

**RESOLUTION 28-2016**

**RESOLUTION CREATING MOCKEL ROAD SUBDIVISION  
RURAL IMPROVEMENT DISTRICT NO. 2516**

**WHEREAS**, on August 9, 2016, and pursuant to Mont. Code Ann. § 7-12-2101, *et seq.*, the Jefferson County Commissioners passed and adopted Resolution 20-2016, Resolution of Intent to Create Rural Improvement District No. 2516, Mockel Road Subdivision Rural Maintenance District (RMD); and,

**WHEREAS**, pursuant to Mont. Code Ann. § 7-12-2105(2), on August 17, 2016 notice of passage of the resolution of intent was mailed to each person, firm or corporation owning real property within the proposed RMD; and, notice of passage of the resolution of intent was published on August 10 & 17, 2016 in compliance with Mont. Code Ann. §§ 7-12-2105(1) & 7-1-2121; and,

**WHEREAS**, 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; and,

**WHEREAS**, the legal description of the properties within the exterior boundaries of the RMD, and the owners of those properties, are described in the Petition to Form a Rural Maintenance District 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, and from each of which will be assessed the costs of the RMD; and,

**WHEREAS**, the RMD is created for, and will be responsible for the annual grading each spring 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; and,

**WHEREAS**, 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; and,

**WHEREAS**, pursuant to Mont. Code Ann. § 7-12-2151(1) each developed lot, tract, or parcel within the RMD shall be assessed an equal amount based upon the total annual maintenance cost for the RMD. The estimated annual cost for each developed lot, tract or parcel within the RMD will be \$443.73 (four hundred forty three and seventy-three cents). Pursuant to

Mont. Code Ann. § 7-12-2151(1), each undeveloped lot, tract, or parcel within the RMD shall be assessed an equal amount based upon the total annual maintenance cost for the RMD. The estimated the annual cost for each undeveloped lot, tract or parcel within the RMD will be \$221.86 (two hundred twenty one 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); and,

**WHEREAS**, pursuant to Mont. Code Ann. § 7-12-2161(4), the Jefferson County Commission may change, by resolution, and not more than once a year, the boundaries of the RMD. Upon petition of the owner(s) of any lot, tract, or parcel in the RMD asserting the RMD no longer benefits their lot, tract, or parcel, the Jefferson County Commission may consider, in accordance with Mont. Code Ann. § 7-12-2161(4), changing the boundaries of the RMD to exclude such lot, tract, or parcel from the RMD.

**WHEREAS**, public comment on, and protests to, the creation of the RMD was taken at a Public Hearing of the Jefferson County Commission on September 27, 2016. Following the close of public comment and protests, the Jefferson County Commission voted to approve Resolution 28-2016 and create Rural Improvement District No. 2516, Mockel Road Subdivision RMD.

**NOW THEREFORE, BE IT RESOLVED**, Rural Improvement District No. 2516, Mockel Road Subdivision RMD, is hereby created.

Dated this 27<sup>th</sup> day of September, 2016.

**BOARD OF COUNTY COMMISSIONERS  
OF JEFFERSON COUNTY, MONTANA**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**BOB MULLEN, CHAIR**

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**LEONARD WORTMAN, COMMISSIONER**

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**CORY KIRSCH, COMMISSIONER**

