

RESOLUTION NO. 03-18049

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 10, T.1S., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as: Certificate of Survey No. 2064, Tracts 1 through 4, Recorded March 20, 1981, Under Document No. 1192729, Records of Yellowstone County, Montana; Certificate of Survey No. 3125, Tract 1, Recorded October 17, 2002, Under Document No. 3196400, Records of Yellowstone County, Montana; including all adjacent right-of-way of King Avenue West and Shiloh Road.

Containing 119.224 gross acres, and 115.212 net acres, more or less

. (#03-07)

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: The annexation is approved subject to the following condition:

- **An Annexation Agreement, attached as Exhibit A, shall be executed by the petitioner and the City.**
- **That prior to development of the site, including the issuance of any building permits, the following shall occur:**
 1. 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
 2. 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.
- **That all of the adjacent King Avenue West and Shiloh Road rights of way shall be included in the annexation.**

PASSED by the City Council and APPROVED this 8th day of December 2003.

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK