

Resolution No. 223

RESOLUTION OF INTENTION TO CREATE
A SPECIAL IMPROVEMENT LIGHTING DISTRICT NO.4

The Town of Stevensville has required that the developer of the Creekside Meadows subdivision include a lighting district as a condition of subdivision approval.

The owners of the lots within Phase I and Phase II have agreed upon a lighting plan which plan is approved by the Council. Having required, as a condition of subdivision approval, that the owners of lots and developer be required to allow the creation of a lighting district and there having been submitted an approved plan for street lighting;

IT IS HEREBY RESOLVED that the Town Council for the Town of Stevensville hereby files its Notice of Intention to Create a Lighting Special Improvement District within the boundaries of Phase I and Phase II of the Creekside Meadows Subdivision. These lands are located in Section 26, T9N, R20 W, P.M.M. Ravalli County, Montana.

In furtherance of this resolution, the Town of Stevensville resolves as follows:

A. The Lighting Special Improvement District shall include all Lots within Phase I and Phase II of the Creekside Meadows Subdivision.

B. Said Lighting Special Improvement District shall be known as Special Street Lighting District No. 4 in the Town of Stevensville.

C. The lighting district shall provide funds for installation and capital improvements with 14 street lights under a Northwestern Energy lease Light program together with maintenance and energy costs plus incidental administrative costs.

Installation and capital improvements include, but are not limited to, wires, pipes, conduits, lamps and other suitable and necessary materials and labor costs.

The estimated cost of installation and labor is \$21,959.88; which amount is included in the light lease.

The lighting district shall include maintenance and energy costs. The maintenance and energy costs are estimated to be \$4,053.13 for the first year.

The lighting district will include administrative and incidental costs to the town in the amount of \$4,000.00

Written protest against the proposed work or against the extent or creation of the district to be assessed may be submitted to the Clerk of the Town at any time within 15 days after the first publication of this notice.

Additional information regarding this matter can be obtained at Stevensville Town Hall, Office of Town Clerk, 206 Buck Street, Stevensville Montana. 406-777-5271.

IT IS FURTHER RESOLVED THAT the Clerk of the Town of Stevensville shall cause to be prepared a Notice of Resolution of Intent to Create a Lighting District for advertisement and mailing. The Notice shall set hearing on any written protests to the Resolution of Intention for 7:00 o'clock pm on July 24, 2006, in the Town of Stevensville, Montana, at the regular council meeting.

Passed this 26th day of June, 2006.

sf William Meisner

Mayor

sf Nancy Lowell

Town Clerk

RESOLUTION CREATING SPECIAL IMPROVEMENT
LIGHTING DISTRICT NO. 4

The Town Council for the Town of Stevensville, Montana, hereby creates Special Improvement Lighting District No. 4. This lighting district encompasses all lands within Phase 1 (sometimes referred to as Phase I) and Phase II (sometimes referred to as Phase 2) of the Creekside Meadows Subdivision, Tracts 1 & 3 of COS 495033-TR.

Whereas the Town Council has published its Notice of Resolution of Intention to Create Special Improvement Lighting District No. 4 and such notices have been sent to property owners within the subdivision;

Whereas, the creation of the lighting district is a requirement of subdivision approval and the owners are bound to the conditions of subdivision approval;

Whereas fifteen days have run since first publication of the Notice of Intention and no written protest has been received;

Whereas the inclusion of lighting within the neighborhoods of the town serves the benefit of public safety and overall quality of the town;

Whereas, the cost of capital improvements and installation is \$21,959.88;

Whereas, the administrative charges of \$4,000.00 reasonably correspond to the legal fees incurred by the town to create a lighting district and the administrative costs for assessments and monthly accounting;

Resolution

The Town Council of the Town of Stevensville hereby resolves as follows:

1. Special Improvement Lighting District No. 4 is hereby created and shall bind the owners of lands within Phase I and Phase II of the Creekside Meadows Subdivision, which is located in Section 26, T9N, R20W, Ravalli County, Montana, as more particularly described in Certificate of Survey No. 495033-TR on file with the Ravalli County Clerk and Recorder;
2. The lighting district shall include capital costs in the amount of \$21,959.88 and energy and maintenance costs estimated for the first year to be \$4,053.13 together with administrative costs, which have been justified, in the amount of \$4,000.00;
3. The Town Clerk shall prepare assessments based upon lot size and costs as required by the Montana Codes Annotated and any administrative regulations thereunder;
4. The Town Council shall hear, consider and act upon a Resolution of Levy and Assessment on Special Improvement Lighting District No. 4 at the regularly scheduled Town Council Meeting at 7:30 o'clock p.m. on September 11, 2006, at the Town Hall, 206