

**RESOLUTION NO. 15- 80**

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT  
DISTRICT KNOWN AS R.S.I.D. #817 PUMORI CIRCLE**

WHEREAS, the Board of County Commissioners of Yellowstone County ("Commissioners") met in regular session and executed Resolution No. 15-61 Resolution of Intent to Create a Rural Special Improvement District #817 for properties located on Pumori Circle for the purpose of paving Pumori Circle, as shown on Exhibit A and described in Exhibit B; 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 June 12<sup>th</sup> and June 19<sup>th</sup>, 2015, and mailed a copy of the Notice to every person, firm or corporation owning property in the District; and,

**WHEREAS**, the Commissioners find, determine and declare:

1. That the public interest or convenience requires the creation of a Rural Special Improvement District as described below;
2. That the costs of the improvements shall be borne by owners of the property included within the boundaries of the Rural Special Improvement District with all lots being assessed an equal amount based upon the total cost of the improvements;
3. That the purpose of forming the District is to provide improvements, specifically paving Pumori Circle, to specially benefit certain property on Pumori Circle located in the Farnum Subdivision 2<sup>nd</sup> Filing;
4. That the Commissioners have been presented with a valid Petition signed by more than 60% of the freeholders of the proposed district to create the proposed district (Exhibit E);

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

1. That the Commissioners have the authority to sign the Resolution Creating Rural Special Improvement District No. 817 for the purpose of improving the roadway system. Pumori Circle is located within RSID 727M Farnum Subdivision 2<sup>nd</sup> Filing and the properties shown in Exhibit A and described in Exhibit B are currently being assessed as part of this maintenance district. Once constructed, ongoing maintenance of Pumori Circle will be absorbed into the existing RSID 727M Farnum Subdivision. These improvements and costs are more particularly described in Exhibit D.

2. The total project cost, individual property assessment, and annual assessments per property are estimated and described in Exhibit D. The individual affected properties and property attributes are shown in Exhibit C. The boundaries of the District are shown on the map in Exhibit A and are more particularly described in Exhibit B.

3. The number of the Rural Special Improvement District is **No. 817**.
4. The estimated costs of the repairs and improvements, including construction costs, incidental expenses, engineering fees, legal fees, administrative costs, exclusive of interest charges, that will be assessed against the properties is estimated at \$84,285.71, as more particularly described in Exhibit D and spread over a period of ten years.
5. All lots and tracts accessing their property from the improved streets will benefit from proposed R.S.I.D. and shall be assessed for the improvements. All lots will be assessed an equal amount based upon the total cost of the improvements. Assessments are to be made on property tax statements beginning in November, 2016. The first year's assessment may include more than one year's interest and subsequently the first year's payment may be higher than the second through tenth year's assessments. Property owners will have an opportunity to pay off their original principal assessment without interest at the time of original assessment. The estimated original assessment per lot is \$10,325.00 if the assessment is prepaid. If the original assessment is financed over a ten year period at a 4.0% estimated interest rate, the annual cost is estimated at \$1,298.96 for each full assessment on a district property. If an increase occurs in the number of benefited lots, tracts, or parcels within the boundaries of the district during the term of the County General Fund Loan, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in 7-12-2151(4).
6. MCA 7-12-2169 permits the use of warrants to pay for costs of the district for acquisition, construction, or maintenance of improvements of RSIDs. In addition, MCA 7-6-2701 permits the County to invest money for which there is no immediate demand in registered warrants of the County. The Yellowstone County Board of Commissioners has determined that the County General Fund has sufficient funds to make such financing of warrants available to RSID 817. Section 7-12-2185(5), M.C.A. states the board of county commissioners may determine in the resolution authorizing the issuance of the bonds or warrants that the revolving fund does not secure the bonds or warrants and that the bonds or warrants are payable solely from the district fund created for the bonds or warrants and do not have a claim against the revolving fund. The Yellowstone County Board of Commissioners has determined that the revolving fund will not secure the bonds or warrants for RSID 817.
7. The engineering services will be provided by Kadmas, Lee & Jackson, Inc. (KLJ) and the Yellowstone County Attorney's Office shall be the attorneys for the district for purposes of creation of the district.

Page 3 - Resolution Creating  
R.S.I.D. # 817

Passed and adopted by the Board of County Commissioners of Yellowstone County  
this 14<sup>th</sup> day of July, 2015.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

Bill Kennedy  
Bill Kennedy, Chairman

James E. Reno  
James E. Reno, Member

absent  
John Ostlund, Member

(SEAL)  
ATTEST:

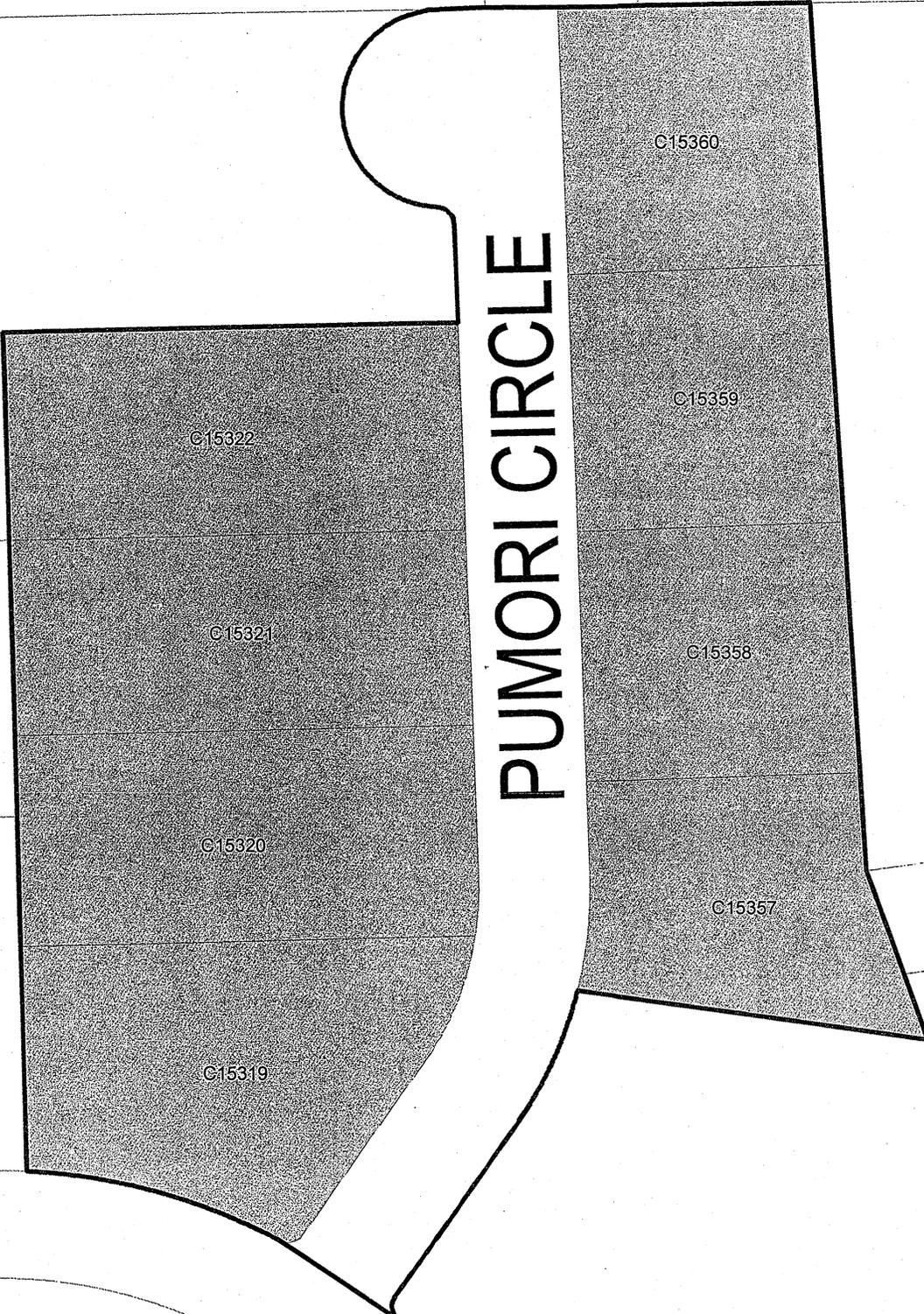
Jeff Martin by Jeri Peitz  
Jeff Martin, Clerk & Recorder  
Yellowstone County, Montana  
Deputy Clerk & Recorder

# EXHIBIT A

RSID 817



# PUMORI CIRCLE



**Legend**

- Parcel Boundary
- Parcel Area



## EXHIBIT B - PUMORI CIRCLE RSID - VOTE SUMMARY

<u>TAX CODE</u>	<u>OWNER'S NAME(S)</u>	<u>SUBDIVISION</u>	<u>LOT</u>	<u>Block</u>	<u>In Favor</u>	<u>Opposed</u>	<u>No Response</u>
1 C15319	BLANKENSHIP, KYLE J & LAURA A	FARNUM SUB 2ND FILING	11A	1			1
2 C15320	MEYERCO INC	FARNUM SUB 2ND FILING	12A	1	1		
3 C15321	GOFFENA, BRIELLE J	FARNUM SUB 2ND FILING	13A	1			1
4 C15322	MARSYLA, JAMES A & JUDITH A	FARNUM SUB 2ND FILING	14A	1	1		
5 C15357	BAENZIGER, ROBERT & SHAUNA	FARNUM SUB 2ND FILING	2A	4	1		
6 C15358	WONG, CHRIS	FARNUM SUB 2ND FILING	3A	4	1		
7 C15359	GORDON, DALE L & KRISTINA MARIE	FARNUM SUB 2ND FILING	4A	4	1		
8 C15360	OSTERMILLER, HEATHER R & ALLEN, RYAN D	FARNUM SUB 2ND FILING	5A	4	1		
<b>Total</b>					<b>6</b>	<b>0</b>	<b>2</b>
<b>%</b>					<b>75%</b>	<b>0%</b>	<b>25%</b>
<b>In Favor =</b>					<b>75%</b>		

**EXHIBIT C - RESOLUTION CREATING RSID 817 - PUMORI CIRCLE**

	(A)	(B)	(C)	(D)	(E)=(C)x 4,500.00	(F)=(B)-(D)-(E)	(G)=(B)-(D)-(E)
<u>LEGAL DESCRIPTION</u>	<u>LOT</u>	<u>Block</u>	<u>SUBDIVISION</u>	2014 Tax Year	Delinq.	Estimated	
				<u>Improved (1)</u> <u>or Vacant (0)</u>	<u>Assessed</u> <u>Valuation</u>	<u>Units of</u> <u>Assess.</u>	<u>Taxes as</u> <u>of 5/26/15</u>
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 1, Lot 11A, 30911 SQUARE FEET, CORR	11A	1	FARNUM SUB 2ND FILING	1	221,200	1	\$ - \$ 10,535.71 \$ 210,664
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 1, Lot 12A, 29781 SQUARE FEET, CORR (0	12A	1	FARNUM SUB 2ND FILING	0	50,880	1	\$ - \$ 10,535.71 \$ 40,344
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 1, Lot 13A, 27477 SQUARE FEET, CORR	13A	1	FARNUM SUB 2ND FILING	1	252,100	1	\$ - \$ 10,535.71 \$ 241,564
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 1, Lot 14A, 29124 SQUARE FEET, CORR	14A	1	FARNUM SUB 2ND FILING	1	290,300	1	\$ - \$ 10,535.71 \$ 279,764
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 4, Lot 2A, 21785 SQUARE FEET, CORR	2A	4	FARNUM SUB 2ND FILING	1	240,400	1	\$ - \$ 10,535.71 \$ 229,864
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 4, Lot 3A, 21000 SQUARE FEET, CORR	3A	4	FARNUM SUB 2ND FILING	1	261,300	1	\$ - \$ 10,535.71 \$ 250,764
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 4, Lot 4A, 21000 SQUARE FEET, CORR	4A	4	FARNUM SUB 2ND FILING	1	263,400	1	\$ - \$ 10,535.71 \$ 252,864
.RNUM SUB 2ND FILING, S20, T01 N, R27 E, BLOCK 4, Lot 5A, 20987 SQUARE FEET, CORR	5A	4	FARNUM SUB 2ND FILING	1	232,200	1	\$ - \$ 10,535.71 \$ 221,664
<b>TOTALS</b>	<b>7</b>	<b>1,811,780</b>	<b>8.0</b>	<b>\$ - \$</b>	<b>84,285.68</b>	<b>\$ 1,727,494.32</b>	<b>\$ -</b>

<b>BOND AMOUNT</b>	\$	<b>84,286</b>
<b>ASSESSMENT UNITS</b>		<b>8.0</b>
<b>ASSESSMENTS ON IMPROVED PROPERTY</b>	\$	<b>73,750</b>
<b>% OF IMPROVED PROPERTY TO TOTAL</b>		<b>87.50%</b> (2% Reserve requirement)
<b>Number of Properties with current delinq.</b>		<b>-</b>
<b>% of district with tax delinquencies</b>		<b>0.00%</b>
<b>Number of Properties with negative net values</b>		<b>-</b>
<b>% of district with negative net values</b>		<b>0.00%</b>

<b>EXHIBIT D - RSID 817 - ESTIMATED COST SCHEDULE</b>
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## PUMORI CIRCLE RSID - ROAD CONSTRUCTION IMPROVEMENTS

Cost Estimate Date: September 17, 2014

DESCRIPTION	PRICE	ESTIMATE
<b>Constuction Estimate (including contingency)</b>		<b>\$66,000.00</b>
 <b>ESTIMATED CONSTRUCTION COST WITH CONTINGENCY</b>		 <b><u>\$66,000.00</u></b>
<b>ENGINEERING, CONSTRUCTION MANAGEMENT</b>		
Engineering - Precreation costs	2,000.00	
Engineering - Design	3,300.00	
Engineering - Admin, Inspection, Staking, etc.	3,300.00	= \$8,600.00
 <b>SUBTOTAL CONSTRUCTION &amp; ENGINEERING</b>		 <b><u>\$74,600.00</u></b>
 <b><u>ESTIMATED ADMINISTRATIVE COSTS BY RURAL SPECIAL IMPROVEMENT DISTRICT</u></b>		
ADVERTISING, TITLE REPORTS, POSTAGE, MISC		= \$500.00
COUNTY ADMINISTRATION - LEGAL, FINANCE		= \$7,500.00
 <b>SUBTOTAL ESTIMATED ADMINISTRATIVE COSTS</b>		 <b>= <u>\$8,000.00</u></b>
 <b>SUBTOTAL CONSTRUCTION AND ADMINISTRATIVE</b>		 <b>= <u>\$82,600.00</u></b>
 RESERVE FUND BACKING OF DEBT -		
2% OF BOND ISSUE (REQUIRED) - 87.5% Developed (7/8)		= \$ 1,685.71
 <b>SUBTOTAL COSTS - COUNTY INVESTMENT IN WARRANTS</b>		 <b><u>\$1,685.71</u></b>
<b>TOTAL R.S.I.D. COST</b>		<b>= <u>\$84,285.71</u></b>
 <b>NUMBER OF ASSESSMENT UNITS</b>		 <b>= 8</b>
 Assessment per property:		
Cost per parcel (assessment prepaid)		\$10,325.00
Financed Option		\$10,535.71
Estimated annual cost @ 4.0% over 10 years		1,298.96
 BOCC is willing to finance the RSID over not more than 10 years.		

# EXHIBIT E (PAGE 1 OF 2)

## CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RSID. It is our understanding that if support exists for the RSID, information will be provided to the County and a public hearing scheduled regarding the creation of this district. Following the public hearing, the County Commissioners shall take action on whether or not to create the district. Should the County Commissioners create the district, WE, as property owners, understand that we shall bear the costs of the district as formally approved by the County Commissioners.

	PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED
	<del>Kristina Gordon</del> <del>Dale Gordon</del>				
1	1335 Purnori Cir. Paved Roads	Kristina Gordon Dale Gordon Jr	Kristina Gordon Dale Gordon Jr	X X	
2	Paved Roads 1340 Purnori Circle	James Marsyla Judith Marsyla	James Marsyla Judith Marsyla	X X	
3	1355 Purnori Circle	Heather Ostermiller Ryan Allen	<del>Heather Ostermiller</del> Ryan Allen	X	
4	1295 Purnori Circle	Sharna Baerziger Bob Baerziger	Sharna Baerziger Bob Baerziger	X	
5	1315 Purnori cir	Chris Wong	Chris Wong	X	

## EXHIBIT E (PAGE 2 OF 2)

### CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT

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PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED
<del>Kristina Gordon</del>				
<del>Dale Boyd</del>				
6335 Purnori Cir. Paved Roads	Kristina Gordon Dale Boyd Jr	Kristina Gordon Dale Boyd Jr	X	
Paved Roads 1340 Purnori Circle	James Marsyla Judith Marsyla	James Marsyla Judith Marsyla	X	
1355 Purnori Circle	Heather Ostermiller Ryan Allen	<del>Heather Ostermiller</del> Ryan Allen	X	
1295 Purnori Circle	Shanna Bauwages BOB BAUWAGES	Shanna Bauwages BOB BAUWAGES	X	
1300 Purnori Cir	MEYERCO, INC GREG F MEYER PRES.	<del>MEYERCO, INC</del> GREG F MEYER PRES.	X	

Same as prev. page

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