

RESOLUTION NO. 15-10481

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE ROAD MAINTENANCE DISTRICT NO. 6 IN THE ESTATES AT BRIARWOOD 1st FILING AND THE ESTATES AT BRIARWOOD 2nd FILING FOR THE PURPOSE OF MAINTENANCE AND REPAIR OF EMERGENCY ACCESS ROAD IMPROVEMENTS

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana, as follows:

Section 1. Proposed Road Maintenance District; Intention To Create Road Maintenance District. The City proposes to maintain certain emergency access road improvements to benefit certain property located in the City of Billings, Montana. Improvements consist of **an emergency access road in the Estates at Briarwood Subdivision from Glengarry Lane to Colleen Drive**, as more particularly described in Section 5. It is the intention of the Billings City Council to create and establish in the City under Montana Code annotated, Title 7, Chapter 12, Parts 41 and 44, as amended, a street maintenance district (the "Road Maintenance District") for the purpose of financing the maintenance costs for the emergency access road now constructed in the Estates at Briarwood Subdivision, 2nd Filing. The estimated annual costs for the maintenance of the emergency access road improvements to be set by Resolution of the Council each year.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Road Maintenance District No. 6 of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as "Exhibit A" hereto and incorporated herein and also provided by the metes and bounds description of the District boundary in "Exhibit B" attached hereto and incorporated herein. These boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on "Exhibit C" attached hereto and incorporated herein.

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits "A" and "B" are hereby declared to be the boundaries of Road Maintenance District No. 6 and the territory which will benefit and be benefited by the maintenance of the Emergency Access Road Improvements, and will be assessed to pay for the costs of the maintenance as described in Section 1 and Section 5.

Section 5. General Character of the Improvements to be Maintained and Repaired.
General Character of Improvement and Maintenance and Repairs Required. This is a fire apparatus access road that is required by the Fire Code of the City of Billings to at all times have an unobstructed width of not less than 20 feet while at the same time being designed and maintained to support the imposed loads of City of Billings fire apparatus (which currently weigh up to 40 tons) with a surface that provides all-weather driving capabilities for City fire apparatus. Road Maintenance District fees deposited in the Road Improvement District No. 6 account shall be sufficient to keep the roadway in a condition that will at all times meet Fire Code requirements and shall include, but may not be limited to, grading maintenance, 1.5" Minus Base Gravel, weed spraying along the road right-of-way, culvert maintenance, gate maintenance, and repair and reconstruction of the roadbed and roadway in the event of a catastrophic event rendering the driving surface impassable for any City of Billings fire apparatus.

Section 6. Assessment Methods; Property To Be Assessed. All properties within the District are to be assessed for a portion of the costs of maintaining the Road Improvements, as specified herein. The costs of maintaining the Improvements shall be assessed against the property in the District benefiting from the Road Improvements, based on the equal amount method of assessment described in Section 7-12-4162 through 7-12-4165, M.C.A., as particularly applied and set forth herein.

Section 7. Equal Amount. All properties in the District will be assessed for their proportionate share of the costs of maintaining the Road Improvements. For the purposes of equitably apportioning special benefit to each lot, tract or parcel of land in the District, the Engineer has determined that each lot, tract, or parcel of land shall equally bear the costs of the emergency access road maintenance. The total number of lots, tracts, or parcels of land in the District to be assessed is 52. The costs of maintaining the Improvements per lot, tract, or parcel of land for the first year shall be \$55.29 per lot, tract, or parcel of land as shown in Exhibit "D" which is attached and incorporated herein.

Section 8. Payment of Assessments. The assessments for the costs of maintaining the Road Improvements shall be payable, as prescribed in Sections 7-12-4162 through 7-12-4165, M.C.A.

Section 9. Public Hearing; Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the proposed Extended District subject to assessment and taxation for the cost and expense of maintaining the Road Improvements may make and file with the City Clerk until 5:00 p.m., Mountain Daylight Time, on the expiration date of said 15-day period August 7, 2015, written protest against the proposed Road Maintenance District No. 6, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on Monday, August 10, 2015, at 6:30 p.m., in the Council Chambers, located on the Second Floor of the Police Facility at 220 North 27th Street, in Billings, Montana.

Section 10. Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of this Resolution in the Billings Times, a newspaper of general circulation in the county on July 23 and July 30, 2015, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said Notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the Road Maintenance District listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 13th day of July 2015.



THE CITY OF BILLINGS:

BY: Thomas W. Hanel
Thomas W. Hanel, MAYOR

ATTEST:

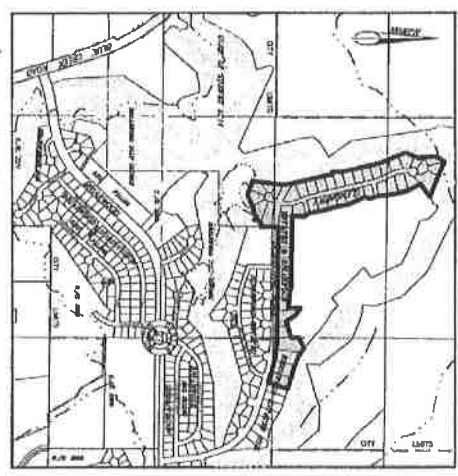
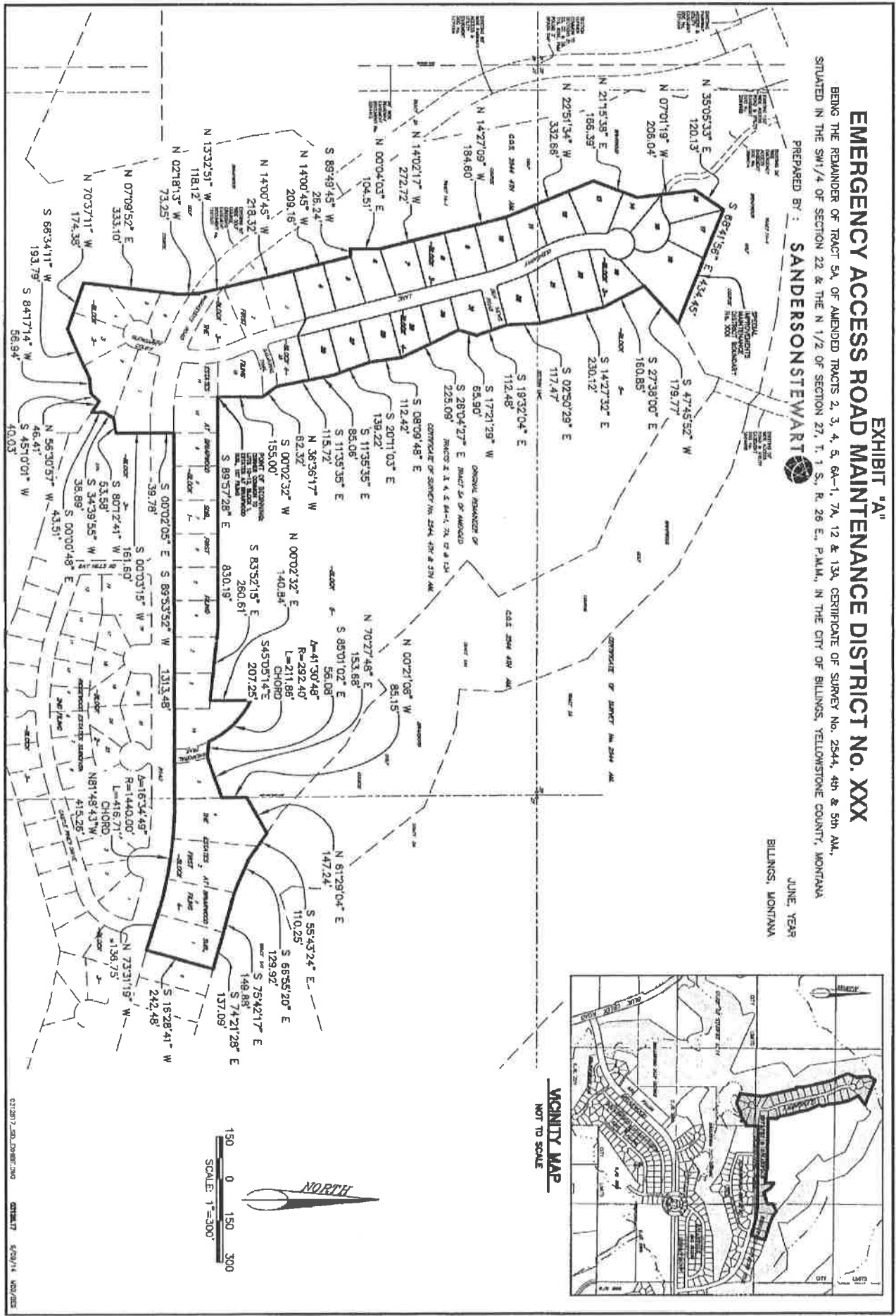
BY: Billie Guenther
Billie Guenther, CITY CLERK

EXHIBIT "A" EMERGENCY ACCESS ROAD MAINTENANCE DISTRICT NO. XXX

BEING THE REMAINDER OF TRACT 5A, OF AMENDED TRACTS 2, 3, 4, 5, 6A-1, 7A, 12 & 13A, CERTIFICATE OF SURVEY No. 2544, 4th & 5th AM., SITUATED IN THE SW 1/4 OF SECTION 22 & THE N 1/2 OF SECTION 27, T. 1 S., R. 26 E., P. 11M, IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED BY: SANDERSON STEWART

JUNE, YEAR
BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE

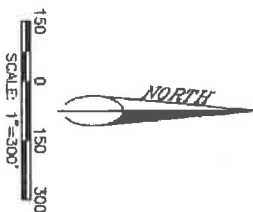


Exhibit "B"

Special Improvement Maintenance District

Boundary Description

A tract of land situated in the situated in the SW1/4 of Section 22 & the NW1/4 of Section 27, T. 1 S., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the property corner common to Lots 10, 11, and 12 of Block 1 of The Estates at Briarwood Subdivision, First Filing, according to the official plat on file in the Office of the Clerk and Recorded of Yellowstone County, Montana, under Document No. 3332997; thence, from said Point of Beginning, along the boundary of said Estates at Briarwood Subdivision, First Filing, the following courses and distances:

S 89°57'28" E a distance of 830.19 feet;

S 83°52'15" E a distance of 260.61 feet to a point being a corner on the north line of Lot 2 of said Block 1, said corner also being a corner on the westerly line of Lot 1A of the Amended Plat of Lot 1, Block 1 of The Estates at Briarwood Subdivision, on file under Document No. 3425560; thence N 00°02'32" E along said westerly line of Lot 1A, a distance of 140.84 feet to a point being the northernmost corner of said Lot 1A; thence along the northeasterly line of said Lot 1A, being a non-tangent curve to the right with a central angle of 41°30'48", a radius of 292.40 feet, and a length of 211.86 feet (chord bears S 45°05'14" E a distance of 207.25 feet) to a point on said boundary of The Estates at Briarwood Subdivision, First Filing; thence, continuing along said boundary, the following courses and distances:

S 85°01'02" E a distance of 56.08 feet;

N 70°27'48" E a distance of 153.68;

N 00°21'08" W a distance of 85.15 feet;

N 61°29'04" E a distance of 147.24;

S 55°43'24" E a distance of 110.25 feet;

S 66°55'20" E a distance of 129.92 feet;

S 75°42'17" E a distance of 149.88 feet;

S 74°21'28" E a distance of 137.09 feet;

S 16°28'41" W a distance of 242.48 feet;

N 73°31'19" W a distance of 136.75 feet;

Along a curve to the left with a central angle of 16°34'49", a radius of 1440.00 feet, and a length of 416.71 feet (chord bears N 81°48'43" W a distance of 415.26 feet);

S 89°53'52" W a distance of 1313.48 feet;

S 00°02'05" E a distance of 39.78 feet;

S 00°03'15" W a distance of 161.60 feet;

S 80°12'41" W a distance of 53.58 feet;

S 34°39'55" W a distance of 38.89 feet;

S 00°00'48" E a distance of 43.51 feet;
N 56°30'57" W a distance of 46.41 feet;
S 45°10'01" W a distance of 40.03 feet;
S 84°17'14" W a distance of 56.94 feet;
S 66°34'11" W a distance of 193.79 feet;
N 70°37'11" W a distance of 174.38 feet;
N 07°09'52" E a distance of 333.10 feet;
N 02°18'13" W a distance of 73.25 feet;
N 13°32'51" W a distance of 118.12 feet;
N 14°00'45" W a distance of 218.32 feet to a point being the northwesterly corner of Lot 3 of Block 3 of said Estates at Briarwood Subdivision, First Filing, said corner also being a corner on the westerly boundary of the Remainder of Tract 5A of Amended Tracts 2, 3, 4, 5, 6A-1, 7A, 12 & 13A of Certificate of Survey No. 2544, 4th and 5th Amended, on file under Document No. 3315777; thence along said boundary of the Remainder of Tract 5A, the following courses and distances:

N 14°00'45" W a distance of 209.16 feet;
S 89°49'45" W a distance of 26.24 feet;
N 00°04'03" E a distance of 104.51 feet;
N 14°02'17" W a distance of 233.21 feet;
N 14°02'17" W a distance of 39.51 feet;
N 14°27'09" W a distance of 70.49 feet;
N 14°27'09" W a distance of 114.11 feet;
N 22°51'34" W a distance of 332.66 feet;
N 21°15'38" E a distance of 166.39 feet;
N 07°01'19" W a distance of 206.04 feet;
N 35°05'33" E a distance of 120.13 feet;
S 68°41'56" E a distance of 434.45 feet; thence, leaving said boundary of the Remainder of Tract 5A, and continuing along the following courses and distances:

S 47°45'52" W a distance of 179.77 feet;
S 27°38'00" E a distance of 160.85 feet;
S 14°27'32" E a distance of 230.12 feet;
S 02°50'29" E a distance of 117.47 feet;
S 19°32'04" E a distance of 112.48 feet;
S 17°21'29" W a distance of 65.90 feet;
S 26°04'27" E a distance of 225.09 feet;
S 08°09'48" E a distance of 112.42 feet;
S 20°11'03" E a distance of 139.22 feet;
S 11°35'35" E a distance of 85.06 feet to a point being the northeast corner of Lot 25 of Block 4 of said Estates at Briarwood Subdivision, First Filing; thence along said boundary of The Estates at Briarwood Subdivision, First Filing, the following courses and distances:

S 11°35'35" E a distance of 115.72 feet;
S 36°36'17" E a distance of 62.32 feet;
S 00°02'32" W a distance of 155.00 feet to said Point of Beginning;

Said described tract having an area of 1,290,338 square feet (29.622 acres).

Exhibit C

| TAX_ID | Owner | Address | City | State | Legal Description |
|--------|--|---------------------|-------------|-------|--|
| A32132 | ROACH, BRYAN & SHARON BETH | 3304 BALMORAL TRAIL | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 1A, AMD 29382 SQ FT (08) |
| A32133 | BERGLAND, PAULA K | PO BOX 1928 | GREAT FALLS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 2, 16843 SQUARE FEET, [06] |
| A32134 | SORICH, STEPHEN P & KATHRYN | 3317 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 3, 18688 SQUARE FEET, [06] |
| A32135 | LARANACE, JILL DEANN & RANDAL LEE | 3323 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 4, 19990 SQUARE FEET, [06] |
| A32136 | SIMONICH, GARY | 3329 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 5, 18532 SQUARE FEET, [06] |
| A32137 | KW SIGNATURE HOMES INC | PO BOX 20875 | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 6, 18568 SQUARE FEET, [06] |
| A32138 | RICCI, ANDREW J & BRENNNA K | 3341 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 7, 18605 SQUARE FEET, [06] |
| A32139 | RUSSELL, MAJEL | 3350 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 8, 18641 SQUARE FEET, [06] |
| A32140 | FERRIS, ERIKA D | 3411 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 9, 18678 SQUARE FEET, [06] |
| A32141 | MENHOLT, PAUL L & NICOLE M | 3417 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 10, 20037 SQUARE FEET, [06] |
| A32142 | HODSSON, RICHARD WILLIAM | 2423 RENEGADE CIR | ATWATER | CA | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 11, 17170 SQUARE FEET, [06] |
| A32143 | GREVIQUS, DUSTIN F & | 3310 PRESTWICK RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 1, 21975 SQUARE FEET, [06] |
| A32144 | YEAGER, JAY D | 3424 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 2, 28271 SQUARE FEET, [06] |
| A32145 | YEAGER, JAY D & LISA M | 2535 GLENGARRY CT | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 3, 22760 SQUARE FEET, [06] |
| A32146 | BOETICHER, ANDY | 336 TABRIZ DR | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 4, 20152 SQUARE FEET, [06] |
| A32147 | NEUTGENS, PAUL G & LAURIE L | 2520 GLENGARRY CT | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 5, 13290 SQUARE FEET, [06] |
| A32148 | OSAJDA, RICHARD J | 2519 GLENGARRY CT | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 6, ACRES 14129, [06] |
| A32149 | GRINSELL, EDWARD R | 2448 GLENGARRY CT | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 7, 24360 SQUARE FEET, [06] |
| A32150 | HART, GREGORY A & JODIE R | 3180 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 8, 22366 SQUARE FEET, [06] |
| A32151 | SUNWALL, BRIAN D & | 2436 GLENGARRY LN | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 3, Lot 1, 20430 SQUARE FEET, [06] |
| A32152 | BAUWENS, DIRK C & CATHY L | 3221 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 1 |
| A32153 | SUYDAM, JAMES D & STACEY L | PO BOX 20875 | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 2, 33407 SQUARE FEET, [06] |
| A32154 | KW SIGNATURE HOMES INC | 301 11TH AVE SW | SIDNEY | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 3, 42372 SQUARE FEET, [06] |
| A32155 | ANDERSON, ROGER A | 653 INDIAN TRL | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 4, 46904 SQUARE FEET, [06] |
| A32156 | GRAVES, SEAN M & MELISSA E | 3245 MCMASTERS RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 5, 19276 SQUARE FEET, [06] |
| A32157 | RIGGINS, SCOTT ALLEN ETAL | 3429 BALMORAL TRAIL | BILLINGS | MT | THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 25, ACRES 17562, [06] |
| A32158 | WOHLGEMANT, DANIEL S | 19 36TH AVE NE | FARGO | ND | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 4 |
| A35428 | BIBERDORF, WAYNE A & JEAN M | 543 MECCA DR | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 5 |
| A35429 | WARE, DUANE & SANDY | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 6 |
| A35430 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 7 |
| A35431 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 8 |
| A35432 | CROWELL, TYRELL JAMES & KRISTINE MARIE | 3415 GLENFINNAN RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 9 |
| A35433 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 10 |
| A35434 | WILSON, JOHN R | 4506 RIO VISTA DR | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 11 |
| A35435 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 12 |
| A35436 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 13 |
| A35437 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 14 |
| A35438 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 15 |
| A35439 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 16 |
| A35440 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 17 |
| A35441 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 18 |
| A35442 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 19 |
| A35443 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 20 |
| A35444 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 21 |
| A35445 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 22 |
| A35446 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 23 |
| A35447 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 24 |
| A35448 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 25 |
| A35449 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 26 |
| A35450 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 27 |
| A35451 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 28 |
| A35452 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 29 |
| A35453 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 30 |
| A35454 | ESTATES OF BRIARWOOD LLC | PO BOX 81105 | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 31 |
| A35455 | P M & M LLC | 2060 RIMROCK RD | BILLINGS | MT | THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 5, Lot 1 |

EXHIBIT "D"

**ESTIMATE OF PROBABLE COST
EMERGENCY ACCESS ROAD MAINTENANCE DISTRICT NO. XXX
THE ESTATES AT BRIARWOOD SUBDIVISION, 1st & 2nd FILING
CITY OF BILLINGS, MONTANA**

1. The City of Billings estimates the maintenance of the improvements for the first year at \$ \$2,875.00

The first year's assessment is estimated as follows:

| CITY OF BILLINGS - EMERGENCY ACCESS ROAD MAINTENANCE DISTRICT NO. XXX ESTIMATE OF ANNUAL MAINTENANCE COSTS | | | |
|--|------|-----------------|--|
| Maintenance District Description: Estates at Briarwood Sub., 1st & 2nd Filing | | | |
| MD Number: <u>XXX</u> | | | |
| Date: <u>6/12/2014</u> | | | |
| Quantity | Unit | Est. Unit Price | ACCOUNT DESCRIPTION |
| | | | ESTIMATED MAINTENANCE COSTS |
| 1 | LS | \$1,000.00 | Operations and Supplies |
| | | | Road Grading Maintenance |
| 15 | CY | \$35.00 | 1.5" Minus Base Gravel |
| 1 | LS | \$500.00 | Spray Weeds |
| 1 | LS | \$350.00 | Culvert Maintenance |
| 1 | LS | \$250.00 | Gate Maintenance |
| | | | Total Operations and Supplies, Etc. |
| | | | \$2,625.00 |
| | | | Capital E/f Reserve |
| | | | \$250.00 |
| | | | Total Estates of Briarwood Subdivision Annual Cost Estimate |
| | | | \$2,875.00 |
| | | | Equal Assessment Per Lot (Number of Lots) |
| | | | 52 |
| | | | 1st year Assessment (Per Lot) |
| | | | \$55.29 |