

RESOLUTION 2015-131

RESOLUTION TO CREATE THE VALLEYVIEW FARMS RURAL IMPROVEMENT DISTRICT NO. 2015-10

WHEREAS, the Board of County Commissioners may order and create a rural improvement district upon the receipt of a petition to create a rural improvement district that contains the consent of all the property owners to be included in the district, as per MCA 7-12-2102(2); and

WHEREAS, the attached petition, Exhibit "B", contains the signature of the sole owner of property to be included within the district; and

WHEREAS, the 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 applicant has requested the creation of a rural improvement district to partially satisfy one part of the Valleyview Farms Subdivision conditions of approval; and

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of Commissioners that it does hereby create the Valleyview Farms Rural Improvement District No. 2015-10 for the purpose of equitably funding road maintenance.

BE IT FURTHER RESOLVED that the said District will include those parcels of land abutting and/or accessing the roads shown on Exhibit "A"

BE IT FURTHER RESOLVED that the maintenance activities include, but are not limited to: snow plowing, road grading, soil stabilization, and miscellaneous road work as needed.

BE IT FURTHER RESOLVED that the estimated cost for said maintenance is \$3,959.22 per year, or \$989.81 per parcel per year, as shown on Exhibit "C". All maintenance funds collected for the district will be spent solely on road maintenance within the district.

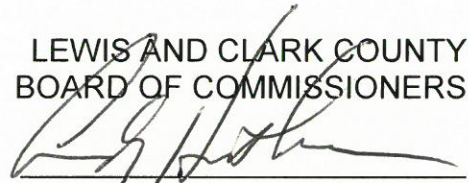
BE IT FURTHER RESOLVED that the District shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.



NOW, THEREFORE LET IT BE RESOLVED, by the Lewis and Clark County Board of County Commissioners that it does hereby approve the creation of the Valleyview Farms Rural Improvement District No. 2015-100.

DATED this 15 day of September, 2015.

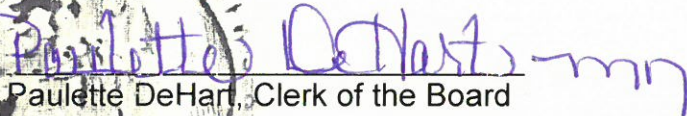
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

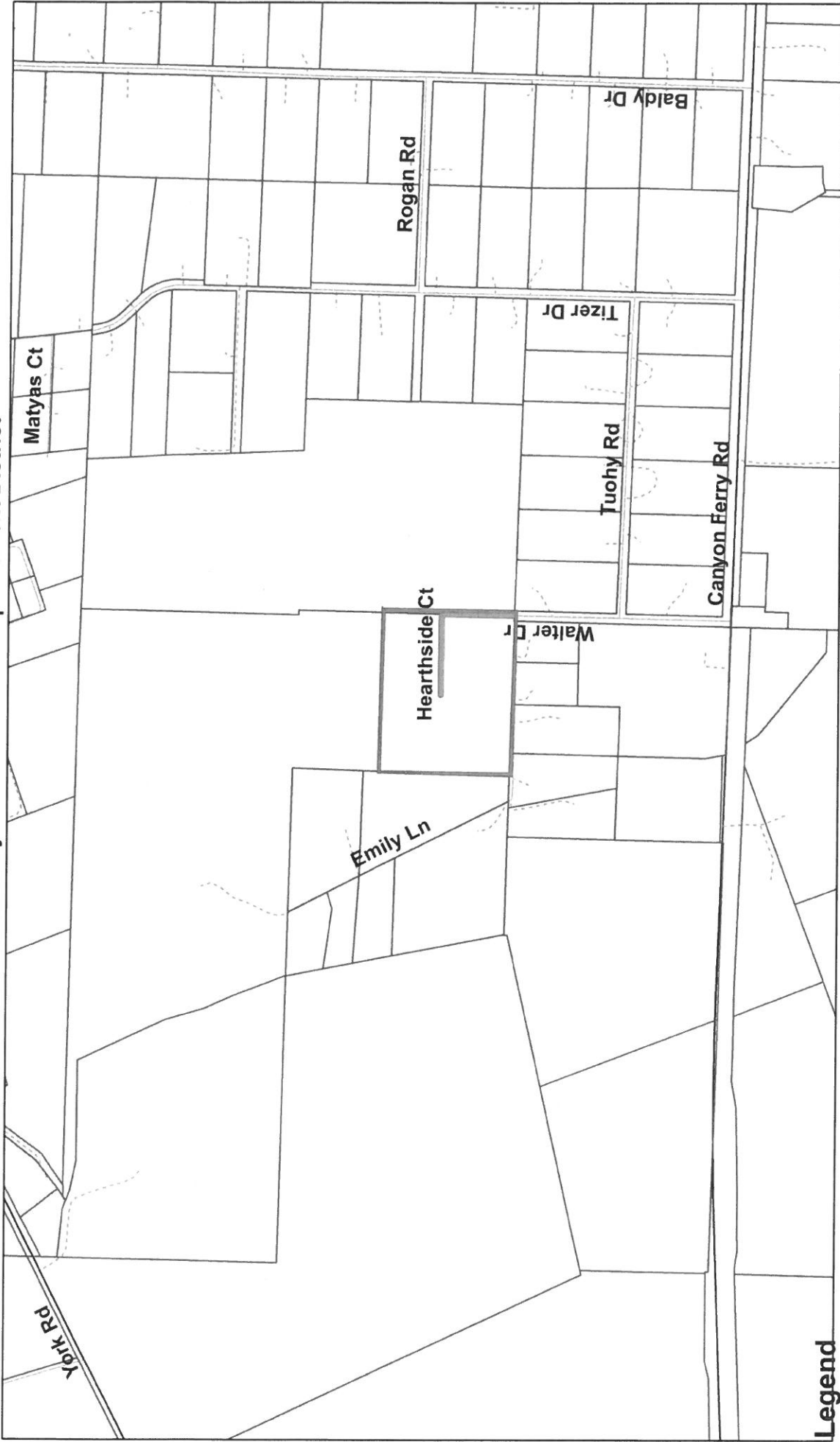


ATTEST:


Paulette DeHart, Clerk of the Board

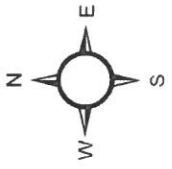
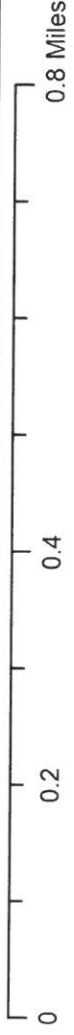
Attachments: Exhibit "A", Exhibit "B", Exhibit "C"

Exhibit 'A': Valleyview Farms Rural Improvement District



Legend

- Roads to be Maintained
- 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"

SILVER MAPLE RANCH

JOHN J. OITZINGER
SANDRA S. OITZINGER

801 STUART STREET
P. O. BOX 1271
HELENA, MONTANA 59624

(406) 449-6390
E-MAIL: johnno@mtbizlaw.com

July 29, 2015

Matt Heimel, RID Coordinator
Lewis & Clark County Planning Dept.
316 North Park Avenue, Room 230
Helena, MT 59624

Re: Valleyview Farms Minor Subdivision, Final Plat Requirements –
Petition to create Rural Improvement District (RID)

Dear Matt:

According to the Lewis and Clark County GIS maps, property known as the proposed Valleyview Farms Minor Subdivision currently lies outside any RID or SID boundaries nor within any zoning areas. On September 18, 2006, the Lewis and Clark Commissioners approved the subdivision proposal subject to Conditions, including Condition No. 12, on page 11 which states: "A Rural Improvement District shall be created to maintain Walter Drive and the internal access road; (Section XI, H.7., County Subdivision Regulations)."

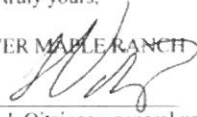
Therefore for purposes of maintenance of the proposed internal access road, on behalf of Silver Maple Ranch, the sole record owner of the proposed Valleyview Farms Minor Subdivision, we hereby petition Lewis and Clark County to create a Rural Improvement District in accordance with MCA Title 7, Chapter 12, Part 21.

County policy requires signatures of 60% of the owners to form an RID or SID. The undersigned are the general partners of the sole record owner of the property, therefore satisfying this requirement as to the internal access road with our signatures hereto.

A petition for creation of a separate RID for the external portion of Walter Drive, which you provided on July 14, 2015, is being circulated for signatures among the affected owners of properties within the boundaries of the proposed district.

Very truly yours,

SILVER MAPLE RANCH

By 
John J. Oitzinger, general partner

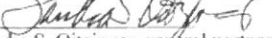
By 
Sandra S. Oitzinger, general partner

Exhibit "C": Valley View Farms RID Cost Estimate
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Number of Assessments (See methods of assessment 7-12-2151)

ANNUAL MAINTENANCE			
Snow plowing			\$440.73
Road grading			\$881.46
Soil stabilization			\$2,203.65
Miscellaneous			\$244.85
Sub Total			\$3,770.69
5% Admin. Fee (not to exceed \$500)			\$188.53
Total Annual Maintenance Fee			\$3,959.22
Divided by number of lots			\$989.81