

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE BIG SKY COUNTY WATER AND SEWER DISTRICT #363**

The undersigned, being all of the Directors of the Big Sky County Water and Sewer District #363 hereby adopt the following Resolution on February 16, 1994, at their regularly scheduled weekly/monthly meeting:

**WHEREAS**, on May 4, 1993, the Gallatin County Commissioners adopted Resolution 1993-07 directing that, pursuant to MCA Title 7, chapter 13, parts 22 and 23, an election shall be held in the pertinent part of Gallatin County, on July 26, 1993, on the following proposition:

**SHALL THE PROPOSITION TO ORGANIZE THE BIG SKY COUNTY WATER AND SEWER DISTRICT UNDER PARTS 22 AND 23 OF CHAPTER 13 OF TITLE 7 BE ADOPTED?;**

and

**WHEREAS**, on May 24, 1993, the Madison County Commissioners adopted Resolution 2-1993 which provides that on July 26, 1993, an election shall be held in the pertinent part of Madison County regarding adoption of the identical proposition; and

**WHEREAS**, pursuant to Gallatin County Commissioners' Resolution 1993-07 and Madison County Commissioners' Resolution 2-1993, the Gallatin County Commissioners and the Madison County Commissioners jointly agreed that, for economical and administrative reasons, the above-described election would be conducted by mail pursuant to MCA Title 13, chapter 19, by the Gallatin County Election Administrator pursuant to MCA § 7-13-2241; and

**WHEREAS**, The Trustees of the Rural Improvement District #305 ("RID #305"), acting within their vested authority, passed a Resolution dated June 28, 1993, providing that the functions, as well as the assets and liabilities of RID #305 would be transferred to the Big Sky County Water and Sewer District #363 ("District"), in the event the voters approved the creation of the District during the July 26, 1993, mail election; and

**WHEREAS**, the creation of the District was approved by the voters on July 26, 1993; and

**WHEREAS**, all of the members of the Board of Directors of the District, namely Wayne O. Hill, Chairman, Bill Ogle, Dee Rothschiller, Harold P. Meabon, Bob Juel, Bill Neece, and Skip Radick, have met and considered at length the transfer of all of the RID's functions, assets, and liabilities to the District; and

**WHEREAS**, it was unanimously agreed by the Board of Directors that transfer of the functions, assets, and liabilities of RID #305 to the District, including the RID's interest in its law suit with

Boyne, USA, would be in the best interests of the District, the citizens of Big Sky, Montana, as well as the citizens of Gallatin County and Madison County, Montana, and their respective governing bodies.

**NOW, THEREFORE**, upon Motion duly made, seconded, and unani-  
mously carried, the following Resolution was adopted:

**RESOLVED**, that the Board of Directors of the Big Sky County Water and Sewer District #363, acting within their vested authority, do hereby accept the transfer to the District of all of the functions, assets, and liabilities of RID #305, as is fully described in the document entitled "Agreement for Transfer of Assets, Liabilities, Obligations and Functions from Rural Improvement District #305 to Incorporated Water and Sewer District #363" and dated of even date herewith.

**RESOLVED FURTHER**, that to implement and evidence this transfer, the Directors authorize William Ogle to execute the transfer agreement on behalf of the District and its terms shall be made part of this Resolution as if fully set forth.

**RESOLVED FURTHER**, that deeds, bills of sale, sewer dedications, and such other documents as may be necessary to implement the transfer of specific real and personal properties shall be prepared, executed, and placed in the public record as necessary and appropriate.

Dated this 16<sup>th</sup> day of February, 1994.

**BIG SKY COUNTY WATER AND SEWER DISTRICT #363**

By Wayne O. Hill  
WAYNE O. HILL, President

By William A. 'Bill' Ogle  
BILL OGLE, Director

By Dee Rothschild  
DEE ROTHSCHILLER, Director

By Harold P. Meabon  
HAROLD P. MEABON, Director

By Bob Juell  
BOB JUELL, Director

By William Neece  
BILL NEECE, Director

By Skip Radick  
SKIP RADICK, Director