RESOLUTION NO. 07-134

RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE DISTRICT KNOWN AS R.S.I.D. #769M (BROOKWOOD SUBDIVISION)

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, have been presented with a valid petition to create a Rural Special Improvement Maintenance District which shall be known as R.S.I.D. #769M for BROOKWOOD Subdivision, described in Exhibit B as Lots 1 through 4 Block 1; Lots 9 through 33 Block 2; Lots 1 and 9 Block 3; Lots 1 through 10 Block 4; Lots 1 through 10 Block 5; Lots 1,2, and 9 through 14 Block 6; and Lots 1 through 7 Block 8 all of BROOKWOOD Subdivision and more particularly shown in Exhibit A (map) and,

WHEREAS, under MCA 7-12-2102(2), a petition was presented to create a rural special improvement district that contains the consent of all (100%) of the owners of property to be included in the district;

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 Maintenance District as hereinafter described;

2. That the costs of providing for road, park, drainage, irrigation, groundwater recharge, and fire storage tank maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement Maintenance District with all existing and future lots being assessed on a per lot basis (Exhibit C);

3. That the purpose of forming the District is to provide for road, park, drainage, irrigation, groundwater recharge, and fire storage tank maintenance;

4. That the Commissioners have been presented with a valid Petition to create the proposed District;

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 Maintenance District No. 769M to provide for road, park, drainage, irrigation, groundwater recharge, and fire storage tank maintenance within the district. The estimated costs shown (see Exhibit D) do not preclude other eligible expenditures for road, park, drainage, irrigation, groundwater recharge, and fire storage tank maintenance.

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 C). 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 Maintenance District thereof shall be **No. 769M.**

4. All lots will benefit from proposed R.S.I.D. and shall be assessed for maintenance. All lots will be assessed an amount based upon the total cost of the applicable maintenance activity.

5. The Commissioners desire that an Ad Hoc Committee 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 18th day of December, 2007.

Board of County Commissioners
Yellowstone County, Montana

(SEAL)

James E. Reno, Chair

Bill Kennedy, Member

ATTEST:

John Ostlund, Member

Tony Nave
Clerk and Recorder

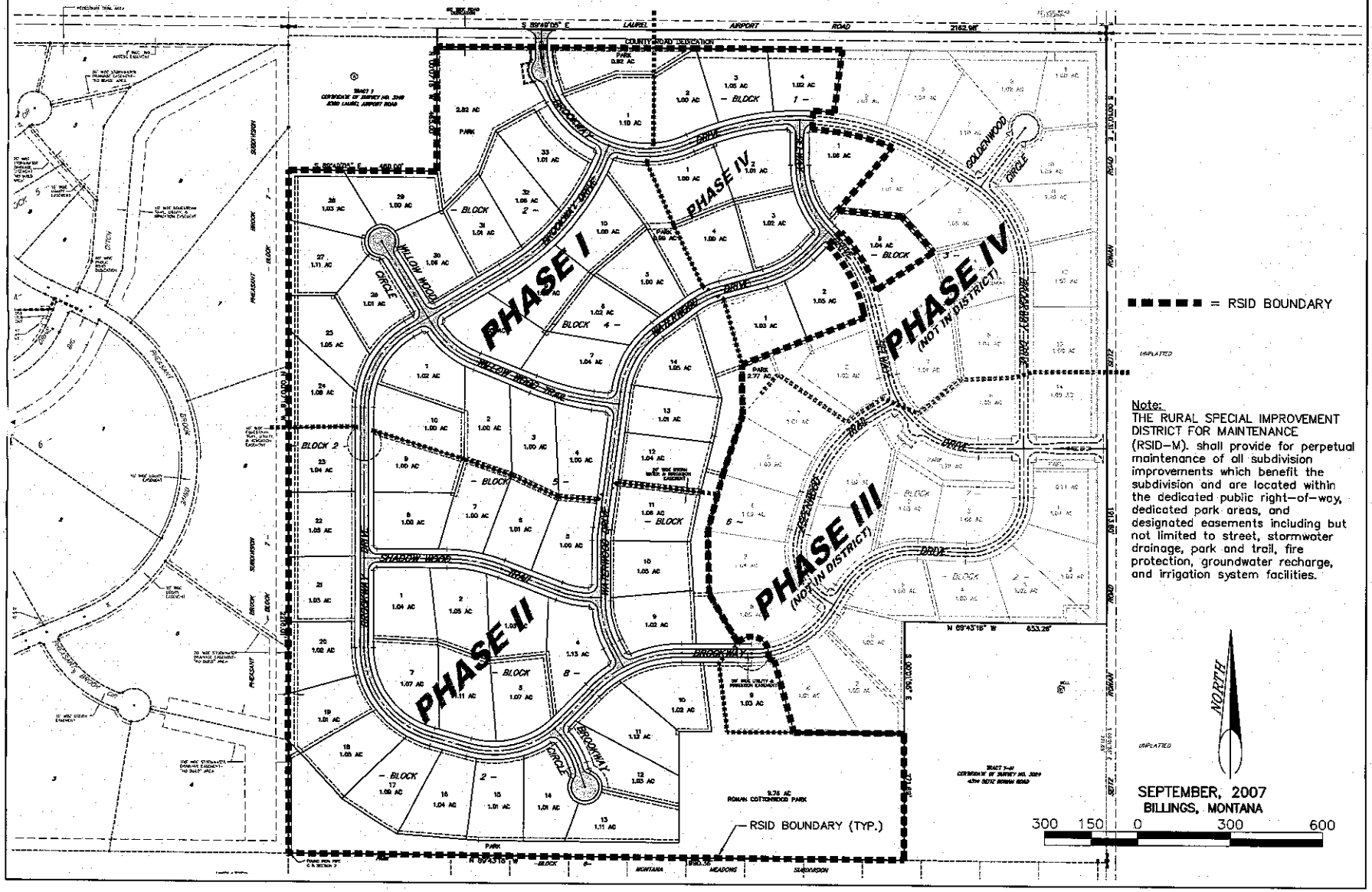
ATTACHMENT A

PREPARED FOR : YUKON DEVELOPMENT CORP.
PREPARED BY : ENGINEERING, INC.
SCALE : 1"=300'

BOUNDARY EXHIBIT OF RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M) FOR

BROOKWOOD SUBDIVISION

BEING UNPLATTED LANDS SITUATED IN THE N.E.1/4 OF SECTION 2, T. 2 S., R. 24 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA



Note:
THE RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M). shall provide for perpetual maintenance of all subdivision improvements which benefit the subdivision and are located within the dedicated public right-of-way, dedicated park areas, and designated easements including but not limited to street, stormwater drainage, park and trail, fire protection, groundwater recharge, and irrigation system facilities.

SEPTEMBER, 2007
BILLINGS, MONTANA

ENGINEERING, INC.
Consulting Engineers and Land Surveyors
BILLINGS • BOZEMAN • SHERIDAN

BROOKWOOD SUBDIVISION – PHASE I & II
YELLOWSTONE COUNTY, MONTANA
BOUNDARY EXHIBIT OF RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M)

CADD: BMB
DATE: 12/07/07
REVISIONS:
APPROVED BY:
QUALITY ASSURANCE:
SCALE: AS SHOWN
FILE: RSID_EXHIBIT
PROJECT NO: 04099.01
SHEET 1 OF 1

ATTACHMENT B

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION B
LEGAL DESCRIPTIONS AND OWNERSHIP REPORTS (ATTACHED)

Brookwood Subdivision

Being the following lots, all in Brookwood Subdivision in Yellowstone County according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana:

Lots 1 through 4, Block 1
Lots 9 through 33, Block 2
Lots 1 and 9, Block 3
Lots 1 through 10, Block 4
Lots 1 through 10, Block 5
Lots 1, 2, and 9 through 14, Block 6
Lots 1 through 7, Block 8

ATTACHMENT C

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION D
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

[x] Equal Amount: Assessment spread equally between 66 lots

[ ] Front Footage: _____

[ ] Other (Describe): _____

[ ] Square Footage (Please list the square footage for each lot within the proposed district):

Property Owner	Lot and Block, Subdivision or C/S	Total Square Footage

ATTACHMENT D

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT

SECTION C
ESTIMATED ANNUAL MAINTENANCE COST (PHASE I & II)

STREET/STORMWATER DRAINAGE FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	ROADSIDE WEED CONTROL	$250.00
2	SNOW PLOWING (3 PLOWS/YEAR)	$1,200.00
3	CHIP SEAL (EVERY 7 YEARS) *	$10,500.00
4	MISC. MAINTENANCE (POTHOLES, CRACK SEALING, ETC.)	$250.00
5	MAINTAIN DRAINAGE DITCHES, SWALES, DETENTION/RETENTION AREAS	$250.00
6	MAINTAIN DRAINAGE STRUCTURES AND CULVERTS	$250.00
	SUBTOTAL =	$12,700.00

*Yellowstone County Public Works recommends an annual assessment of $0.04661/ft^2 of pavement for future chip seal. Estimate based on approximately 9,790 LF of road or approximately 25,000 SY (Phase I & II only) of pavement which equals an annual assessment of approximately $10,500.00.

PARK AND TRAIL FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	MOWING/WEED CONTROL	$750.00
2	MAINTAIN SUBDIVISION TRAILS AND PARK FACILITIES	$500.00
3	FUTURE PARK IMPROVEMENTS	$1,000.00
	SUBTOTAL =	$2,250.00

FIRE PROTECTION FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	MAINTAIN DRY HYDRANT STRUCTURES AND WATER LEVEL	$250.00
	SUBTOTAL =	$250.00

GROUNDWATER RECHARGE FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	REMOVE AND DISPOSE SILT/SEDIMENT FROM BASINS	$500.00
2	RIP, TILL, AND DISC BASINS	$500.00
3	LEVEL BASIN FLOORS	$500.00
4	GROUNDWATER LEVEL MONITORING AND ANALYSIS	$2,500.00
5	OPERATION COSTS	$1,500.00
	SUBTOTAL =	$5,500.00

IRRIGATION SYSTEM FACILITIES:

	MAINTENANCE ACTIVITY	ESTIMATED ANNUAL COST
1	DRAIN/WINTERIZE SYSTEM	$250.00
2	MISC. MAINTENANCE AND REPAIR	$250.00
3	ANNUAL WATER SHARE FEES ($55.00 per lot)	$2,970.00
	SUBTOTAL =	$3,470.00

TOTAL ESTIMATED ANNUAL MAINTENANCE COST =	**$24,170.00**
TOTAL NUMBER OF ASSESSMENT UNITS (# OF LOTS) =	**66**
ESTIMATED ANNUAL MAINTENANCE COST PER LOT =	**$366.21**
ESTIMATED MONTHLY MAINTENANCE COST PER LOT =	**$30.52**

NOTE:

ESTIMATED ANNUAL MAINTENANCE COSTS HAVE BEEN PROVIDED FOR THE PURPOSE OF ESTABLISHING A MAINTENANCE AND OPERATION BUDGET FOR THE PUBLIC SUBDIVISION FACILITIES. ANNUAL ASSESSMENTS MAY NEED TO BE ADJUSTED UP OR DOWN BY THE RSID-M AD-HOC COMMITTEE IN THE FUTURE, BASED ON ACTUAL COSTS INCURRED TO MAINTAIN AND OPERATE SUBDIVISION FACILITIES.

In CH/OOD
11-23-07

YELLOWSTONE COUNTY
FINAL SUBDIVISION PLAT ROUTING SLIP

LEGAL DESCRIPTION: Brookwood Subdivision

Surveyed for: Donald W. Ronan + Janet L. Ronan

Tax code(s): D-02502A

1. **PLANNING DEPARTMENT** Laurel
Date Received:_____ Date Out:_____ To Whom_____
Reviewed By:_____
Comments: Note James Signed My/Am — wrong Route Slip was Attached

2. **COUNTY TREASURER**
Date Received:_____ Date Out:_____ To Whom_____
Reviewed By:_____
Comments:
Note - 2006 Taxes delinquent + 2007 not Paid

3. **COUNTY PUBLIC WORKS**
Date Received: 11/23 Date Out: 11/26/07 To Whom Health
Reviewed By: S Johnson
Comments: RSID has been approved to be ~~expanded to~~ reduced to Include phase II & I. Letter of credit is required - Pat Davies said it should be ready this week. Developer proposes expanding RSID upon full buildout of phases

4. **COUNTY HEALTH**
Date Received:_____ Date Out:_____ To Whom_____
Reviewed By:_____
Comments:

5. **GIS**
Date Received:_____ Date Out:_____ To Whom_____
Reviewed By:_____
Comments:

6. **COUNTY ATTORNEY**
Date Received:_____ Date Out:_____ To Whom_____
Reviewed By:_____
Comments:

7. **CLERK & RECORDER**
Date Received:_____ Date Out:_____ To Whom_____
Reviewed By:_____
Comments: