

Susan B. Swimley
Attorney & Counselor at Law
1807 W. Dickerson # B
Bozeman, MT 59715

2535765

Page: 1 of 8 01/20/2016 09:02:40 AM Fee: \$56.00
Charlotte Mills - Gallatin County, MT MISC



CERTIFICATE AS TO ORDINANCE AND ADOPTING VOTE

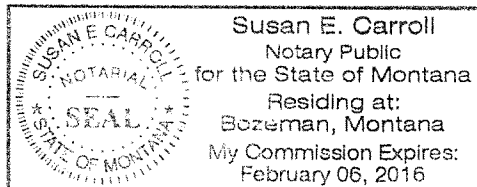
I, the undersigned, being the duly qualified and acting recording officer of the Four Corners County Water and Sewer District, Montana (the "District"), hereby certify that the attached Ordinance 2015-08 is a true copy of an ordinance entitled: "ORDINANCE ACCEPTING THE PETITION OF RJ DEVELOPMENT GROUP, LLC FOR ANNEXATION OF LOT 6-A OF BROOKSHIRE SUBDIVISION PHASE 1 INTO THE FOUR CORNERS WATER AND SEWER DISTRICT" (the "Ordinance"), on file in the original records of the District in my legal custody; and that the meetings were duly held by the Board of Directors on November 17, 2015 and December 15, 2015, and were attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially this 14th day of January, 2016.

SUSAN B. SWIMLEY - Acting Secretary

STATE OF MONTANA)
) ss.
County of Gallatin)

The foregoing instrument was acknowledged before me this 14th day of January, 2016, by SUSAN B. SWIMLEY, Acting Secretary of the Four Corners County Water & Sewer District.



Notary Public for the State of Montana

Printed Name: Susan E. Carroll

Ordinance 2015 – 08

ORDINANCE ACCEPTING THE PETITION OF RJ DEVELOPMENT GROUP, LLC FOR ANNEXATION OF Lot 6-A of Brookshire Subdivision Phase 1 INTO THE FOUR CORNERS WATER AND SEWER DISTRICT

WHEREAS, RJ Development Group, LLC by and through Richard Smith submitted a petition for annexation of Lot 6-A of Brookshire Subdivision Phase 1 located in Section 14, T2S, R4E, Gallatin County Montana with evidence of capacity letter from Utility Solutions requesting that their property be annexed into the Four Corners County Water and Sewer District; and

WHEREAS, the property is contiguous to the District boundary; and

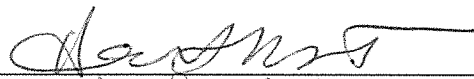
WHEREAS, on November 17, 2015, at a regularly scheduled and notice meeting of the Board of Directors, the Board considered the Petition to annex Lot 6-A of Brookshire Subdivision as contiguous property and determined that the systems has sufficient capacity to provide service to the property.

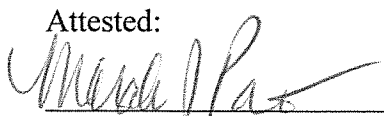
NOW THEREFORE, the Board by passage of this ordinance does agree to annex the property described as Lot 6-A of Brookshire Subdivision into the District and does not require an election of the members of the District in doing so.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on November 17, 2015 and second reading on December 15, 2015. This Ordinance shall be in effect 30 days after the date of the second reading.

Read and approved: 1st reading
Dated: 11/17/2015

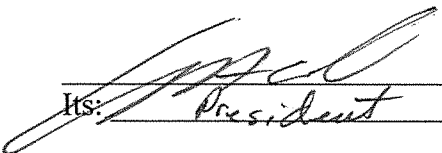
Four Corner's County Water and Sewer District

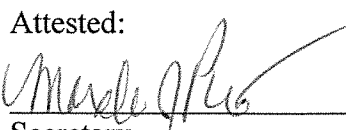

Its: Vice President

Attested:

Secretary

Read and approved: 2nd reading
Dated: 12/15/2015

Four Corner's County Water and Sewer District


Its: President

Attested:

Secretary

FOUR CORNERS COUNTY WATER & SEWER DISTRICT

In regard to the Annexation of Property to) Petition for Annexation
the Four Corners County Water and Sewer)
District)

1. RICHARD SMUTA / RT DEVELOPMENT GROUP, LLC is/are the owner(s) (hereinafter referred to as Owner, whether singular or plural) of all that land set forth and described on **Exhibit A** attached hereto. (Please include a map view and narrative description of the property that includes plat references, tax parcel numbers, quarter section, section, township and range.)
2. The registered voters within the boundaries of that property set forth on **Exhibit A** and **Exhibit B** attached hereto.
3. The Owner, as set forth in paragraph 1 and the registered voters as set forth in Exhibit B, if applicable, hereby petition the Four Corners County Water and Sewer District (the District) to annex and otherwise incorporate all that property set forth and described on **Exhibit A** attached hereto within the jurisdictional authority and territory of the District.
4. The Petitioner(s) desires to obtain (Please check applicable services):
 - Sewage and other wastewater collection and treatment, and potable water supply for the uses of those lands set forth on **Exhibit A**; or
 - Sewage and other wastewater collection and treatment for the uses of those lands set forth on Exhibit A; or
 - Potable water supply for the uses of those lands set forth on Exhibit A.
4. The real property described in **Exhibit A** is (Please check applicable location):
 - Contiguous to the current District boundary; or
 - Non-contiguous to the current District boundary.
5. Notice is provided to the Petitioner(s) of property requesting annexation that the Board will consider the petition for annexation. If the property petitioning annexation is contiguous to the current District boundary and if the District determines that the District has a water facility and/or a sewer facility with a capacity greater than required to meet the needs of the current District. The Board of Directors of the District may proceed to:

