

RESOLUTION NO. 08-18759

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:

Tracts of land situated in the SW1/4 of Section 34, T.1N., R.25E., the NW1/4 of Section 1, T.1S., R.25E., and the NE1/4 of Section 2, T.1S., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tract 7-A, Certificate of Survey No 2314 Amended, Recorded December 30, 1987, under Document No. 1468780, Records of Yellowstone County;

Tract 6-A-1, Amended Tract 6-A of Certificate of Survey No 2314 Amended, Recorded May 30, 2008, under Document No. 3467337, Records of Yellowstone County;

Tract 1-A-1, Amended Tracts 1-A & 2 of Certificate of Survey No 2702, Recorded September 3, 2008, under Document No. 3478524, Records of Yellowstone County.

Including Yellowstone County road easement for Grand Avenue also described as a portion of County Road Petition Number 5, filed December 26, 1883, Declared a County Road March 6, 1884, described as follows:

Those portions of Grand Avenue County road easement and deeded right-of-way adjacent to Tract 1-A-1, of said Certificate of Survey 2702, Tract 6-A-1, of said Certificate of Survey No 2314 and Tract 7-A, of said Certificate of Survey No 2314.

Including all adjacent right-of-way of Zimmerman Trail and that portion of Zimmerman Trail right-of-way not adjacent but extending south to Broadwater Avenue, being Tracts 11-B, 12-B and 6-C of Amended Tracts 1, 6, 8, 11 and 12 of Certificate of Survey No. 2702, Recorded May 30, 2008, under Document No. 3467336, Records of Yellowstone County.

Containing 55.4518 gross acres and 46.0984 net acres.

(# 08-08) 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 22nd day of September, 2008.



THE CITY OF BILLINGS:

BY:

Ron Tussing, MAYOR

ATTEST:

BY: Cari Martin
Cari Martin, CITY CLERK

(AN# 08-08)

EXHIBIT A



