

CERTIFICATE AS TO RESOLUTION NO. 01-11 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, ESTABLISHING A WATER SYSTEM JURISDICTIONAL AREA WITHIN 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 December 18, 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notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.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: Skip Radick, Dick Wiggins, Dee Rothschiller, Stewart Peacock, Gary McRae and William Shropshire; voted against the same: _____; abstained from voting thereon: _____; or were absent: Director Wendell Ingraham.

WITNESS my hand and seal officially this 18th day of December, 2001.



Dee Rothschiller, Secretary

RESOLUTION NO. 01-11

A RESOLUTION OF BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363, MONTANA, ESTABLISHING A WATER SYSTEM JURISDICTIONAL AREA WITHIN THE DISTRICT

WHEREAS, the Big Sky County Water & Sewer District No. 363, Montana (the “District”) is a county water and sewer district, validly organized pursuant to Title 7, Chapter 13, Parts 21 and 22; 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, the District currently operates both a public municipal water system (the “Water System”) and a public municipal sanitary sewer system (the “Sewer System”); and

WHEREAS, the Board has determined that all of the property incorporated in the District will not be served by or benefit from both the Water System and Sewer System; and

WHEREAS, consistent with the provisions of Section 7-13-2208, M.C.A., that only land to be benefited from the District’s respective systems should be included in the District boundaries subject to taxes and assessments for improvements to those systems; and

WHEREAS, the Board has determined that there are needed improvements to the Water System; and

WHEREAS, the Board has determined that it will need to submit to the electors of the District qualified to vote at bond elections the question of whether or not the Board shall be authorized to issue and sell general obligation bonds of the District in order to obtain funds for the purpose of paying the costs of making certain improvements to the Water System, consisting of water meters, a storage tank, booster station, water mains, related improvements, and paying costs associated with the sale and issuance of the bonds (the “Project”); and

WHEREAS, that before submitting the question of incurring debt for the Water System to the electors, the Board should fix the boundaries within the District of the properties benefiting from the Water System; and

WHEREAS, pursuant to a resolution adopted on October 25, 2001, the Board set forth its intention to create a water system jurisdictional area, and caused notice to be published and mailed to all persons who own property in the proposed water system jurisdictional area that were not included in the original water facility plan for capacity; and

WHEREAS, all correspondence received by the Board from owners of property in the District was discussed by the Board at the meeting; and

WHEREAS, after a public hearing on the proposed water system jurisdictional area duly noticed and held on November 20, 2001, the Board determined that creating the water system jurisdictional area is in the best interest of the District;

WHEREAS, all persons appearing were given an opportunity to speak at the public hearing.

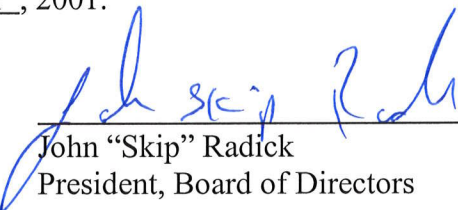
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors (the "Board") of the District as follows:

Section 1. Water System Jurisdictional Area. The Board hereby determines and declares that the real property of the District depicted and outlined on the map attached as Exhibit "A" (which is hereby incorporated herein and made a part hereof) is the real property in the District that is benefitted or will be served by and benefitted from the District's Water System and which will constitute the District's Water System Jurisdictional Area. For the purposes of this Resolution, real property is benefitted by the District's Water System if the real property is currently being served by the System or if the District plans to extend central water services to the real property and the District has or will create capacity in the Water System to serve the real property. The Water System Jurisdictional Area shall include but shall not be limited to the list of parcels of real property shown on Exhibit "B" hereto (which is hereby incorporated herein and made a part hereof). Exhibit "A" depicts and establishes the boundaries of the Water System Jurisdictional Area, which shall include all real property included within the boundaries, even if a particular parcel is not listed in Exhibit "B".

Nothing herein shall prevent the property in the District not included in the Water System Jurisdictional Area from requesting to be annexed to the Water System Jurisdictional Area in accordance with Section 7-13-2341, M.C.A.

Section 2. Effective Date. This Resolution shall become effective upon passage.

Passed and approved this 18th day of December, 2001.


John "Skip" Radick
President, Board of Directors

Attest:


Dee Rothschild, Secretary

(SEAL)

Big Sky County Water & Sewer District Water Jurisdictional Area

December 18, 2001

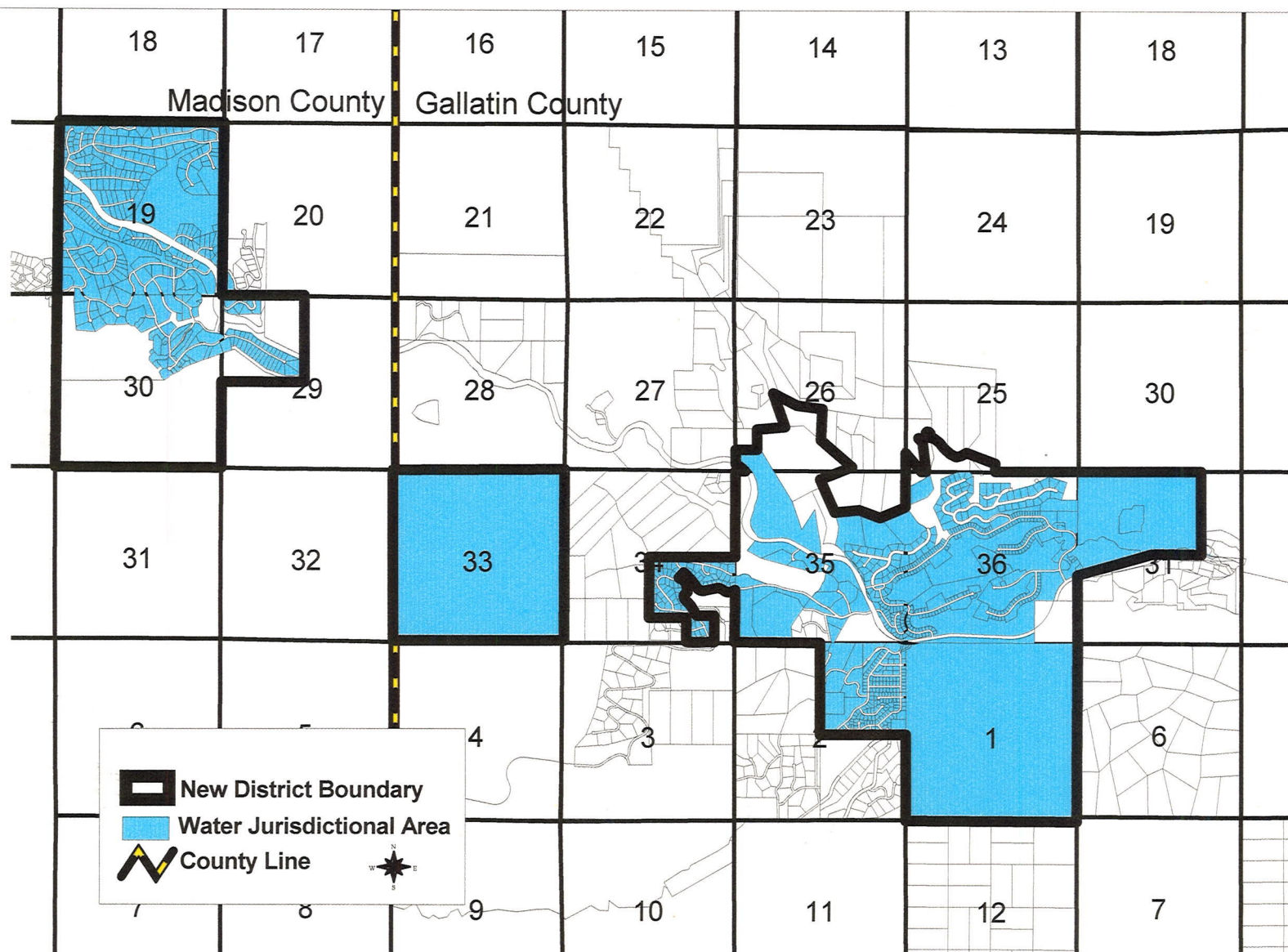


EXHIBIT B
LIST OF PARCELS OF LAND CONSTITUTING
WATER SYSTEM JURISDICTIONAL AREA

GALLATIN COUNTY

Section 26, T-6-S, R-3-E, Gallatin County, Montana

Certificates of Survey: Tract 1 of COS 1501

Section 33, T-6-S, R-3-E, Gallatin County, Montana

All of section 33, Patent 40-422, Tax No. RKE18795

Section 34, T-6-S, R-3-E, Gallatin County, Montana

Aspen Groves Subdivision, Phase 1, Plat J-240: all parcels

Aspen Groves Subdivision, Phase 2, Plat J-246: all parcels

Section 35, T-6-S, R-3-E, Gallatin County, Montana

Certificates of Survey: Tract 6 of COS 1502A; Tract 7 of COS 1502A; Tract 1 remainder of COS 1468; and Tract A of COS 1605

Northfork Creek Subdivision, Plat J-247: all parcels

Pinewood Hills Subdivision, Plat J-148: all parcels except Lots 3, 4, 5A, 6A, 7, 8

Minor Subdivision No. 90, Lot 1

Minor Subdivision 214, Lots 1-4

1 Lot in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Plat 153-215, Tax No. RKE19339

Section 36, T-6-S, R-3-E, Gallatin County, Montana

Certificates of Survey: COS 209, Tract 5 of COS 1502A, and COS 409

Sweetgrass Hills Subdivision, Plat H-36: all parcels except Tract D, Tract E, Tract H20, Tract H21

Meadow Village Subdivision, Plats H14 & H23: all parcels except the remainder parcel of Tract A in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36

Meadow Village Subdivision, Second Filing, Plat I-12: all parcels except the remainder of Tract D

Meadow Village 25 Lot Addition, Plat J-157: all parcels

Minor Subdivision 91 & 91A, Lots 1A, 2, 3, 4, 5

Remainder parcel, 17 FM 405 PLAT

Section 31, T-6-S, R-4-E, Gallatin County, Montana

Certificates of Survey: Tract A of COS 2216, Tr A1 of COS 1354A

Remainder parcel in the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, 6 FM 1074, Tax No. RKF19143

Section 1, T-7-S, R-3-E, Gallatin County, Montana

All of Section, Patent 56-1, Tax No. RLE19141 ¹

¹ This parcel has been submitted to Gallatin County for final plat approval as the Town Center Subdivision. After final plat approval, all parcels recorded under the Town Center Subdivision will be included in the Sewer System Jurisdictional Area.

Section 2, T-7-S, R-3-E, Gallatin County, Montana

Certificates of Survey: COS 214

Westfork Meadows Subdivision, Plat I-37: all parcels

South Fork Subdivision, Phase 1, Plat J-233: all parcels

South Fork Subdivision, Phase 2, Plat J-254: all parcels

South Fork Subdivision, Phase 4, Plat J-324: all parcels

Blue Grouse Hills Subdivision, Phase 1, Plat J-161: Lot 1

Blue Grouse Hills Subdivision, Phase 2, Plat J-225: all parcels

1 Lot in the SE¼ NE¼, Plat 154-346, Tax No. RLE18925

Remainder parcel, 52 FM 2350, in the SW¼ NE¼, Tax No. RKE18356²

MADISON COUNTY

Section 19, T-6-S, R-3-E, Madison County, Montana

Cascade Subdivision: All parcels on the following plats

Cascade Subdivision, Block 1, Book 4 Page 76 & 76A; and Block 1 Amended, Book 4 Page 153-153A

Cascade Subdivision, A Portion of Tract 5 and Tract A of Block 1 Amended, Book 4 Page 327

Cascade Subdivision, A Portion of Tract 2 and Tract 3 of Block 1 Amended, Book 4 Page 357

Cascade Subdivision, Tract 7, Block 1 Amended, Book 4 Page 309

Cascade Subdivision, Block 2, Book 4 Page 77

Cascade Subdivision, Block 3, Page 78

Cascade Subdivision, Lots 241, 244, 253, 254, 255, 258 and 262 Block 3 and Lots 264, 266, 268 thru 276, 287 thru 290, 294 thru 298, 301, 302 and 303, Tracts 12, A, C and D Block 4; Book 4 Page 358

Cascade Subdivision, Lots 188 through 235, Block 3 Amended, Book 4 Page 405

Cascade Subdivision, Lots 80-92 and 98-109, Block 2 and Lots 130-139 and 236-237, Block 3 Amended, Book 4 Page 409

Cascade Subdivision, Block 4, Book 4 Page 79

Cascade Subdivision, Block 5, Book 4 Page 80

Cascade Subdivision, Block 6, Book 4 Page 81 and Block 6 Amended; Block 6 Amended, Book 4 Page 112

Section 20, T-6-S, R-3-E, Madison County, Montana

Summit View Subdivision, Phase IV: Commercial Tract only, SW¼ SW¼ Section 20 T-6-S, R-3-E, Madison County, Book 4 Page 335 & 335A

Section 30, T-6-S, R-3-E, Madison County, Montana

Custer Minor Subdivision (Lake Condominiums), Book 4 Page 173 - 175; Book 4 Page 373; and Book 6 Page 445 & 453: All parcels

Mountain Village Subdivision, Phase I, Book 4 Page 334: All parcels

Remainder parcel of Section 30 for Andesite Mountain restroom facilities

² This parcel has been submitted to Gallatin County for final plat approval as South Fork Subdivision, Phase 3. After final plat approval, all parcels recorded under South Fork Subdivision, Phase 3 will be included in the Sewer System Jurisdictional Area.

Madison County Condominiums:

Arrowhead Condominiums, Book 6 Page 404-405A: All phases & units
Beaverhead Condominiums Subdivision Plat, Book 4 Page 176: All phases & units
Big Horn Condominiums, Book 6 Page 448-449: All phases & units
Cedar Creek Condominiums, All phases & units
Hill Condominiums, Book 6 Page 195: All phases & units
Lake Condominiums, Book 6 Page 440-441: All phases & units
Powder Ridge Cabins, All phases and cabins
Snowcrest Condominiums, Book 6 Page 454: All phases & units
Snowflake (Skycrest) Condominiums, Book 6 Page 439: All phases & units
Shoshone Condominiums, Book 6 Page 444: All phases & units
Stillwater Condominiums: All phases & units
Summit Condominiums: All phases & units