

RESOLUTION NO. 02-17833

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:

Tracts 3A, 4, 5A, 6A and 7A, C/S 2465, located in the S½ of Section 25, Township 1N, Range 24E

(#02-09)

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 conditions:

A. 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
- A Subdivision Improvements Agreement (S.I.A.) and Waiver of Protest to SID shall be approved and filed that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

This condition is necessary to clarify the developer's responsibilities for public on-site and off-site improvements.

B. That all of Molt Road/MT. 302 and 62nd Street West that are adjacent to the subject property be annexed.

This condition is necessary to reduce confusion and the potential for conflicts over jurisdiction of the street. Rimrock Road should not be annexed at this time because no owners on the south side of the road are requesting annexation, it is a gravel county road and it isn't designated as an arterial street in the Transportation Plan..

PASSED by the City Council and APPROVED this 13th day of May, 2002.

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK