

RESOLUTION 2020-_____

RESOLUTION CREATING THE GALLATIN CANYON
COUNTY WATER AND SEWER DISTRICT

WHEREAS, this Resolution was introduced by Clerk & Recorder Eric Semerad, moved by Commissioner _____ and seconded by Commissioner _____ The Resolution was adopted _____

WHEREAS, pursuant to Title 7, Chapter 13, Parts 22 and 23, MCA, the Board of County Commissioners ("Commission") may establish a county sewer and water district and provide for its organization and management; and

WHEREAS, a petition to establish the Gallatin Canyon County Water and Sewer District ("District") was submitted by the petitioners to the Clerk & Recorder on October 29, 2020 and signed by the owners of all of the real property in the proposed District, pursuant to Section 7-13-2204(1), MCA; and

WHEREAS, Eric Semerad, Gallatin County Clerk and Recorder, certified the petition contained the signatures of 100% owners of all the real property in the District and presented the above petition to the Commission on December 29, 2020; and

WHEREAS, a notice of the hearing including the text of petition was published in the Bozeman Daily Chronicle on December 20, 2020 and December 27, 2020, pursuant to Section 7-13-2204(1), MCA; and

WHEREAS, the Commission held a hearing on December 29, 2020, wherein the Commission heard the petition and those appearing thereon, together with such written protests as had been filed with the County Clerk and Recorder prior to such hearing by or on behalf of owners of taxable property situated within the boundaries of the proposed District pursuant to Section 7-13-2206, MCA.; and

WHEREAS, no written protests were received from owners of taxable property situated within the proposed district and no protestors who are owners of taxable property situated within the proposed district spoke at the public hearing; and

WHEREAS, an election is not required because the petition for the creation of the District was signed by the owners of all of the taxable property situated in the boundaries of the proposed District per Section 7-13-2208(3), MCA.

NOW THEREFORE BE IT ORDERED AS FOLLOWS:

1. The Commission determines the petition complies with the requirements of Title 7, Chapter 13, Parts 22 and 23, MCA and this determination shall be entered upon the minutes of the Commission; and
2. The Commission hereby establishes the boundaries of the District as described below:

The following described property located in Gallatin County, Montana is enclosed within the boundaries of the Gallatin Canyon County Sewer and Water District is organized as the Gallatin Canyon County Water and Sewer District:

Tract 1, of the Final Plat of Minor Subdivision No. 373, in Gallatin County, Montana, according to the official plat thereof and of record in the office of the Clerk and Recorder, Gallatin County, Montana.

The NW1/4NE1/4NE1/4 of Section 8, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, excepting therefrom the East 150 feet of the NW1/4NE1/4NE1/4, more particularly described as follows: Begin at the Northeast corner of said Section 8, thence South 89°37'37" West on and along the North line of said Section 8, a distance of 812.23 feet to the true point of beginning. Thence South 0°07' 58" East, a distance of 662.10 feet, thence South 89°39'04" West, a distance of 511.86 feet, thence North 0°09'56" West a distance of 661.88 feet to the North line of said Section 8. Thence North 89°37'37" East, on and along the said North line, a distance of 512.23 feet to the true point of beginning, according to Certificate of Survey No. 791.

Tract A-1 of Certificate of Survey No. 1361A, being Tract A of Certificate of Survey No. 1361 located in the NE 1/4 of Section 8, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana.

Tract A of Certificate of Survey No. 1447, a tract of land in the SE1/4 of Section 32, Township 6 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

Tract 2 of Certificate of Survey No. 2450, located in Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official survey thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

3. The Commission declares the territory enclosed within above-described boundaries as the Gallatin Canyon County Water and Sewer District; and
4. The Commission requests the County Clerk and Recorder to forward a certified copy of the order to the Secretary of State's office, pursuant to Section 7-13-2208(3), MCA.

Dated this _____ of December 2020.

GALLATIN COUNTY COMMISSION

Donald Seifert, Chairman

ATTEST:

Eric Semerad, Clerk and Recorder