

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 20-01

Resolution to Change Boundary of Rural Special Improvement District No. 160 Maintenance

WHEREAS, pursuant to Section 7-12-2161(4) of the Montana Code Annotated, a board of county commissioners can change the boundary of a rural special improvement district once a year. The Montana Code Annotated does not specify the procedure a board should use to change the boundary of a district. The board should pass a resolution of intent to change the district, set a public hearing on the resolution, provide notice of the public hearing to the owners of the property in the district, hold a public hearing, receive comments on the change of the boundary and pass a resolution. This process should provide the effected landowners with the opportunity to participate in the decision whether to change the boundary of the District.

WHEREAS, the Yellowstone County Board of County Commissioners created Yellowstone County Rural Special Improvement District No. 160 Maintenance to maintain the water lines in Clark Subdivision. The District receives water from the City of Billings. The District distributes the water to the parcels through lines owned by the District. The District assesses parcels on a square foot basis for the water it provides. Exhibit A show the current boundary of 160M and the proposed boundary of 160M.

WHEREAS, Steven and Celestine Muller own: (1) Lot 37 of Clark Subdivision, less the highway, recorded on April 10, 1909 as document number 15486, with a tax code of D01801 and a geocode of 03-0927-11-2-04-07-0000; (2) Lot 1A of Block 2 of Clevenger Subdivision, recorded on October 9, 1984 as document number 1325918, with a tax code of A05081 and a geocode of 03-0927-11-2-04-04-0000 and (3) Lot 1A of Block 2 of Salvesson Subdivision recorded on October 9, 1984 as document number 1325917 with a tax code of A13760 and a geocode of 03-0927-11-2-04-01-0000 that are in the District.

WHEREAS, the Mullers have requested the Board remove Lot 1A (tax code A05081) of Block 2 of Clevenger Subdivision and Lot 1-A of Block 2 (tax code A13760) of Salvesson Subdivision from the District. See Exhibit C. According to the Mullers, the parcels do not receive water service from the District. The parcels are not benefited by the District. Exhibit B shows a current list of property owners and the proposed change. Except for the change of the boundary and assessment, all other aspects of the District would remain the same.

WHEREAS, on December 17, 2019, the Yellowstone County Board of County Commissioners passed a resolution of intent to change the boundary of Yellowstone County Rural Special Improvement District No. 160 Maintenance to exclude Lot 1A of Block 2 of Clevenger Subdivision (tax code A05081) and Lot 1-A of Block 2 of Salvesson Subdivision (tax code A13760) and set a public hearing on the proposed boundary change for February 14, 2020. On December 20th, 2019 the Yellowstone County Clerk and Recorder mailed notice of the public hearing and a copy of the resolution of intent to the landowners in the District. On February 14, 2020, the Board held a public hearing on the proposed boundary change. The Board heard comments on the proposed boundary change. The Board determined that it would be in the best interest of the public to change the boundary of the District. The parcels that do not receive water from the District should be removed from the District.

NOW THEREFORE, BE IT RESOLVED,

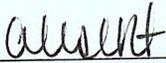
The Yellowstone County Board of County Commissioners conditionally changes the boundary of Yellowstone County Rural Special Improvement District No. 160 Maintenance to exclude Lot 1A of Block 2 of Clevenger Subdivision (tax code A05081) and Lot 1-A of Block 2 of Salvesson Subdivision (tax code A13760). The District does not benefit the parcels and does not provide the parcels with water.

Passed and Adopted on the 14th day of February 2020.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

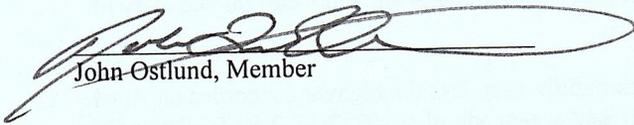


Denis Pitman, Chairman

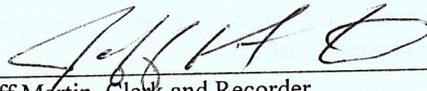


Donald W. Jones, Member

ATTEST:



John Ostlund, Member



Jeff Martin, Clerk and Recorder

EXHIBIT A

Proposed Boundary Change for RSID 160M

This document is intended for informational purposes only and is not guaranteed to be accurate nor current.

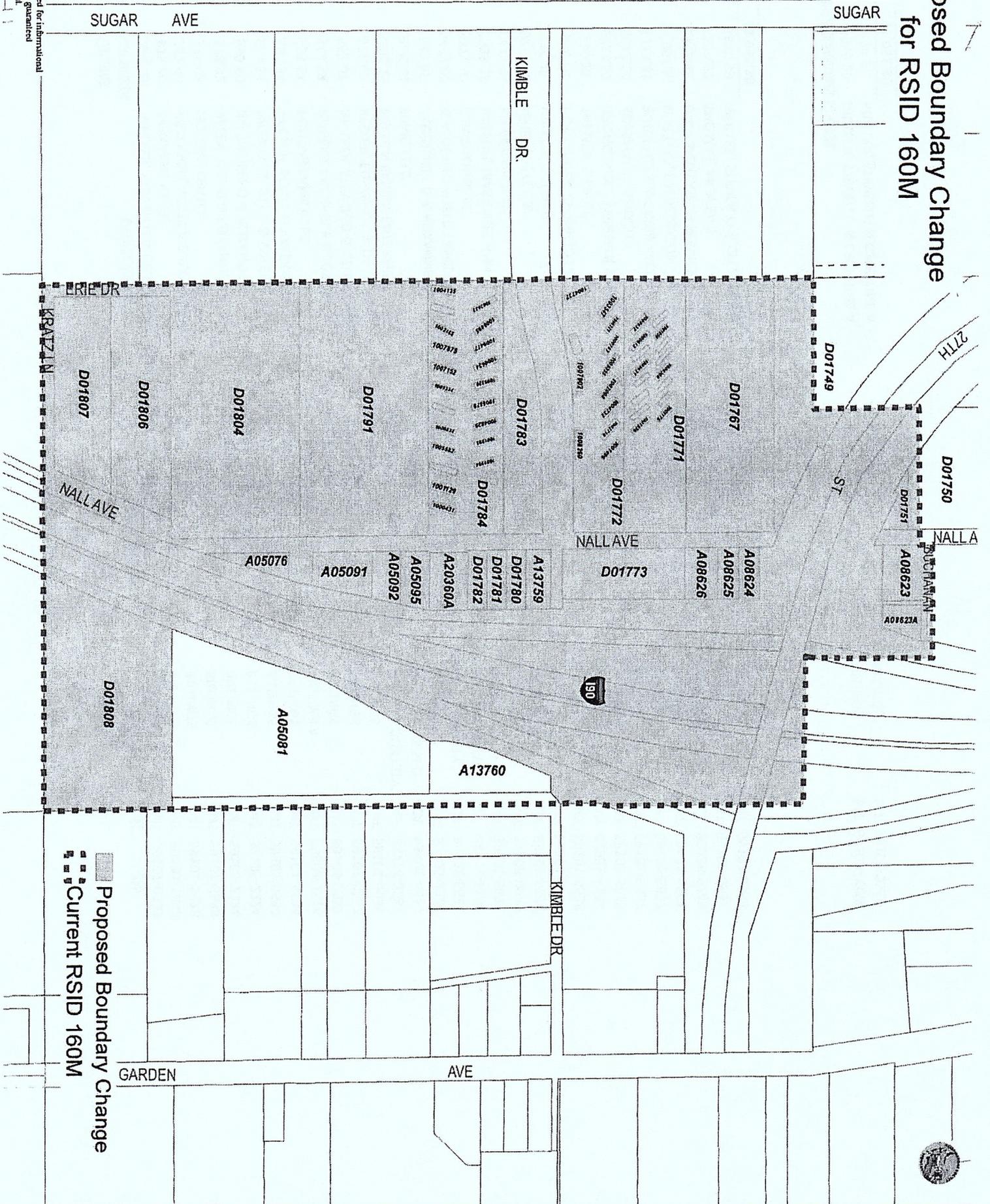


EXHIBIT B

<u>Current</u>		<u>Owner Name</u>	<u>Owner Address</u>	<u>City</u>	<u>ST</u>	<u>Zip</u>
A05081	\$949.23	MULLER, STEVEN O & CELESTINE A	PO BOX 30353	BILLINGS	MT	59107-0353
A05091	\$75.30	DEMARÉE, KYAH	249 NALL AVE	BILLINGS	MT	59101-5638
A05092	\$52.90	PETERSON, SCOTT A & PATRICIA A	237 NALL AVE	BILLINGS	MT	59101-5638
A05095	\$55.03	HOLOM, KETH L	225 NALL AVE	BILLINGS	MT	59101-5638
A08623	\$78.92	ALLEN, JEFF D & ROXANNE W	1096 BABCOCK BLVD	BILLINGS	MT	59105-2224
A08623A	\$30.50	ALLEN, JEFF D & ROXANNE W	1096 BABCOCK BLVD	BILLINGS	MT	59105-2224
A08624	\$34.34	WILSON, SCOTT K & VALERIE A	111 NALL AVE	BILLINGS	MT	59101-5634
A08625	\$34.34	WILSON, SCOTT & VALERIE	111 NALL AVE	BILLINGS	MT	59101-5634
A08626	\$53.54	POITRAS FAMILY LLC	112 KINNICKINICK CT	MISSOULA	MT	59803-2516
A13759	\$44.58	ROGERS, MICHAEL F & JOELYNE M	PO BOX 852	BILLINGS	MT	59103-0852
A13760	\$62.07	MULLER, STEVEN O & CELESTINE A	PO BOX 30353	BILLINGS	MT	59107-0353
A20360A	\$71.03	KELLER, EDWARD L & DARLENE J	223 NALL AVE	BILLINGS	MT	59101-5638
D01749	\$680.25	NELSON FAMILY ENTERPRISES LLC	2610 DAKOTA AVE	SOUTH SIOUX CITY	NE	68776-3232
D01750	\$535.41	SPM03 LLC	895 PISMO ST	SAN LUIS OBISPO	CA	93401-4017
D01751	\$32.85	ALLEN, JEFF D & ROXANNE W	1096 BABCOCK BLVD	BILLINGS	MT	59105-2224
D01752	\$433.02	G ALDEN PADFIELD FAMILY LIVING TRUST	1819 E VINTAGE OAK LN	SALT LAKE CITY	UT	84121-6539
D01767	\$712.67	GSA BILLINGS LC	101 S 200 E # 200	SALT LAKE CITY	UT	84111-3104
D01771	\$533.28	WILSON, MARGARET ANN	130 NALL AVE	BILLINGS	MT	59101-5633
D01772	\$473.55	MJ ROGERS LLC	PO BOX 852	BILLINGS	MT	59103-0852
D01773	\$211.18	ANEST, PETE L &	145 NALL AVE	BILLINGS	MT	59101-5634
