

RESOLUTION NO. **02-17846**

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:

Tract 2, C/S 1648 Amended.

(#02-12)

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) 1. A Development Agreement shall be executed

between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements; or

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

(B) The petitioner shall add a statement to the Annexation Agreement that they will not protest the creation of a future Park Maintenance District.

(C) All of Central Avenue located adjacent to the subject property shall be annexed.

PASSED by the City Council and APPROVED this 10th day of June, 2002.

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK