



LINCOLN COUNTY MONTANA

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STATE OF MONTANA LINCOLN COUNTY

RECORDED: 01/31/2024 11:58 KOI: RESOLUTION

CORRINA BROWN CLERK AND RECORDER

FEE: \$0.00 BY: Erica She Storken deputy

FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

RESOLUTION 2024-07

A Resolution Annexing Cabinet Vista Estates Phase II Subdivision into Bull Lake Rural Fire District

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

Whereas, a petition was presented to the trustees of the Bull Lake Rural Fire District for annexation of the described property into the fire district: see attached exhibit 'Plat 6872'; and

Whereas, on December 21, 2023, the Bull Lake Rural Fire District submitted the petition for inclusion into its fire district to the county commission; and

Whereas, the property shown in the application has been verified by the Lincoln County Land Specialist as being within the proposed annexation area, meeting the requirements per MCA 7-33-2125(a); and

Whereas, the Lincoln County Board of Commissioners did approve and pass Resolution 2024-04 A Resolution of Intent for Annexation on January 3, 2024; and

Whereas, pursuant to MCA § 7-1-4131 and § 7-1-2121, a notice of public hearing was published in the Western News. Additionally, it was posted on two courthouse bulletin boards and the county website under public notices; and

Whereas, pursuant to MCA 7-33-2125(1)(b), the Lincoln County Board of Commissioners held a public hearing on January 31, 2024, at 11:15 A.M. in the Lincoln County Courthouse commissioner meeting room located at 512 California Ave. Libby, Montana; and

Whereas, MCA 7-33-2125(2) states "On the date set for the hearing, the board of county commissioners shall consider the petition and any objections to the annexation. 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

Whereas, the Lincoln County Board of Commissioners did hear protests and public comments relating to the proposed annexation on January 31, 2024, and no protest petition was submitted.



LINCOLN COUNTY MONTANA

NOW, THEREFORE, BE IT RESOLVED:

The Lincoln County Board of Commissioners in accordance with MCA § 7-33-2125 approves the request for annexation of Cabinet Vista Estates Phase II Subdivision into Bull Lake Rural Fire District per attached exhibit 'Plat 6872'.

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 1/31/24

Approved ☒ Disapproved ☐ Amended ☐

Adopted this 31ST day of January, 2024.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chair

ATTEST:

Corrina Brown, Clerk of the Board

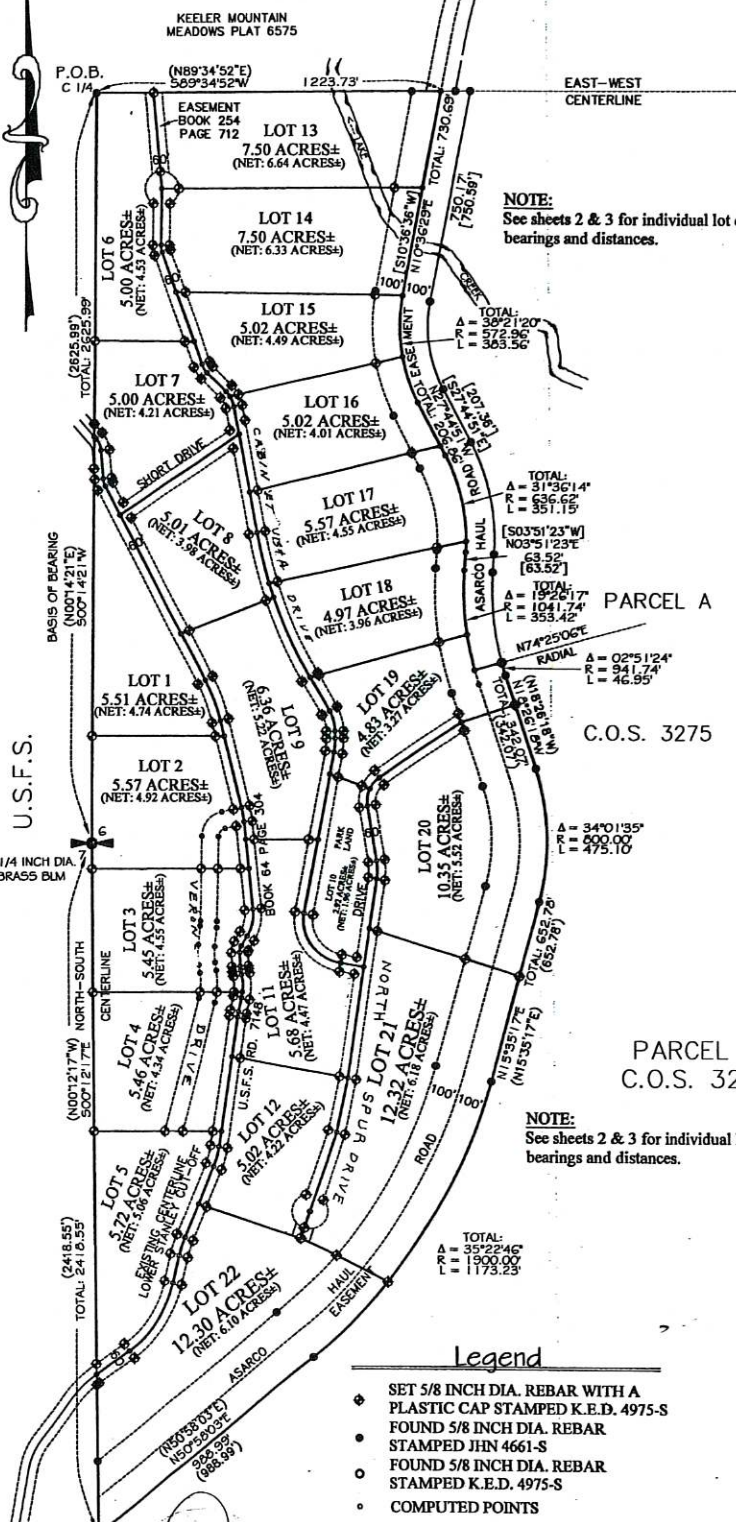
NOTE:

