

RESOLUTION 2008 - 58

**A RESOLUTION TO CREATE RURAL MAINTENANCE
DISTRICT 2008-2 FOR SPRUCE DRIVE**

WHEREAS, the Spruce Drive is located in Section 12, T9N, R5W, Lewis and Clark County, Montana; and

WHEREAS, a petition containing the consent of all of the owners of property to be included in the district has been received; and

WHEREAS, the Board of County Commissioners has the authority to order and create the maintenance district based upon receipt of a petition containing the consent of all of the owners of property to be included in the district, pursuant to Section 7-12-2101(2), MCA.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby approve the requested creation of the Spruce Drive Rural Maintenance District No. 2008-2 for the purpose of equitably funding road maintenance within said district.

BE IT FURTHER RESOLVED that the boundaries of the district will include tracts of land shown on the Petition and Petition Exhibits 'A' and 'B', attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the maintenance could include, but is not limited to, grading, gravel application as funds allow, snow plowing, sanding, drainage control, and other maintenance and repair as necessary to preserve the road surfaces, and that such maintenance shall be administered by the County. 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 consulting engineer for this project is Stahly Engineering. The total annual costs for said maintenance are \$1818.43.

BE IT FURTHER RESOLVED that each tract would be assessed an equal amount of \$202.05 per lot per year based upon the total cost of the maintenance. All funds collected for the maintenance district shall be spent solely for the road maintenance activities on Spruce Drive.



Lewis & Clark County

COUNTY

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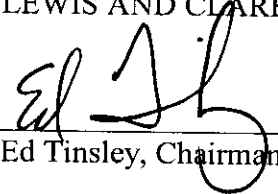
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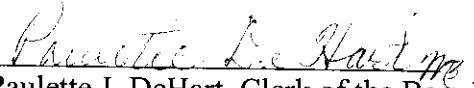
BE IT FURTHER RESOLVED that the district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

DATED this 12th day of June, 2008.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



Ed Tinsley, Chairman

ATTEST:


Paulette J. DeHart, Clerk of the Board

Attachment: Exhibit "A" & "B"




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**PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR MAINTENANCE OF SPRUCE DRIVE**

We the undersigned, owners of real property within the Spruce Drive area, located in Section 12 of T9N, R5W, P.M.M., of Lewis and Clark County, do hereby petition the Board of County Commissioners to create the Spruce Drive Rural Maintenance District for the purpose of maintaining Spruce Drive (from its intersection with Colorado Gulch Road a distance of approximately 0.4 miles southeast), as authorized by Section 7-12-2101, et. Seq., MCA. The boundaries of the proposed district are shown on the attached Exhibit "A". The proposed maintenance activities could include grading, gravel application as funds allow, snow plowing, sanding, drainage control, and other maintenance and repair as necessary to preserve the road surfaces. The estimated annual cost for said maintenance is \$1,818.43.

All tracts would benefit and would be assessed a flat fee for the maintenance of the road. The assessment per parcel per year would be \$202.05. Attached as Exhibit "B" is a list of lots within the proposed RID which shows the geocode, address, owner, legal description, and the estimated annual assessment for each lot. All funds collected for the district shall be spent solely for the road maintenance activities within the proposed district. Exhibit "B" also shows the signatures of the property owners petitioning for the creation of the district.

It is anticipated that the District would 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 a private contractor would perform the maintenance.

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District (RIDs) and Rural Maintenance Districts (RMDs) 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 state 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 or RMD, 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 or RMD.

EXHIBIT "A"



