

RESOLUTION NO. 07-62

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT MAINTENANCE
DISTRICT KNOWN AS R.S.I.D. #766M
(BREY SUBDIVISION-COMMERCIAL)**

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. #766M for Brey Subdivision 2nd Filing, described in Exhibit B as Lots 1 through 12 Block 4 Brey Subdivision 2nd Filing 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 the road maintenance and snow removal 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 maintenance and snow removal;
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. 766M to provide for the road maintenance and snow removal within the district. The estimated costs shown (see Exhibit C) do not preclude other eligible expenditures for road maintenance and snow removal.

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. The method of assessment is shown in Exhibit C.

3. The number of the Rural Special Improvement Maintenance District thereof shall be **No. 766M.**

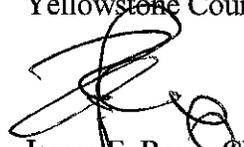
4. All owners accessing their property from the streets will benefit from proposed R.S.I.D. and shall be assessed for maintenance. All lots will be assessed an amount based upon the total cost of the applicable maintenance activity.

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 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 17th day of July, 2007.

Board of County Commissioners
Yellowstone County, Montana

(SEAL)

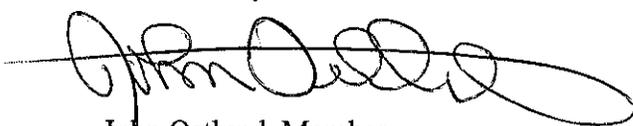


James E. Reno, Chair

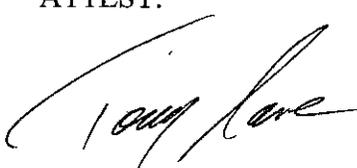


Bill Kennedy, Member

ATTEST:



John Ostlund, Member



Tony Nave
Clerk and Recorder

EXHIBIT B

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) cont.

Section A – See attached Plat of Brey Subdivision, 2nd Filing

Section B –Property Descriptions & Ownership Report

Property Description:

Being Tract 2 of Certificate of Survey No. 3010, Less the Plat of Brey Subdivision, 1st Filing, Located in the Southeast 1/4 of Section 3, Township 1 South, Range 24 East, P.M.M., Yellowstone County, Montana

This RSID includes:

- a) Brey Lane – Located in Block 4, Brey Subdivision, 2nd Filing

Ownership Report:

Arnie and Mary Lou Brey, Owners

Lots 1-12, Block 4, Brey Subdivision 2nd Filing

EXHIBIT C

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) cont.

Section C – Estimated Annual Maintenance Cost

ANNUAL MAINTENANCE:

Activity: Crack sealing as needed and chip sealing every 7-8 years
as needed Cost: \$2,000.00

WINTER MAINTENANCE:

Activity: Plowing of Brey Lane Cost: \$300.00

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$2,300.00

Section D – Method of Assessment

Equally between Lots 1-12, Block 4, Brey Subdivision, 2nd Filing.

Total of 12 lots = \$191.67 per lot.