

RESOLUTION 2008-128

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL BENEFITED
PROPERTY WITHIN THE SILVER CREEK RURAL IMPROVEMENT DISTRICT
NUMBER 1997-5**

WHEREAS, the Board of County Commissioners of Lewis and Clark County (the "County"), Montana, has created a rural special improvement district (the "District") pursuant to Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended (the "Act"), denominated Rural Special Improvement District No. 1997-5 (the "District"), and undertaken certain local improvements to benefit the property located therein; and

WHEREAS, pursuant to Resolution 1997-56, adopted by this Board on July 3, 1997, and which constitutes the resolution of intention to create the District, this Board determined to levy special assessments to pay the costs of the maintenance on improvements on a basis or bases therein provided as authorized by the Act; and

WHEREAS, this Board after a public hearing, adopted Resolution No. 1997-104, on August 5, 1997 (the "Original Assessment Resolution"). The Original Assessment Resolution described each lot or parcel of land, with the name of the owner, if known, and the amount of each partial payment, when made, and the date on which the payment becomes delinquent; and

WHEREAS, the cost of yearly maintenance has increased significantly since the adoption of the Original Assessment Resolution. The total annual amount of the special assessment fails to provide maintenance desired by residents composing and representing the road committee, as expressed in Exhibit 'B'; and

WHEREAS, notice of the proposed Resolution to levy and assess has been dually published and mailed in all respects in accordance with law; and

WHEREAS, this Board, on December 2, 2008, will conduct a public hearing on the levying and assessment of special assessments to consider the objections, if any, submitted to the proposed assessment and other comments made at the public hearing, and to make amendments to the levies and assessments provided herein.

NOW, THEREFORE, BE IT RESOLVED that the special assessments for the costs of the maintenance shall be levied and assessed against properties in the District in accordance with the method of assessments referred to in Resolution 1997-86. The levies and assessments provided herein shall nullify any levies or assessments provided for in the Original Assessment Resolution and shall take effect in fiscal tax year 2009 and perpetually thereafter.

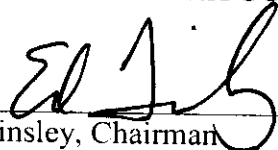
BE IT FURTHER RESOLVED that assessments shall be an annual flat rate of \$360.00 per developed lot and \$180.00 per undeveloped lot. A description of each lot or parcel of land, with the name of the owner, if known, and the amount of each annual assessment is attached hereto and made a part thereof as Exhibit 'A'.



BE IT FURTHER RESOLVED such assessments shall be payable in two equal payments by the day and month specified on the annual tax notice. Payments made after the specified dates shall be delinquent.

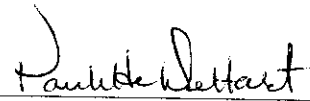
DATED this 2nd day of December, 2008.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY

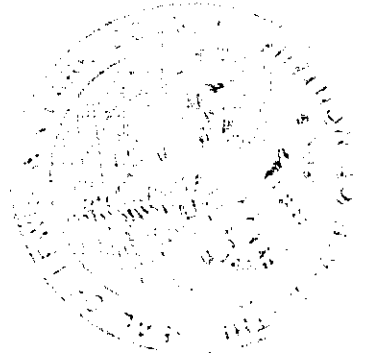


Ed Tinsley, Chairman

ATTEST:



Paulette J. DeHart, Clerk of the Board



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EXHIBIT A

Silver Creek RID 1997-5 Parcel List

GEO CODE	LEGAL OWNER NAME	LEGAL DESCRIPTION	ASSESSMENT AMOUNT
199420201600000	FAKIRI LAHCEN	S20, T11 N, R04 W, LT 5 PER C/S #251522	\$180.00
199420401050000	ESCHENBURG BETTY GUNN	S20, T11 N, R04 W, TR IN SE LOT 31	\$180.00
199420401070000	ESCHENBURG BETTY G	S20, T11 N, R04 W, LT 37 C/S #251522 IN SE	\$180.00
199420401100000	WELCH JEFF P & JODY L	S20, T11 N, R04 W, Lot 018, 3045739 LT 18B IN S2NE PER COS #3045739	\$180.00
199421102010000	ROGERS CLARA C & DICK	S21, T11 N, R04 W, 251522, PARCEL 019, LT 19 IN S2NE PER C/S #251522	\$180.00
199421102100000	ROGERS JACK	S21, T11 N, R04 W, LT 23 PER C/S #251522	\$180.00
199421201010000	HOLMES SEAN & TINA	S21, T11 N, R04 W, 251522, PARCEL 020, LT 20 IN S2N2 PER C/S #251522	\$180.00
199421201200000	CARLSON BETH	S21, T11 N, R04 W, 251522, PARCEL 043, LT 43 IN SESW PER C/S #251522	\$180.00
199421401100000	ROGERS JACK	S21, T11 N, R04 W, 3060661, PARCEL 000, TRACT 33A IN E2 SEC 20 & W2 SEC 21 COS #3060661	\$180.00
199421401230000	BAUM C A	S22, T11 N, R04 W, 251522, PARCEL 053, IN E2W2 LT 53 COS #251522	\$180.00
199421401240000	BAUM C A	S28, T11 N, R04 W, 251522, PARCEL 000, LT 45 PER C/S #251522	\$180.00
199422301400000	RIPPINGALE THOMAS	S28, T11 N, R04 W, 251522, PARCEL 000, LT 49 PER C/S #251522	\$180.00
199428201150000	HUSSEY RANDY E & ELIZABETH A	S20, T11 N, R04 W, 251522, PARCEL 009, TR IN PORTIONS OF SECTS. 20, 21, 22 & 28 COS #251522	\$360.00
199428201200000	ROGERS CLARA C & DICK	S20, T11 N, R04 W, 251522, PARCEL 009, LT 9 IN NE4 PER C/S #251522	\$360.00
199420101010000	HELLMAN DENNIS J & PATRICIA M	S20, T11 N, R04 W, 251522, PARCEL 008, LT 8 IN NE PER C/S #251522	\$360.00
199420101050000	BURSON JON T & TERESA	S20, T11 N, R04 W, 251522, PARCEL N/A, LT 7, COS #251522, IN N2NE4	\$360.00
199420101100000	BURSON THOMAS F & ETHEL A	S20, T11 N, R04 W, 251522, PARCEL N/A, LT 6 PER C/S #251522	\$360.00
199420101150000	MONROE MARVIN B & DEBRA R	S20, T11 N, R04 W, 251522, PARCEL N/A, LT 6 PER C/S #251522	\$360.00
199420101200000	BARNES WILLIAM D & JUDITH A	S20, T11 N, R04 W, 251522, PARCEL N/A, LT 6 PER C/S #251522	\$360.00
199420101250000	FLANDERS GORDON R & KARLA A	S20, T11 N, R04 W, 251522, PARCEL N/A, LT 6 PER C/S #251522	\$360.00
199420101350000	MCNAMEE BRIAN R & SHANNON J	251522, PARCEL N/A, LT 25 COS #251522	\$360.00
199420101400000	WALKER WARREN MARK & JANET BUSCH	S20, T11 N, R04 W, 3015575, PARCEL 000, SILVER CREEK RANCHETTES TR 308 IN E2NW4 COS #3015575	\$360.00
199420101450000	HUFFSMITH RANDAL L & KRISTINA M	S20, T11 N, R04 W, SILVER CREEK RANCHETTES LOT 24 C/S #251522	\$360.00
199420101500000	REED DRAKE L & JOLIE M	S20, T11 N, R04 W, 3015575, PARCEL N/A, TR 30A IN E2 COS #3015575	\$360.00
199420201010000	BADOVINAC PATRICK R &	S20, T11 N, R04 W, 251522, PARCEL 029, SILVER CREEK RANCHETTES LT 29 COS #251522	\$360.00
199420201050000	OZACK JOSEPH A & SOPHIE L	S20, T11 N, R04 W, 251522, PARCEL 000, LT 28 COS #251522	\$360.00
199420201300000	KNIGHT LENNIS C & KNIGHT JULIE SPENGLER	S20, T11 N, R04 W, LT 27 PER C/S #251522	\$360.00
199420201400000	SPONHOLZ DONN E & LAURIE	S20, T11 N, R04 W, 251522, PARCEL 002, LT 2 PER C/S #251522 AKA SILVER CREEK	\$360.00
199420201450000	JACOBSON DAVID R & TERESA L	S20, T11 N, R04 W, NW LT 3 C/S #251522	\$360.00
199420201500000	SANDO STEVEN K & LEE M	S20, T11 N, R04 W, 251522, PARCEL 004, LT 4 IN NW PER C/S #251522	\$360.00
199420401010000	ESCHENBURG BETTY GUNN	TR 36 IN SE	\$360.00
199420401030000	SEABROOK CHARLES	S20, T11 N, R04 W, 251522, PARCEL 000, LT 38 C/S #251522	\$360.00
199420401150000	WELCH JEFF P & JODI L	S20, T11 N, R04 W, LT 32 PER C/S #251522	\$360.00
199421101010000	STEVENS JERRY P & RACHEL M	S21, T11 N, R04 W, TR IN NENE & SENE, LT 17	\$360.00
199421101050000	STRANDBERG DAVID H & TAMMI JO	S21, T11 N, R04 W, 251522, PARCEL 016, LT 16 IN NE PER C/S #251522	\$360.00
199421101100000	TICKNOR VAUGHN E & DANA M	S21, T11 N, R04 W, 251522, PARCEL 000, LT 15, COS #251522, IN NE4	\$360.00
199421102020000	WEST VALLEY VOLUNTEER FIRE DISTRICT	WVFD SILVER CREEK STATION MINOR S, S21, T11 N, R04 W, Lot 18A, 3045739 LOT 18A COS #3045739	\$360.00
199421201100000	HOLMES SEAN	S21, T11 N, R04 W, 251522, PARCEL 000, IN W2 LT 22 COS #251522	\$360.00
199421201150000	SHANNON TOBIN L	S21, T11 N, R04 W, 251522, PARCEL 021, SILVER CREEK RANCHETTES LT 21 IN S2NW PER C/S #251522	\$360.00
199421202010000	LENEVE ROBERT R & ROBIN M	S21, T11 N, R04 W, 251522, PARCEL 010, LT 10 IN NW PER C/S #251522	\$360.00
199421202050000	OBERT GEORGE J & JUDITH P	S21, T11 N, R04 W, 251522, PARCEL 010, LT 10 IN NW PER C/S #251522	\$360.00
199421202100000	ROBINETT RYON R & VALERIA A	S21, T11 N, R04 W, 251522, PARCEL 011, COS #251522	\$360.00
199421202150000	STOVALL TODD A	S21, T11 N, R04 W, 251522, PARCEL 012, LT 12 IN N2NW PER C/S #251522	\$360.00
199421202200000	MYHR LYLE JR & ABBY	S21, T11 N, R04 W, 251522, PARCEL 013, IN E2NW LT 13 COS #251522	\$360.00
199421401150000	KAHL LISA A	S21, T11 N, R04 W, 251522, PARCEL 014, LT 14, COS #251522, IN NW4 MARLETTE 26X52 2000 TITLE #G137197	\$360.00
199421401200000	JOHNSON CLEVE E & EILEEN M	S21, T11 N, R04 W, 251522, PARCEL 000, LT 42 PER C/S #251522	\$360.00


DOR data as of 10/30/08

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199421401250000	HEATH JANE M & ANDERSEN VIC R	S21, T11 N, R04 W, 251522, PARCEL 000, LT 34 PER C/S #251522	\$360.00
199422301010000	WOOD MICHAEL P	S22, T11 N, R04 W, 251522, PARCEL 051, IN W2W2W2 LT 51 COS #251522	\$360.00
199422301200000	FLEURY BENJAMIN J & KARANEL R	S22, T11 N, R04 W, 251522, PARCEL 052, IN E2W2W2 LT 52 COS #251522	\$360.00
199428101010000	ROGERS DICK R STANTON CRAIGHEAD &	S28, T11 N, R04 W, 251522, PARCEL 000, LT 50 OF C/S# 251522 TR IN SWNE & S2SENW	\$360.00
199428201050000	ROGERS DICK R STANTON CRAIGHEAD &	S28, T11 N, R04 W, 251522, PARCEL 000, LT 47 COS #251522	\$360.00
199428201100000	RUDE MATHEW C & MAUREEN J	S28, T11 N, R04 W, 251522, PARCEL 000, LT 48 PER C/S #251522	\$360.00
199428201180000	NEAL CHARLES & SANDRA	S28, T11 N, R04 W, 251522, PARCEL 000, LT 46 PER C/S #251522 BOISE CASCADE 28X48 1994	\$360.00
199428201250000	HUSSEY RANDY E & RONAN ELIZABETH A	S28, T11 N, R04 W, SILVER CREEK RANCHETTIES LT 44 COS# 251522	\$360.00
199421401300000	STANDLEY EDWARD E & SUSAN M	S21, T11 N, R04 W, LTS 39 & 40 PER C/S #251522	\$540.00
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			\$17,460.00



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EXHIBIT B

To: Lewis and Clark County Planning Dept/Carrie Severson
From: Silver Creek Ranchettes Homeowners Association
Date: October 29, 2008
Re: Maintenance fee increase

Please accept this as our formal request to increase our yearly maintenance fees from \$90/\$180 to \$180/\$360 for undeveloped/developed lots respectively.

Silver Creek Ranchettes Road Committee Representatives:

Cleve Johnson

Cleve Johnson

Trapper Badovine

Toby Shannon

Toby Shannon

Trapper

Jon T. Burson

Jon Burson

Dave Jacobson

Dave Jacobson



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