

## **RESOLUTION NO. 02- 17817**

### **A RESOLUTION OF THE CITY OF BILLINGS APPROVING PETITIONS 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, AS FOLLOWS:

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:

That portion of the E2NW4 of Section 16, Township 1 South, Range 26 East, lying south of the Billings City limits, LESS the southerly 112.48 feet and westerly 40 feet, containing 35.597 acres more or less.

(#02-01)

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

3. CONDITIONS OF APPROVAL. Annexation is approved subject to the following condition:

- (A) An annexation agreement shall be executed between the owners and the City of Billings that states: that prior to development of the site, including the issuance of any building permits, the following shall occur:
- A Development Agreement be executed between the owner(s) and the City which shall stipulate specific infrastructure improvements, and provide guarantees for said improvements; or
  - If the property is subdivided, the required Subdivision Improvements Agreement (SIA) shall be approved and filed with the subdivision, and will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

PASSED by the City Council and APPROVED this 25th day of March, 2002.

THE CITY OF BILLINGS:

BY: \_\_\_\_\_  
Charles F. Tooley, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE CITY CLERK