

RESOLUTION 1990 - 39

A RESOLUTION OF INTENTION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR ROAD MAINTENANCE IN TREASURE STATE ACRES AND CAPITOL
MOBILE ESTATES AND ADJACENT LOTS

WHEREAS, Lewis and Clark County has developed a functional classification system for the road system within the jurisdiction; and

WHEREAS, revenues generated by the tax levy for roads area not sufficient to adequately maintain the entire road system and due to the restrictions of Initiative 105, such levy cannot be increased without adversely affecting other County services; and

WHEREAS, the Board of County Commissioners and the County Surveyor have prioritized maintenance and improvement expenditures on those portions of the road system that serve the general public and which facilitate economic activity, being those roads that are classified as arterial or collector in function; and

WHEREAS, the roads serving lots in Treasure State Acres and Capitol Mobile Estates Subdivisions and certain adjacent lots are functionally classified as local roads; 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 create Rural Improvement District No. 90-5 for the purpose of funding road maintenance within said district.

BE IT FURTHER RESOLVED that said district will include all parcels of the Treasure State Acres Subdivisions (Tract A, Units 1,2,3,4 and 5), Minor Subdivision No. 39 (Lot 3), Capitol Mobile Estates Subdivisions, Jones Minor Subdivision adjacent lots as established by Certificates of Survey No. 313506 and No. 419416/0 and parcels created by deeds located between Bobcat Drive and North Montana Avenue, as identified on Exhibit A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that this proposal includes the Treasure State Acres #5 Subdivision Rural Improvement District No. 87-2 which will be incorporated into and replaced by the proposed District No. 90-5.

BE IT FURTHER RESOLVED that the maintenance shall include surface sealing, snow plowing and sanding, resurfacing,

maintenance of drainage structures, and other maintenance and repair as necessary to preserve the road surfaces, and that such maintenance shall be administered by the County Surveyor.

BE IT FURTHER RESOLVED that maintenance fees shall be assessed upon each lot based upon the lot area; estimates of annual maintenance costs are \$23,454 for the first year and \$21,414 for subsequent years; individual lot assessments may range from approximately \$58 to \$1,273 for the first year and from \$53 to \$1,168 for the subsequent years. All funds collected herein shall be spent solely for activities within the proposed maintenance district.

BE IT FURTHER RESOLVED that any owner of property within the proposed district may make protest against the creation of the district, pursuant to Section 7-12-2109, MCA.

DATED this 3RD day of April, 1990



LEWIS AND CLARK COUNTY
BOARD OF COUNTY COMMISSIONERS

Linda Stoll-Anderson

Linda Stoll-Anderson, Chairwoman

David E. Fuller

David E. Fuller, Member

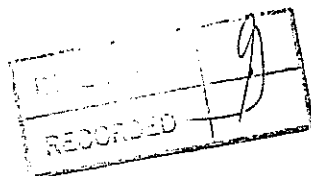
Jim Campbell

Jim Campbell, Member

ATTEST:

