

RESOLUTION 1997 - 84

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

WHEREAS, a resolution of intent to create Rural Improvement District No. 97-3 as adopted by the Board of County Commissioners on May 27, 1997, as Resolution 1997-66; and

WHEREAS, legal notice of the passage of Resolution 1997-66 was posted in the proposed district, mailed to property owners in the proposed district, and printed in the local newspaper in accordance with the statutory requirements; and

WHEREAS, on June 17, 1997, the Board of County Commissioners held a public hearing and proceeded to hear all protests, comments, and other matters relating to the proposed district, and determined that the boundaries of the district benefit area and the method of assessment were equitable; and

WHEREAS, it was determined that there was not sufficient protest to bar proceedings; said protests constituting 19.05% of the cost of the proposed work; and

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby 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 Exhibits A and B, 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. This rate structure may be modified during the rate hearing process if a more equitable method of apportioning benefits received is identified.

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 approximately is \$50 per developed lot and \$25 per undeveloped lot. This rate structure may be modified during the rate hearing process if a more equitable method of apportioning benefits received is identified. All funds collected for the district shall be spent solely for the road maintenance activities within the proposed district.

DATED this 1st day of July, 1997.

BOARD OF COUNTY COMMISSIONERS  
LEWIS AND CLARK COUNTY

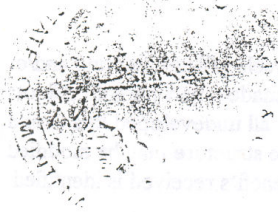
Michael A. Murray  
Michael A. Murray, Vice Chairman

ATTEST:

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

Attachments: Exhibit "A"  
Exhibit "B"

File: 2716 SettIRID.Res



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BY Shirley M. DeHart  
McGee  
PAULETTE DEHART CLK & REC  
LEWIS & CLARK CO  
564562

| EXHIBIT "B"<br>GEOCODE | PROPERTY LOCATION | SETTLER'S COVER RURAL IMPROVEMENT<br>PROPERTY OWNER | OLD PIN<br>NUMBER |
|------------------------|-------------------|---|-------------------|
| 199617201010000        | 5720 RAINBOW DR   | ZEIGLER DALE & DIANE                                | 00020239          |
| 199617201050000        | 5730 RAINBOW DR   | MORRIS JOAN L                                       | 000021538         |
| 199617301100000        | 5680 RAINBOW DR   | LYMAN STEVE W & CANDICE M                           | 000022717         |
| 19961730115AG00        | 3475 ELINCOLN RD  | CROSS KENNETH R                                     | 000009444         |
| 199617301170000        | 5670 RAINBOW DR   | CROSS RICHARD C                                     | 000027542         |
| 199617301200000        | 5700 RAINBOW DR   | BLOW JAMES W & JEAN LOIS                            | 000026222         |
| 199618303050000        | 5510 RAINBOW DR   | PETERSON GREGORY E & TAMMY J                        | 000009450         |
| 199618303110000        | 0 UNKNOWN         | SAPPINGTON KENNETH M & VICTORI                      | 000009453         |
| 199618303130000        | 5530 RAINBOW DR   | MC GEE STEPHEN B & KATHLEEN                         | 000110054         |
| 199618303170000        | 3615 PELICAN RD   | STEGMANN RONALD F & DEANNE K                        | 000009445         |
| 199618303190000        | 3645 PELICAN RD   | STEGMANN RONALD F & DEANNE K                        | 000009456         |
| 199618303210000        | 5540 RAINBOW DR   | HERRERA RICHARD & TERESA                            | 000009451         |
| 199618304010000        | 3610 PELICAN RD   | TORGESON ROGER M & NOLA L                           | 000009458         |
| 199618304030000        | 0 UNKNOWN         | ZAPATA ROBERT & REBECCA                             | 000009269         |
| 199618304050000        | 3570 PELICAN RD   | PANKRATZ ROBERT A & MELANIE A                       | 000010157         |
| 199618304070000        | 3594 PELICAN RD   | MOLDENHAUER NEIL & DONNA                            | 000010509         |
| 199618401010000        | 5505 RAINBOW DR   | MEYERING RICHARD S & ANTOINETTE                     | 000009409         |
| 199618401030000        | 5515 RAINBOW DR   | RENNERFELDT DALLAS K & MARLENE                      | 000009667         |
| 199618401050000        | 5525 RAINBOW DR   | GUSTAFSON TERRY R & CHERYL M                        | 000024952         |
| 199618401090000        | 5611 RAINBOW DR   | CHEEK JOHN B JR & DEBORAH M                         | 000010048         |
| 199618401110000        | 5613 RAINBOW DR   | SUNSTED RODNEY L                                    | 000010417         |
| 199618401130000        | 5615 RAINBOW DR   | LYMAN WILLIAM R & MARLENE JOY                       | 000009958         |
| 199618401150000        | 5617 RAINBOW DR   | AVERY CHARLES D                                     | 000009236         |
| 199618401170000        | 5619 RAINBOW DR   | FERGUSON DAVID E & SHARON K                         | 000009256         |
| 199618401190000        | 5621 RAINBOW DR   | CHAMBERLIN ROBERT R & SHIRLEY                       | 000009326         |
| 199618401210000        | 0 UNKNOWN         | DAVIS LOREN W & JUDITH A                            | 000009878         |

| EXHIBIT "B"     |                    | SETTLERS COVE RURAL IMPROVEMEN |           | OLD PIN |
|-----------------|--------------------|--------------------------------|-----------|---------|
| GEOCODE         | PROPERTY LOCATION  | PROPERTY OWNER                 | NUMBER    |         |
| 199618401230000 | 5625 RAINBOW DR    | WENZKE ARDELL & EILEEN HELEN   | 000010476 |         |
| 199618401250000 | 5631 RAINBOW DR    | GRANT ALFRED L & WLMA          | 000010459 |         |
| 199618401260000 | 0 UNKNOWN          | WENZKE ARDELL & EILEEN HELEN   | 000025706 |         |
| 199618401270000 | 5635 RAINBOW DR    | TUBBS MICHAEL J & JOHNETTE     | 000010441 |         |
| 199618401290000 | 0 UNKNOWN          | BOSLEY DON R & CACILIA F       | 000013240 |         |
| 199618401310000 | 5641 RAINBOW DR    | KOSTELECKY DONALD S & DONNA M  | 000009424 |         |
| 199618401330000 | 0 UNKNOWN          | KOSTELECKY DONALD S & DONNA M  | 000030643 |         |
| 199618401350000 | 5699 RAINBOW DR    | VAN VOAST WAYNE A              | 000009452 |         |
| 19961840140AG00 | 5670 RAINBOW DR    | CROSS KENNETH R                | 000040126 |         |
| 199618401450000 | 0 UNKNOWN          | CROSS KENNETH CHARLES          | 000027544 |         |
| 199618402010000 | 3800 PELICAN RD    | WILSON STEVEN W.J. & CLARA LOU | 000009514 |         |
| 199618402030000 | 5614 RAINBOW DR    | JOHNSON CURTIS & EDNA          | 000009898 |         |
| 199618402050000 | 5618 RAINBOW DR    | WILLMS KEVIN E & LYNDA EHLANG  | 000009897 |         |
| 199618402070000 | 5505 RAINBOW DR    | TYSON JAMES L                  | 000010531 |         |
| 199618402090000 | 5624 RAINBOW DR    | TYSON JAMES                    | 000009772 |         |
| 199618402110000 | 5628 RAINBOW DR    | HILES GERALD L & DORIS L       | 000009695 |         |
| 199618402130000 | 5645 HAUSER DAM RD | BAKULA KRISTIN J               | 000010546 |         |
| 199618402150000 | 3700 PELICAN RD    | FLEURY KATHLEEN M              | 000021824 |         |
| 199619202050000 | 0 UNKNOWN          | BOSLEY CACILIA & DON R         | 000024939 |         |
| 199619203030000 | 5485 RAINBOW DR    | KINGERY DONALD B & ALMA F      | 000009449 |         |
| 199619203050000 | 5495 RAINBOW DR    | LEININGER WOODROW & MARILYNN   | 000009304 |         |

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