There are deed restrictions pertaining to the original restrictive covenants on this property, the restricted zone, CMZ zone, and 200 foot set back from any stream, all of which have not been delineated on the ground or on this plat. It is the property owner's responsibility to hire qualified personnel to establish these boundaries.

**PLAT OF:
CABINET VISTA ESTATES PHASE II**
(LOT 1 OF CABINET VISTA ESTATES)

NE 1/4 of Section 7 and the SE 1/4 of Section 6, Twp. 29 N., R. 33 W., P.M.M.
For: W.L.W. L.L.C. Date: February 2007

TOTAL ACREAGE: 138.08 ACRES±



NOTE:
See sheets 2 & 3 for individual lot details, bearings and distances.

LOT ACREAGE'S

LOT #	NET:	GROSS:
LOT 1	4.74 ACRES±	5.51 ACRES±
LOT 2	4.92 ACRES±	5.57 ACRES±
LOT 3	4.45 ACRES±	5.45 ACRES±
LOT 4	4.34 ACRES±	5.46 ACRES±
LOT 5	5.06 ACRES±	5.72 ACRES±
LOT 6	4.53 ACRES±	5.00 ACRES±
LOT 7	4.21 ACRES±	5.00 ACRES±
LOT 8	3.98 ACRES±	5.01 ACRES±
LOT 9	5.22 ACRES±	6.36 ACRES±
LOT 10	1.96 ACRES±	2.92 ACRES±
LOT 11	4.47 ACRES±	5.68 ACRES±
LOT 12	4.22 ACRES±	5.02 ACRES±
LOT 13	6.64 ACRES±	7.50 ACRES±
LOT 14	6.33 ACRES±	7.50 ACRES±
LOT 15	4.49 ACRES±	5.02 ACRES±
LOT 16	4.01 ACRES±	5.02 ACRES±
LOT 17	4.55 ACRES±	5.57 ACRES±
LOT 18	3.96 ACRES±	4.97 ACRES±
LOT 19	3.27 ACRES±	4.83 ACRES±
LOT 20	5.52 ACRES±	10.35 ACRES±
LOT 21	6.18 ACRES±	12.32 ACRES±
LOT 22	6.10 ACRES±	12.30 ACRES±

PARCEL A

C.O.S. 3275

PARCEL A
C.O.S. 3275

NOTE:
See sheets 2 & 3 for individual lot details, bearings and distances.

CERTIFICATE OF SURVEYOR

STATE OF MONTANA
County of Lincoln

I, Kenneth E. Davis, do hereby certify that a survey was made of CABINET VISTA ESTATES PHASE II, a major subdivision, during the month of February 2007, in accordance with the provisions of Sections 76-3-201 through 76-3-425 M.C.A. 2000; that the annexed plat is in accordance with such a survey, that the subdivisions of the lots are as shown hereon; and that the said plat is a true and correct copy of the original on file in my office.



Subscribed and sworn to before me this 28th day of February, 2007, A.D.

Registered Land Surveyor No. 4975-S

LEGAL AND PHYSICAL ACCESS

I hereby certify that legal and physical access to all lots within this subdivision is provided by the following surface in approximately 21 feet wide.



Subscribed and sworn to before me this 28th day of February, 2007, A.D.

Registered Land Surveyor No. 4975-S

TITLE AND DESCRIPTION

I hereby certify that all real property taxes and special assessments assessed and levied on the land to be divided have been paid. Dated this 28th day of February, 2007, A.D.

Treasurer, Lincoln County, Montana

COUNTY CERTIFICATE OF FINAL PLAT APPROVAL

The County Commission of Lincoln County, Montana does hereby certify that it has examined this subdivision plat and having found the same to conform to law, approves it, and hereby accepts the dedication to public use of all lands shown on this plat as being dedicated to such use, this 28th day of February, 2007, A.D.

(Signatures of Commissioner)

ATTEST:
(Signature of Clerk and Recorder)

CERTIFICATION OF EXAMINING LAND SURVEYOR:

Approved this 7th day of Aug. 2007, A.D.

Andrew Belz Registered Land Surveyor No. 14731PLS

STATE OF MONTANA
COUNTY OF LINCOLN

Filed on this 7th day of March 2008, A.D. at 3:42 O'clock P.M.

County Clerk and Recorder

SHEET 1 OF 4 PLAT NO. 6872 doc# 209851

Davis Surveying Inc.

2 TROY MONTANA, (406)295-5441

DATE: 04/26/04 Old Land Projects/peterl
DRAWN BY: CJR FILE: winstrom.dwg

Graphic Scale



1 inch = 300 ft.

Final Plat Approval P.F. 9410 doc# 209847
Sanitary Rest. Removal P.F. 9411 doc# 209848

Platting Cert. P.F. 9412 doc# 209849
Road Use Permit P.F. 9413 doc# 209850

Road User's Agree. 5317/954
Final Road Inspection P.F. 9414 doc# 209885