

RESOLUTION NO. 07-18643

A RESOLUTION OF THE CITY OF BILLINGS TO
CONSIDER ANNEXING TERRITORY UNDER TITLE 7,
CHAPTER 2, PART 44 OF THE MONTANA CODE
ANNOTATED, AND FIXING A DATE FOR A PUBLIC
HEARING ON THE QUESTION OF ANNEXATION

WHEREAS, the City Council of the City of Billings has determined that it is in the best interest of the City of Billings to annex the territory hereinafter described; and

WHEREAS, Montana Code Annotated 7-2-4211 provides that in all cases of annexations of property, the city "shall include the full width of any public streets or roads, including the rights-of-way, that are adjacent to the property being annexed;" and

WHEREAS, the City Council intends to consider annexing said territory pursuant to Title 7, Chapter 2, Part 44 of the Montana Code Annotated; and

WHEREAS, the boundaries of the territory that the City Council intends to consider annexing is particularly described as follows:

Broadwater Avenue Tract:

Basis of bearings Certificate of Survey No. 1322, Recorded June 27, 1973, Under Document No. 937794, Records of Yellowstone County, Montana,

A portion of Tract 7, AKA Broadwater Avenue, of said Certificate of Survey No. 1322 Beginning at the east $\frac{1}{4}$ corner of Section 5, T.1S., R.25E., P.M.M.; thence 89°48'30" W along the E-W mid section line of said Section 5 for a distance of 1304.6 feet; thence S 00°05'30" for a distance of 30.00 feet; thence 89°48'30" E for a distance of 1304.6 feet to a point on the east section line of said Section 5; thence 00°04' E for a distance of 30.00 feet to the Point of Beginning. Said Tract containing 0.898 acres.

56th Street West Tract:

A portion of Yellowstone County road easement for 56th Street West also described as a portion of County Road Petition Number 19, Filed January 2, 1886, Road Established June 9, 1886, more particularly described as:

Beginning at the west $\frac{1}{4}$ corner of Section 4, T.1S., R.25E., P.M.M.; thence southerly along the west section line of said Section 4 for a distance of 30.00 feet; thence easterly for a distance of 30.00 feet on a line that is perpendicular to the west section line of said Section 4 to a point; thence northerly and 30.00 feet parallel to the west section line of said Section 4 for an approximate distance of 1347.3 feet to a point, said point being on a line that is perpendicular to the N1/16 corner of said Section 4; thence westerly for a distance of 30.00 feet to the N1/16 corner of said Section 4; thence southerly along the west section line of said Section 4 for an approximate distance of 1317.3 feet to the Point of Beginning. Said Tract containing 0.927 acres more or less.

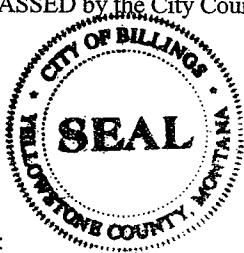
(# 07-18) See Exhibit "A" Attached

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

1. The Billings City Council intends to consider annexation of the above-described property.
2. Notice of the City Council's intent to annex said territory shall be published as provided in M.C.A., Title 7, Chapter 2, Part 4405, with notice that for a period of 20 days after first publication of the notice, the Billings City Clerk will receive written comments approving or disapproving of the proposed extension of the boundaries of the City of Billings.
3. The City Clerk shall forward all written communication received by the Clerk to the City Council for consideration.
4. A public hearing for the question of annexation of said territory shall be held on December 10, 2007.

5. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 44, have been duly and properly followed and taken.

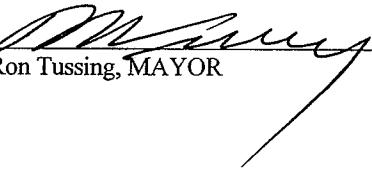
PASSED by the City Council and APPROVED this 13th day of November, 2007.



THE CITY OF BILLINGS:

BY:

Ron Tussing, MAYOR



ATTEST:

BY: Cari Martin
Cari Martin, CITY CLERK

(AN #07-18)

ATTACHMENT B

Map
EXHIBIT A

