

## RESOLUTION 2015-44

### RESOLUTION OF INTENTION TO CREATE HILLVIEW RURAL IMPROVEMENT DISTRICT NO. 2015-3

WHEREAS, the Lewis and Clark County Board of County Commissioners is authorized to establish intention to create a rural improvement district whenever the public interest convenience may require, as per MCA 7-12-2103; and

WHEREAS, a petition has been received from the landowners in the proposed area, requesting that the County Commissioners create a Rural Improvement District for the purpose of maintaining public access and County road easements named Hillview Drive, Roma Road, and Capri Drive, as shown on the attached Exhibit "A"; and

WHEREAS, the petition included a description of the boundaries of the proposed district and benefiting lots, descriptions and cost estimates for the proposed maintenance, descriptions of the proposed methods of assessment for and administration of maintenance, and was signed by 61.9% of the affected property owners; and

WHEREAS, the designated items set forth in MCA 7-12-2103(2) are as follows:

- (a) The designated number of the district is 2015-3.
- (b) The boundaries are shown on Exhibit "A", and the legal descriptions for affected properties are listed on Exhibit "B."
- (c) The general character of maintenance includes, but is not limited to:
  1. Snow plowing.
  2. Grading Hillview Drive and the west portion of Roma Road twice per year.
  3. Grading the Capri Drive loop and the east portion of Roma Road once per year.
  4. Culvert Cleaning 1/5 per year.
  5. Miscellaneous road work.
- (d) DOWL HKM is the engineer to have charge of the work. The estimated cost for said maintenance is \$4,200 per year or \$100 per parcel per year, as shown on Exhibit "C". All maintenance funds collected for the district will be spent solely on road maintenance within the proposed district.
- (e) The general character of improvements for Hillview Drive includes, but is not limited to:
  1. Cutting and sloping ditches.
  2. Add 6 inches of pit run to be bladed, watered and rolled.
  3. Top with 4 inches of ¾" road mix to be bladed, watered, and rolled.
  4. Stake new road edges and pot hole the utilities.



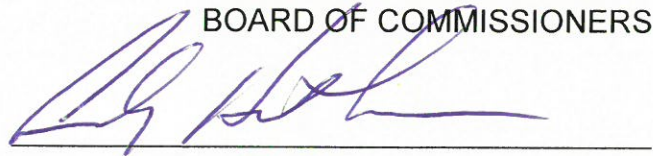
- (f) DOWL HKM is the engineer to have charge for the work. The estimated cost for said improvements is \$99,772.75, to be funded by a debt service assessment of \$237.55 per parcel per year levied for a period of ten (10) years, as shown on Exhibit "C". All improvement funds collected for the district will be spent solely on road improvements within the proposed district.
- (g) The method by which the costs shall be assessed is described in MCA 7-12-2151(d): "each lot, tract, or parcel of land in the district [will] be assessed an equal amount based upon the total cost of the improvement [and maintenance]."
- (h) Pursuant to MCA 7-12-2103(2)(f), "if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the proposed district during the term of the bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in MCA 7-12-2151(4)."

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of Commissioners that it does hereby establish its intention to create the Hillview Rural Improvement District No. 2015-3 for the purpose of equitably funding road maintenance and improvements.

BE IT FURTHER RESOLVED that written protests will be received from persons owning real property within the district for thirty (30) days after the first publication of notice and that said protests must contain the printed landowner name and address as it appears on the last assessment roll.

DATED this 12<sup>th</sup> day of March, 2015.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman



  
Paulette J. DeHart, Clerk of Board

Attachments: Exhibit "A" (Part of petition)  
Exhibit "B" (Part of petition)  
Exhibit "C" Cost estimates

**PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT  
FOR IMPROVEMENTS AND MAINTENANCE FOR HILLVIEW ACRES SUBDIVISION**

Petition Circulation Date: September 3<sup>rd</sup>, 2014

We the undersigned, owners of real property within the proposed Hillview Rural Improvement District (the "District"), located in 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 all Public Access and County Road Easements within the Hillview Acres Subdivision, as authorized by MCA §7-12-2101, et. Seq.

