMED, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF MONTANA
 NAME: _____
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

C.O.S. NO. 182453 OWNER: KD WOOD CONSTRUCTION INC.
 PRESIDENT: KEVIN D. WOOD

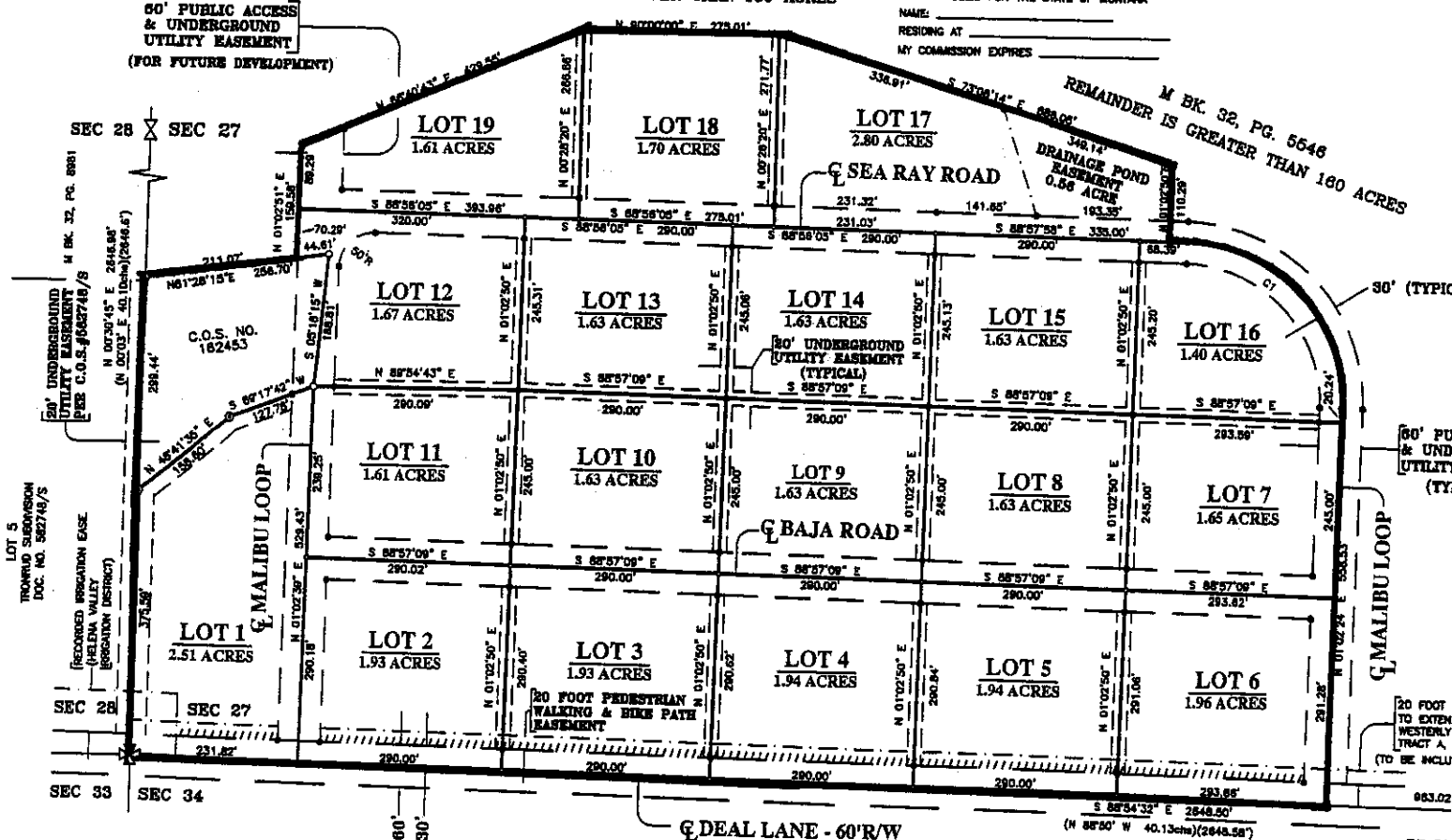
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NOTARY PUBLIC FOR THE STATE OF MONTANA
 NAME: _____
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

M BK. 32, PG. 5546
 REMAINDER IS GREATER THAN 180 ACRES

60' PUBLIC ACCESS & UNDERGROUND UTILITY EASEMENT (FOR FUTURE DEVELOPMENT)

REMAINDER IS GREATER THAN 180 ACRES
 M BK. 32, PG. 5546
 DRAINAGE POND EASEMENT 0.56 ACRES



NOTES:

- (1) DISTANCES SHOWN ARE THE TOTAL LENGTH OF LOT LINES, UNLESS SHOWN OTHERWISE NOT TO BE.
- (2) TOTAL AREA SUBDIVIDED: 34.14 ACRES
- (3) TOTAL AREA WITHIN STREET R/W'S: 6.3 ACRES
- (4) LOTS 1-8 HAVE A 'NO ACCESS' RESTRICTION ALONG DEAL LANE, DESIGNATED BY - / / / /

SURVEYOR'S NOTE:

DUE TO ROAD CONSTRUCTION ALL R/W AND PROPERTY CORNERS (5/8" REBAR W/Y.P.C.) WILL BE SET BETWEEN JULY 1, 2007 TO SEPTEMBER 31, 2007.

LEGEND

- SET 5/8" REBAR W/Y.P.C.
- FND 5/8" REBAR W/Y.P.C.
- CALCULATED POSITION, NO
- ⊙ FND. 3/4" REBAR
- ⊗ FOUND SECTION CORNER,
- ⊗ FOUND QUARTER CORNER,
- ///// 'NO ACCESS' RESTRICTION

DATE: JANUARY 23, 2007
 DRAFTED BY: WDW, CJR
 CHECKED BY: CJR
 JOB NO. 06142P

FND R/L
 S 00'15"