

RESOLUTION NO. 20-2016

**RESOLUTION OF INTENT TO CREATE
RURAL IMPROVEMENT DISTRICT NO.
MOCKEL ROAD SUBDIVISION RMD 2516**

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 the Mockel Road Subdivision 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 Mockel Road Subdivision RMD No. 2516. The proposed district will be formed within Jefferson County. The proposed district will be called the Mockel Road Subdivision Rural Maintenance District (RMD).

Section 2. **District Boundaries.** The boundaries of the RMD are particularly detailed as: those lands in Sections 7, 8, and 17 of Township 9 North, Range 2 West, P.M.M., Jefferson County, Montana which lie within the exterior boundaries of the RMD depicted on the RMD boundary maps attached as Exhibit A and B, and incorporated by reference.

Section 3. **Property.** The properties within the exterior boundaries of the RMD are described in the legal description section of the Petition to Form a Rural Maintenance District (RMD). Attached as Exhibit C and incorporated by reference. These properties are declared to be the area of the proposed RMD which will benefit from the RMD, from each of which will be assessed the costs of the RMD.

Section 4. **Extended District - Benefitted Property.** The District and the territory included within the boundaries of the RMD described in Section 2 shown in Exhibits A, B, and C, are declared to be the RMD and will benefit from the road maintenance. The properties included within the boundaries of the RMD, whether on or abutting all of the improvements, are benefitted by the road maintenance which is of more than local or ordinary benefit, and are declared to the properties which will be assessed and taxed for the costs of the RMD.

Section 5. **General Character of the RMD Improvements.** The RMD will be responsible for the annual grading of 0.57 miles of Mockel Road from its intersection with Star Lane to its intersection with Wagon Wheel Road. The RMD will also be responsible for placing three (3) inches of gravel to a width of twenty four (24) feet on 0.57 miles of Mockel Road from its intersection with Star Lane to its intersection with Wagon Wheel Road. The gravel will be placed on a five (5) year cycle.

Section 6. **Estimated Cost.** The total estimated annual cost of the RMD is \$10,649.43 (ten thousand six hundred forty nine dollars and forty-three cents). The total estimated annual cost and a breakdown of the line item costs included in the total estimated annual costs are

detailed in Exhibit D; attached and incorporated by reference. Estimated costs are subject to change in the future.

Section 7. Assessment Methods. Pursuant to Mont. Code Ann. § 7-12-2151(1)(a), each lot, tract or parcel within the RMD shall be assessed with that part of the whole cost which its “assessable area” bears to the assessable area of all the benefitted lots, tracts, or parcels based upon the total annual maintenance cost for the RMD. It is estimated the annual cost for each developed lot, tract, or parcel within the RMD will be \$443.73 (four hundred forty three dollars and seventy-three cents). It is estimated the annual cost for each un-developed lot, tract, or parcel within the RMD will be \$221.86 (two hundred twenty one dollars and eighty-six cents). The annual assessment may change in the future. If an increase occurs in the number of benefitted lots, tracts or parcels within the boundaries of the RMD, the annual assessment per lot, tract, or parcel then in the RMD will be recalculated as provided in Mont. Code Ann. § 7-12-2151(4).

Section 8. 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 RMD, may make written protest against the creation of the RMD. The protest must be in writing, identify the property within the proposed 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 9. 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 9th day of August, 2016.

Robert Mullen
Chair

Leonard Wortman
Commissioner

Cory Kirsch
Commissioner

Attest:

Bonnie Ramey
Jefferson County Clerk and Recorder