

RESOLUTION 2014-93

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL BENEFITED
PROPERTY WITHIN THE EVERGREEN ESTATES RURAL IMPROVEMENT
DISTRICT NO. 1994-4**

WHEREAS, the Board of County Commissioners of Lewis and Clark County (the "County") has properly created a rural special improvement district (the "District") pursuant to Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended (the "Act"), through Resolution No. 1994-140, denominated Rural Improvement District No. 1994-4 (the "District") and undertaken certain local improvements (the "Improvements") to benefited property located therein; and

WHEREAS, Section 7-12-2161, MCA provides that the Board of County Commissioners may, before the first Monday in September of each year, pass and finally adopt a resolution levying and assessing all the property within the district with an amount equal to the whole cost of maintaining, preserving, or repairing the improvements within the district; and

WHEREAS, Resolution 1994-140 provides an equitable method for assessing benefited properties based upon the benefits received; and

WHEREAS, the property owners of lots within the Evergreen Estates Rural Improvement District were notified of the August 12, 2014 public hearing, pursuant to Section 7-12-2159, MCA; and

WHEREAS, the proposed resolution was on file and subject to inspection in the Office of the County Clerk and the Lewis and Clark County Public Library.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lewis and Clark County, that this resolution shall supersede Resolution 2011-100 and shall be levied and assessed upon all benefited properties, within the boundaries of Rural Improvement District No. 1994-4.

BE IT FURTHER RESOLVED that an ongoing maintenance assessment to be levied and assessed until otherwise modified by a resolution passed by the County shall levy \$8,032.00 per year or \$32.00 per year for an unimproved lot and \$160.00 per year for an improved lot.

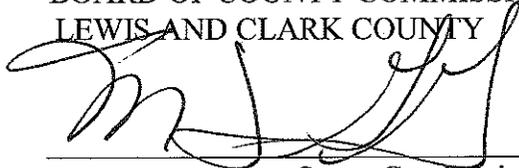
BE IT FURTHER RESOLVED that a description of each parcel of land, the name of each owner, if known, and the amount of each estimated annual assessment is listed on Exhibit "A", attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the assessment amount contained on attached Exhibit "A" shall be made in two equal payments by the day and month specified on the annual tax notice. Payments made after the specified dates shall be delinquent. Assessment will be placed on tax bills in the next available tax year.



