

## RESOLUTION NO. 25-11307

### 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:

Lot 7 of Sunny Cove Fruit Farms situated in the NW 1/4 of the NW 1/4 of Section 31, Township 01 North, Range 25 East, P.M.M., Yellowstone County, Montana, more particularly described as follows: Beginning at the northwest corner of said Section 31; thence 585°05'42"E a distance of 668.50 feet to the northeast corner of the Tule Ridge Subdivision, said point being the Point of Beginning; thence N89° 45'20"E following the southern boundary of the right-of-way for Rimrock Road a distance of 351.25 feet; thence N78°26'44"E following the southern boundary of the right-of-way for Rimrock Road a distance of 50.99 feet; thence N89°45'20"E following the southern boundary of the right-of-way for Rimrock Road a distance of 238.08 feet; thence S00°04'43"W following the western boundary of the right-of-way for 60th Street West a distance of 616.35 feet; thence 589°49'29"W a distance of 639.13 feet following the northern boundary of Lot 26 of Sunny Cove Fruit Farms subdivision; thence N00°03'55"E following the eastern boundary of the Tule Ridge Subdivision a distance of 605.57 feet back to the Point of Beginning., including all adjacent Rights-of-Way.

Said Annexation containing 8.95 acres net and gross, more or less.

(# 25-05) See Exhibit "A" Attached

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

- Within 45 working days and prior to site development, a mutually acceptable Subdivision Improvement Agreement and Annexation Agreement shall be executed between the owner(s) and the City that shall stipulate, among other things, 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 which will be recorded with the Yellowstone County Clerk and Recorder.

If the above conditions are not satisfied as set forth herein, the annexation will not be effective and any subsequent requests for annexation of the property legally described within this resolution shall be processed as a new petition for annexation.

3. **EFFECTIVE DATE.** This resolution to annex the above-described territory shall be effective immediately upon satisfaction of all conditions. If the above condition(s) are not satisfied, this resolution shall be null and void and shall have no effect.
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 24<sup>th</sup> day of November, 2025.



CITY OF BILLINGS:

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

ATTEST:

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

(# 25-05)

## EXHIBIT "A"

