

RESOLUTION NO. 2008-98

A RESOLUTION LEVYING AN ASSESSMENT UPON BENEFITTED PROPERTY IN THE COUNTY OF LEWIS AND CLARK, MONTANA, RURAL IMPROVEMENT DISTRICT NO. 2005-3, TO DEFRAY THE COST OF MAKING AND ACQUIRING WATER IMPROVEMENTS THEREIN AND PROVIDING FOR NOTICE OF HEARING TO PROTEST THE LEVY.

BE IT RESOLVED by the Board of County Commissioners of the County of Lewis and Clark (the "County"), Montana, as follows:

Section 1. Creation of District. By County Resolution No. 2005-83 the County passed its original resolution of intention to create Woodlawn Park Rural Improvement District No. 2005-03 and created such District under Resolution No. 2005-100. Subsequently, the County obtained additional information on costs and received a request to include Racetrack Meadows Subdivision Lots 47 and 48 in the District. By County Resolution No. 2007-83 (the "Amended Resolution of Intention") passed on the 17th day of July, 2007, the Board of County Commissioners of the County of Lewis and Clark described its intent to amend and recreate Rural Improvement District No. 2005-3 (the "District") for the purpose of benefitting property in the District described in Resolution No. 2007-83 by constructing certain water and related improvements within the District.

Section 2. Application to Water Improvements Only, Cost of Making or Acquiring the Water Improvements and Method of Assessment. The County has received bids for the proposed water improvements indicating that the total cost of the water improvements to be funded by special assessments are estimated to be \$421,000, which includes approximately \$68,000 of improvements for the AGC Property. This levy applies only to the water improvements in the District, the wastewater improvements in the District and assessments were financed through a separate bond and assessments under Resolution No. 2007-140 and 2007-125.

In County Resolution No. 2007-83 the Board of County Commissioners chose a method of assessment based on a per lot basis pursuant to Section 7-12-2151(a) MCA and based on Section 7-12-2151(e) for the AGC properties. The estimated total principal assessment is \$994.37 per lot and the estimated annual principal and interest assessment is \$68.39 per lot for the water improvements within Woodlawn Addition and estimated total principal of \$68,000 and \$4,676.96 per year total for the AGC Properties. Resolution No. 2007-83 declared that the costs of the improvements would be payable over a term of twenty (20) years.

Section 3. Sale of Bonds for Improvements.

By Resolution No. 2007-83 the County announced its intention to issue Bonds for the costs of the Improvements and incidental expenses as defined in 7-12-2153, MCA, to finance the costs of constructing certain water improvements within the boundaries of the District. The county has received notice from the Montana Department of Natural Resources and Conservation ("DNRC") that DNRC will purchase a bond from the County for the District's water project in the amount of \$421,000 (the "Water RID Bond") with payments over 20 years and interest at the rate of 2 ¾% per year. Section 7-12-2176, MCA requires the County to add ½ of one percent per year to the average



interest rate for RID bonds to determine the annual assessment.

Section 4. Principal and Interest Assessments. The principal assessments per lot or parcel within the District for the Water RID Bond are more particularly described in Exhibit "A" attached hereto. A description of each lot and parcel of land, with the Tax Identification Number and Owners Name, the amount of each annual payment to be made are also set forth in Exhibit "A" attached hereto. Payments of one half of such annual amount are due on November 30th and May 31st of each year and any payments made after such due date are delinquent. The County Clerk is directed to coordinate the special assessments with the County assessor's office.

Section 5. Levy and Assessment/City to Maintain Water Improvements. The County hereby levies and assesses the property as described in Exhibit "A" in accordance with Section 7-12-2158, MCA. Since the improvements will be maintained by the City of Helena, the County does not intend to currently levy any maintenance assessment. The City has agreed to expand its water system to accept the water improvements and to maintain them and offer city water services to the properties shown or Exhibit A.

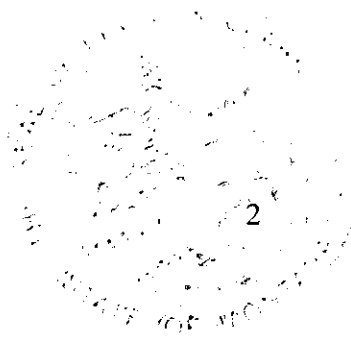
Section 6. Publication of Notice of Protest Hearing on Resolution for Tax Levy. The County Clerk & Recorder will sign and publish a notice stating that the County levies the special assessment to defray the costs of improvements and the date for hearing objections to the levy and stating that a copy of this Resolution, including Exhibits, is on file in the Clerk's Office and subject to inspection. The notice shall be published once a week for two weeks in the Helena Independent Record; mailed to the owner of each lot or parcel of land to be assessed; and mailed to such other persons known to the Clerk to have an ownership interest in the property. Such notice shall state the time and place at which objections to the final adoption of this resolution will be heard by the Board of County Commissioners. The time for such hearing shall be September 9, 2008 at 9:00 a.m. in Room 330 of the City/County Building, 316 N. Park, Helena, MT. At the time so fixed that the Board of County Commissioners shall meet and hear all objections to the final passage of this resolution. A copy of the final passage of the resolution levying the assessment shall be delivered to the County Clerk/Treasurer within 2 days after its passage.