D01780	\$36.26	WILSON, VALERIE	111 NALL AVE	BILLINGS	MT	59101-5634
D01781	\$36.26	HERNANDEZ, IGANACIO H	209 NALL AVE	BILLINGS	MT	59101-5638
D01782	\$36.26	PALMER, SHIRLEY J	540 HUTTON CIR	GREEN RIVER	WY	82935-4934
D01783	\$313.57	DRONGESEN, STEPHEN R & KARLA K	2614 KIMBLE DR	BILLINGS	MT	59101-5623
D01784	\$612.20	BOESPFLUG, GERALD J	210 NALL AVE	BILLINGS	MT	59101-5637
D01791	\$213.31	BOESPFLUG, JACOB & LACI	240 NALL AVE	BILLINGS	MT	59101-5637
D01804	\$1,051.62	WALTERS, DANIEL JASON	322 NALL AVE	BILLINGS	MT	59101-5661
D01806	\$398.89	D & F SANITATION SERVICE	PO BOX 29246	PHOENIX	AZ	85038-9246
D01807	\$330.63	THOMAS, ANDREA E	1603 REHBERG LN	BILLINGS	MT	59102-6537
D01808	\$816.99	MULLER, STEVEN O & CELESTINE A	PO BOX 30353	BILLINGS	MT	59107-0353
	\$8,999.98					

<u>Proposed Assessment Change</u>	
A05081	-\$949.23
A13760	-\$62.07
	-\$1,011.30

MULLER, STEVEN O & CELESTINE A
MULLER, STEVEN O & CELESTINE A

PO BOX 30353
PO BOX 30353

BILLINGS
BILLINGS

MT 59107-0353
MT 59107-0353

EXHIBIT C

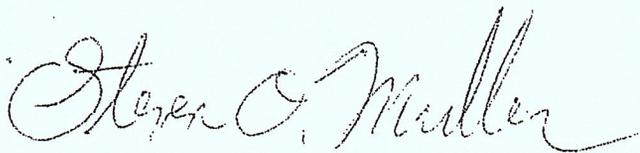
December 11, 2019

Board of County Commissioners
Stillwater Building
316 N 26th St.
Billings, MT 59101

Dear Commissioners,

We hereby formally request to have the two parcels tax code A05081 and A13760 removed from water district 160M, as these are not benefitted parcels.

Thank you,

A handwritten signature in cursive script that reads "Steven O. Muller". The signature is written in dark ink and is positioned above the printed name.

Steven O. Muller

A handwritten signature in cursive script that reads "Celestine A. Muller". The signature is written in dark ink and is positioned above the printed name.

Celestine A. Muller