Spruce Dr. RID
2008 Maintenance District
Lewis & Clark County

Map Created
4-18-2008



ROAD NAME	LENGTH	WIDTH	SG. YDS.
Spruce Drive	2112	18	4224

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Legend

- Gravel
- Culvert
- Spruce Dr RID
- Parcel Boundaries

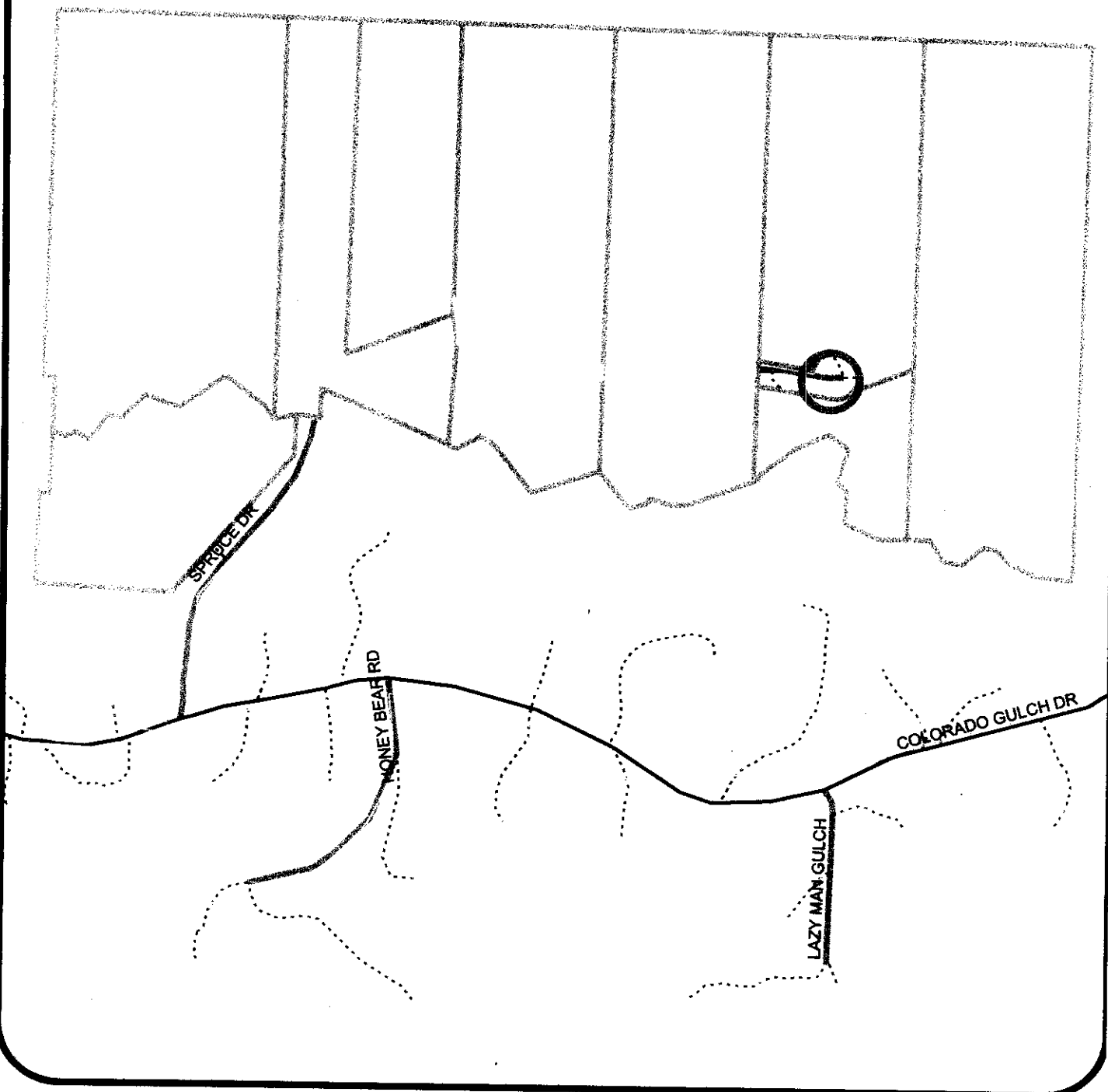


EXHIBIT "B"
Spruce Drive RID

Property ID GeoCode	Owner Name	Property Address	Legal Description	Per Lot	Property Owner Signature and Date
178112103210000	MERGENTHALER STEVEN W & REBECCA B	1789 SPRUCE DR HELENA	S2S2NE LT F COS# 210288 13.23 AC	\$202.05	<i>Steve Mergenthaler</i> Steve Mergenthaler
178112103350000	WHEELING TERRY D & KUNTZ GAIL K	1637 SPRUCE DR HELENA	TR IN N2N2NE	\$202.05	<i>Gail Kuntz & Terry Wheeling</i> Gail Kuntz & Terry Wheeling
178112103330000	HAHN DAVID B & CAROL W	1645 SPRUCE DR HELENA	N2NE4NE4 14.43 AC	\$202.05	<i>David Hahn & Carol W Hahn</i> David Hahn & Carol W Hahn
178112103310000	HENRIKSON CRAIG P & ELIZABETH M	1665 SPRUCE DR HELENA	LT B-3 PER C/S 478434/E	\$202.05	<i>Craig & Elizabeth Henrikson</i> Craig & Elizabeth Henrikson
178112103290000	GUTHRIE GARY L & JILL A	1675 SPRUCE DR HELENA	S2NENE LT B-2 5 AC	\$202.05	<i>Gary & Jill A Guthrie</i> Gary & Jill A Guthrie
178112103150000	STALNAKER WALTER R & ALICE M	1699 SPRUCE DR HELENA	TOBIN TRACTS TRACT C COS 210288	\$202.05	<i>Walter Stalaker & Alice M Stalaker</i> Walter Stalaker & Alice M Stalaker
178112103250000	MERGENTHALER JERRY D & PAMELA	1723 SPRUCE DR HELENA	TOBIN TRACTS TRACT D COS 210288	\$202.05	<i>Jerry D & Pamela Mergenthaler</i> Jerry D & Pamela Mergenthaler
178112103190000	HIGH KENNETH & OLOUGHLIN	1764 SPRUCE DR HELENA	SENE LT E-2 2.65 AC	\$202.05	<i>Kenneth & Judith High</i> Kenneth & Judith High
178112103230000	GLEASON JUDITH K	1765 SPRUCE DR HELENA	SENE LT E-1 7.90 AC	\$202.05	<i>Judith K Gleason</i> Judith K Gleason
				\$1,818.45	



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