

RESOLUTION 2014- 38

**RESOLUTION OF INTENTION TO CREATE A RURAL IMPROVEMENT
DISTRICT FOR LAKE HOME CONDOMINIUM PUBLIC ACCESS EASEMENTS
NUMBER 2014-2**

WHEREAS, whenever the public interest or convenience may require, the board of county commissioners may order and create a special improvement districts outside of the limits of incorporated towns and cities for the purpose of building, constructing, or acquiring by purchase on or more of the improvements in or for the benefit of the special improvement district; and

WHEREAS, a petition, containing the signatures representing 100% percent of the properties to be included within the District was received by the County; and

NOW, THEREFORE LET IT BE RESOLVED, by the Lewis and Clark County Board of County Commissioners that it does hereby intend to create the Lake Home Condominium Public Access Easement Rural Improvement District 2014-2.

BE IT FURTHER RESOLVED, the following designations items set forth in MCA §7-12-2103(2):

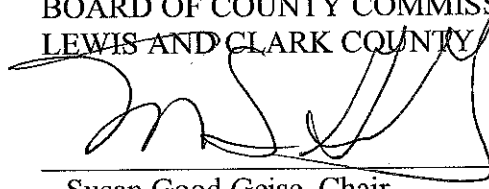
- (a) The designated number of the district is 2014-2.
- (b) The boundaries are shown on Petition Exhibit A and described on Petition Exhibit B located in Section 27, Township 11 North, Range 2 West, P.M.M., Lewis and Clark County, Montana.
- (c) The general character of the improvements include an asphalt mat and the general character of maintenance includes, but is not limited to chip sealing crack sealing, snow plowing, sweeping, culvert cleaning, and other maintenance and repair as necessary to preserve the road surfaces.
- (d) Dowl HKM is the engineer to have charge of the work and the estimated costs for said improvements are \$1,680.17 per year for a period of fifteen (15) years and the estimated cost for said annual maintenance is \$983.31.
- (e) All parcels within the proposed district would benefit and would be assessed using MCA §7-12-2151(1)(d) Each lot, tract, or parcel of land in the district may be assessed an equal amount based upon the total cost of the improvement.
 - i. A "lot, tract, or parcel" means:
 - 1) Any tract of record or any portion of a tract of record (a "piece of land") within the boundaries of an improvement district; and
 - 2) Any portion of a tract of record that is rented, leased, or otherwise conveyed within the boundaries of an improvement district; and
 - 3) Each unit of a condominium or townhouse within the boundaries of an improvement district; and
 - 4) Each part of a building or structure that is rented, leased, or otherwise conveyed, and within the boundaries of an improvement district.



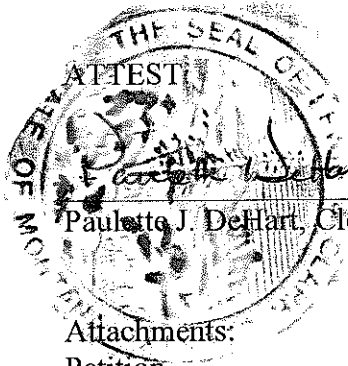
- ii. A "benefited" lot, tract, or parcel means a lot, tract, or parcel as defined above that:
- 1) Abuts an improved right of way within the district, or
 - 2) Has potential present or future access to an improved right of way within the district, or
 - 3) Otherwise receives a benefit, such as dust abatement or flood control, from an improved right of way within the district, or
 - 4) Accesses an improved right of way within the district.
- iii. All funds collected for the district shall be spent solely for the improvement and maintenance activities within the proposed district.


DATED this 8 day of April, 2014.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



Susan Good Geise, Chair




Paulette J. DeHart, Clerk of the Board

- Attachments:
Petition
Petition Exhibit A
Petition Exhibit B

**PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR IMPROVEMENTS AND MAINTENANCE OF
PUBLIC ACCESS EASEMENTS OF THE HAUSER LAKE HOMES CONDOMINIUMS**

We the undersigned, owners of real property within the proposed Lakehome Condos Rural Improvement District, located in Section 27 of T11N, R2W, P.M.M., of Lewis and Clark County, do hereby petition the Board of County Commissioners to create a Rural Improvement District for the purpose of improving and maintaining public access easements of the Hauser Lake Homes condominiums, as authorized by MCA §7-12-2101, et. Seq. The boundaries of the proposed district are shown on the attached Exhibit A. The proposed improvement activities generally include an asphalt mat. The estimated annual cost for said improvements is \$1,680.17, for a period of fifteen years. The proposed maintenance activities could include fog sealing, crack sealing, snow plowing, sweeping, culvert cleaning, and other maintenance and repair as necessary to preserve the road surfaces. The estimated annual cost for said maintenance is \$983.31 per year.

All parcels within the proposed district would benefit and would be assessed using MCA §7-12-2151(1)(d) Each lot, tract, or parcel of land in the district may be assessed an equal amount based upon the total cost of the improvement.

A "lot, tract, or parcel" means:

- (1) Any tract of record or any portion of a tract of record (a "piece of land") within the boundaries of an improvement district; and
- (2) Any portion of a tract of record that is rented, leased, or otherwise conveyed within the boundaries of an improvement district; and
- (3) Each unit of a condominium or townhouse within the boundaries of an improvement district; and
- (4) Each part of a building or structure that is rented, leased, or otherwise conveyed, and within the boundaries of an improvement district.

A "benefited" lot, tract, or parcel means a lot, tract, or parcel as defined above that:

- (1) Abuts an improved right of way within the district, or
- (2) Has potential present or future access to an improved right of way within the district, or
- (3) Otherwise receives a benefit, such as dust abatement or flood control, from an improved right of way within the district, or
- (4) Accesses an improved right of way within the district.

The County will serve only 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.



This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District (RIDs), and Rural Maintenance Districts (RMDs) Policies and Procedures manual which is on file and available for inspection at the Lewis & Clark County Board of County Commissioners. Because of aggregation and subdivision of parcels, the actual number of parcels stated in the petition may change between the time the petition is circulated and the time the board considers the resolution of intention to create the RID, and therefore, the actual assessment per parcel may be greater than or less than the amount stated in the petition and the number of lots to be assessed will be set as of the date of the resolution of intention to create the RID.

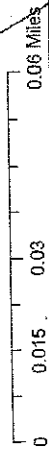
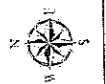
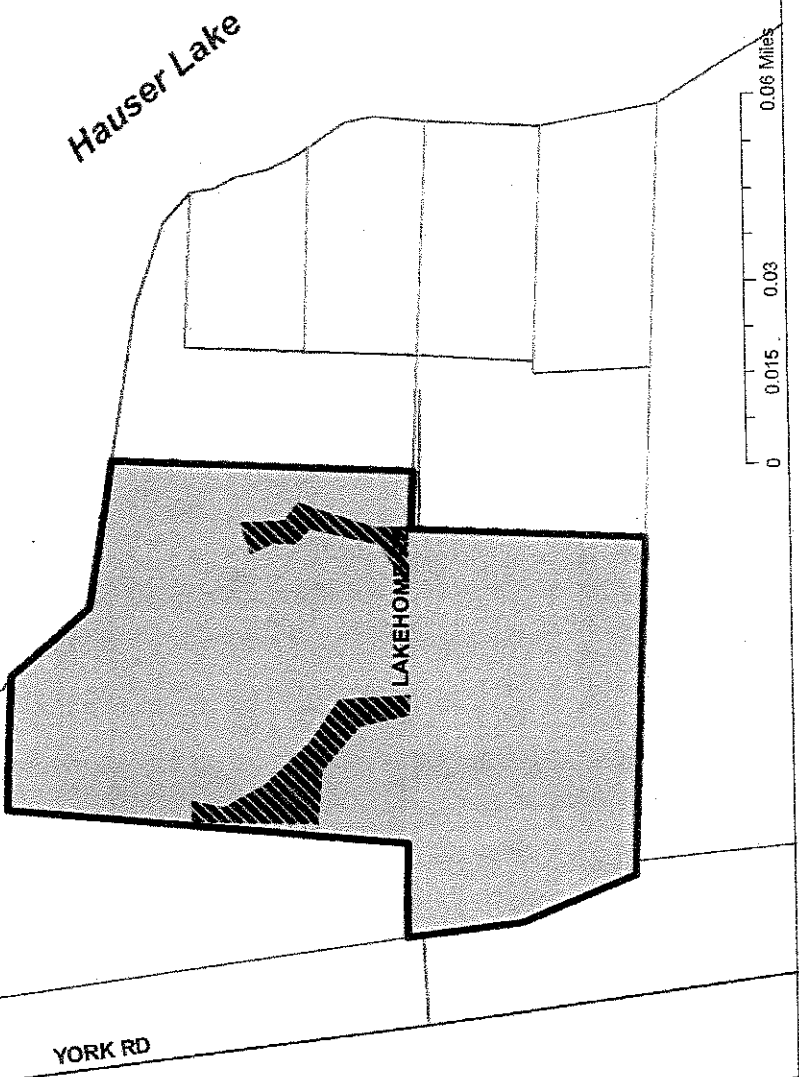
Petition Circulation Date 5/7/2013

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Exhibit A

Legend

-  Roads to be serviced
-  RID Boundaries



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EXHIBIT B

PROPERTY ID NUMBER	PROPERTY SITE ADDRESS	OWNER NAME	PROPERTY LEGAL DESCRIPTION	ANNUAL IMPROVEMENT ASSESSMENT	ANNUAL MAINTENANCE ASSESSMENT	PROPERTY OWNER SIGNATURE'S & DATE
199627402300500	4914 LAKEHOME RD	RENCHER, MARIANNE H.	HAUSER LAKE-HOMES CONDO UNIT 3, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300501	4918 LAKEHOME RD	DEVRIES MIKE & TRYNITY	HAUSER LAKE-HOMES CONDO UNIT 5, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300502	4924 LAKEHOME RD	SANDILAND ROGER R. & PAMELA J.	HAUSER LAKE-HOMES CONDO UNIT 6, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300503	4910 LAKEHOME RD	WILLIAMS JAMES W & CAROL A.	HAUSER LAKE-HOMES CONDO UNIT 1, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300504	4912 LAKEHOME RD	MCMAHON JOHN W JR & REBECCA A.	HAUSER LAKE-HOMES CONDO UNIT 2, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300505	4922 LAKEHOME RD	MILLONS MARDYL	HAUSER LAKE-HOMES CONDO UNIT 7, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300506	4920 LAKEHOME RD	SHEA DENNIS & STEPHANIE	HAUSER LAKE-HOMES CONDO UNIT 6, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
199627402300507	4916 LAKEHOME RD	HARLIN R PATRICK & MINDY M & EIDEN	HAUSER LAKE-HOMES CONDO UNIT 4, S27, T11 N, R02 W, E28E4 PER C/S #471249/B	\$210.02	\$122.91	<i>[Signature]</i>
Annual Assessment Total				\$1,680.17	\$983.31	