

RESOLUTION NO. 17 - 10653

**A RESOLUTION OF INTENT TO EXCLUDE TERRITORY
UNDER THE PROVISIONS OF TITLE 7, CHAPTER 2, PART
48 OF THE MONTANA CODE ANNOTATED, AND FIXING
A DATE FOR A PUBLIC HEARING ON THE QUESTION OF
EXCLUSION.**

WHEREAS, the City Council of the City of Billings has determined that a petition to exclude the territory now within the City of Billings was signed by the requisite number of qualified electors of the City, and that granting of the petition is in the best interest of the City of Billings and will not materially mar the symmetry of the City; and

WHEREAS, the Billings City Council intends to consider excluding said territory from the City of Billings pursuant to Title 7, Chapter 2, Part 48 of the Montana Code Annotated; and

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

Tracts of land situated in the S1/2 of Section 20, T.1N., R.26E., P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as:

Portions of Terrace Estates Subdivision, 3rd Filing, Recorded December 3 1986, under Document Number 1420547, of record and on file in the office the Yellowstone County, Clerk and Recorder's, being Lots 1-25, within Block 1, Lots 1-27, within Block 2 and Lots 1-6, 41A, 41B, 42A, 42B, 43-53, 60, 72-76, within Block 3;

Including all dedicated Right-Of-Way of Jack And Jill Avenue, Sage Drive, Woodland Trail, Valley Heights Road, Dewdrop Circle, Sun Valley Road and Alkali Creek Road within said Terrace Estates Subdivision, 3rd Filing, Blocks 1-3; All existing dedicated easement covering existing utilities in place will remain per 76-3-305 M.C.A.

Containing 31.827 gross acres and 22.630 net acres more or less.
(# 17-04) See Exhibit "A" Attached.

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

1. The Billings City Council intends to consider excluding the above described contiguous territory.
2. All registered voters in the territory to be embraced are to be immediately notified, in writing.
3. Notice of the City Council's intent to exclude said territory shall be published as provided in Section 7-1-4127, MCA, with notice that for a period of twenty (20) days after first publication of the notice, the Billings City Clerk shall accept written comments approving or disapproving the proposed exclusion of the above described territory from the City of Billings from registered voters residing in the area proposed to be excluded.
4. The City Clerk shall forward all written communication received by the Clerk to the City Council for consideration.

A public hearing on the question of exclusion of said territory shall be held on October 10, 2017.

APPROVED AND APPROVED by the City Council of the City of Billings, Montana, on the 28th day of August, 2017.

CITY OF BILLINGS



BY: Thomas W. Hanel
Thomas W. Hanel, Mayor

ATTEST:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

EXHIBIT "A"

