

RESOLUTION NO. 03-18042

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 NW1/4 of Section 24, T.1N., R.26E., M.P.M., Yellowstone County, Montana, more particularly described as:

Barry Acreage Tracts Subdivision, 3RD Filing, Lot 4, Block 2, Recorded November 14, 1967, Under Document No. 809463, Records of Yellowstone County, Montana; Including all adjacent right-of-way of Erin Street and the access easement of Cherry Creek Estates Subdivision Recorded June 12, 2003, Under Document No. 3234914, Records of Yellowstone County, Montana, to the East to the existing City of Billings city limits and Bitterroot Drive to the North to the existing City of Billings city limits, more particularly described as, beginning at the northwest corner of Lot 1, Block 3 of Barry Acreage Tracts Subdivision, 3RD Filing; thence South for a distance of 792.01 feet along the east right-of-way line of Bitterroot Drive to the southwest corner of Lot 4, Block 2, of Barry Acreage Tracts Subdivision, 3RD Filing; thence S 76° 24' E a distance of 657.18 feet along the north right-of-way line of Erin Street and the north line of the access & utility easement through Lot 2, Block 1 of Cherry Creek Estates Subdivision to a point on the existing city limits; thence South for a distance of 61.73 feet along the east property line of Lot 2, of Block 1 of Cherry Creek Estates Subdivision, also the existing city limits; thence N 76° 24' W a distance of 698.34 feet along the south line of the access & utility easement through Lot 2, Block 1 of Cherry Creek Estates Subdivision and the south right-of-way line of Erin Street to a point on the west right-of-way line of

Bitterroot Drive which is the west section line of Section 24, T. 1 N., R. 26 E.; thence North for a distance of 833.95 feet along said section line to a point on the existing City of Billings city limits; thence N 75° 49' E for a distance of 41.26 to the point of beginning;
Containing 2.680 gross acres, and 1.000 net acres more or less
(# 03-08)

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 10th day of November, 2003.

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK