

RESOLUTION NO. 07-18646

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

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, the City of Billings is the owner of the territory; and

WHEREAS, the City Council has considered annexing said territory pursuant to Title 7, Chapter 2, Part 44 of the Montana Code Annotated.

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

1. **TERRITORY ANNEXED.** Pursuant to Request filed as provided M.C.A., Title 7, Chapter 2, Part 44, the following territory is hereby annexed to the City of Billings:

Tracts of land situated in the E1/2 of Section 31, and the NW1/4 Section 32, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tracts 1 & 2, of Certificate of Survey 1323, Recorded June 27, 1973, under Document No. 9397800, Records of Yellowstone County;

Tract 1, of Certificate of Survey 1815, Recorded September 7, 1978, under Document No. 1103210, Records of Yellowstone County;

Tract 2D, of Corrected Amended Tract 2 of Certificate of Survey 1952, Recorded September 22, 1988, under Document No. 1498658, Records of Yellowstone County;

Park land, Yellowstone Meadows-Phase One, Recorded December 15, 1970, under Document No. 873104, Records of Yellowstone County;

Park land, Yellowstone Meadows-Phase Three, Recorded December 6, 1976, under Document No. 1035948, Records of Yellowstone County;

Unplatted land being the SE1/4 NE1/4 of said Section 31 less previous described tracts of land.

Including that portion of adjoining Yellowstone County Road easement for 54<sup>th</sup> Street West, also described as a portion County Road Petition Number 49, filed April 20, 1892, Notice of Opening Road filed June 14, 1892, and all adjacent right-of-way of 54<sup>th</sup> Street West and Colton Boulevard.

I certify this is a true  
and correct copy of the  
original  
on file in my office.

City Clerk

Containing 41.481 gross acres, and 37.553 net acres.

(# 07-06) See Exhibit "A" Attached

2. **PROCEDURE.** To comply with all procedures as required under M.C.A., Title 7, Chapter 2, Part 44, this resolution shall become effective 30 days after its passage and approval, and thereafter the boundary of the City of Billings shall be as set forth in this resolution.

PASSED by the City Council and APPROVED this 26<sup>th</sup> day of November, 2007.

THE CITY OF BILLINGS:

BY:   
Ron Tussing, MAYOR

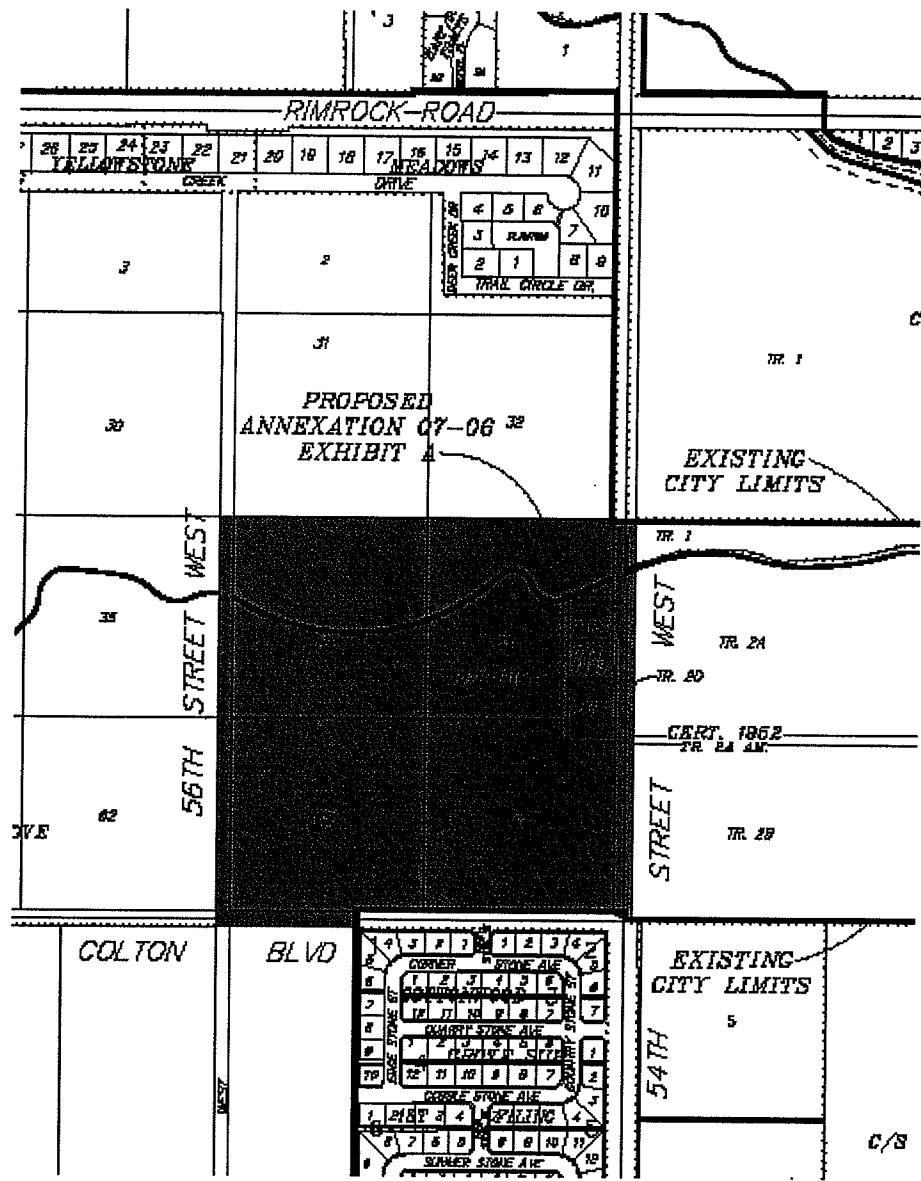
ATTEST:

BY: Cari Martin  
CITY CLERK

(AN #07-06)



# EXHIBIT A



AGENDA ITEM:



**CITY COUNCIL AGENDA ITEM**  
**CITY OF BILLINGS, MONTANA**  
**Monday, November 26, 2007**

**TITLE:** Resolution Amending Resolution 07-18547 – Annexing Territory in the City (Annexation #07-06)

**DEPARTMENT:** Planning and Community Services *WAP*

**PRESENTED BY:** Juliet Spalding, AICP, Planner II *JJS*

**PROBLEM/ISSUE STATEMENT:** On April 23, 2007, the City Council conducted a public hearing and passed a Resolution annexing a property for the Cottonwood Park site located on the northwest corner of the intersection of Colton Boulevard and 54<sup>th</sup> Street West. Upon receipt of the resolution, the Department of Revenue found an error in the legal description for the property. A new resolution has been prepared amending the previous resolution.

**ALTERNATIVES ANALYZED:**

- Approve the amended resolution annexing the property for the Cottonwood Park site.
- Deny the amended resolution annexing the property for the Cottonwood Park site.

**FINANCIAL IMPACT:** None

**RECOMMENDATION**

Staff recommends that the City Council approve the amended resolution annexing property legally described as Tracts 1 & 2, Certificate of Survey 1323; Tract 1, Certificate of Survey 1815, Tract 2D, Certificate of Survey 1952; Parkland from Yellowstone Meadows Phases 1 and 3; and unplatte land being the SE ¼ NE ¼ of Section 31, Township 1N, Range 25E, less previous described tracts of land; and including all adjacent right of way of 54<sup>th</sup> St. West and Colton Blvd.

Approved By: City Administrator *CRV* City Attorney

*Res # 07-18646*

**ATTACHMENT**

A. Amended Resolution

*Approved*

COUNCIL ACTION	
NOV 26 2007	
<i>Cm</i>	
CITY CLERK	