

**RESOLUTION NO. 08-15**  
**RESOLUTION CREATING RURAL SPECIAL**  
**IMPROVEMENT MAINTENANCE DISTRICT TO BE KNOWN AS R.S.I.D. #776M**  
**(PRYOR CREEK ESTATES SUBDIVISION AREA-ROADS)**

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 #776M for Pryor Creek Estates Subdivision, for the maintenance of Florian Avenue, South 12<sup>th</sup> Street, and Chipper Lane as shown in Exhibit B (map) in Yellowstone County, Montana; 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 January 25<sup>th</sup> and February 1<sup>st</sup>, 2008, 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 of Yellowstone County, Montana met in regular session to hear all written or verbal testimony either for or against the creation of said proposed District; and

WHEREAS, the Board of County Commissioners finds, determines and declares:

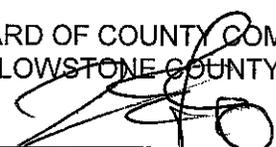
1. That the public interest or convenience requires the creation of a Rural Special Improvement Maintenance District as hereinafter described;
2. That the costs of providing for the maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement Maintenance District with all existing and future lots being assessed an equal amount on a per lot basis;
3. That the purpose of forming the District is to provide for the maintenance and repair of roads and weed control located within the boundaries of this District;
4. That the Commissioners have been presented with a valid Petition to create the proposed District;
5. That the Commissioners have heard all protests against creation of the District and deem them to be insufficient;
6. The Commissioners have jurisdiction to create a Rural Special Improvement Maintenance District No. 776M to provide for the annual maintenance, operation and preservation of roads and weed control.

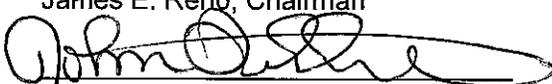
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Yellowstone County as follows:

1. The Commissioners create Rural Special Improvement Maintenance District No. 776M to provide for the annual maintenance, operation and preservation of roads and weed control.
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 estimated maintenance costs are more particularly described in Exhibit D. The estimated maintenance costs shown do not preclude other eligible road and weed control expenditures. 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 Improvement Maintenance District thereof shall be No. 776M.
4. All lots within the district will benefit from proposed R.S.I.D. and shall be assessed for maintenance. All lots will be assessed an equal amount based upon the total cost of the maintenance.
5. The district shall be considered a district to exist perpetually unless included within another district providing the same services or transferred to a municipality.
6. 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 19th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
James E. Reno, Chairman

  
John Ostlund, Member

  
Bill Kennedy, Member

(SEAL)  
ATTEST:

