

RESOLUTION NO. 18 -10689

**A RESOLUTION APPROVING PETITION 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:

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:

A tract of unplatte land situated in the NE1/4 of Section 9, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being the N1/2, SW1/4, SW1/4, NE1/4 of said Section 9 T.1S., R.26E., P.M.M., Yellowstone County, Montana, being wholly surrounded: On the north Tract 2, of Certificate of Survey No. 1954, Recorded November 29, 1979, under Document Number 1149891; On the east by Kissee Subdivision, Recorded May 29, 1956, under Document Number 564232; On the South by Tracts A and B, of Certificate of Survey No. 1938, Recorded September 26, 1979, under Document Number 1143039; On the west by Al's Subdivision, First Filing, Recorded February 15, 1965, under Document Number 748408; Including all adjacent right-of-way of Orchard Lane per County Road Petition No. 92, declared County Road December 7, 1899; Also that portion of Orchard Lane per Right-Of-Way Easement Recorded May 31, 2016, under Document Number 3778578; Containing 5.000 gross and 4.773 net acres more or less. (# 17-01) See Exhibit "A" Attached

2. CONDITION. The annexation is approved, subject to the following condition:

Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and include a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded.

3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 22nd day of January, 2018.

CITY OF BILLINGS:

BY: William A. Cole
William A. Cole, Mayor

ATTEST:

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

(AN# 17-01)



EXHIBIT "A"

