

## **RESOLUTION NO. 03-18051**

### **A RESOLUTION OF THE CITY OF BILLINGS APPROVING PETITIONS FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.**

WHEREAS, eighty five percent (85%) 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 NE1/4 of Section 25, T.1N., R.24E., P.M.M., Yellowstone County, Montana, more particularly described as:

Golden West Estates, Blocks 2 and 3 and a portion of Lots 1 and 2, Block 1 of

Golden West Estates, Recorded June 22, 1973, Under Document No. 937278,

Records of Yellowstone County, Montana,

The metes and bounds of the portion of Lots 1 and 2, Block 1 of Golden West

Estates are as follows, Beginning at the most northeasterly corner of Lot 1, Block

1 of Golden West Estates; Thence S 42° 01' 00" W a distance of 297.40 feet to a

point on the west right-of-way line of Quarter Circle Drive;

Thence along a curve to the left with a radius of 387.89 feet a distance of 490.96 feet (chord bearing S 05° 45' 23" W a distance of 458.84 feet) to a point on the west right-of-way line of Quarter Circle Drive and the north right-of-way line of Burlington Northern Santa Fe Railroad;

Thence along a curve to the left with a radius of 1,712.04 feet a distance of 113.93 feet (chord bearing N 32° 24' 37" W a distance of 113.91 feet) to a point on the north right-of-way line of Burlington Northern Santa Fe Railroad;

Thence along a curve to the right with a radius of 407.89 feet a distance of 286.02 feet (chord bearing N 05° 47' 27" E a distance of 280.18 feet);

Thence N 53° 06' 31" W a distance of 139.67 feet;

Thence N 04° 51' 09" E a distance of 120.26 feet;

Thence N 60° 36' 21" E a distance of 206.50 feet;

Thence S 89° 17' 30" E a distance of 199.50 feet to the point of beginning;

including all of the adjacent street right-of-way of Molt Road / State Highway

F.A.S. 176, Golden West Terrace and Quarter Circle Drive,

Containing 22.633 gross acres, and 15.336 net acres more or less

(Annexation #03-06)

2. CONDITIONS. The annexation is approved subject to the following conditions:
  1. An Annexation Agreement shall be executed between the owners and the City which shall stipulate specific infrastructure improvements and provide guarantees for said improvements. Part of this agreement shall state that the petitioners will not protest their inclusion into a Park Maintenance District.
  2. Waivers of right to protest creation of one or more Special Improvement Districts (SIDs) for future water, sanitary sewer, storm water, street and other improvements shall be signed by all owners of record within the area of annexation.

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 8th day of December, 2003.

THE CITY OF BILLINGS:

BY:\_\_\_\_\_

Charles F. Tooley,       MAYOR

ATTEST:

BY:\_\_\_\_\_

Marita Herold, CMC/AAE   CITY CLERK