  
Tony Nave, Clerk & Recorder  
Yellowstone County, Montana

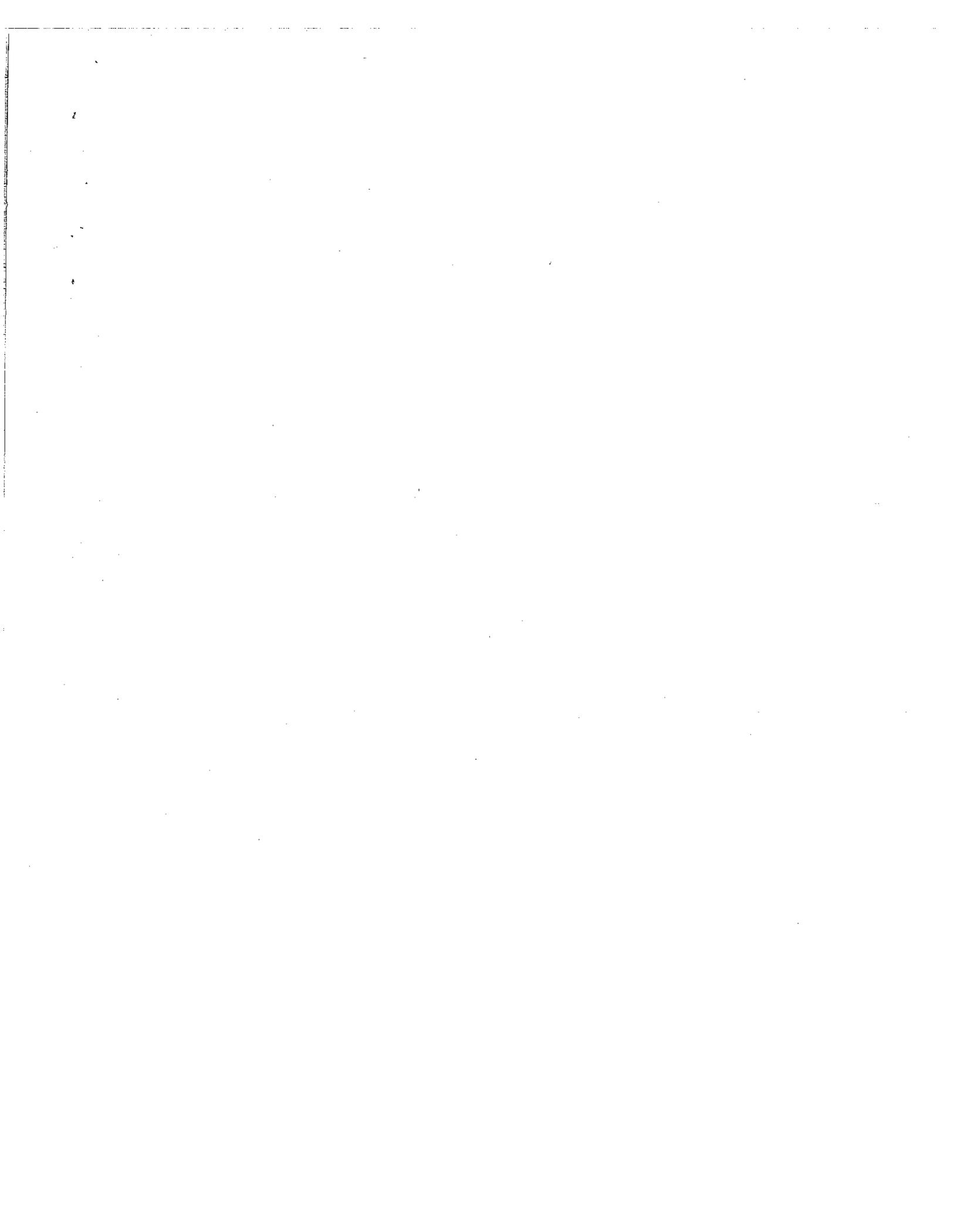
EXHIBIT A

TA1	TA2	TA3	NAME	LEGALDESC
C11109			PROINGUA, JANET K	LT 1 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11110			ROSE ANDREW	LT 2 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11111			ROSE SAMANTHA	LT 3 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11112			PAULCH, KENNETH R & VIRGINIA S	LT 4 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11113			CRABH, HENSHILL R & PATRICIA A	LT 5 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11114			WINCHELL, MOREY M	LT 6 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11115			GEORGE BARBARA J TRUSTEES	LT 7 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11116			GEORGE STANLEY W &	LT 8 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11117			STANLEY & BARBARA GEORGE LVG TR	LT 9 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11118			LIVING TRUST	LT 10 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11119			GROSMER, STANLEY W & BARBARA J	LT 11 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11120			KING, STEVEN R	LT 12 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11121			SCHAFTE, WARREN L & SHEILA M	LT 13 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11122			MALLORY, JAMES H & LINDA M BLESSING	LT 14 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11123			BOWLING, JAMES I	LT 15 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11124			KUKILOK, GORXON L & M COLLEEN	LT 16 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11125			BLESSING, LINDA M	LT 17 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11126			MALLORY, JAMES H	LT 18 BLK 5 PRYOR CREEK ESTATES SUBD 1ST
C11127			FLEMING, MICHAEL J & CAROL L	UNIT 1 A DEER HAVEN CONDO
C11128			GOLDFINE, MERI	DEER HAVEN CONDO UNIT B
C11129			MCGLONE, JUSTIN &	LT 1 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11130			CHRISTENSEN, CHRIS M & MARLENE M	LT 2 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11131			PORCH, RODNEY C &	LT 3 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11132			PORCH, RODNEY J	LT 4 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11133			GONZALES, PATRICIA J	LT 5 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11134			GONZALES, PHIL Y	LT 6 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11135			EHRSMAN, CHERYL A	LT 7 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11136			EHRSMAN, WILLIAM J	LT 8 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11137			RUST, ROBERT W & ALICE F	LT 9 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11138			FADRONIC, DENNIS & LILAL	LT 10 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11139			WALTER, JONI L & GINNY M	LT 11 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11140			FADRONIC, DENNIS & LILAL	LT 12 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11141			OLSON, W L & BETTY ANN	LT 13 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11142			BERGGREN, RAY F &	LT 14 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11143			SUNDSTROM, LINDA	LT 15 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11144			MCKERLUCK, MARVEL	LT 16 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11145			MCKERLUCK, THOMAS C	LT 17 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11146			WALKER, JERRY P	LT 18 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11147			DARBAH CORPORATION	LT 19 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11148			BELOT, ARNOUD J	UNIT 1 VIKING TOWNHOMES (07)
C11149			BELOT, JEANETTE	UNIT 2 VIKING TOWNHOMES (07)
C11150			OTTESON, LINDSEY A	UNIT 3 VIKING TOWNHOMES (07)
C11151			LUDLUM, GARY L	UNIT 4 VIKING TOWNHOMES (07)
C11152			LUDLUM, KAREN A	UNIT 5 VIKING TOWNHOMES (07)
C11153			KALITZ, AMANDA S	UNIT 6 VIKING TOWNHOMES (07)
C11154			OTTESON, DARRYL	UNIT 7 VIKING TOWNHOMES (07)
C11155			GORSON, JAMES R & JOANN	UNIT 8 VIKING TOWNHOMES (07)
C11156			CUSSEN, CAYDE A & SUSAN	UNIT 9 VIKING TOWNHOMES (07)
C11157			WRIGHT, DEBORAH K	UNIT 10 VIKING TOWNHOMES (07)
C11158			WRIGHT, LESLIE G	UNIT 11 VIKING TOWNHOMES (07)
C11159			STEFFES, TROY D & KERRI A	UNIT 12 VIKING TOWNHOMES (07)
C11160			LEV, TMOUHY J & MONICA L	UNIT 13 VIKING TOWNHOMES (07)
C11161			KRIER, MICHAEL E & PATRICIA A	UNIT 14 VIKING TOWNHOMES (07)
C11162			CORREAU, WILFRED & WANYVETAL J	UNIT 15 VIKING TOWNHOMES (07)
C11163			MULL, MARTIN R	UNIT 16 VIKING TOWNHOMES (07)
C11164			SCHULTZ, WILLIAM A & DAWN G	UNIT 17 VIKING TOWNHOMES (07)
C11165			KRIEGER, V JOYCE	UNIT 18 VIKING TOWNHOMES (07)
C11166			KAYANE, WALLACE M & IRENE L	UNIT 19 VIKING TOWNHOMES (07)
C11167			KAYANE, WALLACE A & IRENE L	UNIT 20 VIKING TOWNHOMES (07)
C11168			LINK, JOSEPH S & RUBY J	UNIT 21 VIKING TOWNHOMES (07)
C11169			PAULSON, CALVIN	UNIT 22 VIKING TOWNHOMES (07)
C11170			ASH, LEE R & CATHRYN R	UNIT 23 VIKING TOWNHOMES (07)
C11171			PIERSON, MARK D & SUSAN	UNIT 24 VIKING TOWNHOMES (07)
C11172			WILLIAMS, RONALD L & PATRICIA E	UNIT 25 VIKING TOWNHOMES (07)
C11173			SPOONER, DARRIN L & SHARON M	UNIT 26 VIKING TOWNHOMES (07)
C11174			BOYER, RONALD D &	UNIT 27 VIKING TOWNHOMES (07)

A	B	C	D	E
C11761			MATTHEWS, SUSAN A	LT 13 BLK 19 PRYOR CREEK ESTATES SUB 2ND
C11762			STUMPF, GERALD A	LT 14 BLK 19 PRYOR CREEK ESTATES SUB 2ND FIL
C11763			HOLLAND, TONY LEE &	LT 15 & 16 BLK 19 PRYOR CREEK EST 2ND 48445 SQ FT (COMBO W/C11764) (95)
C11765			PERREIRA, DARRELL & KATHERINE	LT 17 BLK 19 PRYOR CREEK EST 2ND FIL
C11791			HAAG, KENNETH L & MARIE E	LT 17 BLK 19 PRYOR CREEK ESTATES 2ND FIL
C11792			BOLTON, KENNETH G & DORLENE J	LT 38 BLK 19 PRYOR CREEK ESTATE 3RD
C12128	60		SWEE, DUARD	LT 37 BLK 19 PRYOR CREEK ESTATES 3RD
C12129			ERRERO, MARK T	LT 1 BLK 7 PRYOR CREEK SUBD 5TH FILING (99)
C12130			UFFELMAN, HARRY L	LT 6 BLK 7 PRYOR CREEK ESTATES SUBD 4TH (OLD #D11918)
C12131			UFFELMAN, VERNA	LT 7 BLK 7 PRYOR CREEK ESTATES SUBD 4TH (OLD #D11918)
C12132			FUREY, SHARON R	LT 8 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (OLD #D062749) (99)
C12133			SCHULTZ, GARY D & RITA F	LT 9 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (OLD #D062749) (99)
C12134			SCHWARZINGER, CORINA R	LT 10 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (OLD #D062749) (99)
C12135			HILL, LYLE & KATHY A	LT 11 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (OLD #D062749) (99)
C12136			GALLOGLY, PETER & DARLENE	LT 12 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (OLD #D062749) (99)
C12137			CULBERTSON, JOHN K	LT 13 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (99) (OLD #D062749)
C12137			DYER, DANNY D	LT 14 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (99) (OLD #D062749)
C12137			DYER, KIMBERLE M	LT 14 BLK 7 PRYOR CREEK ESTATES SUBD 5TH (99) (OLD #D062749)
C12138			SIMPSON, WESLEY P & KAREN M	LT 29 BLK 19 PRYOR CREEK ESTATES SUB 5TH (OLD #D062749) (99)
C13045			DARRAH CORP	LT 19 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13046			WELCH, JOHN D & CAROL J	LT 20 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13047			SUMNER, BRENT G & JENNIFER A	LT 21 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13048			TRUSCOTT, JOHN B & SUSAN	LT 22 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13050			BROWN, LEONARD & AMY K	LT 24 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13051			ROME, GARY W & YVONNE M	LT 25 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13052			SYNDENGAARD, STEVEN J & FAITH I	LT 26 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13053			ERBEN, WILLIAM F & SUZANNE D	LT 27 & 28 BLK 19 PRYOR CREEK ESTATES SUB 6TH FILING (01) (03)
C13055			KENALEY, HOLLY	LT 3 BLK 7 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13055			KENALEY, MICHAEL	LT 3 BLK 7 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13056			THOMPSON, BRENDA K	LT 4 BLK 7 PRYOR CREEK ESTATES SUB 6TH FILING (01)
C13057			UFFELMAN, HARRY L & VERNA F	LT 5 BLK 7 PRYOR CREEK ESTATES SUB 6TH FILING (01)
D06274E			THELL, GINGER D	TR 1 COS 2842 IN NE4
D06274E			DARRAH CORP INC	FRAC NW1/4E (1.124 ACRES)
D07966			CARR, THOMAS N & AILENE B	C/S 1936 TR A IN NW4
D07967			BECK, LINDA L	TR B1-A COS 1936 AMND TR B1 IN NW 10,026 AC
D07967A			BECK, LINDA L &	TR B1-B COS 1936 AMND TR B1 IN NW4 SEC 36-2N-27E
D07967A			GIEBEL, EDMOND J & RUTH LEE	TR B1-B COS 1936 AMND TR B1 IN NW4 SEC 36-2N-27E
D07967A			MAJOLIN, GARY L	TR B1-B COS 1936 AMND TR B1 IN NW4 SEC 36-2N-27E
D07968			WILD, LAWRENCE E	TR B2-A COS 1936 TR-B2 AMND IN NW LEROY/EROY FAMILY TRUST
D07968			WILD, SHANDELLE M	TR-B2-A COS 1936 TR-B2 AMND IN NW LEROY/EROY FAMILY TRUST
D07971D			VAALA, DAN	TRACT B1A COS 2500 AMND TR B1 (07) 1,988 AC
D07971D			OLSEN, JANET M	TR B2 COS 2500 AMND (95) 1,000 AC (OLD #D07871C)
D11599			BECK, RANDALL R &	TR A COS 2551 (537 AC)
D11599			CAMPBELL, STEVEN R	TR A COS 2551 (537 AC)
D11748			GULLICK, BERNARD J & JANA BERNEE J	TR A COS 2551 (537 AC) (99)
D11820			PITRACK, MICHELLE	TR A COS 2551 (537 AC) (99)
D11821			HOWARD, JOHN E & JOYCE E	PRYOR CRK EST 4TH FILING (516 AC)
D11821			ERL CORP INC (ETAL)	PRYOR CRK EST 4TH FILING (516 AC)
D11821			LINK, ELMER F	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11821			PRYOR CREEK COUNTRY CLUB	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11821			DARRAH CORPORATION INC	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D12208			LEROY FAMILY TRUST	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D12208			LEROY FAMILY TRUST	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D12210			MCELVAIN, JAMIE	TR 1-3 COS 2856 IN NW4 SEC 36-2N-27E 1,000 AC (99)
D12210			MCELVAIN, ROJ AND L	TR 3 COS 2856 IN NW4
D12212			LEROY, JACQUES T	TR 3 COS 2856 IN NW4 SEC 36-2N-27E 1,291 AC (99)
D12212			LEROY, LILLIAN M	TR 3 COS 2856 IN NW4 SEC 36-2N-27E 1,291 AC (99)
C11142			RAUCH, KENNETH R & VIRGINIA S	LT 10 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C11133			WALKER, JERRY P	LT 10 BLK 6 PRYOR CREEK ESTATES SUBD 1ST
C12139			SIMPSON, WESLEY P & KAREN M	LT 23 BLK 19 PRYOR CREEK ESTATES SUB 5TH (OLD #D062749) (99)
C13049			TRUSCOTT, JOHN B & SUSAN	LT 34 BLK 19 PRYOR CREEK ESTATES SUB 5TH (OLD #D062749) (99)
D11822			HOWARD, JOHN E & JOYCE E	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11822			EFL CORP INC (ETAL)	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11822			LINK, ELMER F	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11822			PRYOR CREEK COUNTRY CLUB	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11822			LEROY FAMILY TRUST	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D11822			LEROY FAMILY TRUST	TR 1-3 COS 2079 TR 2 COS 2854 & CS 2022 (LSS FRAC PRYOR HILLS SUB 1ST & AMND) (PRYOR CREEK GOLF CLUB) 280,414 AC (04)
D12209			LEROY FAMILY TRUST	TR 4 COS 2856 IN NW4 SEC 36-2N-27E (1,000 AC) (99)
D12211			LEROY FAMILY TRUST	TR 4 COS 2856 IN NW4 SEC 36-2N-27E 1,219 AC (99)

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104 (2 Dops)



PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)  
MAINTENANCE FUND

EXHIBIT C

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount (Per Lot)

Front Footage

Other (Describe)

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Pre-appointed Ad Hoc committee discussed an annual amount of \$100.00. There is a \$20,000.00 reserve. The road committee decided that the annual assessment of \$100.00 would be sufficient for the projected maintenance. Also due to the two year warranty provided by the road contractor there should not be any road repair expenses during the first two years. This would allow for additional accumulation of funds towards future repairs. Again this is an estimate and subject to adjustment based on future experience.

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PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)  
MAINTENANCE FUND

EXHIBIT D

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
<u>CRACK INSPECTION &amp; REPAIR</u>	<u>\$ 100.00</u>
<u>WEED &amp; GRASS SPRAYING</u>	<u>\$ 250.00</u>

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
<u>SNOW REMOVAL 4" min \$ 100.00 PER TIME, TWICE@YR</u>	<u>\$200.00</u>

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
<u>PRE-EMERGENT SPRAYING</u>	<u>\$ 150.00</u>
<u>CRACK &amp; POTHOLE REPAIR</u>	<u>\$ 500.00</u>

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
<u>MOWING ROAD EDGE</u>	<u>\$ 200.00</u>
<u>SPRAYING WEEDS</u>	<u>\$ 250.00</u>
<u>CHIP SEALING CONTRIBUTIONS PER YEAR</u>	<u>\$9450.00</u>

Revised 07/26/2007- Maintenance Fund has \$20K start up funds. Homeowners have agreed to pay \$100.00 per year to the fund the estimated \$11,100.00 cost of annual maintenance which computes based on taxation of 111 parcels.

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$11,100.00

*Note: Revised district boundary initially contains 108 properties*

*ST 1-2-08*