

**RESOLUTION NO. 05-2016**

**RESOLUTION OF INTENT TO CREATE RURAL SPECIAL  
IMPROVEMENT DISTRICT NO. 2524, Big Sky Acres RSID, and,  
RURAL MAINTENANCE DISTRICT NO. 2525, Big Sky Acres RMD**

**BE IT RESOLVED** by the Board of County Commissioners of Jefferson County, Montana (the Board and Jefferson County, respectively), as follows:

Section 1. **Intention to Create Big Sky Acres Rural Special Improvement District (RSID), and Big Sky Acres Rural Maintenance District (RMD).** Pursuant to the provisions of Mont. Code Ann. § 7-12-2101 *et seq.*, the Board deems it to be in the public interest and convenience to create Big Sky Acres RSID No. 2524, and Big Sky Acres RMD No. 2525. The proposed districts will be formed within Jefferson County. The costs of the RSID improvements and costs incidental thereto are to be paid from the rural special improvement district bonds and are estimated to total \$195,100.00 (one hundred ninety-five thousand one hundred dollars), including total construction costs, total RSID bond costs, and incidental costs. The bonds are payable primarily from special assessments to be levied against the property in the District, which property will be specially benefitted by the Improvements in an amount not less than \$195,100.00. It is also the intention of the Board to create and establish in the County a rural maintenance district for the purpose of maintaining the improvements. The costs of the rural maintenance district are estimated to be \$1,132.00 (one thousand one hundred thirty two dollars) per year and are payable from special assessments to be levied against the property in the District, which property will be specially benefitted from the maintenance.

Section 2. **Proposed Improvements.** Jefferson County proposes to undertake certain local improvements (Improvements) to benefit certain property in Jefferson County. The Improvements consist of design, engineering, and construction upgrades to the internal roads within Big Sky Acres Subdivision and Summers Minor Subdivision.

Section 3. **Number of District.** The District, if created, shall be designated Big Sky Acres Rural Special Improvement District No. 2524. If the district is created, simultaneous with the District's creation, a Maintenance District shall be created and shall be known as Big Sky Acres Rural Maintenance District No. 2525.

Section 4. **District Boundaries.** The boundaries of the RSID and RMD are particularly described as:

Lots 1 & 2 of Block 1, Lots 1 through 9 of Block 2, and Lots 1 through 9 of Block 3, in Tract B of corrected Certificate of Survey No. 179179, Folio 499-B, being portions of G.L.O. Lot 5 and portions of the SW 1/4, NW 1/4 of Section 2, Township 9 North, Range 3 West of the Principal Montana Meridian, Jefferson County, Montana; and,

Lots 1 through 5 of Certificate of Survey No. 181804, Folio 517-A being a tract of land located in the NW 1/4 of Section 2, Township 9 North, Range 3 West of the Principal Montana Meridian, Jefferson County, Montana.

The exterior boundaries of the RSID and RMD and the lots within the exterior boundaries are depicted in Certificate of Survey Nos. 179179 and 181804, attached as Exhibits A and B, respectively and incorporated by reference.

Section 5. **Property.** The properties within the exterior boundaries of the RSID and RMD are described in the legal description section of the *Petition to Form RSID for Hard Surfacing Roads in the Big Sky Acres Subdivision in Northern Jefferson County*. Attached as Exhibit C and incorporated by reference. These properties are declared to be the area of the proposed RSID and RMD which will benefit from the RSID and RMD, and each of which will be assessed the costs of the RSID and RMD.

Section 6. **Extended District - Benefitted Property.** The District and the territory included within the boundaries of the RSID and RMD described in Section 4 shown in Exhibits A & B, are declared to be the RSID and RMD and will benefit from the Improvements. The properties included within the boundaries of the RSID and RMD, whether on or abutting all of the Improvements, are benefitted by the Improvements which are of more than local or ordinary benefit, and are declared to the properties which will be assessed and taxed for the costs of the RSID and RMD.

Section 7. **General Character of the RSID and RMD Improvements.** The RSID Improvements will consist of grading and shaping of the road section, minor drainage improvements, and placing a double shot chip seal driving surface on Antler Avenue, Brow Tine Boulevard, North Spike Street, South Spike Street, Bull Elk Boulevard within the Big Sky Acres Subdivision and Summers Minor Subdivision in Jefferson County. The total length of the of the improvements is approximately 1.3 miles. The finished road width will be 24 feet. The interior roads of Big Sky Acres Subdivision and Summers Minor Subdivision are existing gravel roads which have adequate gravel drainage structures. Drainage improvements, where necessary, are expected to consist of grading necessary to improve surface conveyance. The Improvements also include 300 linear feet of access serving the Haynes property within Big Sky Acres Subdivision.

The RMD will be responsible for chip sealing Antler Avenue, Brow Tine Boulevard, North Spike Street, South Spike Street, Bull Elk Boulevard within the Big Sky Acres Subdivision and Summers Minor Subdivision in Jefferson County, on a 5 year cycle. The chip sealing estimate is based on 1.3 miles total length and area of cul-de-sacs. The RMD may be amended in the future to include costs associated with road maintenance apart from chip sealing.

Section 8. **Estimated Cost.** The total RSID cost is estimated at \$195,100.00 (one hundred ninety-five thousand one hundred dollars). The total estimated annual cost and a breakdown of the line item costs included in the total estimated cost for the RSID Improvements

are detailed in Exhibit D; attached and incorporated by reference.

The total RSID estimated cost per lot is \$7,804.00 (seven thousand eight hundred four dollars). The estimated annual assessment for the RSID Improvements is \$726.00 (seven hundred twenty six dollars) per lot. The total estimated cost per lot of the RSID improvements and the total estimated annual cost of the RSID Improvements are detailed in Exhibit D.

The total annual maintenance assessment for the RMD is estimated at \$1,132.00 (one thousand one hundred thirty two dollars). The estimated annual assessment for the RMD is \$407.00 (four hundred seven dollars) per lot. The total estimated cost per lot of the RSID improvements and the total estimated annual assessment and per lot assessment of the RMD are detailed in Exhibit D. Estimated costs are subject to change in the future.

**Section 9. Assessment Methods.** Pursuant to Mont. Code Ann. § 7-12-2151(1)(d), each lot within the RSID shall be assessed an equal amount based upon the total cost of the Improvements. It is estimated the annual cost for each lot within the RSID will be \$726.00 (seven hundred twenty dollars) and will be assessed over a 15 year period.

Pursuant to Mont. Code Ann. § 7-12-2151(1)(d) each lot within the RMD will be assessed an equal amount based upon the estimated cost to chip seal the roads within the RMD on a 5 year cycle. Each lot within the RMD will assessed \$407.00 (four hundred seven dollars). The annual assessment may change in the future.

If an increase occurs in the number of benefitted lots within the boundaries of the RSID and RMD, the annual assessments per lot then in the RSID and RMD will be recalculated as provided in Mont. Code Ann. § 7-12-2151(4).

**Section 10. Public Hearing - Protests.** At any time within 30 days after the date of first publication of the notice of passage of this Resolution, any owner of property liable to be assessed for the cost of the RSID and RMD, may make written protest against the creation of the RSID and RMD. The protest must be in writing, identify the property within the proposed RSID and RMD owned by the protestor(s), and be signed by all owners of the property. The protest must be delivered to the Jefferson County Clerk and Recorder, who shall endorse on the protest document the date of its receipt by the County Clerk and Recorder's Office.

At the next regular meeting of the Jefferson County Commission following the expiration of the 30 day period in which protests may be made, the Jefferson County Commissioners shall proceed to hear and pass upon all protests made. The decision of the Jefferson County Commissioners with respect to protests made shall be final and conclusive.

**Section 11. Notice of Passage of Resolution of Intention.** Pursuant to Mont. Code Ann. § 7-12-2105, upon passage of the resolution of intent, the Jefferson County Commission shall cause to be published and mailed, in accordance with Mont. Code Ann. §§ 7-1-2121 and

2122, respectively, notice of passage of the resolution of intent.

Passed and Adopted by the Board of County Commissioners of Jefferson County, Montana, this 29<sup>th</sup> day of March, 2016.

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Robert Mullen  
Chair

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Leonard Wortman  
Commissioner

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Cory Kirsch  
Commissioner

Attest:

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Bonnie Ramey  
Jefferson County Clerk and Recorder