



LINCOLN COUNTY MONTANA

Resolution 2018-19

RESOLUTION TO ANNEX A PROPERTY INTO THE LINCOLN COUNTY 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 Lincoln County Rural Fire District (LCRFD) for annexation of the following described property into the fire district: See attached Exhibit A; and
2. On August 29, 2018 the LCRFD submitted the petition for inclusion into its fire district to the county commission; and
3. The property listed in the application has been verified by the Lincoln County Elections Department as being within the proposed area for annexation; and
4. Pursuant to 7-33-2125 MCA, the Lincoln County Board of Commissioner did approve and pass RESOLUTION 2018-16 INTENT FOR ANNEXATION ON August 29, 2018; and
5. Pursuant to 7-1-2121 MCA, a NOTICE OF PUBLIC HEARING was published in The Western News on September 4 and 18, 2018, 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 September 26, 2018.
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 September 26, 2018 and no protest petition was submitted; and

276240 BOOK: PF FERM/FILES PAGE: 14367 Pages: 3

STATE OF MONTANA LINCOLN COUNTY

RECORDED: 09/26/2018 3:13 KOI: RESOLUTION

ROBIN A. BENSON CLERK AND RECORDER

BY: *[Signature]*

FOR: LINCOLN COUNTY



LINCOLN COUNTY MONTANA

THE BOARD RESOLVES:

That the following described property (see attached Exhibit A) are annexed to the Lincoln County 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 9-26-18 Approved Disapproved () Amended ()

Adopted this 26th day of September 2018.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chair

ATTEST:

Robin A. Benson, Clerk of the Board

The Lincoln County Rural Fire District is requesting annexation of property adjacent to the existing RFD boundaries pursuant to MCA 7-33-2125
 We are requesting consideration of the following specified properties.

Name	Physical Address	Mailing Address	Assessment Code	Acres	18 Taxable Value	Taxed Amount
Lloyd Wagner	707 Obsidian Road	PO Box 594	0000018428	3.5	2886	\$ 133.00
Lonny Liebelt	447 Obsidian Road		0000002567	4	2999	\$ 138.00
Jimmy Brue	351 Ossidian Road		0000002899	7.81	860	\$ 139.00
Gregory Allen	297 Obsidian Road	PO Box 1551	0000011321	20	2314	\$ 107.00
Robert Westfall	Obsidian Road	PO Box 147	0000003055	5.16	2912	\$ 134.00
David Holzer	242 Obsidian Road		0000017424	6.02	2756	\$ 164.00
James Krongerger	Obsidian Road	Gardena CA	0000054357	3.23	2001	\$ 92.00
Steve Schnackenberg	137 Obsidian Road		0000002660	3.21	4093	\$ 188.00
John Wilkerson	Obsidian Road	Salt Lake City, UT	0000054322	2.63	626	\$ 29.00
George Jamison	75 Obsidian Road		0000054324	4.17	4662	\$ 214.00
Tony & Amy Fantozzi	2538 Swede Mtn Rd		0000017461	2.38	4913	\$ 226.00
Loren Clausen	69 Obsidian Road		0000010383	5.01	3613	\$ 166.00
Robert Cyr	73 Obsidian Road		0000056341	3.71	2995	\$ 138.00
Frank Fillopoulas	Obsidian Road	Yuma, AZ	0000010382	1.29	179	\$ 10.00
			Total's	72.12	37809	
			40%=	28.85	15124	
			65%	46.55	23588(62%)	
Thompson Contracting	Swede Mtn Road		0000017466	58.1	231	\$12.00
				100%	100%	

Exhibit "A"

LCRFD Chairman, Richard S Wood _____ Date: _____ Board
 Member _____ Date: _____