Sue Bartlett
Sue Bartlett, Clerk of Board

455191
SUE BARTLETT, CLERK & REC.
LEWIS & CLARK CO. MONT.

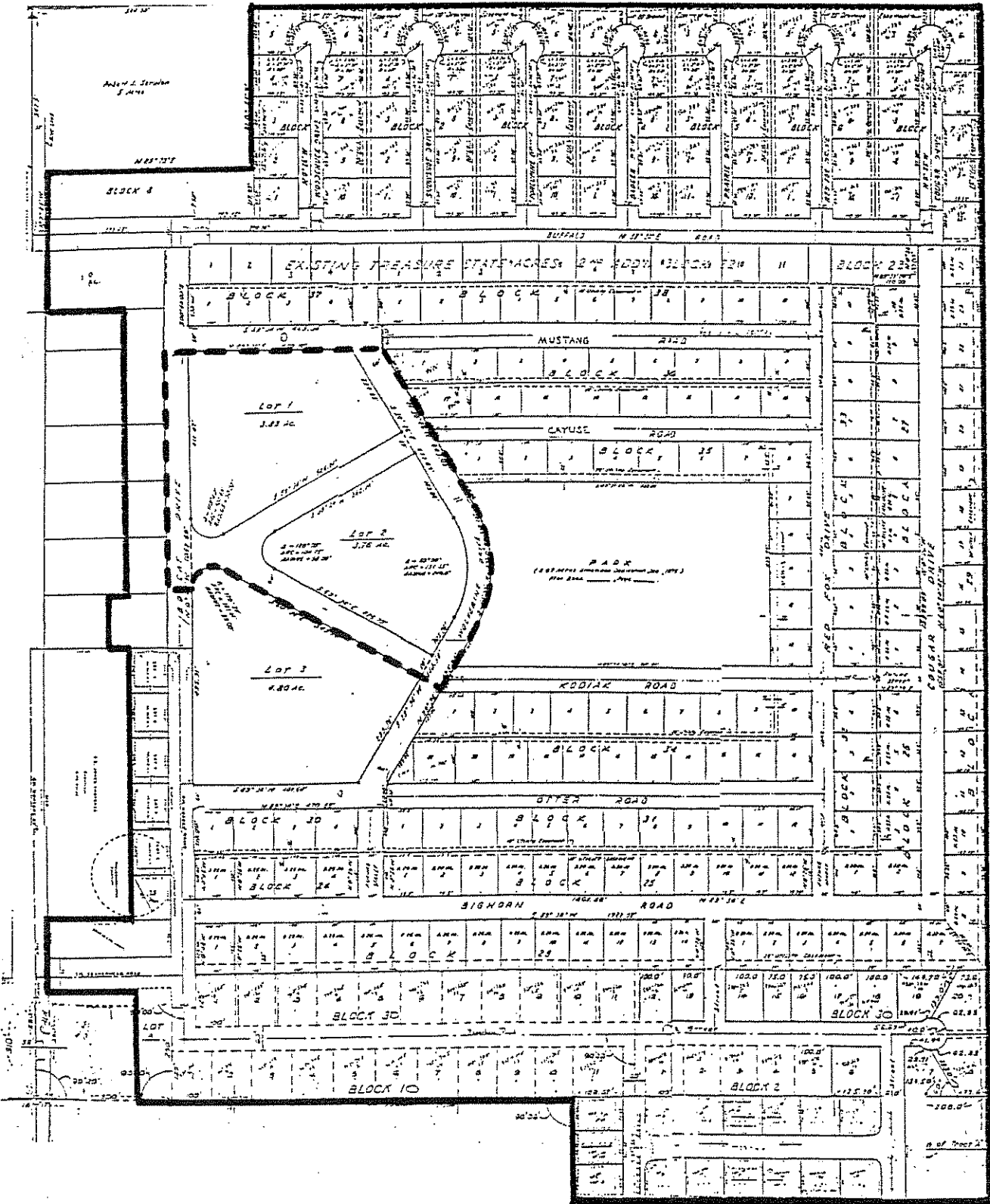


1990 APR -3 PM 2:03

PUT OF RECORD AT BOOK 10 PAGE 6879
BY Shirley McDosh
No fee

EXHIBIT A

- Existing Boundary
- Proposed Boundary



AFFIDAVIT OF PUBLICATION

STATE OF MONTANA, }
County of Lewis and Clark, } ss.

Beverly G. Allison

Being duly sworn, deposes and says:

That she is the principal clerk of The Independent-Record, a newspaper of general circulation published daily in the City of Helena, in the County of Lewis and Clark, State of Montana, and has charge of the advertisements thereof:

That the NOTICE OF RESOLUTION OF INTENTION
AND PUBLIC HEARING

a true copy of which is hereto annexed, was published in said newspaper on the following dates: viz:

April 8, 15, 1990

making in all one publication

Beverly G. Allison

Subscribed and sworn to before me this 16th day of April, 1990

Sandra Hotel

NOTARY PUBLIC for the State of Montana
Residing at Helena, Montana

My commission expires 4/5/92

(NOTARIAL SEAL)

NOTICE OF RESOLUTION OF INTENTION AND PUBLIC HEARING

On April 3, 1990, the Lewis and Clark County Board of County Commissioners passed Resolution of Intent No. 1990-39 to create Rural Improvement District No. 90-5, for the purposes of funding road maintenance activities. The area of the proposed district includes all lots of the Treasure State Acres Subdivisions (Tract A, Units 1,2,3,4, and 5), Minor Subdivision No. 39 (Lot 3), Capitol Mobile Estates Subdivisions, Jones Minor Subdivision, adjacent lots as established by Certificates of Survey No. 313506 and No. 419416/0, and portions of parcels created by deeds located between Bobcat Drive and North Montana Avenue. The maintenance activities will include surface sealing and resurfacing of roads, snow plowing and sanding, maintenance of drainage structures, and other maintenance and repair as necessary to preserve the road surfaces. Fees for maintenance shall be assessed upon each lot within the district based upon the lot area. Annual maintenance costs are estimated at \$23,454 for the first year and \$21,414 for the subsequent years; individual lot assessments may range from approximately \$58 to \$1,273 for the first year and from \$53 to \$1,168 for the subsequent years, depending upon the size of the lot. The Resolution of Intent, which includes a map of the proposed district, is on file at the County Clerk and Recorder's Office.

Any owner of property within the proposed district may make protest against the creation of the district. Such protest must be in writing, identify the property in the proposed district by lot and block numbers, and be signed by all owners of the property. Protests must be delivered to the County Clerk and Recorder's Office no later than 12:00 p.m. on Monday, April 23, 1990.

The Board of County Commissioners has scheduled a public hearing on the proposed district for Tuesday, April 24, 1990, at 9:00 a.m., in Room 309, on the third floor of the City-County Building, 316 North Park Avenue, Helena, Montana. The Board shall proceed to hear and pass on all protests duly received.

For further information contact the Lewis and Clark County Planning Department, P.O. Box 1725, Helena, MT 59624-443-1010, Ext 374.

Linda Stoll-Anderson,
Chairwoman
LEWIS AND CLARK
COUNTY
COMMISSIONERS
April 8, 15, 1990