Passed this 18th day of August, 2008.

ATTEST:

Paulette DeHart
Paulette DeHart
County Clerk and Recorder

Ed Tinsley
Ed Tinsley, Chairman





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COUNTY

Lewis & Clark County

EXHIBIT A

TOTAL ANNUAL ASSESSMENT

GEOCODE	OWNER NAME	# of Lots	LEGAL DESCRIPTION	TOTAL ANNUAL ASSESSMENT
188713401030000	DAVIDSON PROPERTIES INC	12	WOODLAWN PARK ADDN BLK 2 LTS 37-48	\$820.70
188713401050000	SPIEKER JOSEPH H & JUDY M	5	WOODLAWN PARK ADDN BLK 2 LTS 32-36	\$341.96
188713401070000	SPIEKER JOSEPH H & JUDY M	7	WOODLAWN PARK ADDN BLK 2 LTS 25-31 COS #5623781T	\$478.74
188713401110000	PALLISTER STEVEN & JOAN	6	WOODLAWN PARK ADDN BLK 2 LTS 19-24 COS #5623781T	\$410.35
188713401130000	CAVELRY CHAPEL OF HELENA INC	3	WOODLAWN PARK ADDN BLK 2 LTS 16-18 PER COS #6623781T	\$205.17
188713401150000	CALVARY CHAPEL OF HELENA INC	4	WOODLAWN PARK ADDN BLK 2 LTS 12-15 COS #6623781T	\$273.57
188713401170000	CALVARY CHAPEL OF HELENA INC	7	WOODLAWN PARK ADDN BLK 2 LTS 1-7	\$273.57
188713401190000	CALVARY CHAPEL OF HELENA INC	9	WOODLAWN PARK ADDN BLK 1 LTS 40-48	\$478.74
188713402000000	LEMIEUX PAMELA A & JAMES D	12	WOODLAWN PARK ADDN BLK 1 LTS 10-12 & 31-39	\$615.52
188713402060000	KOSENA DONALD E & ARDITH D	6	WOODLAWN PARK ADDN BLK 1 LTS 25-30 LESS HWY ROW	\$820.70
188713402090000	STAV KEITH A	4	WOODLAWN PARK ADDN BLK 1 LTS 21-24	\$410.35
188713402110000	KERCHER GERALD A	4	WOODLAWN PARK ADDN BLK 1 LTS 13-20	\$273.57
188713402130000	STAV KEITH A	9	WOODLAWN PARK ADDN BLK 1 LTS 1-9	\$547.13
188713402190000	SCHARF JACK L & MARJIE R	6	WOODLAWN PARK ADDN BLK 3 LTS 43-48	\$615.52
188713403010000	HELENA WATER SYSTEMS LLC	12	WOODLAWN PARK ADDN BLK 3 LTS 31-42	\$820.70
188713403060000	HERRIN THOMAS H & PATRICIA D	6	WOODLAWN PARK ADDN SUB BLK 3 LTS 25-30	\$410.35
188713403130000	HAYNES JORDAN D & CARLEE M	2	WOODLAWN PARK ADDN BLK 3 LTS 25-24	\$136.76
188713403230000	JACKSON DAVID L	7	WOODLAWN PARK ADDN BLK 3 LTS 16-22	\$478.74
188713403250000	TODE ANDREW D & AUGLA M	7	WOODLAWN PARK ADDN BLK 3 LTS 9-15	\$478.74
188713403300000	SWENSON RUTH A	1	WOODLAWN PARK ADDN BLK 3 LT 8	\$68.39
188713403340000	HELENA WATER SYSTEMS LLC	7	WOODLAWN PARK ADDN BLK 3 LTS 1-7	\$478.74
188713403350000	HELENA WATER SYSTEMS LLC	5	WOODLAWN PARK ADDN BLK 4 LOTS 44-48	\$341.96
188713404010000	HELENA WATER SYSTEMS LLC	3	WOODLAWN PARK ADDN BLK 4 LTS 41-43	\$205.17
188713404010000	SODJIA PATTY	4	WOODLAWN PARK ADDN BLK 4 LOTS 37-40	\$273.57
188713404050000	SODJIA PATTY	4	WOODLAWN PARK ADDN BLK 4 LTS 33-36	\$273.57
188713404070000	ZUFELT CAMIE S & MICHAEL A	4	WOODLAWN PARK ADDN BLK 4 LTS 29-32	\$273.57
188713404110000	FRANCIS GWEN R	4	WOODLAWN PARK ADDN BLK 4 LTS 25-26	\$273.57
188713404130000	CLAYTON ADAM L & YOUNG CHERYL J	9	WOODLAWN PARK ADDN BLK 4 LTS 16-24	\$615.52
188713404150000	CHRISTISON JEFFREY A & MURPHY CRYSTAL R	3	WOODLAWN PARK ADDN BLK 4 LTS 13A-15 PER COS 581507	\$205.17
188713404170000	MCDONALD JAMES D	4	WOODLAWN PARK ADDN BLK 4 LTS 10-12A COS 581507	\$273.57
188713404190000	HINTON JANET	3	WOODLAWN PARK ADDN BLK 4 LTS 6-9	\$341.96
188713404220000	WELLS FARGO BANK MONTANA NA TRUSTEE	5	WOODLAWN PARK ADDN BLK 4 LTS 1-5	\$1,231.05
188713404250000	BALSLEY PHILL R	18	WOODLAWN PARK ADDN BLK 6 LTS 31-48	\$820.70
188713404270000	WELLS FARGO BANK MONTANA NA TRUSTEE OF	12	WOODLAWN PARK ADDN BLK 6 LTS 1-12	\$136.76
188713405010000	TERRIAULT BRIAN T & DAWN	2	WOODLAWN PARK ADDN BLK 6 LOTS 29-30	\$273.57
188713405110000	TERRIAULT BRIAN T & DAWN	4	WOODLAWN PARK ADDN BLK 6 LTS 25-28	\$410.35
188713405150000	HANNESON RICHARD G SR &	6	WOODLAWN PARK ADDN BLK 6 LTS 19-24	\$410.35
188713405170000	HOHN WILLIAM J	6	WOODLAWN PARK ADDN BLK 6 LTS 13-18	\$341.96
188713405190000	HALL MICHAEL H & DIANA J	5	WOODLAWN PARK ADDN BLK 6 LTS 13-18	\$273.57
188713405230000	CLARK NANCY A	4	WOODLAWN PARK ADDN BLK 5 LTS 26-32	\$273.57
188713406010000	DALLAS DONALD M	4	WOODLAWN PARK ADDN BLK 5 LT 37-40	\$547.13
188713406030000	MURRAY ROY A & DANITA F	8	WOODLAWN PARK ADDN BLK 5 LTS 33-36	\$683.91
188713406050000	WATTS ROBERT RAYMOND	10	WOODLAWN PARK ADDN BLK 5 LTS 41-48	\$478.74
188713406100000	PAYNTER JUDY M	7	WOODLAWN PARK ADDN BLK 5 LTS 8-17	\$205.17
188713406150000	BILLINGTON GERALD L & JUDITH C	7	WOODLAWN PARK ADDN BLK 5 LTS 18-24	\$478.74
188713406170000	AMDAHL VIRGINIA M	3	WOODLAWN PARK ADDN BLK 5 LTS 25-27	\$341.96
188713406200000	DALLAS DONALD M	5	WOODLAWN PARK ADDN BLK 5 LTS 1-7	\$273.57
188713406210000	ROOT MICHAEL J & MARY E	4	WOODLAWN PARK ADDN BLK 7 LT 25-28	\$205.17
188713407110000	TOVEY GLADYS M	5	WOODLAWN PARK ADDN BLK 7 LTS 21-24	\$273.57
188713407150000	ALLISON VIRGIL E & CHARLOTTE	3	WOODLAWN PARK ADDN BLK 7 LT 2-4	\$205.17
188713407250000	HURNI DONALD C & WILMA K	1	WOODLAWN PARK ADDN BLK 7 LT 1	\$68.39
188713407270001	CLANCY DENNIS	25	WOODLAWN PARK ADDN BLK 8 LTS 1-17 & 41-48	\$1,709.79
188713408010000	CREACH JACK M JR & JUANITA L	4	WOODLAWN PARK ADDN BLK 8 LTS 37-40	\$273.57
188713408050000	CREACH JACK M JR & JUANITA L	5	WOODLAWN PARK ADDN BLK 8 LTS 32-36	\$341.96
188713408090000	CREACH JACK M JR & JUANITA L	3	WOODLAWN PARK ADDN BLK 8 LTS 29-31	\$205.17
188713408100000	COLE WILLIAM D	4	WOODLAWN PARK ADDN BLK 8 LTS 25-28	\$273.57
188713408130000	WELCH JEFFERY P & JODY L	7	WOODLAWN PARK ADDN BLK 8 LTS 18-24	\$478.74
188713408170000	JTA PROPERTIES LLP	6	PARCEL D. COS #4471630 IN NW 4 SE 1/4 LESS B & E DEED. MID-9288 IN NW 5E SEC 13. T10N R4W	\$410.35
188713410150000	JTA PROPERTIES LLP	0.0000	RACETRACK MEADOWS SUB LTS 47-48 IN THE SESE SEC 14. T10N R4W	4,676.96
188714401090001	LABORERS A G C TRAINING PROGRA	0.0000		\$28,955.97