RESOLUTION 2015-44

RESOLUTION OF INTENTION TO CREATE HILLVIEW RURAL IMPROVEMENT DISTRICT NO. 2015-3

WHEREAS, the Lewis and Clark County Board of County Commissioners is authorized to establish intention to create a rural improvement district whenever the public interest convenience may require, as per MCA 7-12-2103; and

WHEREAS, a petition has been received from the landowners in the proposed area, requesting that the County Commissioners create a Rural Improvement District for the purpose of maintaining public access and County road easements named Hillview Drive, Roma Road, and Capri Drive, as shown on the attached Exhibit "A"; and

WHEREAS, the petition included a description of the boundaries of the proposed district and benefiting lots, descriptions and cost estimates for the proposed maintenance, descriptions of the proposed methods of assessment for and administration of maintenance, and was signed by 61.9% of the affected property owners; and

WHEREAS, the designated items set forth in MCA 7-12-2103(2) are as follows:

(a) The designated number of the district is 2015-3.

(b) The boundaries are shown on Exhibit "A", and the legal descriptions for affected properties are listed on Exhibit "B."

(c) The general character of maintenance includes, but is not limited to:
1. Snow plowing.
2. Grading Hillview Drive and the west portion of Roma Road twice per year.
3. Grading the Capri Drive loop and the east portion of Roma Road once per year.
4. Culvert Cleaning 1/5 per year.
5. Miscellaneous road work.

(d) DOWL HKM is the engineer to have charge of the work. The estimated cost for said maintenance is $4,200 per year or $100 per parcel per year, as shown on Exhibit "C". All maintenance funds collected for the district will be spent solely on road maintenance within the proposed district.

(e) The general character of improvements for Hillview Drive includes, but is not limited to:
1. Cutting and sloping ditches.
2. Add 6 inches of pit run to be bladed, watered and rolled.
3. Top with 4 inches of ¾" road mix to be bladed, watered, and rolled.
4. Stake new road edges and pot hole the utilities.

3270070 B: M49 P: 5924 COUNTY
03/12/2015 10:31 AM Pages: 1 of 7 Fees: 0.00
Paulette DeHart Clerk & Recorder, Lewis & Clark MT

(f) DOWL HKM is the engineer to have charge for the work. The estimated cost for said improvements is $99,772.75, to be funded by a debt service assessment of $237.55 per parcel per year levied for a period of ten (10) years, as shown on Exhibit "C". All improvement funds collected for the district will be spent solely on road improvements within the proposed district.

(g) The method by which the costs shall be assessed is described in MCA 7-12-2151(d): "each lot, tract, or parcel of land in the district [will] be assessed an equal amount based upon the total cost of the improvement [and maintenance]."

(h) Pursuant to MCA 7-12-2103(2)(f), "if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the proposed district during the term of the bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in MCA 7-12-2151(4)."

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of Commissioners that it does hereby establish its intention to create the Hillview Rural Improvement District No. 2015-3 for the purpose of equitably funding road maintenance and improvements.

BE IT FURTHER RESOLVED that written protests will be received from persons owning real property within the district for thirty (30) days after the first publication of notice and that said protests must contain the printed landowner name and address as it appears on the last assessment roll.

DATED this 12th day of March, 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chairman

ATTEST:

Paulette J. DeHart, Clerk of Board

Attachments: Exhibit "A" (Part of petition)
Exhibit "B" (Part of petition)
Exhibit "C" Cost estimates

PETITION TO CREATE A RURAL IMPROVEMENT DISTRICT FOR IMPROVEMENTS AND MAINTENANCE FOR HILLVIEW ACRES SUBDIVISION

Petition Circulation Date: September 3rd, 2014

We the undersigned, owners of real property within the proposed Hillview Rural Improvement District (the "District"), located in Lewis and Clark County, do hereby petition the Board of County Commissioners to create a Rural Improvement District for the purpose of improving and maintaining all Public Access and County Road Easements within the Hillview Acres Subdivision, as authorized by MCA §7-12-2101, et. Seq.

The boundaries of the proposed district are shown on the attached Exhibit A, and a property owner list requiring at least 60% of the listed owners' signatures is attached as Exhibit B.

The estimated annual cost for improvements is $9,977.28, for a period of ten years. The general character of such improvements can be describe as, but is not limited to, installation of ditches and road upgrading. The estimated annual cost for maintenance is estimated to be $4,200 per year. The general character of such maintenance can be described as, but is not limited to, snow plowing, road grading, and culvert cleaning.

All parcels within the proposed District would benefit and would be assessed using MCA §7-12-2151(1)(d):

> Each lot, tract, or parcel of land in the district may be assessed an equal amount based upon the total cost of the improvement.

The County will serve only to coordinate the necessary work, collect the assessments, and disburse payments for the district. It is anticipated that a private contractor would perform the improvements and maintenance.

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District (RIDs) Policies and Procedures manual which is on file and available for inspection at the Lewis & Clark County Board of County Commissioners. Because of aggregation and subdivision of parcels, the actual number of parcels stated in the petition may change between the time the petition is circulated and the time the board considers the resolution of intention to create the RID, and therefore, the actual assessment per parcel may be greater than or less than the amount stated in the petition and the number of lots to be assessed will be set as of the date of the resolution of intention to create the RID.

EXHIBIT B

Property ID	Site Address	Owner Name(s)	Legal Description	Estimated Improvements	Estimated Maintenance	Owner Signature & Date
1995062010100000	8555 HILLVIEW DR	FISHER THEODORE RAY & ALYCE MARIE	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 26, MAKE FLEETWOOD, MODEL BROOKFIELD, 26X66 1992 COS #281932	$237.55	$100	Alyce M Fisher 9/17/14
1995062010200000	624 ROMA RD	AGEN MARK LEE & CAROL LEE	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 27, COS 281932	$237.55	$100	
1995062010300000	672 ROMA RD	GREEN JASON A & JAMIE RENE	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 28, COS #281932	$237.55	$100	9/25/14
1995062010400000	688 ROMA RD	RITCHIE FRANK A & MELODY A & SHAR M	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 29, MAKE MARLETTE, MODEL COMUMBIA, 28X70 2004 S/N 23033	$237.55	$100	
1995062010500000	8595 HILLVIEW DR	CARSTENSEN MARK J & REBECCA A & KLUGMAN DALE TRUSTEE OF	HILLVIEW ACRES, S06, T11 N, R03 W, Lot 13	$237.55	$100	
1995062010600000	8625 HILLVIEW DR	LEMIEUX ALEX A & MARY E	HILLVIEW ACRES, S06, T11 N, R03 W, Lot 12A, TITLE # E018715, MAKE MEDALLION, MODEL CREST, 28X61 1996 TITLE #E018715 COS #533085/B	$237.55	$100	16 Sept 14
1995062010700000	8655 HILLVIEW DR	ZIMMER DAVID M & BRIESE ZIMMER GAIL A	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 11A-2, COS #543431	$237.55	$100	11 Sept 14
1995062010800000	8665 HILLVIEW DR	BAGLEY RICKEY AROL & CLAUDIA JEAN	HILLVIEW ACRES, S06, T11 N, R03 W, E PT LT 10, LT B COS #275646	$237.55	$100	24 Sept 14
1995062010900000	8696 HILLVIEW DR	WILHELM CLAYTON D & DONNA	HILLVIEW ACRES, S06, T11 N, R03 W, Lot 10A, COS #275646	$237.55	$100	14 Sept 14
1995062011000000	8650 HILLVIEW DR	OLLIS MICHAEL D	CREST, MODEL DENVER, 27X40 1996 TITLE #E2784722 S/N 22967114051AB COS #281932	$237.55	$100	22 Sep 2014
1995062011100000	8646 HILLVIEW DR	HAVRON JIM E	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 25, COS #600149/E	$237.55	$100	
1995062011200000	8618 CAPRI DR	HARRISON MARK S & GEORGETTE G	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 16, MAKE MARLETTE, MODEL LAKECREST 27X52 2003 COS #600149/E	$237.55	$100	9-25-14
1995062011300000	8600 CAPRI DR	HEDDEN TROY LEE & DUENSING LAURI ANN	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 14, COS #600149/E	$237.55	$100	9/25/14 9/25/14
1995062011400000	8590 CAPRI DR	Fyfe RESTAD MISTI D & JUDY M	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 9, TITLE # G375933, MAKE MARLETTE, MODEL 1ST EDITION, 27X66 2002 TITLE #G375933 COS #281932	$237.55	$100	Misti D. Fyfe 9/14/2014
1995062011500000	8570 CAPRI DR	MCLEAN MERILYN & KREI ROBERT D	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 8, TITLE # G249146, MAKE MARLETTE, MODEL LAKECREST, 27X52 2002 TITLE G249146 COS #281932	$237.55	$100	
1995062011600000	480 ROMA RD	JOHNSON KENNETH M & DEBBIE L	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 7, COS #281932	$237.55	$100	
1995062011700000	410 ROMA RD	LECOURS LAWRENCE EDWARD	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 6, COS #281932	$237.55	$100	
1995062020100000	8548 HILLVIEW DR	SUMMERHAYS STEVE J & ROBIN A	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 21A, COS #617949/B	$237.55	$100	14 Sep 14
1995062020200000	8550 HILLVIEW DR	SUMMERHAYS STEVEN J & ROBIN A	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 22, MAKE MARLETTE, MODEL UNKNOWN, 28X66 2000 COS #281932	$237.55	$100	14 Sep 14
1995062020300000	8590 HILLVIEW DR	GRABER LAURIE C & ROBERT D	HILLVIEW ACRES AMENDED, S06, T11 N, R03 W, Lot 23, MAKE MARLETTE, MODEL UNKNOWN, 28X66 2000 COS #281932	$237.55	$100	9/16/14
1995062020400000	8645 CAPRI DR	HEITSTUMAN BRENDA J & RICHARD D	HILLVIEW ACRES, S06, T11 N, R03 W, Lot 24, MAKE MARLETTE, MODEL UNKNOWN, 28X66 2000 COS #600149	$237.55	$100	Brenda J Heitstuman 9/14/2014

EXHIBIT "C" Hillview RID $75,000 Construction @ 10 Years

Construction	$68,000.00
Construction Contingency ($7,000)	7,000.00
	75,000.00
Design & Construction Engineering (0%)	0.00
Total Estimated Construction Cost	**$75,000.00**
RID Reserve (5%) MCA 7-12-2181 & 7-12-2182	3,947.37
Total Estimated Loan Amount	**$78,947.37**

Value of Loan	$78,947.37		
Period (years)	**10**	Total Int	$20,825.39
Payments per Period	1	Total Princ	$78,947.37
Interest Rate (7-12-2176)	4.50%	Total	$99,772.75
Number of Assessments	42		
ANNUAL ESTIMATED IMPROVEMENT ASSESSMENT			**$237.55**

ANNUAL MAINTENANCE	
Snow Plowing	
Hill View/Roma W.- Grading (2x per year)	
Capri Loop/Roma E.- Grading (1x per year)	
Culvert Cleaning (1/5 per year)	
Miscellaneous * Number chosen by property owners	$4,000.00
Sub Total	$4,000.00
5% Admin. Fee (not to exceed $500)	$200.00
Total Annual Maintenance Assessment	$4,200.00
ANNUAL ESTIMATED MAINTENANCE ASSESSMENT	**$100.00**
IMPROVEMENT ASSESSMENT	**$237.55**
TOTAL ANNUAL ESTIMATED ASSESSMENT	**$337.55**