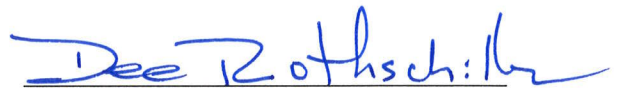


CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of Big Sky County Water & Sewer District No. 363, Montana (the "District"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION OF BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363, MONTANA, TO EXCLUDE CERTAIN LAND FROM THE DISTRICT" (the "Resolution"), on file in the original records of the District in my legal custody; that the Resolution was duly adopted by the Board of Directors of the District at a regular meeting on October 25, 2001 and that the meeting was duly held by the Board of Directors and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Directors voted in favor thereof: Jack Crowther, Stewart Peacock, Packy Cronin, Dee Rothschilder and Skip Radick ; voted against the same: none ; abstained from voting thereon: none ; or were absent: Dick Wiggins and Wendell Ingraham .

WITNESS my hand and seal officially this 25th day of October, 2001.


Secretary

RESOLUTION NO. 01-04

A RESOLUTION OF BIG SKY COUNTY WATER & SEWER
DISTRICT NO. 363, MONTANA, TO EXCLUDE CERTAIN
LAND FROM THE DISTRICT

WHEREAS, the Big Sky County Water & Sewer District No. 363, Montana (the "District") is a county water or sewer district, validly organized pursuant to Title 7, Chapter 13, Parts 21 and 22, M.C.A.; and

WHEREAS, the District was incorporated on August 5, 1993 and is located within the boundaries of Gallatin County and Madison County, political subdivisions of the State of Montana; and

WHEREAS, the Board of Directors (the "Board") of the District adopted Resolution No. 1993-30, on August 3, 1993, which described and set forth all land within the District; and

WHEREAS, pursuant to Section 7-13-2348, M.C.A., the Board is authorized to initiate proceedings for the exclusion from the District of any land or lands which it may not be for the best interest of the District to be included or which may not be benefitted in any manner by its continued inclusion in the District; and

WHEREAS, the Board has identified land which can not and will not under the District's long term facility plans be benefitted from either the District's water system or sewer system and which it believes should be excluded from the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors (the "Board") of the District as follows:

Section 1. Land to be Excluded. The Board hereby determines that the land described, shown and depicted on Exhibit A, attached hereto and incorporated herein, is the land the Board intends to exclude from the District.

Section 2. Public Hearing. A public hearing shall be held on November 20, 2001, commencing at 3:30 p.m. at the District office, Big Sky, Montana, for the purpose of hearing why such lands should not be excluded.

Section 3. Notice. The District Secretary 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 *Lone Mountain Lookout* and the *Madisonian*, newspapers of general circulation in the District, on November 1, November 8 and November 15, 2001, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to all persons who own property in the District and who

by virtue of the proposed action would be excluded from the District. All interested persons should appear before the Board and show cause why such lands should not be excluded

Passed and approved this 25th day of October, 2001.



President, Board of Directors

Attest:



Secretary

(SEAL)

EXHIBIT A

LAND TO BE EXCLUDED FROM DISTRICT

Section 25- Township 6 South Range 3 East, Gallatin County, Montana: All of the South $\frac{1}{2}$ of Section 25 including: Tr. 1-A of COS 972; Tr. 1 of COS 1157C; Tr. 1 of COS 1784; Tr. 2 of COS 1875; and Lots 1, 2, 3, 4 & 5 of Minor Subdivision 259.

Section 26- Township 6 South Range 3 East, Gallatin County, Montana: That part of Section 26 including: COS 958A; Tr. B-2A of COS 1033A, Tr. B-2B of COS 1033C, Tr. 1 of COS 1033D, Tr. 1 of COS 1033F, Tr. 2A of COS 1033G, Tr. 2B of COS 1033G; Tr. 1 of COS 1157C; Tr. 1 of COS 1480; Tr. 1 of COS 1701; Trs. 5A & 6A of COS 1739A; Trs. 7 & 8 of COS 1739; Trs. 1, 2 & 3 of COS 1760; Trs. 1, 2, 3 & 4 of COS 1769A; and Trs. 4A-1 & 1A of COS 2264.

Section 27- Township 6 South Range 3 East, Gallatin County, Montana: All of Section 27 including: Tr. A of COS 1486; Tr. 1 of COS 1503A; Tr. 2 of COS 1504; Trs. 1 & 2 of COS 1504A; Trs. 1 & 2 of COS 1720; Trs. 1, 2, 3 & 4 of COS 1721; Tr. 2A of COS 1739A; LOT 2 of COS 1751; Tr. 1 of COS 1998; Lots 1 & 2 of Minor Subdivision 149; and the remainder of Section 27.

Section 31- Township 6 South Range 4 East, Gallatin County, Montana: The East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 31 north of the Spur Road including 2 tracts of land in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and 1 Tr. in the NE $\frac{1}{4}$, & Tr. 5 of the NE $\frac{1}{4}$.

Section 35- Township 6 South Range 3 East, Gallatin County, Montana: That part of section 35 including: Trs. 3 & 4 of COS 1502A; and Tr. 2 of COS 1697.

Big Sky County Water & Sewer District No. 363 Lands Proposed for Exclusion from the District

