

**RESOLUTION NO. 09-2016**

**RESOLUTION CREATING RURAL SPECIAL  
IMPROVEMENT DISTRICT NO. 2524, Big Sky Acres RSID, and,  
RURAL MAINTENANCE DISTRICT NO. 2525, Big Sky Acres RMD**

**Whereas**, on March 29, 2016, and pursuant to Mont. Code Ann. § 7-12-2101, *et seq.* the Jefferson County Commissioners passed and adopted 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*; and,

**Whereas**, pursuant to Mont. Code Ann. §§ 7-12-2105(2), on April 13, 2016, notice of the passage of the resolution of intent was mailed to each person, firm or corporation owning real property within the proposed RSID and RMD; and notice of passage of the resolution of intent was published on April 13, 2016 and April 20, 2016, in accordance with Mont. Code Ann. §§ 7-12-2105(1) & 7-1-2121; and,

**Whereas**, 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; and,

**Whereas**, 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; and,

**Whereas**, the RSID is created for the purpose of design, engineering, and construction improvements which 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 is created for the purpose of 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; and,

**Whereas**, the total RSID cost is estimated at \$195,100.00 (one hundred ninety-five thousand one hundred dollars). 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. 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.

Each lot within the RSID shall be assessed an equal amount based upon the total costs of the improvements. 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 and will be assessed over a 15 year period. 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.

Each lot within the RMD shall be assessed an equal amount based upon the estimated costs to chip seal the roads within the RMD on a 5 year cycle. 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.

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); and,

**Whereas**, public comment on, and protests to, the creation of the RSID and RMD was taken at a Public Hearing of the Jefferson County Commissioners on May 17, 2016. Following the close of public comment and protests, the Jefferson County Commissioners voted to approve Resolution No. 09-2016 and create Rural Special Improvement District No. 2524, Big Sky Acres RSID, and, Rural Maintenance District No. 2525, Big Sky Acres RMD.

**NOW, THEREFORE, BE IT RESOLVED**, Rural Special Improvement District No. 2524, Big Sky Acres RSID, and, Rural Maintenance District No. 2525, Big Sky Acres RMD, are hereby created.

Passed and Adopted by the Board of County Commissioners of Jefferson County, Montana, this 17<sup>th</sup> day of May, 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