

RESOLUTION NO. 03-18013

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 SE1/4 of Section 11, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

A Portion of Tract 3A, Certificate of Survey 2317, Amended Tracts 1, 2, and 3, of Certificate of Survey 2317, recorded December 12, 2002, under Document No. 3204917, Records of Yellowstone County, Montana, commencing at the east ¼ corner of Section 11; thence S 03° 19' 15" W a distance of 911.64 feet to a point on the west right-of-way line of Bitterroot Drive also the existing City of Billings city limits, to the true point of beginning; thence S 00° 10' 49" W a distance of 1,668.79 feet along the said west right-of-way line; thence along a curve to the right with a radius of 10.00 feet a distance of 15.67 feet (chord bearing S 45° 03' 49" W a distance of 14.11 feet) to a point on the north right-of-way line of Mary Street; thence S 89° 56' 50" W a distance of 2,493.35 feet along the said north right-of-way line; thence along a curve to the right with a radius of

10.00 feet a distance of 15.70 feet (chord bearing N 45° 04' 55" W a distance of 14.13 feet) to a point on the west property line of Tract 3A Certificate of Survey 2317; thence N 00° 06' 40" W a distance of 810.85 feet along said west property line; thence along a non-tangent curve to the right with a radius of 270.00 feet a distance of 96.71 feet (chord bearing N 25° 47' 31" E a distance of 96.19 feet) to a point on line of Tract 3A Certificate of Survey 2317; thence S 88° 29' 04" E a distance of 639.12 feet following the property line of Tract 3A Certificate of Survey 2317; thence N 30° 21' 27" E a distance of 391.91; thence N 45° 13' 35" E a distance of 262.10; thence N 17° 35' 26" E a distance of 285.39 feet to a point on the existing City of Billings city limits; thence S 89° 49' 11" E a distance of 1369.00 to the true point of beginning; containing 80.268 gross acres, more or less

(Annexation #03-05)

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

1. Require an annexation agreement that guarantees that requires a development agreement or subdivision improvement agreement before additional development on the property that outlines specific infrastructure requirements and financial security to guarantee their construction

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

PASSED by the City Council and APPROVED this 25th day of August, 2003.

THE CITY OF BILLINGS:

BY:_____

Charles F. Tooley, MAYOR

ATTEST:

BY:_____

Marita Herold, CMC/AAE CITY CLERK