

RESOLUTION NO. 29-2010

RESOLUTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, MONTANA, AMENDING RESOLUTION NO. 24-2010 LEVYING SPECIAL ASSESSMENTS AND MAINTENANCE ASSESSMENTS UPON BENEFITED PROPERTY IN ITS RURAL SPECIAL IMPROVEMENT AND MAINTENANCE DISTRICT NO. 2009-01 AND SETTING A HEARING ON OBJECTIONS TO PASSAGE

This Resolution was introduced by Commissioner Hart; moved by Commissioner Schulz, and seconded by Commissioner Ross. The Resolution was adopted by a 3-0 vote.

WHEREAS, after passage of Resolution No. 24-2010 it was determined by the District's engineers that one of the 591 properties proposed to be assessed was inadvertently listed twice and that therefore the number of properties proposed to be assessed would be 590 instead of 591; and

WHEREAS, this Board created Rural Special Improvement and Maintenance District No. 2009-1 (the "District") under the method of assessment of an equal amount per parcel and the amount of the special assessments in the District therefore needs to be amended to reflect the total principal assessment per parcel of \$4,923.73, instead of the \$4,915.40 shown in paragraph 1 of Resolution No. 24-2010 and the initial annual assessment per parcel is estimated to be \$432.48, instead of the \$431.75 shown in paragraph 1 of Resolution No. 24-2010., and

WHEREAS, Exhibit D attached to Resolution No. 24-2010 should be replaced with the Revised Exhibit D which reflects the above changes; and

WHEREAS, no amendment is required for Section 2 of Resolution No. 24-2010 on the levy of the maintenance assessment; and

WHEREAS, this Board intends to have a hearing for objections to the final adoption of the Resolution Levying the Special Assessment for the District on September 14, 2010 at 11:00 AM at the Board's offices and amends Resolution No. 24-2010 to provide notice of the passage of such Resolutions and the time of the hearing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County, Montana, as follows:

Section 1. Levy of Special Assessments for RSID No. 2009-01. Section 1 of Resolution No. 24-2010 should be amended to read as follows:

Section 1. Levy of Special Assessments for RSID No. 2009-01. The special assessments referenced above are hereby approved and levied in the principal amount of \$4,923.70 for each benefited property as shown on Revised Exhibit D hereto. The initial annual assessment of principal and interest for each benefited property listed on Revised Exhibit D is estimated to be \$432.48. (The initial annual special assessment may be paid in semi-annual payments of \$216.24, commencing with the first one-half year payment due on November 30, 2010 and the second one-half year payment of \$216.24 due on May 31, 2011).

Section 2. Notice of Passage of Resolution and Hearing on Objections. Resolution No. 24-2010 is amended by adding the following section:

Section 3. Notice and Public Hearing. The Board of Commissioners will have a public hearing at 11:00 AM on September 14, 2010 at the Board's office in Virginia City to hear protests against the final adoption of Resolution No. 24-2010, as amended by Resolution No. 29-2010. The County Clerk and Recorder is directed to publish and cause to be mailed a Notice of such passage and hearing as provided in Section 7-12-2159, MCA.

PASSED AND ADOPTED by the Board of County Commissioners of the County of Madison, Montana this 31st day of August, 2010.

BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY, MONTANA

Chairman

ATTEST:

County Clerk and Recorder