

Nelson K
1982-38

AMENDED RESOLUTION NO. 1981-42
RESOLUTION 1982-38

AN AMENDED RESOLUTION OF THE COUNTY COMMISSION OF THE COUNTY OF LEWIS AND CLARK, MONTANA, CREATING A RURAL SPECIAL IMPROVEMENT DISTRICT TO BE KNOWN AS RURAL SPECIAL IMPROVEMENT DISTRICT NO. 1981-1, FOR THE PURPOSE OF OPERATING AND MAINTAINING A LIGHTING SYSTEM AND FURNISHING ELECTRICAL ENERGY THERETO TO A PORTION OF THE PLEASANT VALLEY SUBDIVISION, AS FILED IN THE LEWIS AND CLARK COUNTY CLERK AND RECORDER'S OFFICE.

WHEREAS, at a regular session of the County Commission of the County of Lewis and Clark, held on the 1st day of October, 1981, said County Commissioners duly passed Resolution No. 1981-42, declaring it to be the intention of said County Commission to create a rural special improvement district to be known and designated as Rural Special Improvement District No. 1981-1, for the purpose of operating and maintaining a lighting system and furnishing electrical energy thereto a portion of the Pleasant Valley Subdivision, as filed in the Lewis and Clark County Clerk and Recorder's Office and being more particularly described as:

Lots 1 - 41 inclusive; lots 50, 51, 60, 61, 70, 71, 80, 81, 90, 91, 100, 101; lots 110 - 127 inclusive; lots 136 - 150 inclusive.

Said Commission Resolution No. 1981-42 is amended herein in the following particulars, and the Resolution of Intention, Commission Resolution No. 1981-42, as amended herein, and the Amendments herein, are hereby referred to and are made a part hereof for further particulars in respect to the boundaries of said Rural Special Improvement District No. 1981-1, and the estimated cost of said improvements and the method of assessing the same against the property of said district:

1. Exhibit "C", as set forth in Section 5 of Commission Resolution No. 1981-42, is amended herein to reflect the correct total area of the property benefited by the improvements and to be assessed for payment of the cost hereof, and Amended Exhibit "C" is attached hereto and by this reference is made a part hereof, and
2. The estimated annual cost as set forth in Section 9 of Commission Resolution No. 1981-42 is amended herein to reflect the revised estimated cost of the operation and maintenance of said lighting system and the furnishing of electrical energy thereto, to approximately \$.0068 per square foot of property owned or \$ 68.00 per year for each 100' x 100' lot, said amount being subject to rate changes as approved by the Public Service Commission of the State of Montana, and

WHEREAS, notice of the passage of said Commission Resolution No. 1981-42 was duly published as required by law, in the Independent Record, a daily newspaper of general circulation printed and published in the City of Helena, Montana, and by sending a copy of such notice by United States mail to each person, firm, or corporation having property within the proposed district at his or its last known address, upon the same date that such notice was first published as aforesaid, and due proof having been made of the publication and services of said notices; and

WHEREAS, within the time provided by law and said published and served notice, there were not sufficient protests against the creation of said Rural Special Improvement District No. 1981-1, and the County Commission was in regular session on the 10th day of November, 1981, at 9 o'clock a.m., of said day, at the office of the County Commission in the City-County Building in Helena, Montana, the same being the time and place designated in said notice for passing upon all protests, if any, against the creation of said district; and it further appearing that all of the proceedings for the creation of said district having been lawful and regular, and

WHEREAS, Notice of the Amendments to the Resolution No. 1981-42 was duly published in the Independent Record, a daily newspaper of general circulation printed and published in the City of Helena, Montana, and by sending a copy of such notice by United States mail to each person, firm, or corporation having property within the proposed district at his or its last known address, upon the same date that such notice was first published as aforesaid, and due proof having been made of the publication and services of said notices; and

WHEREAS, the County Commission was in regular session on the 31st day of August, 1982, at 9 o'clock a.m., of said day at the office of the County Commission in the City-County Building in Helena, Montana, the same being the time and place designated in said notice for hearing on the matter of the Amendments to Commission Resolution No. 1981-42, and it further appearing that all of the proceedings for amending having been lawful and regular; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF LEWIS AND CLARK:

SECTION 1

That the said Rural Special Improvement District No. 1981-1 of the County of Lewis and Clark, be and the same is hereby created for the purpose of operating and maintaining improvements as in said Commission Resolution No. 1981-42 and hereinafter described.

SECTION 2

That said improvements be, and the same are, hereby ordered to be made in said Rural Special Improvement District No. 1981-42 as follows:

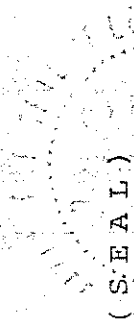
- (1) The operation and maintenance of lighting facilities, consisting of thirty-two (32) units, with underground wiring, steel poles for 25-foot mounting height, and glass enclosed luminaires with 70 watt high pressure sodium vapor lamps, furnished by and owned by the Montana Power Company and,
- (2) The furnishing of electrical energy thereto.

SECTION 3

That the entire expense of operating and maintaining the improvements herein described shall be assessed against the entire district as described herein. Each lot within the district shall be assessed for that portion of the whole cost which its area bears to the total area of the district. The total area to be assessed is 880,848 square feet. The estimated annual cost is approximately \$ 1,0068 per square foot of property, subject to rate changes as approved by the Public Service Commission of the State of Montana.

SECTION 4

PASSED AND ADOPTED by the County Commission of the County of Lewis and Clark, Montana, at a regular session held on the 31st day of August, 1982.



(S E A L)

ATTEST:
Walter J. ...
Clerk and Recorder
Ray W. ...
Chief of Property

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY

Bob Pecker

Chairman

Wm. H. ...

Member

George J. ...

Member