It is fully within the Board's discretion to conduct an election on the petitioning land, even when the petitioning land is contiguous to the current District and capacity is available. If the petitioning land is non-contiguous, the Board is required to conduct an election on the question of whether or not to annex the petitioning land. Therefore the Board of Directors of the District may proceed to:

- A. Annex the petitioning contiguous land without conducting an election on the petition for expansion of the District; or
 - B. Annex the petitioning contiguous or non-contiguous lands after conducting an election of District residents and property owners. If the election is conducted by ballot 40% of the ballots must be returned and a majority vote of the received ballots must be in favor of the annexation prior to the annexation being approved by the District Board of Directors.
6. As the sole owner(s) of the property described on **Exhibit A**, the undersigned further gives consent to the inclusion of such land in the District and agrees to comply will all rules and regulations of the District if the property is annexed.

Done this 1ST day of NOVEMBER, 2008

RJ DEVELOPMENT GROUP, LLC.
Richard Smith MANAGING MEMBER

[Signature lines for Owner]

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY REQUESTING ANNEXATION

Please include a map view and narrative description of the property that includes plat references, tax parcel numbers, quarter section, section, township and range.)

TAX PARCEL # RGF63059

BROOKSHIRE SUB PHASE #1 LOT 6-A 12.74 ACRES
S14, T02, R04E

SEE ATTACHED MAP/PLAT

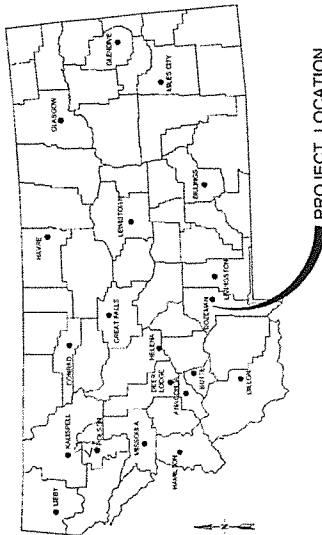
CONSTRUCTION DRAWINGS FOR BROOKSHIRE SUBDIVISION, PHASE 2 BOZEMAN, MONTANA

DECEMBER 2014

PREPARED BY:

**MORRISON
MAIERLE, INC.**
All Employees-Owned Company
2800 Northpark Drive, Bozeman, MT 59718
Phone: (406) 552-2211 Fax: (406) 552-2202
COURTESY OF MORRISONMAIERLE, INC. 2/14

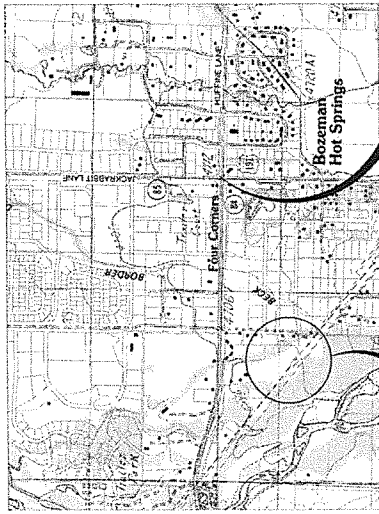
Engineers
Surveyors
Scientists
Planners



PROJECT LOCATION

LOCATION MAP

NO SCALE



PROJECT LOCATION

VICINITY MAP

NO SCALE



APPROVED BY: **SCOTT LOWRY, PE**
Design Engineer

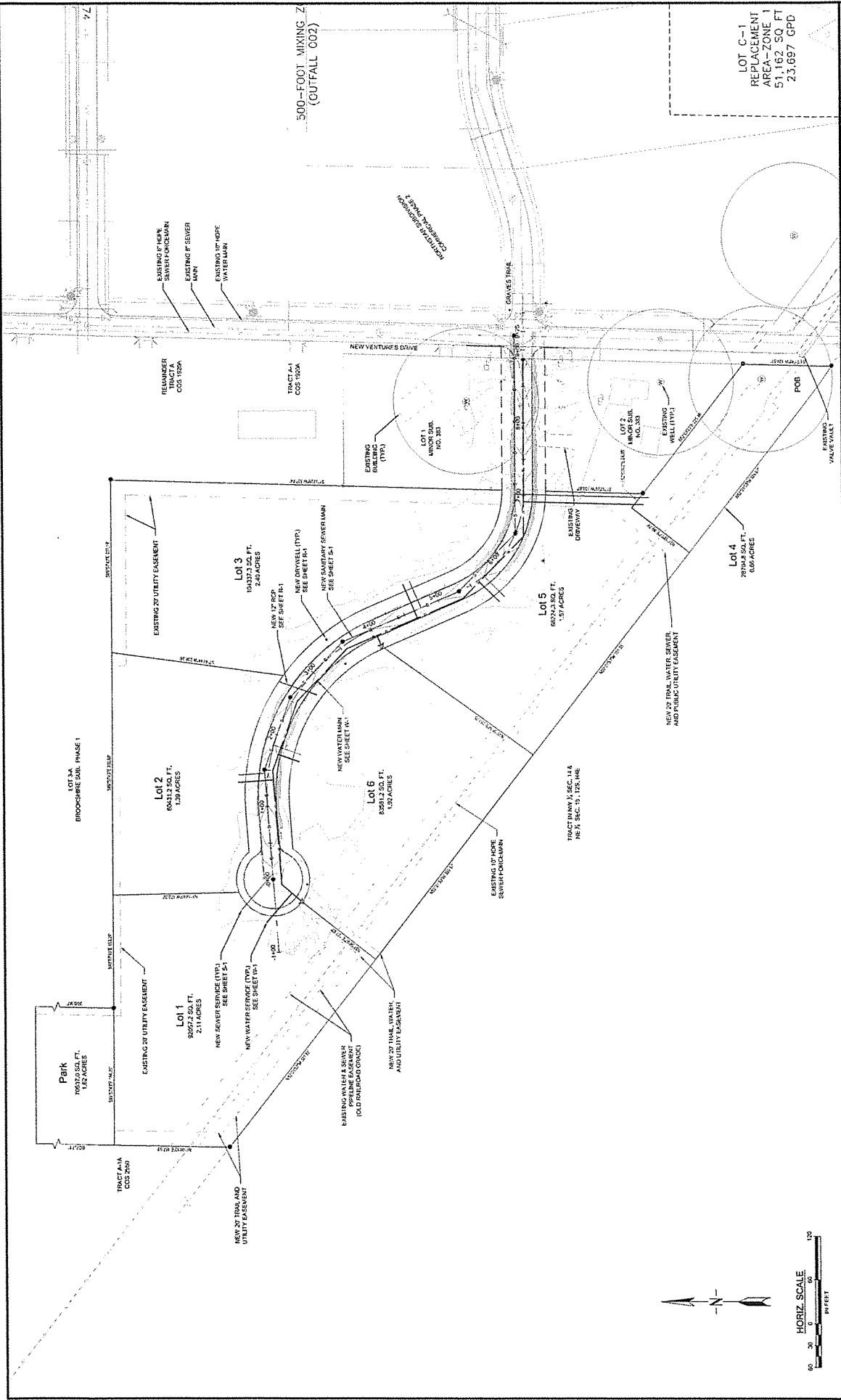
APPROVED BY: **RICHARD E. SMITH**
Owner

Sheet Number	Sheet Title
1	COVER
2	GENERAL NOTES & ABBREVIATIONS
3	OVERALL SITE PLAN
4	ROAD A - PLAN & PROFILE
5	SEWER - PLAN & PROFILE
6	WATER - PLAN & PROFILE
7	STANDARD DETAILS

MORRISON MAIERLE, INC. QUALITY ASSURANCE
PROJECT NUMBER
DATE DRAWING MADE
DATE APPROVED
DATE OF REVISION

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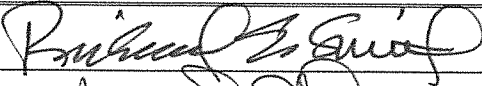
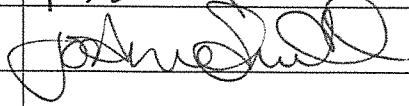
SET NO. _____
MM11 PROJECT NO. 4062.003



PROJECT NUMBER 602203		SHEET NUMBER G-2	
MONTANA		BOZEMAN	
BROOKSHIRE SUBDIVISION - PHASE 2		OVERALL SITE PLAN	
DRAWN BY DSCA, D.V. SOL	CHECKED BY DATE: 7/20/14	DATE:	BY:
ENGINEER D.V. SOL BOZEMAN, MT 59718 PHONE: (406) 542-4271 FAX: (406) 542-6702			
MORRISON MAIERLE, INC. An Engineering and Surveying Company			
NO.	DESCRIPTION	DATE	BY
1:2500 SCALE SHEETS ARE ALLOWED. PLOTTED BY: JESSICA L. OWEN ON 06/25/14			

EXHIBIT B

LIST OF REGISTERED VOTERS WITHIN THE BOUNDARIES OF THAT PROPERTY SET FORTH ON EXHIBIT A

No	PRINTED NAME	SIGNATURE	ADDRESS
1	RICHARD E SMITH		333 NEW VENTURES DR
2	JO-ANNE R SMITH		333 NEW VENTURES DR
3			
4			
5			
6			
7			
8			
9			
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11			
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17			
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