

RESOLUTION NO. 03- 17942

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:

A tract of land situated in the NE ¼ of Section 14, T1N, R26E, P.M.M., Yellowstone County, Montana; said tract being more particularly described as follows:

Beginning at a point which is the northwest corner of Tract 1-B of Amended Tract 1, Certificate of Survey No. 1022; thence, from said point of beginning, along the east line of Daniels Subdivision, Second Filing, N00°12'58"E a distance of 330.82 feet to the southwest corner of Certificate of Survey No. 1073; thence, along the south line of said Certificate of Survey No. 1073, S89°08'15"E a distance of 1306.71 feet to the center line of the right-of-way of Bitterroot Drive; thence, along said center line, SOUTH a distance of 330.29 feet; thence, departing from said center line and along the north line of Tracts 1-A and 1-B of Amended Tract 1 of Certificate of Survey No. 1022, N89°09'41"W a distance of 1307.95 feet to the point of beginning. Said tract containing an area of

9.9197 acres.

(#02-18)

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 the following shall occur:
 - 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
 - A Subdivision Improvements Agreement (SIA.) and Waiver of Protest to SID and PMD shall be approved and filed that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.
- (B) All of the adjacent Bitterroot Drive shall be annexed.

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PASSED by the City Council and APPROVED this 13th day of January, 2003.

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK