

RESOLUTION 2015-115

RESOLUTION OF INTENTION TO CREATE THE WALTER DRIVE RURAL IMPROVEMENT DISTRICT NO. 2015-8

WHEREAS, the Lewis and Clark County Board of County Commissioners is authorized to establish intention to create a rural improvement district whenever the public interest or convenience may require, as per MCA 7-12-2103; and

WHEREAS, the subdivision applicant for the proposed Valleyview Farms Subdivision was granted preliminary approval on September 18, 2008; and

WHEREAS, condition of approval #12 states that "A Rural Improvement district shall be created to maintain Walter Drive and the internal access road; (Section XL.H.7., County Subdivision Regulations)"; and

WHEREAS, the subdivision applicant has requested the creation of a Rural Improvement District to partially satisfy one part of the Valleyview Farms Subdivision conditions of approval; and

WHEREAS, owners of property within the proposed district to be assessed for over 50% of the cost of the proposed program as determined by the method of assessment described in this resolution of intention have waived the right to protest the creation of a Rural Improvement District for the purpose of improving and/or maintaining the roads that access the proposed district including related right-of-way, drainage structures, and traffic control signs; and

WHEREAS, the designated items set forth in MCA 7-12-2103(2) are as follows:

- (a) The designated number of the district is 2015-8.
- (b) The boundaries and the roads to be improved and maintained are described on Exhibit 'A'.
- (c) The general character of maintenance includes, but is not limited to: Snow plowing, road grading, soil stabilization, and miscellaneous road work as needed.
- (d) DOWL is the engineer to have charge of the work. The estimated cost for funding said maintenance is \$3,039.96 per year, or \$126.67 per parcel per year, as shown on Exhibit 'B'. All maintenance funds collected for the district will be spent solely on road maintenance within the proposed district.
- (e) The method by which the costs shall be assessed is described in MCA 7-12-2151(d): "each lot, tract, or parcel of land in the district [will] be assessed an equal amount based upon the total cost of the [maintenance]."



- (f) Pursuant to MCA 7-12-2103(2)(f), "if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the proposed district during the term of the bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in MCA 7-21-2151(4)."

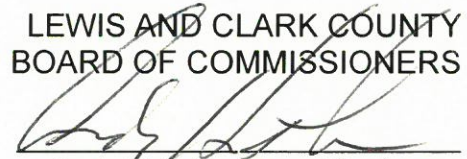
NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of Commissioners, that it does hereby establish its intention to create the Walter Drive Rural Improvement District No. 2015-8 for the purpose of equitably funding road maintenance.

BE IT FURTHER RESOLVED that the Lewis and Clark County Public Works Department is authorized and responsible for coordinating maintenance as described on Exhibit 'B' for roadways within the district as shown on Exhibit 'A'.

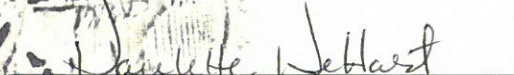
BE IT FURTHER RESOLVED that written protests will be received from persons owning real property within the district for thirty (30) days after the first publication of notice and that said protests must contain the printed landowner name and address as it appears on the last assessment roll.

DATED this 13th day of August, 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chairman




Paulette DeHart, Clerk of the Board

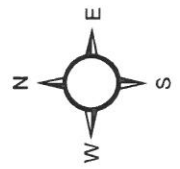
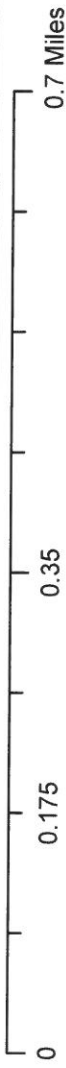
Attachments: Exhibit 'A'
Exhibit 'B'

Exhibit 'A': Walter Drive Rural Improvement District



Legend

- Road to be Maintained
- Walter Drive RID Boundary
- Parcel Boundaries
- PAVED
- UNPAVED
- DRIVEWAY



Lewis & Clark County
 Community Development & Planning Department
 316 N Park Ave
 Helena, Montana 59601
 406-447-8375

Exhibit 'B': Walter Drive RID Cost Estimate

Number of Assessments 24

ANNUAL MAINTENANCE				
Snow plowing				\$338.40
Road grading				\$676.80
Soil stabilization				\$1,692.00
Miscellaneous				\$188.00
Sub Total				\$2,895.20
5% Admin. Fee (not to exceed \$500)				\$144.76
Total Annual Maintenance Fee				\$3,039.96
Estimated Annual Maintenance Assessment				\$126.67