

RESOLUTION 2005 - 35

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL BENEFITED PROPERTY WITHIN ORO FINO RURAL IMPROVEMENT DISTRICT NO. 1994-5

WHEREAS, the Board of County Commissioners properly created and established the Oro Fino Rural Improvement District No. 1994-5, through Resolution 1994-188; and

WHEREAS, Section 7-12-2158, MCA, provides that the Board of County Commissioners shall by resolution levy and assess a tax upon all benefited property in a district created for such purpose; and

WHEREAS, Resolution 1994-188 provides a mechanism for assessing benefited properties based upon the benefits received; and

WHEREAS, revenues generated by existing tax levy for the rural improvement district are not sufficient to adequately maintain the road; and

WHEREAS, the Menlo Park Homeowners Association has requested that the Board of County Commissioners change the method of assessment to a flat fee per lot method; and

WHEREAS, the property owners of lots within the Oro Fino Rural Improvement District No. 1994-5 were notified pursuant to Section 7-12-2159, MCA; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lewis and Clark County, that an annual assessment of \$166.46 per year per lot (for a period of 10 years) for the improvement and \$86.72 per year per lot (in perpetuity) for maintenance shall be levied and assessed upon all benefited property within the boundaries of Rural Improvement District No. 1994-5.

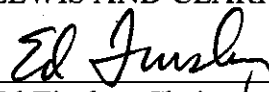
BE IT FURTHER RESOLVED that Lots 13AA-1 through Lots AA-5 of the Oro Fino Subdivision #7, Lot 13AA Minor Subdivision shown on Certificate of Survey #3046670 were erroneously included but do not benefit and said lots will be removed and not assessed for this RID, pursuant to Section 7-12-2161(4), MCA, shown on Exhibit "B".

BE IT FURTHER RESOLVED that a description of each parcel of land, the name of each owner, and the amount of annual assessment for each parcel is contained on Exhibit "A" and the district boundaries are shown on Exhibit "C", attached hereto.

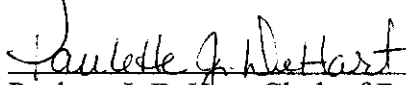
BE IT FURTHER RESOLVED that the assessment amount contained on attached Exhibit "A" shall be made in two equal payments by the day and month specified on the annual tax notice. Payments made after the specified dates shall be delinquent.

DATED this 12th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Ed Tinsley, Chairman

ATTEST:


Paulette J. DeHart, Clerk of Board
File: OroFinoRateRes