The boundaries of the proposed district are shown on the attached Exhibit A, and a property owner list requiring at least 60% of the listed owners' signatures is attached as Exhibit B.

The estimated annual cost for improvements is \$9,977.28, for a period of ten years. The general character of such improvements can be describe as, but is not limited to, installation of ditches and road upgrading. The estimated annual cost for maintenance is estimated to be \$4,200 per year. The general character of such maintenance can be described as, but is not limited to, snow plowing, road grading, and culvert cleaning.

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.

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 improvements and maintenance.

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District (RIDs) 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.

EXHIBIT B

Property ID	Site Address	Owner Name(s)	Legal Description	Estimated Improvements	Estimated Maintenance	Owner Signature & Date
199506201010000	8355 HILL VIEW DR	FISHER THEODORE RAY & ALYCE MARIE	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 26, MAKE FLEETWOOD, MODEL, BROOKFIELD, 28X66 1992 COS #281932	\$237 55	\$100	<i>Alyce Fisher</i> 9/17/14
199506201020000	624 ROMA RD	AGEN MARK LEE & CAROL LEE	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 27, COS #281932	\$237 55	\$100	<i>Carol Lee</i> 9/25/14
199506201030000	672 ROMA RD	GREEN JASON A & JAMIE RENE	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 28, COS #281932	\$237 55	\$100	<i>Jason Green</i> 9/25/14
199506201040000	688 ROMA RD	RITCHIE FRANK A & MELODY A & SIAR M	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 29, MAKE MARLETTE, MODEL, COMUMBIA, 28X70 2004 SN 29033	\$237 55	\$100	<i>Frank Ritchie</i> 9/25/14
199506201050000	8395 HILL VIEW DR	CARSTENSEN MARK J & REBECCA A & KLUGMAN DALE TRUSTEE OF	HILL VIEW ACRES, 506, T11 N, R03 W, Lot 13	\$237 55	\$100	<i>Mark Carstensen</i> 10/5/14
199506201060000	8625 HILL VIEW DR	LEMIEUX ALEX A & MARY E	HILL VIEW ACRES, 506, T11 N, R03 W, Lot 12A, TITLE # E018715, MAKE MEDALLION, MODEL, CREST, 28X61 1996 TITLE #E018715 COS #530858B	\$237 55	\$100	<i>Alex Lemieux</i> 10/5/14
199506201070000	8655 HILL VIEW DR	ZIMMER DAVID M & BRIESE ZIMMER GAIL A	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 11A-2, COS #543431	\$217 55	\$100	<i>David Zimmer</i> 11/5/14
199506201080000	8665 HILL VIEW DR	BAGLEY RICKY AROL & CLAUDIA JEAN	HILL VIEW ACRES, 506, T11 N, R03 W, Lot 10, L.T.B COS #275646	\$237 55	\$100	<i>Ricky Bagley</i> 11/5/14
199506201090000	8696 HILL VIEW DR	WILHELM CLAYTON D & DONNA	HILL VIEW ACRES, 506, T11 N, R03 W, Lot 10A, COS #275646	\$237 55	\$100	<i>Clayton Wilhelm</i> 11/5/14
199506201100000	8650 HILL VIEW DR	OLLIS MICHAEL D	CREST, MODEL, DENVER, 27X40 1996 TITLE #E2784722 SN 2986714051AB COS #281932	\$237 55	\$100	<i>Michael Ollis</i> 11/5/14
199506201110000	8646 HILL VIEW DR	HAYRON JIM E	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 15, COS #600149E	\$237 55	\$100	<i>Jim Hayron</i> 11/5/14
199506201120000	8618 CAPRI DR	HARRISON MARK S & GEORGETTE G	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 16, MAKE MARLETTE, MODEL LAKECREST 27X52 2003 COS #600149E	\$237 55	\$100	<i>Mark Harrison</i> 9/15/14
199506201130000	8600 CAPRI DR	HEDDEN TROY LEE & DUENSING LAURIE ANN	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 14, COS #600149E	\$237 55	\$100	<i>Troy Hedden</i> 9/15/14
199506201140000	8590 CAPRI DR	RESTAD MAJSTI D & JUDY M	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 9, TITLE # G375933, MAKE MARLETTE, MODEL 1ST EDITION, 27X66 2002 TITLE #G375933 COS #281932	\$237 55	\$100	<i>Judy Restad</i> 9/14/2014
199506201150000	8570 CAPRI DR	MCLEAN MERLYN & KREI ROBERT D	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 8, TITLE # G249146, MAKE MARLETTE, MODEL LAKECREST, 27X52 2002 TITLE G249146 COS #281932	\$237 55	\$100	<i>Robert McLean</i> 9/14/2014
199506201160000	480 ROMA RD	JOHNSON KENNETH M & DEBBIE L	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 7, COS #281932	\$237 55	\$100	<i>Debbie Johnson</i> 9/14/2014
199506201170000	410 ROMA RD	LECOURS LAWRENCE EDWARD	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 6, COS #281932	\$237 55	\$100	<i>Lawrence Lecours</i> 9/14/2014
1995062012010000	8548 HILL VIEW DR	SUMNERHAYS STEVE L & ROHNA A	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 21A, COS #617949B	\$237 55	\$100	<i>Steve Sumner</i> 9/14/2014
1995062012020000	8550 HILL VIEW DR	SUMNERHAYS STEVEN J & ROBIN A	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 22, MAKE MARLETTE, MODEL UNKNOWN, 28X66 2000 COS #281932	\$237 55	\$100	<i>Robin Sumner</i> 9/14/2014
1995062012030000	8590 HILL VIEW DR	GRABER LAURIE C & ROBERT D	HILL VIEW ACRES AMENDED, 506, T11 N, R03 W, Lot 23, MAKE MARLETTE, MODEL UNKNOWN, 28X66 2000 COS #281932	\$237 55	\$100	<i>Robert Graber</i> 9/14/2014
1995062012040000	8645 CAPRI DR	HETSTUKMAN BRENDA J & RICHARD D	HILL VIEW ACRES, 506, T11 N, R03 W, Lot 24, MAKE MARLETTE, MODEL UNKNOWN, 28X66 2000 COS #600149	\$237 55	\$100	<i>Brenda Hetstukman</i> 9/14/2014

**EXHIBIT "C" Hillview RID \$75,000 Construction @ 10 Years**

Construction		\$68,000.00
Construction Contingency (\$7,000)		7,000.00
		<u>75,000.00</u>
Design & Construction Engineering (0%)		0.00
<b>Total Estimated Construction Cost</b>		<b>\$75,000.00</b>
RID Reserve (5%) MCA 7-12-2181 & 7-12-2182		3,947.37
<b>Total Estimated Loan Amount</b>		<b><u>\$78,947.37</u></b>

Value of Loan	\$78,947.37		
Period (years)	10	Total Int	\$20,825.39
Payments per Period	1	Total Princ	\$78,947.37
Interest Rate (7-12-2176)	4.50%	Total	<u>\$99,772.75</u>
Number of Assessments	42		

**ANNUAL ESTIMATED IMPROVEMENT ASSESSMENT** **\$237.55**

<b>ANNUAL MAINTENANCE</b>			
Snow Plowing			
Hill View/Roma W.- Grading (2x per year)			
Capri Loop/Roma E.- Grading (1x per year)			
Culvert Cleaning (1/5 per year)			
Miscellaneous * Number chosen by property owners			\$4,000.00
Sub Total			\$4,000.00
5% Admin. Fee (not to exceed \$500)			\$200.00
Total Annual Maintenance Assessment			\$4,200.00
<b>ANNUAL ESTIMATED MAINTENANCE ASSESSMENT</b>			<b>\$100.00</b>
<b>IMPROVEMENT ASSESSMENT</b>			<b>\$237.55</b>
<b>TOTAL ANNUAL ESTIMATED ASSESSMENT</b>			<b><u>\$337.55</u></b>