

RESOLUTION NO. 07-18533

I certify that this is a true  
and correct copy of the  
original resolution  
on file in my office.  
Clerk Martin  
City Clerk

A RESOLUTION OF THE CITY OF BILLINGS  
APPROVING PETITIONS FOR ANNEXATION AND  
ANNEXING TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law, and

WHEREAS, annexation of said territory would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

Territory situated in the SE1/4 of Section 31, T.1N, R.25E, P.M.M, Yellowstone County, Montana, more particularly described as:

Lot 65A-4, Amended Plat of Lot 65A of the Amended Plat of Amended Lots 65-68, 93-100 and 125-128, Sunny Cove Fruit Farms, Recorded December 29, 2004, Under Document No. 3317043, Records of Yellowstone County, Montana; including all adjacent right-of-way of Grand Avenue and 54<sup>th</sup> Street West. Containing 13.008 gross and 11.592 net acres.

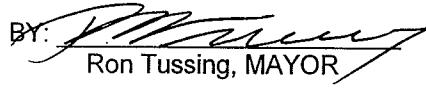
(# 07-02)

(Exhibit "A" Attached)

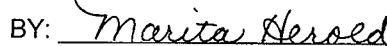
2. CONDITIONS. The annexation is approved, subject to the following conditions:
  - a. Prior to site development a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements; or
  - b. A Subdivision Improvements Agreement (SIA) and Waiver of Protest the Creation of an SID shall be approved and filed that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements. The subdivider will be responsible for forming a Park Maintenance District at the time of subdivision.
3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 26th day of February, 2007.

THE CITY OF BILLINGS:

BY:   
Ron Tussing, MAYOR

ATTEST:

BY:   
Marita Herold, MMC CITY CLERK

*EXHIBIT A*

