

RESOLUTION NO. 09-18786

**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 NW1/4 of Section 16, and the NE1/4 of Section 17, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Lots 1-3, Block 1, Cereus Subdivision, Recorded May 19, 1995, under Document No. 1784237, Records of Yellowstone County; Including all adjacent right-of-way of Midland Road.

Also the east bound on ramp, the east bound exit ramp and the west bound on ramp of Exit #447 (South Billings Boulevard) Interstate Highway 90, described as follows:

Tract 1A of Certificate of Survey 2244, Recorded April 5, 1984, Under Document No. 1302820, Records of Yellowstone County, also being Parcel 13 of Montana Highway Project No. IR 90-8(120)447;

Tract 1B of Certificate of Survey 2244, Recorded April 5, 1984, Under Document No. 1302820, Records of Yellowstone County, also being Parcel 14 of Montana Highway Project No. IR 90-8(120)447, Recorded June 14, 1991, in Book 1361, Page 2155, Under Document No. 1598192, Records of Yellowstone County;

Parcel 15 of Montana Highway Project No. IR 90-8(120)447, Recorded June 14, 1991, in Book 1361, Page 2157, Under Document No. 1598193, Records of Yellowstone County;

Parcel 17 of Montana Highway Project No. IR 90-8(120)447, Recorded June 14, 1991, in Book 1361, Page 2161, Under Document No. 1598194, Records of Yellowstone County;

Parcel 11 of Montana Highway Project No. IR 90-8(120)447, Recorded September 13, 1991, in Book 1364, Page 4805, Under Document No. 1608169, Records of Yellowstone County;

Parcel 16 of Montana Highway Project No. IR 90-8(120)447, Recorded September 18, 1991, in Book 1365, Page 0282, Under Document No. 1608605, Records of Yellowstone County;

Containing 28.222 gross acres and 5.027 net acres.
(# 08-09) 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 12th day of January, 2009.



THE CITY OF BILLINGS:

BY: *Ron Tussing*

Ron Tussing, Mayor

ATTEST:

BY: *Cari Martin*

Cari Martin, City Clerk
(AN 08-09)

EXHIBIT A

