

RAE SUBDIVISION COUNTY WATER AND SEWER DISTRICT NO. 313

ORDINANCE No. O-230315

AN ORDINANCE EXPANDING THE DISTRICT, IN ORDER TO ALLOW ADJACENT LANDOWNER TO CONNECT TO WATER AND SEWER SERVICES WITHIN THE DISTRICT.

Section 1. Statement of Purpose. The purpose and intent of this Ordinance is to expand the District to include certain adjacent land, commonly referred to as the Woodbury Grove Addition, and which is intended to be known in the future as Woodbury Grove Subdivision.

Section 2. Legal Description of Annexed Land. The current legal description of the land to be included into the District is set forth in **Attachment A**.

Section 3. Ordinance.

WHEREAS, Section 7-13-2341(5) M.C.A. provides that if the Board of Directors has received a petition for annexation from contiguous property owners, and determines that the District has a water facility or a sewer facility with a capacity greater than required to meet the needs of the current District, then with the written consent of the contiguous property owners to whom the service is to be extended, the Board of Directors may by ordinance expand the District to include the contiguous land and grant said petition for annexation; and

WHEREAS, the Board of Directors has received a petition for annexation from contiguous property owners attached hereto as **Attachment B**; and

WHEREAS, the Board of Directors has duly determined that the District has the sewer and/or water facility with a capacity greater than required to meet the needs of the current District;

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the RAE Subdivision County Water and Sewer District No. 313 that the within ordinance be adopted as written, and that the District shall be and is hereby expanded to include the real property described in **Attachment A**.

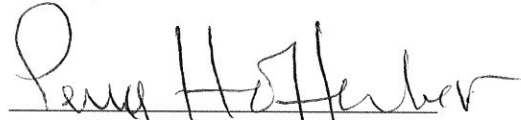
ORDINANCE No. O-230315

PASSED,
APPROVED AND ADOPTED, this
15th date of March, 2023.
A quorum being
present, a vote was taken.
Of the Board members
present,

4 voted in favor,
0 voted against, and
0 abstained.


BE IT ORDAINED BY THE
BOARD OF DIRECTORS OF RAE
SUBDIVISION COUNTY WATER AND
SEWER DISTRICT No. 313

Signed,


Perry Hofferber, President

Nikki Penniman, Member


Rich McLane, Member


Andrew Williamson, Member

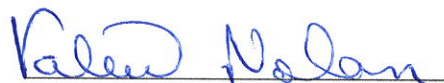

Robert Ingram, Member

The ordinance was passed (3 affirmative votes needed) and adopted X,

Or not passed _____.

ATTEST:

(SEAL)


Valerie Nolan, Secretary

ORDINANCE No. O-230315

**Petition for Annexation of Land to
the RAE Water & Sewer District**

Karl Cook, Kody Lyons, Mike Basil (is/are) the owner(s) of the following described real property:

Exact Legal Description as per Tax Statement: Tracts 1 and 2 of Certificate of Survey No. 2185 & the N 1/2 of the N 1/2 of the SE 1/4 of the NE 1/4, of Dependent Survey No. 17, Located in Section 17, Township 2 South, Range 5 East, PMM, Gallatin County, Montana.

Assessor No. 00RGG10234 & 00RGG10160

Pursuant to 7-13-2341(5), Montana Code Annotated, the undersigned hereby petitions the Board of Directors of the RAE Water and Sewer District [the District] to include the land described above. As the sole owner(s) of the above-described property, the undersigned further gives consent to the inclusion of such land in the RAE Water & Sewer District and agrees to pay for water and sewer services at such rates, times, and places as shall be determined by the District Board of Directors.

Dated: 3/9/2023

Print Name: Karl Cook

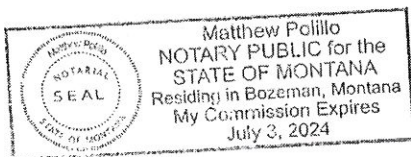
Signed: [Signature]

Annexation into the RAE Water and Sewer District allows for sewer service capacity based upon an Equivalent User's [average household] wastewater generation of 6600 gallons per month, including an average amount for inflow and infiltration. Future increases in capacity requirements (more living units, commercial use, etc.) for property specified here is subject to all fees and assessments that may apply at the time of change of use.

State of Montana
County of Gallatin

On this 9th day of March, 2023, before me, a Notary Public for the State of Montana, personally appeared Karl Cook, known to me to be the person(s) whose name(s) (is/are) subscribed to the foregoing instrument as the Owner(s) of Record, and acknowledged to me that he/she/they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate last above given.



[Signature]
Notary Public for the State of Montana
Residing at Bozeman
My Commission expires July 3 2024

Attachment A

Legal Description of Contiguous Land to be Annexed Into District

Woodbury: Tract 31 of Dep Survey No. 17, and Tracts 1 and 2 of C.O.S. 2185, located in the NE 1/4 of Section 17, Township 2 South, Range 5 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

ORDINANCE No. O-230315

Attachment B

Petition for Annexation

(see attached sheet)

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