

RESOLUTION 1997 - 66

A RESOLUTION OF INTENTION TO CREATE A RURAL IMPROVEMENT DISTRICT FOR MAINTENANCE OF THE ROADS WITHIN THE SETTLER'S COVE AREA

WHEREAS, a petition has been received from the landowners who utilize the roads in the Settler's Cove area requesting that the Board of County Commissioners create a Rural Improvement District for the purpose of maintaining those portions of Rainbow Drive and Pelican Road within the Settler's Cove Area which have been surfaced with recycled asphalt, located in the S 1/2 of Section 18 and the SW 1/4 and the SE 1/4, NW 1/4 of Section 17, T11N, R2W; P.M.M.; and

WHEREAS, the petition included a description of the boundaries of the proposed district and benefitting lots, descriptions and cost estimates for the proposed maintenance, descriptions of the proposed method of assessment for and administration of maintenance, and was signed by 77.38% of the affected property owners; and

WHEREAS, the Board of County Commissioners has the authority to propose Rural Improvement Districts for the purpose of funding road improvements and/or maintenance, pursuant to Section 7-12-2101, et. seq., MCA.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby establish its intention to create Rural Improvement District No. 97-3, for the purpose of maintaining those portions of Rainbow Drive and Pelican Road within the Settler's Cove Area which have been surfaced with recycled asphalt. The district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

BE IT FURTHER RESOLVED that said district will include those parcels of land abutting and/or accessing the above roads identified on Exhibit "A", attached hereto and made a part hereof. All lots developed with a residence would benefit equally and be assessed a flat fee; all undeveloped lots would benefit equally and be assessed a flat fee at 50% of a developed lot.

BE IT FURTHER RESOLVED that the proposed maintenance could include grading, snow plowing, sanding, drainage control, street identification and traffic control signing, and other maintenance and repair as necessary to preserve the road surfaces, and that such maintenance shall be administered by the County, unless an agreement is entered into between the County and a representative body of the landowners 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 the maintenance would be performed by a private contractor.

BE IT FURTHER RESOLVED that the estimated annual costs for said maintenance is \$50 per developed lot and \$25 per undeveloped lot. All funds collected for the district shall be spent solely for the road maintenance activities within the proposed district.

DATED this 27 day of May, 1997.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY

Michael J. Griffith
Michael J. Griffith, Chairman

563011

PAULETTE DEHART CLK & REC
LEWIS & CLARK CO
MAY 27 1997

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BY *Shirley MacIntack*

No fee

ATTEST:

Paulette J. DeHart
Paulette J. DeHart, Clerk of Board

