

RESOLUTION NO. ~~05-52~~

**AMENDED RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT DISTRICT
KNOWN AS R.S.I.D. #724 AND MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #724M
TRASK SUBDIVISION FIRST FILING**

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, met in regular session and executed a Resolution of Intent to Create a Rural Special Improvement District #724 and Maintenance District #724M for Trask Subdivision First Filing, described in Exhibit B as Lots 7 through 23 Block 1 and more particularly shown in Exhibit A (map) and,

WHEREAS, the Clerk and Recorder published the Notice of the passage of Amended Resolution of Intent to Create the District in the Billings Gazette on May 27th, 2005 and June 3rd, 2005, and mailed a copy of the Notice to every person, firm or corporation owning property in the District; and,

WHEREAS, the Board of County Commissioners finds, determines and declares:

1. That the public interest or convenience requires the creation of a Rural Special Improvement District and Rural Special Improvement Maintenance District as hereinafter described;
2. That the costs of providing for the construction and maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement District with all existing lots being assessed an equal amount on a per lot basis. The Rural Special Improvement Maintenance District will be assessed for all existing and future lots being assessed an equal amount on a per lot basis;
3. That the purpose of forming the Districts is to provide for the construction, maintenance, preservation, and repair of the streets located within the boundaries of this District;
4. That the Commissioners have been presented with a valid Petition to create the proposed Districts;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Yellowstone County as follows:

1. The Commissioners have acquired jurisdiction to create a Rural Special Improvement District No. 724 to provide for improving the roadway system and Rural Special Improvement Maintenance District No. 724M to provide for the annual maintenance, operation and preservation of the streets. The construction costs and property assessments are more particularly described in Exhibits C, D, and E and the maintenance costs are more particularly described in Exhibit F. The estimated maintenance costs shown do not preclude other eligible street maintenance expenditures.

2. All of the costs of the District shall be assessed equally on a per lot basis for all existing and future lots (see Exhibit H). The boundaries of this District are shown on the map attached as Exhibit A and described in Exhibit B.

3. The number of the Rural Special Improvement District thereof shall be No. 724, and the number of Rural Special Maintenance District thereof shall be No. 724M.

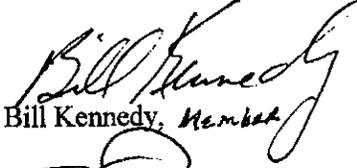
4. All lots accessing their property from the improved streets will benefit from proposed R.S.I.D.'s and shall be assessed for road construction and maintenance. All existing lots will be assessed an equal amount based upon the total cost of the construction. All existing and future lots will be assessed an equal amount based upon the total cost of the maintenance.

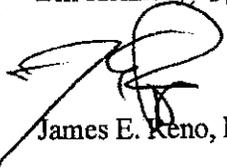
5. The Commissioners desire that an Ad Hoc Committee (see exhibit G) be appointed to make recommendations to the Commissioners with regard to the need for assessments to be made for the maintenance and the amount of the assessments, and how the assessments should be spent. The Commissioners ask that the Petitioners submit a list of some individuals who are willing to serve on the Ad Hoc Committee.

PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 28th day of June, 2005.

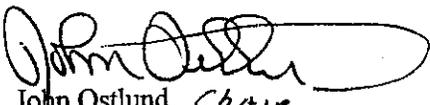
Board of County Commissioners
Yellowstone County, Montana

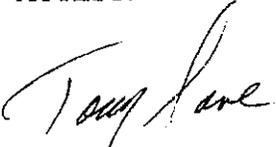
(SEAL)


Bill Kennedy, Member


James E. Reno, Member

ATTEST:


John Ostlund, Chair


Tony Nave
Clerk and Recorder

$$\frac{12}{17} = 71\%$$



Charles Trask
2478 Trask Circle
Worden, MT 59088

June 3, 2004

B-75932

Dear Charles:

As you requested we have prepared an ownership report on the following legal descriptions.

<u>OWNER(S)</u>	<u>LEGAL DESCRIPTION</u>	<u>TAX CODE</u>
Linda Varela P.O. Box 23 Worden, MT 59088-0023	Lot 7, Block 1 Trask Subdivision First Filing	C-08830
Michael Leon & Kimberly Mink Reiter P.O. Box 265 Worden, MT 59088-0265	Lots 8 & 9, Block 1 ^{Two} Trask Subdivision First _{lots} Filing	C-08831
Randall J. & Bonnie J. Riley 2485 Trask Circle Worden, MT 59088-2222	Lot 10, Block 1 Trask Subdivision First Filing	C-08833
James P. & Aimee P. Benn 2483 Trask Circle Worden, MT 59088-2222	Lot 11, Block 1 Trask Subdivision First Filing	C-08834
Tara J. Oberlander 2481 Trask Circle Worden, MT 59088-2222	Lot 12, Block 1 Trask Subdivision First Filing	C-08835

EXHIBIT B (page 2)

Tyrone B. & Betty Loenforf Lot 13, Block 1 C-08836
 2479 Trask Circle Trask Subdivision First
 Worden, MT 59088-2222 Filing

Lori R. Ellis Lot 14, Block 1 C-08837
 2475 Trask Circle Trask Subdivision First
 Worden, MT 59088-2222 Filing

Rodney L. & Teresa R. Kosmicki Lot 15, Block 1 C-08838
 2485 Trask Circle Trask Subdivision First
 Worden, MT 59088-2222 Filing

Susan C. Craig Lot 16, Block 1 C-08839
 P.O. Box 312 Trask Subdivision First
 Worden, MT 59088-0312 Filing

Charles P. & Marie B. Trask Lot 17, Block 1 C-08840
 Co-Trustees of the Trask Trask Subdivision First
 Family Trust Filing
 2478 Trask Circle
 Worden, MT 59088-2222

Todd W. & Rolanda H. Texley Lot 18, Block 1 C-08841
 2480 Trask Circle Trask Subdivision First
 Worden, MT 59088-2222 Filing

Note
 Paid of 340.00
 @ Trask
 Charles P. & Marie B. Trask & Lot 19, Block 1 C-08842
 M.F. & Beverly A. Trask, Trustees Trask Subdivision First
 C/O Todd Wayne & Rolanda H. Filing
 Texley
 2480 Trask Circle
 Worden, MT 59088-2222

Jerry L. & Maria Guadalupe Weaver Lot 20, Block 1 C-08843
 2362 Vina Del Mar Trask Subdivision First
 Oxnard, CA 93035-3635 Filing

Juan Antonio Ojeda Lot 21, Block 1 C-08844
 724 North 31st Street Trask Subdivision First
 Billings, MT 59101-0946 Filing

Alberto Ojeda
7441 East Brooks Drive
Tucson, AZ 85730-1732

Lot 22, Block 1
Trask Subdivision First
Filing

C-08845

o/c
Clarence F. & Dorothy D.
Toodgood, Trustees
P.O. Box 104
Belfry, MT 59008-0105

Lot 23, Block 1
Trask Subdivision First
Filing

C-08846

Dated as of May 25, 2004 at 5:00 P.M.

First Montana Title Company of Billings

Sara Staebler

Sara Staebler

1 - 1/2

EXHIBIT C
AMENDED RESOLUTION OF INTENT TO CREATE RSID 724 - TRASK SUBDIVISION 1ST FILING

TAX CODE	OWNER(S)	LOT	BLOCK	SUBDIVISION	(A) Improved (1) or Vacant (0)	(B) Market Valuation	(C) Units of Assess.	(D) Delinq. Taxes as of 7/31/04	(E)=(C)X2437.5 Estimated Assessment on RSID	(F)=(E)X(A) Assessments On Improved Properties	(G)=(B)-(D)-(E) Positive Net Values	(H)=(B)-(D)-(E) Negative Net Values
C08830	VERELA, LINDA	7	1	TRASK 1ST FILING	1	73,810	1	-	2,437.50	2,437.50	71,373	
C08831	REITER, MICHAEL LEON & KIMBERLY MINK	8 & 9	1	TRASK 1ST FILING	1	174,995	1	-	2,437.50	2,437.50	172,558	
C08833	RILEY, RANDALL J & BONNIE J	10	1	TRASK 1ST FILING	1	61,782	1	-	2,437.50	2,437.50	59,345	
C08834	BENN, JAMES P & AIMEE P	11	1	TRASK 1ST FILING	1	96,594	1	-	2,437.50	2,437.50	94,157	
C08835	OBERLANDER, TARA J	12	1	TRASK 1ST FILING	1	66,744	1	-	2,437.50	2,437.50	64,307	
C08836	LOENDORF, TYRONE B & BETTY	13	1	TRASK 1ST FILING	1	61,484	1	-	2,437.50	2,437.50	59,047	
C08837	ELLIS, LORI R & KEVIN	14	1	TRASK 1ST FILING	1	68,528	1	-	2,437.50	2,437.50	66,091	
C08838	KOSMICKI, RODNEY L & TERESA R	15	1	TRASK 1ST FILING	1	65,761	1	-	2,437.50	2,437.50	63,324	
C08839	CRAIG, SUSAN C	16	1	TRASK 1ST FILING	1	78,040	1	-	2,437.50	2,437.50	75,603	
C08840	TRASK, CHARLES P & MARIE B TRUSTEE	17	1	TRASK 1ST FILING	1	58,031	1	-	2,437.50	2,437.50	55,594	
C08841	TEXLEY, TODD W & ROLANDA H	18	1	TRASK 1ST FILING	1	80,783	1	-	2,437.50	2,437.50	78,346	
C08842	TRASK, CHARLES P ETUX & M F ETUX	19	1	TRASK 1ST FILING	0	6,035	1	-	2,437.50	-	3,598	
C08843	WEAVER, JERRY L MARIA G	20	1	TRASK 1ST FILING	1	60,892	1	-	2,437.50	2,437.50	58,455	
C08844	OJEDA, JUAN ANTONIO	21	1	TRASK 1ST FILING	0	6,035	1	-	2,437.50	-	3,598	
C08845	OJEDA, ALBERTO	22	1	TRASK 1ST FILING	0	6,035	1	-	2,437.50	-	3,598	
C08846	TOOGOOD, CLARENCE F & TOOGOOD, DOROTHY I	23	1	TRASK 1ST FILING	0	6,027	1	-	2,437.50	-	3,590	
Totals					12	971,576	16	-	39,000.00	29,250.00	932,576	

12 PROPERTIES IMPROVED
16 PROPERTIES ASSESSED
75.0% PERCENT DEVELOPED

EXHIBIT D

AMENDED RESOLUTION OF INTENT TO CREATE RSID 724 - EXHIBIT D

TRASK SUBDIVISION ESTIMATED COST OF STREET OVERLAY-PRIVATE BOND SALE AS OF May 16, 2005

Construction cost-Hardrives Construction Inc. 5/12/05	\$ 28,120.96
Construction contingency	5,189.04

TOTAL CONSTRUCTION COSTS	33,310.00
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DIRECT ADMIN. COSTS-PRIVATE SALE

Engineering-Precreation costs	-
Engineering-Design	-
Engineering-Admin, Inspection, Staking, etc.	-
Advertising, title reports, postage, misc.	620.00

SUBTOTAL	33,930.00
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INDIRECT ADMIN. & RESERVE COSTS

County RSID Revolving Fund Collateralization-5% of debt issue	1,950.00
County Administration-5% of debt issue	1,950.00
RSID Debt Reserve-3%, 71% developed	1,170.00

TOTAL ESTIMATED DEBT REQUIREMENT	39,000.00
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Number of parcels in district boundary	16
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Cost per parcel-assessed on equal basis	\$ 2,437.50
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Est. annual cost @ 5.0% over 10 years	\$315.67
Est. annual cost @ 6.0% over 10 years	\$331.18
Est. annual cost @ 7.0% over 10 years	\$347.05
Est. annual cost @ 8.0% over 10 years	\$363.26



Since 1989

EXHIBIT E



4800 A Helfrick Road
Billings, MT 59101
406-245-3128
Fax 406-245-8834

Email: hardrives@hardrives-asphalt.com
www.hardrives-asphalt.com

Licensed, Bonded, Insured

Excavation • Concrete • Asphalt • Utilities

Proposal submitted to:	Yellowstone County	Date:	5/12/2005
	Attn: Tom Kessler	Phone:	254-7929
	Trask Circle-Worden MT	Job Type:	Maint./Chip Seal
		Job Loc:	Trask Circle

We hereby submit specifications and estimates per your request for price to provide asphalt maintenance. We have figured price to:

ASPHALT REPAIR

1. Repair low and sunken asphalt. Approximately 6500 square feet. **\$8,515.00**

CRACK REPAIR

1. Repair new cracks by routing, cleaning, and double filling with hot rubber. Repair old cracks by blowing free all dirt and debris, and refilling.

Approximately 750 lineal feet **\$877.50**

CHIP SEAL

\$10,914.66

CURB AND GUTTER

1. Approximately 270 lineal feet, includes 6" thick fillet

\$7,813.80

Total \$28,120.96

- Hardrives is not responsible for any damage done to existing asphalt due to weight of machinery.
- One mobilization included.
- All workmanship and materials guaranteed against failure for one full year.
- If you have any questions, please call.

PAYMENT TO BE AS FOLLOWS:

UPON COMPLETION, UNLESS OTHER ARRANGEMENTS HAVE BEEN MADE...
FOR YOUR CONVENIENCE WE NOW ACCEPT MASTER CARD AND VISA.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

****See Above****

THIS PROPOSAL MAY BE WITHDRAWN BY US, IF NOT ACCEPTED WITHIN 90 DAYS

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. This Document also serves as a Right to Lien.

AUTHORIZED SIGNATURE: *Tom Kessler*

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE:

DATE OF ACCEPTANCE:



EXHIBIT F

PETITION TO ESTABLISH A RURLA SPECIAL IMPROVEMENT DISTRICT (RSID)

TRASK SUBDIVISION FIRST FILING

**SECTION C
ESTIMATED ANNUAL MAINTENANCE COST**

FALL MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Snow removal	100.00/year

WINTER MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Snow removal	100.00/year

SPRING MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Snow removal	100.00/year

SUMMER MAINTENANCE:

ACTIVITY/IMPROVEMENT	ESTIMATED COST
Weed control	100.00/year

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$400.00/year

EXHIBIT G

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION F
PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT
RECOMMENDATIONS FOR AD HOC COMMITTEE

	NAME	TELEPHONE NUMBER
1.	<u>Todd W Texley</u> Printed Name	<u>406-967-2435</u>
	<u>Todd W Texley</u> Signature	
2.	<u>Tara J Oberlander</u> Printed Name	<u>406-967-2623</u>
	<u>Tara J Oberlander</u> Signature	
3.	<u>Amie P. Benn</u> Printed Name	<u>406-967-2962</u>
	<u>Amie P. Benn</u> Signature	
4.	<u>Susan Craig</u> Printed Name	<u>406-967-2388</u>
	<u>Susan Craig</u> Signature	
5.	<u>Rebecca K. Kinnick</u> Printed Name	<u>406-967-3167</u>
	<u>Rebecca Kinnick</u> Signature	
6.	<u>Kevin Ellis</u> Printed Name	<u>406-967-3191</u>
	<u>Kevin Ellis</u> Signature	

