

RESOLUTION 21-10977

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 land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:
Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

Including all adjacent rights-of-way of Jackson Street and King Avenue East.
Said tract of land containing 3.574 gross and 3.522 net acres more or less.
(#21-03) See Exhibit "A" Attached

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

- Within 45 working days and prior to site development, a mutually acceptable 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;

If the conditions are not satisfied, any new requests for the property legally described within this resolution shall be processed as a new petition of annexation.

3. **EFFECTIVE DATE.** Upon satisfaction of the above condition(s), this resolution to annex the above described territory will become effective and shall be filed with the Yellowstone County Clerk and Recorder. If the owner fails to meet the deadline identified above, this resolution to annex shall not become effective, will be null and void, and shall not be filed with the Yellowstone County Clerk and Recorder.
4. **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 12th day of July, 2021.



CITY OF BILLINGS:

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

ATTEST:

BY: Toni Keehner
Toni Keehner, Deputy City Clerk

(# 21-03)

EXHIBIT BA-21-03

