

RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT DISTRICT NO. 41

1 The following Resolution introduced by Commissioner
2 Carl Yerrington, who moved its adoption, and seconded by G. W.
3 Fenton, was unanimously adopted.

4 A RESOLUTION creating Rural Special Improvement District
5 No. 41, being a thickly populated district in Yellowstone County,
6 Montana, designating the boundaries thereof as designated and de-
7 fined in the Resolution of Intention heretofore passed and adopted
8 by the Board of County Commissioners of Yellowstone County, Mon-
9 tana on the 22nd day of June, 1938 which said Resolution is now
10 on file in the office of the County Clerk and Recorder of Yellow-
11 stone County, Montana to which reference is hereby made; that
12 the said Resolution declared it to be the intention of the Board
13 of County Commissioners of Yellowstone County, Montana to create
14 a rural special improvement district to be known as Rural Special
15 Improvement District No. 41.

16 WHEREAS The Board of County Commissioners of said Coun-
17 ty caused Notices of the time for the passage and adoption of
18 said Resolution of Intention to be published in the Billings Times
19 a newspaper closest to Rural Special Improvement District No. 41
20 and a weekly newspaper published in Billings, Yellowstone County,
21 Montana, in the manner and form and during the period of time as
22 required by law and has also caused the County Clerk and Recorder
23 of said County, on the 23rd day of June, 1938, that being the
24 day of the first publication of the Notice, to mail to each per-
25 son, firm or corporation, or known agent thereof having property
26 within the proposed District, at the last known address of said
27 person, firm or corporation, or agent, a Notice of the passage
28 and adoption of such Resolution, giving them Notice of Intention
29 of the Board of County Commissioners to Create such Rural Special
30 Improvement District for the purposes thereinmentioned and set
31 forth, and giving them full, due and timely Notice as required
32 by law, which said Notice was published and mailed, describing

1 the character of the improvements proposed to be made in said
2 District, the estimated cost thereof, setting forth the time and
3 place for the hearing of protests against the creation of the
4 proposed District and making of said improvements and which said
5 Notice also contained reference to the number of said Resolution
6 of Intention, giving the boundaries of said proposed District and
7 all particulars, and causing copies of said Notice to be posted in
8 three (3) different public places within the boundaries of the
9 said proposed Rural Special Improvement District, and

10 WHEREAS The Board of County Commissioners of said
11 County having met in regular session on Saturday, the 9th day of
12 July, 1938 at 2:00 P.M. as mentioned in said Notice of Resolution
13 of Intention and that at said meeting one protest of Mrs. Vina
14 Vaughn was read, after hearing said protest, the Board took the
15 same under advisement until 2:00 P.M. Monday, July the 11th, 1938
16 and whereas the Board of County Commissioners of said County
17 having this 11th day of July, 1938 met in regular session at the
18 time and place fixed and having considered the protest of Mrs.
19 Vina Vaughn to the Creation of said District and it appearing
20 that she was the only protestant and her property of Nineteen (19)
21 and a fraction Acres represents only a small portion of the prop-
22 erty in said District and it further appearing that the public
23 interest and convenience of the said District requires the crea-
24 tion of said Rural Special Improvement District.

25 NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF
26 COUNTY COMMISSIONERS OF YELLOWSTONE COUNTY, MONTANA:

27 1. That the Board of County Commissioners of Yellow-
28 stone County, Montana deems itself to have acquired jurisdiction
29 to order the proposed improvements; that there be and there
30 hereby is created a rural special improvement district known and
31 described as RURAL SPECIAL IMPROVEMENT DISTRICT NO. 41, in the
32 County of Yellowstone, State of Montana; that the general char-

1 acter and purpose of the improvements to be made in said District
2 are as follows:

3 To install with Works Progress Administration labor
4 approximately 5280 lineal feet of Four Inch (4") cast iron mains
5 to be laid along the North and South Midsection line beginning at
6 the North Quarter Corner of Section Ten (10), Township One (1)
7 South, Range Twenty-Six (26) East in Yellowstone County, Montana;
8 2330 lineal feet of Three Inch (3") cast iron mains to be laid
9 along the South line of said Section Ten (10), Township One (1)
10 South, Range Twenty-Six (26) East, beginning at the South Quarter
11 Corner and extending East therefrom, and 750 lineal feet of Three
12 Inch (3") cast iron mains to be laid along the South line of said
13 Section Ten, (10), Township One (1) South, Range Twenty-Six (26)
14 East, beginning at the South Quarter corner and extending due West
15 therefrom in Yellowstone County, Montana, for the purpose of serv-
16 ing the people in said District with water for both domestic and
17 other uses, said District being in a thickly populated locality,
18 and to maintain said improvement District. For further particu-
19 lars, reference is hereby made to Resolution of Intention and map
20 of said District on file in the office of the County Clerk and
21 Recorder of Yellowstone County, Montana.

22 That the name of the engineer who is to have charge of
23 said work is C. E. Durland, County Surveyor of Yellowstone Coun-
24 ty, Montana.

25 That the boundaries of said Rural Special Improvement
26 District No. 41 shall be and the same are hereby declared to be
27 the same as are described and set forth in the aforementioned
28 Resolution adopted on the 22nd day of June, 1938, declaring the
29 intention of creating Rural Special Improvement District No. 41
30 and as was set forth in the Petition requesting the creation of
31 said District which said Petition and Resolution are filed in
32 the office of the County Clerk and Recorder of Yellowstone County,

1 Montana, to which reference is hereby made for a more particular
2 description of said boundaries of the property contained in
3 said District; that the Board of County Commissioners hereby
4 makes reference to said Resolution declaring its intention to
5 create said Rural Special Improvement District No. 41, which
6 said Resolution is for all purposes hereby referred to for fur-
7 ther particulars.

8 Passed by the Board of County Commissioners of Yellow-
9 stone County, Montana and approved by its Chairman this 11th day
10 of July, 1938.

11
12 APPROVED:

BOARD OF COUNTY COMMISSIONERS
OF YELLOWSTONE COUNTY, MONTANA

13
14 BY Charles C. Winkler
CHAIRMAN.

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16 ATTEST:

17 Reed G. Peterson
18 CLERK.

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RURAL SPECIAL IMPROVEMENT DISTRICT NO. 41.

1 The following resolution introduced by Commissioner
2 Carl Yerrington, who moved its adoption, was seconded by Com-
3 missioner G. W. Fenton and was unanimously passed and adopted.

4 A RESOLUTION declaring it to be the intention of the
5 Board of County Commissioners of Yellowstone County, Montana to
6 create a rural special improvement district, which shall be Dis-
7 trict No. 41, in a thickly populated locality, outside of the
8 limits of an incorporated town or city, in the County of Yellow-
9 stone, State of Montana, designating the property to be included
10 in the District, describing the boundaries thereof, stating the
11 general character and purpose of the improvements to be made there-
12 in, the approximate estimated cost of said improvements and the
13 time when and the place where the Board of County Commissioners
14 of Yellowstone, County, Montana will hear and pass upon all pro-
15 tests to the making of said improvements and the creation of
16 said District.

17 WHEREAS, The Board of County Commissioners of Yellow-
18 stone, County, Montana, being in regular session and having here-
19 tofore on the 20th day of June, A. D. 1938 received a petition
20 signed by at least Sixty per Cent (60%) of the freeholders affected
21 by the proposed Special Improvement District which said District
22 is located and includes the following described property, to-wit;

23 Beginning at the Northeast (NE) corner of the
24 Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quar-
25 ter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of
26 Section Ten (10), Township One (1) South,
27 Range Twenty-Six (26) East, M.P.M., extend-
28 ing thence due West 1320 feet, more or less
29 to the Northwest (NW) corner of the South-
30 east Quarter (SE $\frac{1}{4}$) of the Northeast Quarter
31 (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said
32 section; thence due South 3960 feet, more or
less, to the Southwest (SW) corner of the
Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quar-
ter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of
said section; thence due West 330 feet; thence
due South 990 feet, more or less, thence due
East 990 feet; thence due South 330 feet;
thence due East along a line parallel to and
660 feet south of the North line of section
Fifteen (15), Township One (1) South, Range

1 Twenty-Six (26) East, M.P.M. to the North
2 bank of the Yellowstone River; thence North-
3 easterly along said river bank to an inter-
4 section with the East line of said Section
5 Fifteen (15); thence due North along the
6 East line of said Section Fifteen (15) and
7 of said Section Ten (10) 990 feet, more or
8 less, to the Northeast (NE) corner of the
9 Southeast Quarter (SE $\frac{1}{4}$) of the Southeast
10 Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$)
11 of said Section; thence due West 1980 feet;
more or less, to the Northwest corner of the
Southeast Quarter (SE $\frac{1}{4}$) of the Southwest
Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$)
of said section; thence due North 3960 feet,
more or less, to the point of beginning, con-
taining a net assessable area of 200 acres
more or less, including all the lands within
the above described boundaries excepting the
public highways, all in Yellowstone County,
Montana.

12 Said District is hereinafter described and which is a thickly
13 populated district located outside of the boundaries of an in-
14 corporated City or Town.

15 NOW THEREFORE, BE IT RESOLVED By the Board of County
16 Commissioners of Yellowstone County, Montana:

17 1. That the Board of County Commissioners hereby finds
18 and determines that the signers of said Petition are freeholders
19 affected by the proposed Special Improvement District.

20 2. That the public interest and convenience requires
21 and it is deemed necessary to order and create, and the Board of
22 County Commissioners of Yellowstone County, Montana, intends to
23 order and create a rural special improvement district with the
24 number, boundaries, order and character and the improvements
25 to be made as hereinafter set forth.

26 3. It is the intention of the Board of County Com-
27 missioners of Yellowstone County, Montana to create a rural
28 special improvement district for the purpose of making special
29 improvements upon, along and embracing and through the lands and
30 property included in the following described and bounded terri-
31 tory which are the boundaries of said Rural Special Improvement
32 District and are as follows:

1 Beginning at the Northeast (NE) corner of the
2 Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quar-
3 ter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of
4 Section Ten (10), Township One (1) South,
5 Range Twenty-Six (26) East, M.P.M., extend-
6 ing thence due West 1320 feet, more or less
7 to the Northwest (NW) corner of the South-
8 east Quarter (SE $\frac{1}{4}$) of the Northeast Quarter
9 (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said
10 section; thence due South 3960 feet, more or
11 less, to the Southwest (SW) corner of the
12 Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quar-
13 ter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of
14 said section; thence due West 330 feet; thence
15 due South 990 feet, more or less, thence due
16 East 990 feet; thence due South 330 feet;
17 thence due East along a line parallel to and
18 660 feet South of the North line of section
19 Fifteen (15), Township One (1) South, Range
20 Twenty-Six (26) East, M.P.M. to the North
21 bank of the Yellowstone River; thence North-
22 easterly along said river bank to an inter-
23 section with the East line of said Section
24 Fifteen (15); thence due North along the
25 East line of said Section Fifteen (15) and
26 of said Section Ten (10) 990 feet, more or
27 less, to the Northeast (NE) corner of the
28 Southeast Quarter (SE $\frac{1}{4}$) of the Southeast
29 Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$)
30 of said Section; thence Due West 1980 feet;
31 more or less, to the Northwest corner of the
32 Southeast Quarter (SE $\frac{1}{4}$) of the Southwest
Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$)
of said section; thence due North 3960 feet,
more or less, to the point of beginning, con-
taining a net assessable area of 200 acres
more or less, including all the lands within
the above described boundaries excepting the
public highways, all in Yellowstone County,
Montana.

4. That the number of said Improvement District is hereby designated as RURAL SPECIAL IMPROVEMENT DISTRICT NO. 41 of the County of Yellowstone, State of Montana.

That the general character and purpose of the improvements, the size, length and location of the proposed water mains are more particularly described as follows;

To install with Works Progress Administration labor approximately 5280 lineal feet of Four inch (4") cast iron mains to be laid along the North and South midsection line beginning at the North Quarter corner of Section Ten (10), Township One (1) South, Range Twenty-Six East, Yellowstone County, Montana; 2330

1 lineal feet of Three inch (3") cast iron mains to be laid along
2 the South line of said Section Ten (10), Township One (1) South,
3 Range Twenty-Six (26) East, beginning at the South Quarter cor-
4 ner and extending East therefrom; and 750 lineal feet of Three
5 inch (3") cast iron mains to be laid along the South line of
6 said Section Ten (10), Township One (1) South, Range Twenty-Six
7 (26) East, beginning at the South quarter corner and extending
8 due West therefrom in Yellowstone County, Montana for the pur-
9 pose of serving the people in said District in a thickly popu-
10 lated locality. The location of said water line is set forth
11 in said petition and map which are filed in the office of the
12 County Clerk and Recorder of Yellowstone County, Montana, to
13 which reference is hereby made for further particulars.

14 5. That the name of the engineer of said work is
15 C. E. Durland, County Surveyor of Yellowstone County, Montana.

16 6. That the approximate estimated cost of said im-
17 provement District is the sum of Fifty-Five Hundred, Fifty-five
18 and 80/100 (\$5555.80), exclusive of the work and labor to be
19 done by the Works Progress Administration.

20 7. That on Saturday, the 9th day of July, A.D. 1938
21 at the office of the Board of County Commissioners of Yellowstone
22 County, Montana, at 2:00 o'clock P.M., the Board of County Com-
23 missioners of Yellowstone County, Montana, intends to create such
24 Rural Special Improvement District and will hear protests to the
25 same at said time and place by any person or persons who are
26 owners, or agents of owners, of any lot or parcel of land within
27 said Improvement District, which is within Fifteen (15) days
28 after the first publication of Notice of the passage of this Reso-
29 lution, have delivered to the County Clerk and Recorder of the
30 County of Yellowstone, State of Montana, protests in writing
31 against the proposed work or improvements or against the creation
32 of the District to be assessed, or both, and the persons shall

1 have the right to appear at said time in person or by counsel
2 and show cause, if any there be, why this Resolution should not
3 be finally adopted and why the improvements should not be made.

4 8. The following Notice of the adoption of this Reso-
5 lution shall be published in a newspaper as required by law and
6 copies of said Notice shall be posted in at least three (3) pub-
7 lic places inside the boundaries of said proposed District, to-wit;

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9 RURAL SPECIAL IMPROVEMENT DISTRICT NO. 41.

10 NOTICE IS HEREBY GIVEN That on Wednesday the 22nd day
11 of June, 1938, the Board of County Commissioners of Yellowstone
12 County, Montana adopted a Resolution of Intention to create a
13 rural special improvement district for the purpose of making
14 the following improvements in said District.

15 To install with Works Progress Administration labor
16 approximately 5280 lineal feet of Four inch (4") cast iron mains
17 to be laid along the North and South midsection line beginning
18 at the North Quarter Corner of Section Ten (10), Township One (1)
19 South, Range Twenty-Six East, Yellowstone County, Montana; 2330
20 lineal feet of Three inch (3") cast iron mains to be laid along
21 the South line of said Section Ten (10), Township One (1) South,
22 Range Twenty-Six (26) East, beginning at the South Quarter corner
23 and extending East therefrom; and 750 lineal feet of Three inch
24 (3") cast iron mains to be laid along the South line of said
25 section Ten (10), Township One (1) South, Range Twenty-Six (26)
26 East, beginning at the South Quarter corner and extending due
27 West therefrom in Yellowstone County, Montana for the purpose of
28 serving the people in said District, being in a thickly populated
29 locality and including the following property;

30 Beginning at the Northeast (NE) corner of the
31 Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quar-
32 ter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of
Section Ten (10), Township One (1) South,

1 Range Twenty-Six (26) East, M.P.M., extend-
2 ing thence due West 1320 feet, more or less
3 to the Northwest (NW) corner of the South-
4 east Quarter (SE $\frac{1}{4}$) of the Northeast Quarter
5 (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said
6 section; thence due South 3960 feet, more or
7 less, to the Southwest (SW) corner of the
8 Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quar-
9 ter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of
10 said section; thence due West 330 feet; thence
11 due South 990 feet, more or less, thence due
12 East 990 feet; thence due South 330 feet;
13 thence due East along a line parallel to and
14 660 feet South of the North line of section
15 Fifteen (15), Township One (1) South, Range
16 Twenty-Six (26) East, M.P.M. to the North
17 bank of the Yellowstone River; thence North-
18 easterly along said river bank to an inter-
19 section with the East line of said Section
20 Fifteen (15); thence due North along the
21 East line of said Section Fifteen (15) and
22 of said Section Ten (10) 990 feet, more or
23 less, to the Northeast (NE) corner of the
24 Southeast Quarter (SE $\frac{1}{4}$) of the Southeast
25 Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$)
26 of said Section; thence due West 1980 feet;
27 more or less, to the Northwest corner of the
28 Southeast Quarter (SE $\frac{1}{4}$) of the Southwest
29 Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$)
30 of said section; thence due North 3960 feet,
31 more or less, to the point of beginning, con-
32 taining a net assessable area of 200 acres
more or less, including all the lands within
the above described boundaries excepting the
public highways, all in Yellowstone County,
Montana.

20 The estimated cost of construction of said Improvement
21 is the sum of Fifty-Five Hundred, Fifty-Five and 80/100 Dollars
22 (\$5555.80) exclusive of interest charges and exclusive of labor
23 costs provided labor costs be borne by the Works Progress Admin-
24 istration which said costs and expenses are to be assessed
25 against said Special Improvement District. That said Resolution
26 is designated as RURAL SPECIAL IMPROVEMENT DISTRICT NO. 41 and
27 is on file in the office of the County Clerk and Recorder of
28 Yellowstone County, Montana in the Courthouse, in the City of
29 Billings, Montana to which resolution reference is hereby made.

30 That the Board of County Commissioners of Yellowstone
31 County, Montana will be in session at the office of said Board
32 of County Commissioners at the Courthouse in the City of Billings,

1 Montana, on Saturday, the 9th day of July, A. D. 1938 at 2:00
2 o'clock P. M. of said day when and where it intends to create
3 the said Rural Special Improvement District, at which time and
4 place the Board of County Commissioners will hear and pass upon
5 all protests that may be made against the making or maintenance
6 of said improvements or the creation of said District by any
7 person or persons who are owners, or agents of owners of any lot
8 or parcel of land, within Fifteen (15) days after the first pub-
9 lication of this Notice, have delivered to the County Clerk of
10 Yellowstone County, Montana, protests in writing against the
11 proposed work or against the creation of said proposed improve-
12 ments or both and they shall have the right to appear at said
13 time in person or by counsel and show cause, if any there be,
14 why the Improvement District should not be created.

15 Done by order of the Board of County Commissioners of
16 Yellowstone County, Montana, this 22nd day of June, A.D. 1938.

17
18 Geo. G. Osten

19 County Clerk of Yellowstone County, Mon-
20 tana and Ex-officio Clerk of the Board
21 of County Commissioners of said County.

22 9. The County Clerk and Recorder of Yellowstone Coun-
23 ty, Montana, is hereby ordered to post or cause to be posted,
24 three (3) copies of the foregoing Notice of Creation of Rural Spe-
25 cial Improvement District No. 41 within said Improvement District
26 and the said County Clerk and Recorder is hereby further ordered
27 and directed to mail a copy of the foregoing Notice to every
28 person or firm or corporation owning property within the proposed
29 District at their last known place of residence upon the same
30 day such Notice is first published.

31 Passed by the Board of County Commissioners of Yellow-
32 stone County, State of Montana, and approved by its chairman

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this 22nd day of June, A. D. 1938.

APPROVED:

Charles C. Winters
Chairman of the Board of County
Commissioners of Yellowstone County,
Montana.

ATTEST:

Res. [Signature]
Clerk.