



LINCOLN COUNTY MONTANA

Resolution 2020-06

RESOLUTION TO ANNEX A PROPERTY INTO THE TROY RURAL FIRE DISTRICT

**THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY,
MONTANA FINDS:**

1. A petition conforming to the ownership requirements of 7-33-2125(1)(a) MCA was presented to the trustees of the Troy Rural Fire District (TRFD) for annexation of the following described property into the fire district: See attached Exhibit A; and
2. On February 5th, 2020 the petition for inclusion into its fire district was submitted to the county commission; and
3. The property listed in the application has been verified by the Lincoln County Elections Department as being within or adjacent to the proposed area for annexation; and
4. Pursuant to 7-33-2125 MCA, the Lincoln County Board of Commissioner did approve and pass RESOLUTION 2019-05 INTENT FOR ANNEXATION ON February 19th, 2019 and
5. Pursuant to 7-1-2121 MCA, a NOTICE OF PUBLIC HEARING was published in The Western News on February 21st and February 28th, 2020, and was posted on two courthouse bulletin boards and the county website; and
6. Pursuant to 7-33-2125(1)(b), the Lincoln County Board of Commissioners held a public hearing on March 4th, 2020 at 11:00 AM in the Lincoln County Courthouse.
7. Section 7-33-2125(2) MCA states, "On the date set for the hearing, the board of county commissioners shall consider the petition and any objections to the annexations. The board shall approve the annexation unless a protest petition signed by at least 40% of the owners of real property in the area proposed for annexation and owners of property representing 40% or more of the taxable value of the property in the area proposed for annexation is presented at the hearing, in which case the annexation must be disapproved; and
8. The County Commission did hear protests and public comments relating to the proposed annexation on March 4th, 2020 and no protest petition was submitted; and

284395 BOOK: PF PERM/FILES PAGE: 14585 Pages: 7

STATE OF MONTANA LINCOLN COUNTY

RECORDED: 03/05/2020 8:17 KOI: RESOLUTION

ROBIN A. BENSON CLERK AND RECORDER

BY: *[Signature]*
FEE: \$0.00

FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE.



LINCOLN COUNTY MONTANA

THE BOARD RESOLVES:

That the following described property (see attached Exhibit A) is annexed to the Troy Rural Fire District in accordance with 7-33-2125 MCA.

THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

Marcia Boris, County Attorney

Date presented to the Board 03/05/2020 Approved (X) Disapproved () Amended ()

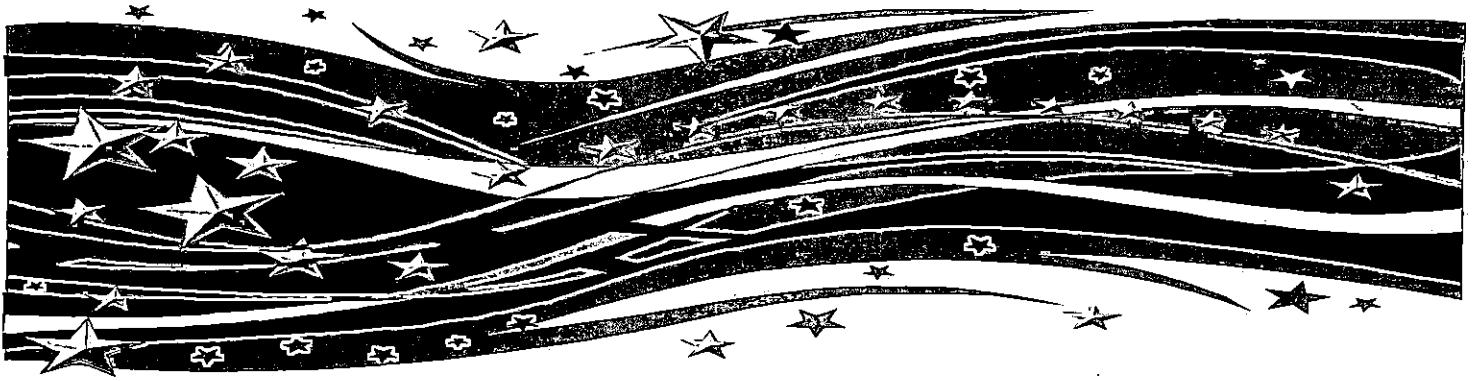
Adopted this 4th day of March 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chair

ATTEST:

Chris Nelson, Clerk of the Board



LINCOLN COUNTY ELECTIONS

512 CALIFORNIA AVENUE, LIBBY, MT 59923

406-283-2302

leigh@libby.org

TROY RURAL FIRE DISTRICT ANNEXATION SUMMARY

January 31, 2020

7-33-2125 MCA – states that the requirements for fire district annexations are:

- 1) A petition in writing by the owners of 40% or more of the real property within the proposed district AND
- 2) Owners of property representing 40% or more of the taxable value of property within the proposed area to be annexed

Commissioner Bennett presented the Troy Rural Fire District annexation request to me on January 29th, 2020. I verified the property information through the Lincoln County Assessor's Black Mountain software program and through Heather Benjamin of the addressing/GIS department.

Summary as follows:

Total number of properties listed was 1 (one).

Total Acres of REAL property:	11.06	100%	11.06
Total Taxable Value calculated:	\$5730	100%	\$5730

In accordance with 7-33-2125 (attached), the 40%/40% required for annexation of adjacent territory that is not contained within current Lincoln County Rural Fire District boundaries has been met.

Regards,

Leigh Riggleman
Lincoln County Election Administrator

Troy Rural Fire District

PO Box 583
Troy MT 59935
(406) 295-3030

Jan 23, 2020

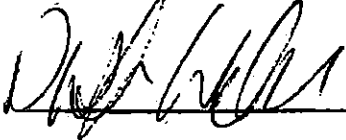
To: Lincoln County Commissioners

Subject: Petition to add Properties into the Troy Rural Fire District

1. Request the properties listed on the attached Petition be included in the Troy Rural Fire District.

Dusty Welch

Troy Rural Fire Department Chief



Larry Chapel

Chairman, Troy Rural Fire Board



Re: Roberts Property Annexation

From: jimwest (jimwest@comcast.net)

To: gregoryhl@yahoo.com

Date: Monday, November 4, 2019, 02:29 PM MST

Hi Herb,

Hope all is well with you and family. I'm just checking in with you to make sure you received my email below with the legal description of my property.

Jim

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: JAMES ROBERTS <jimwest@comcast.net>

Date: 10/30/19 8:23 PM (GMT-08:00)

To: gregoryhl@yahoo.com

Subject: Roberts Property Annexation

Hi Herb,

As you and I discussed, I am requesting that my property at 3759 Lake Creek Rd., Troy, MT 59935 be annexed into the Troy fire district. The legal description of the property is as follows:

Legal description: Lake Creek Hideaway, S05, T30 N, R33 W, Acres

Please confirm that you've received this email and if you need anything more from me. Thank you so much for your help in this process.

James and Mindi Roberts

jimwest@comcast.net

Cell: (360) 907-5769

52479

01/29/20

16:22:47

LINCOLN COUNTY
Assessment Detail 2019

Page: 1 of 1
Report ID: T105

Tax ID's from 52479 to 52479

Tax ID	Name	Prop #	Class Code	Quantity	Market Val.	Taxable	Dollar Amount
52479	ROBERTS JAMES C & MINDI M	10	04-2101 Tract Land	11.06	149,098	2,013	
			04-3301 Improvements on Rural Land		275,302	3,717	
			99-9000 REFUSE	1.00			135.60
			99-9100 STATE FIRE PROTECTION				45.30
		999	99-9002 SOIL & WATER CONSERVATION	12.06	424,400	5,730	180.30
	# of Lines	5	Grand Total	12.06	424,400	5,730	180.30
			Grand Total Taxable for Specials			5,730	

