RESOLUTION NO. 08-18712

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 SW1/4 of Section 9, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:
   Tract 1, Certificate of Survey No 2350, Recorded November 18, 1985, under Document No. 1372518, Records of Yellowstone County.
   Including all adjacent right-of-way of Calhoun Lane.
   Containing 4.765 gross acres and 4.345 net acres.
   (# 08-07) See Exhibit"A"attached

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

   a. Prior to site development 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

   b. A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of SIDs shall be approved and filed that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

3.   PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.
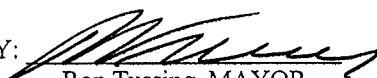
PASSED by the City Council and APPROVED this 27th day of May, 2008.

THE CITY OF BILLINGS:

BY: _____
   Ron Tussing, MAYOR

ATTEST:

BY: _____
   Cari Martin, CITY CLERK

(AN 08-07)

EXHIBIT A