

RESOLUTION NO. ~~05-~~ 106

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE  
DISTRICT TO BE KNOWN AS R.S.I.D. #733M  
RED & KING GULCH ROAD IN C/S 2307**

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 Maintenance District #733M for Red & King Gulch in C/S 2307, as described in Exhibit A and more particularly shown in Exhibit B (map) and,

WHEREAS, the Clerk and Recorder published the Notice of the passage of Resolution of Intent to Create the District in the Billings Gazette on September 23<sup>rd</sup>, 2005 and September 30<sup>th</sup>, 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 that:

1. The public interest or convenience requires the creation of a Rural Special Improvement Maintenance District as hereinafter described;
2. The costs of providing street 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 an equal amount on a per lot basis;
3. The purpose of forming the District is to provide the maintenance, preservation, and repair of the streets and park located within the boundaries of this District;
4. 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 Maintenance District No. 733M to provide for the annual maintenance, grading, operation and preservation of the streets. The maintenance costs are more particularly described in Exhibit C. The estimated 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 D.) The boundaries of this District are shown on the map attached as Exhibit B and described in Exhibit A.
3. The number of the Rural Special Maintenance District thereof shall be No. 733M.

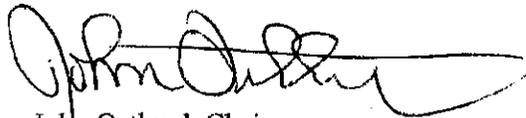
4. All lots accessing their property from the streets will benefit from proposed R.S.I.D. and shall be assessed for road maintenance. All lots will be assessed an equal amount based upon the total cost of the maintenance.

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.

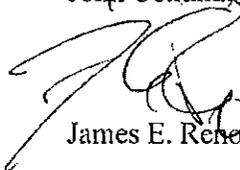
PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana, this 25<sup>th</sup> day of October, 2005.

Board of County Commissioners  
Yellowstone County, Montana

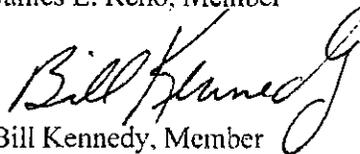
(SEAL)



John Ostlund, Chair

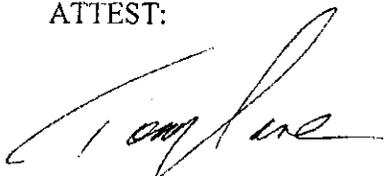


James E. Reno, Member



Bill Kennedy, Member

ATTEST:



Tony Nave  
Clerk and Recorder

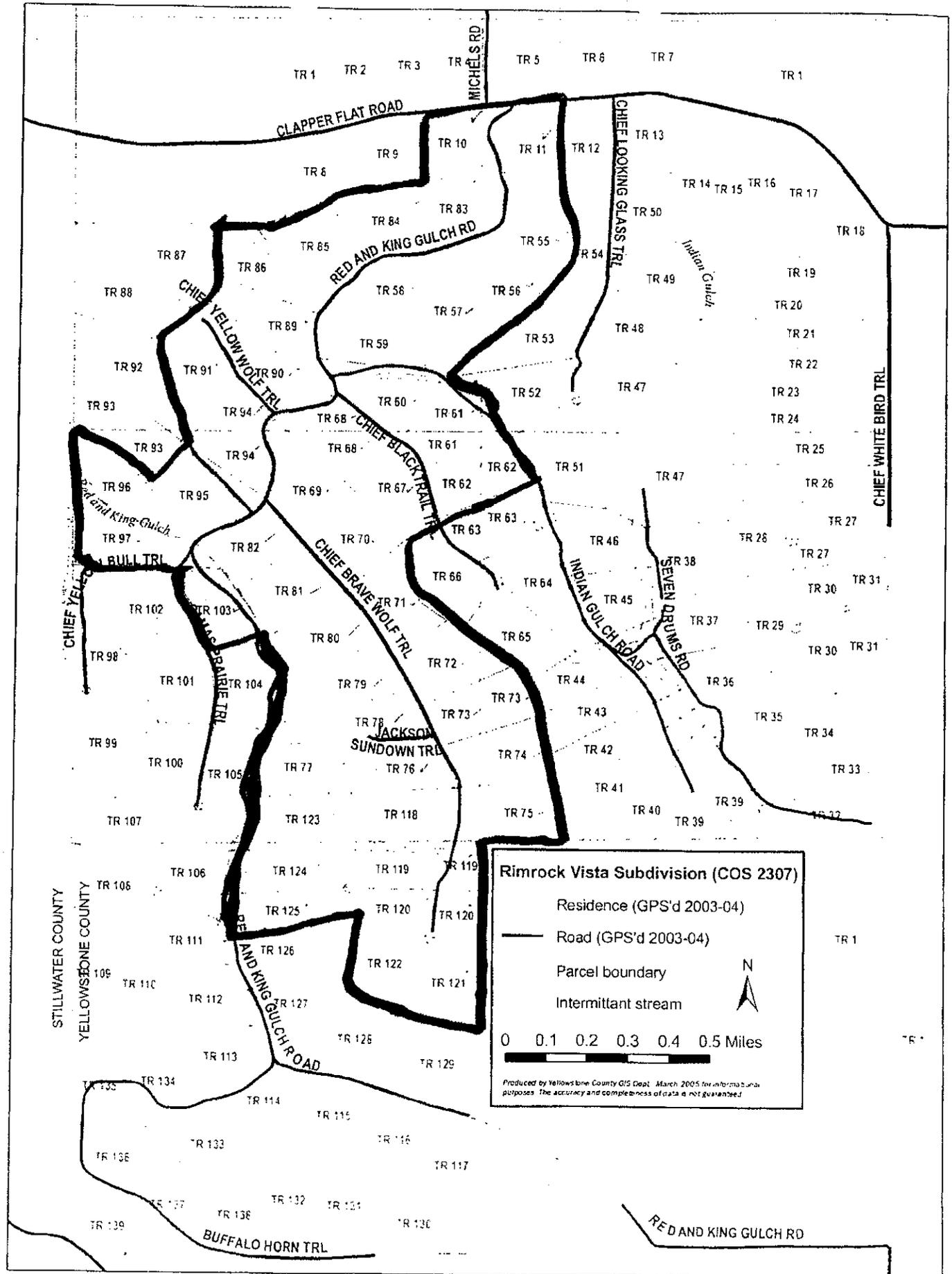
# EXHIBIT A

## PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

| LEGAL DESCRIPTION | OWNER'S PRINTED NAME        | SIGNATURE   |
|-------------------|-----------------------------|-------------|
| 4/5 2307 TR 75    | ROBERT B SMITH              | [Signature] |
| 71                | LEO + THERESA KALAMAJA      | [Signature] |
| TR 80             | Dane + Jennie McCollum      | [Signature] |
| TR 121            | Shelley + Jimmy Friel       | [Signature] |
| TR 122            | DENNIS + JENNIFER DESJARDIS | [Signature] |
| TR 81             | STEVE + Robin Akel          | [Signature] |
| TR 118            | Karl + Dorothy Henning      | [Signature] |
| TR 76-78          | KEVIN + Nancy Flock         | [Signature] |
| TR 67             | Sylvia MANDRE               | [Signature] |
| TR 123            | Rimrock Vista LWC.          | [Signature] |
| TR 77             | " " "                       | [Signature] |
| TR 79             | Wayne Clemons               | [Signature] |
| TR 86             | DENNIS DOWNING              | [Signature] |
| TR 91             | KENT + STEPHANIE POTTER     | [Signature] |
| TR 95             | GARY + BESS FRANKLIN        | [Signature] |
| TR 84             | Sheldon Ahlweis             | [Signature] |
| TR 85             | Sheldon Ahlweis             | [Signature] |
| TR 69             | BRAD + DIANE GRABER         | [Signature] |
| TR 70             | BRAD + DIANE GRABER         | [Signature] |
| TR 120            | David + Debbie Charles      | [Signature] |
| TR 124            | David + Debbie Charles      | [Signature] |
| TR 125            | David + Debbie Charles      | [Signature] |
| TR 119            | Randy + Tammi Frickel       | [Signature] |
| TR 55             | Diane + Phyllis Torgny      | [Signature] |
| TR 73             | Marion + Elizabeth Green    | [Signature] |



# EXHIBIT B



**Rimrock Vista Subdivision (COS 2307)**

- Residence (GPS'd 2003-04)
- Road (GPS'd 2003-04)
- Parcel boundary
- Intermittant stream

0 0.1 0.2 0.3 0.4 0.5 Miles

Produced by Yellowstone County GIS Dept. March 2005 for informational purposes. The accuracy and completeness of data is not guaranteed.



EXHIBIT D

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

SECTION C

ESTIMATED ANNUAL MAINTENANCE COST

To maintain Red King from Clapper Flat to Chief Brave  
WOLF TRAIL  
FALL MAINTENANCE:

| ACTIVITY     | ESTIMATED COST |
|--------------|----------------|
| Blading Road | \$ 540         |
| addl Gravel  | \$ 350         |

WINTER MAINTENANCE:

| ACTIVITY     | ESTIMATED COST |
|--------------|----------------|
| Blading Road | \$ 540         |
| addl Gravel  | \$ 350         |

SPRING MAINTENANCE:

| ACTIVITY     | ESTIMATED COST |
|--------------|----------------|
| Blading Road | \$ 540         |
| addl Gravel  | \$ 350         |

SUMMER MAINTENANCE:

| ACTIVITY     | ESTIMATED COST |
|--------------|----------------|
| Blading Road | \$ 540         |
| Addl Gravel  | \$ 340         |

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: 3450

RSID 733M file

June 3, 2008

**HAND DELIVERED**

Mr. Mike Black  
Yellowstone County Public Works  
P.O. Box 35024  
Yellowstone County Courthouse  
217 N. 27<sup>th</sup> St., Rm. 312  
Billings, MT 59107-5024

RE: Red and King Gulch RSID 733M

Dear Mr. Black:

I have been a member of the *ad hoc* committee since this RSID was formed in October 2005. (We have never elected a chairman but I would likely come the closest as I am generally the one who calls the meetings and collects the information we need.)

We have had two meetings of our *ad hoc* committee last month, the first on Wednesday, May 14 and the second on Wednesday, May 21, 2008. We discussed at both those meetings what work we could afford and needed to do on the first mile and a half of Red and King Gulch. That culminated in the bids and the conversation you and I had on Thursday, May 22 in which we sought permission to have Kenny Winkler put road mix on the road and grade it.

The second item we decided at our meeting last week which was attended by Duke and Phyllis Torpy, Mrs. Stephanie Potter, Gary and Bess Franklin and myself was to request that the assessment per lot be increased from \$75.00 to \$100.00 a year for each lot effective so that we would be collecting \$50.00 per lot with the assessment paid in November 2008 and \$50.00 with that paid May 2009. We understand that would then continue into the future until the *ad hoc* committee requests a change.

If you need anything beyond this letter to change that assessment, please let us know.

Sincerely,



David L. Charles  
371-5924 (h)  
255-7242 (o)