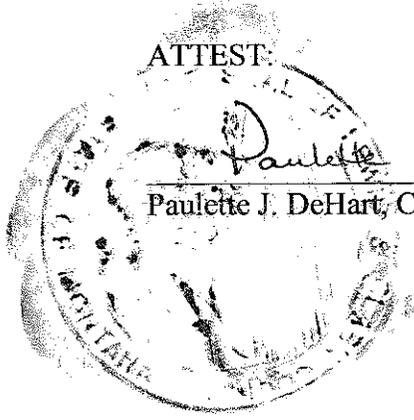
DATED this 12 day of August, 2014

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



Susan Good Geise, Chair

ATTEST




Paulette J. DeHart, Clerk of Board

Geocode	Property Owner	Legal Description	Assessment
211131403150000	ANDERSON ALLEN T & DOLORES E	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 5, COS #236259	\$160
211131403290000	SUMMERS GARY D & CYNTHIA J	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 15, & PT LT 16 COS #392776	\$160
211131403360000	BAKER MATTHEW A & CARMEN D	EVERGREEN ESTATES, S31, T12 N, R03 W, Lot 11, COS #211180	\$160
211131402050000	ZIMMER R J & TULASI	S31, T12 N, R03 W, TR IN W2SE	\$160
211131403110000	GERSPACHER LUCILLE A	EVERGREEN ESTATES, S31, T12 N, R03 W, Lot 10, COS #211180	\$160
211131403340000	LONG KAREN KAY	EVERGREEN ESTATES, S31, T12 N, R03 W, Lot 9, COS #211180	\$160
211131403350000	SWINDLE THOMAS O & KATHERINE A	EVERGREEN ESTATES, S31, T12 N, R03 W, Lot 5, COS #211180	\$160
211131404020000	STEVENS DARLENE S	S31, T12 N, R03 W, C.O.S. 297863, TR IN E2E2SE	\$160
211131404070000	RICE JAMES A & SHIRLEY M	S31, T12 N, R03 W, TR IN E2E2NE	\$160
211131403320000	BLAINE JOSEPH A & JENNIFER R	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 14, COS #236259	\$160
211131404050000	NJOS KALVIN D & TAMI K	S31, T12 N, R03 W, TR IN NENESE	\$160
211131402090000	FETH WENDY A & JEFFREY C	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 2, COS #236259	\$160
211131403190000	STIPCICH JAMES A & MARGARET M	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 9A1, COS #3225574	\$32
211131403140000	LIEBEL KERMIT CHARLES JR & ALICE	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 7, COS #236259	\$160
211131405070000	COOPER ROBERT & KAREN R	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 24, COS #236259	\$32
211131403170000	STIPCICH JAMES A & MARGARET M	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 8A1, COS #3225574	\$160
199506101100000	LEGG KEVIN E & MONIQUE M	S06, T11 N, R03 W, C.O.S. 505701/T, MAKE PALM HARBOR, MODEL UNKNOWN, 27X66 1998 TR IN NW4N1	\$160
199506101080000	VANEK TIMOTHY E & PHYLLIS M	S06, T11 N, R03 W, C.O.S. 505398, TR IN NE4NW4NE4	\$32
199506101060000	CHANDLER RITA & WITTE BRETT A	S06, T11 N, R03 W, C.O.S. 308139, TR IN NE	\$160
211131405170000	STEVENS JAMES O	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 26, COS #236259	\$160
211131101500000	SMITH TIMOTHY GEORGE & KATHY JO	S31, T12 N, R03 W, C.O.S. 484405/T, TR A IN NE4NE4	\$32
211131405090000	BECKES JOYCE C & SPERRY SAM H	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 22, COS #236259	\$32
211131405100000	SMITH TIMOTHY GEORGE & KATHY JO	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 23, COS #236259	\$32
211131103010000	CRIVELLO WILLIAM J & IVY SO WAI	S31, T12 N, R03 W, N2NE4NE4SE4; E2SE4NE4; PT OF SE4NE4NE4 LYING SOUTH OF RT OF WAY OF I-15	\$160
211131405150000	HASSLER KENNETH L & PAULA J	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 25, COS #236259	\$160
211131405210000	GOODRICH AARON	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 28, COS #236259	\$160
211131405190000	GUSTAFSON PATRICIA A TRUSTEE	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 27, COS #236259	\$32
211131403210000	HAVILAND DAVID J	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 11, COS #236259	\$160
211131403280000	LESSEL YOUNG ROBERT & JUDY	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 16, COS #392776	\$160
211131403100000	HUNTINGTON PEGGY J	EVERGREEN ESTATES, S31, T12 N, R03 W, Lot 8, COS #211180	\$160
211131401070000	TROMBETTA MICHAEL J & DOLORES J	EVERGREEN ESTATES 2ND ADDITION, S31, T12 N, R03 W, Lot 3A, COS #3074581	\$160
211131403230000	WALTHER JAMES A	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 18A, COS #3014095	\$32
211131403120000	ENGDAHL RONALD W & MARJORIE A	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 6, COS #236259	\$160
211131403380000	KIRBY DOROTHY C & JAMES M	EVERGREEN ESTATES, S31, T12 N, R03 W, Lot 4, COS #211180	\$160
211131401010000	VANEK TIMOTHY E & PHYLLIS M	EVERGREEN ESTATES 2ND ADDITION, S31, T12 N, R03 W, Lot 1, COS #285352	\$160
211131403300000	MOSEMAN MARK ROBERT & TRACY JO	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, TR A1 COS #3224033	\$160
211131405130000	SMITH TIMOTHY & KATHY JO	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 29, COS #236259	\$160
211131403220000	GUSTAFSON PATRICIA A TRUSTEE	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 12, COS #236259	\$32
211131402070000	HICKMAN GENE RICHARD & SUSAN E	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 1, COS #236259	\$160
211131403200000	FAH ELIZABETH R & CAROL LEE	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 10, COS #236259	\$160
211131405050000	BECKES JOYCE C & SPERRY SAM H	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 21, COS #236259	\$160
211131403180000	SNYDER STEPHEN J & CHRISTINE M	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 4, COS #236259	\$160
211131402010000	HEROLD DOUGLAS W & JANET E	S31, T12 N, R03 W, C.O.S. 395560, 2 TRS IN E2SWSE	\$160
211131403260000	STIPCICH JAMES A & MARGARET P	EVERGREEN ESTATES 1ST ADDITION, S31, T12 N, R03 W, Lot 13-A, COS #3224033	\$32

06/12/2014

Carrie A Severson
Special Districts Coordinator
Lewis & Clark County, Planning Dept.

RE: Evergreen Estates RID Annual Assessment Rate Increase

Evergreen Estates RID is requesting a rate increase to be able to maintain the road in a more timely manner than is currently possible.

At the present collection rates, the RID can only afford to have the road maintained every 2 years, and there are no funds left over for any emergencies or other needed maintenance.

We recently held a RID meeting with the general membership on May 29th, 2014 and the majority voted in favor of the following:

- 1) We would like to increase the rate (from \$80.00 yearly) for an "improved" lot to \$160 yearly.
- 2) We would like to increase the rate (from \$16 yearly) for an "un-improved" lot to \$32 yearly.

Thank you,

Douglas Herold – President: 9105 Douglas Circle



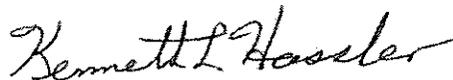
Allen Anderson – Vice President: 9044 Douglas Circle



Paula Hassler – Secretary: 8933 Douglas Circle



Ken Hassler – Treasurer: 8933 Douglas Circle



Tom Erdie – Board Member: 9017 Douglas Circle



Dorothy Kirby – Board Member: 8770 Douglas Circle



Matt Heimel
Special Districts Planner
(406) 447-8375 Office
(406) 447-8398 Fax



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Helena, Montana 59623
mheimel@lccountymt.gov

Lewis and Clark County

Planning and Community Development Department

Date: August 12, 2014

TO: Board of County Commissioners and Eric Bryson

FROM: Matt Heimel, Special Districts Planner

RE: Evergreen Estates RID Rate Resolution

Background Information:

The Evergreen Estates Rural Improvement District was created in 1994 for general improvements, road maintenance, repair, and preservation. Each lot within the District is currently assessed \$80.00 annually for an improved lot and \$16.00 annually for an unimproved lot. On June 12th, 2014, the County Commissioners received a letter from residents of Evergreen Estates requesting the assessment to be increased to \$160.00 annually for an improved lot and \$32.00 annually for an unimproved lot, as the current rate of assessment is claimed to not provide sufficient funds for adequate routine maintenance or leftover emergency needs.

The draft Resolution before you reflects this request. This process requires notice and a public hearing. Today, August 12, is the public hearing on the draft resolution as proposed by staff.

BoCC Options:

- ⊙ No public testimony against the proposed option,
 - Approve Draft Resolution
 - Motion to approve Resolution and authorize chair to sign.
- ⊙ Public testimony opposed to proposed option
 - Table decision on Draft Resolution
 - Deny Draft Resolution
 - Provide direction to staff if more information or other action is required