

RESOLUTION 10-18963

A RESOLUTION OF INTENT TO EXCLUDE TERRITORY UNDER THE PROVISIONS OF TITLE 7, CHAPTER 2, PART 48 OF THE MONTANA CODE ANNOTATED, AND FIXING A DATE FOR A PUBLIC HEARING ON THE QUESTION OF EXCLUSION.

WHEREAS, the City Council of the City of Billings has determined that a petition to exclude the territory now within the City of Billings was signed by the requisite number of qualified electors of the City, and that granting of the petition is in the best interest of the City of Billings and will not materially mar the symmetry of the City; and

WHEREAS, the Billings City Council intends to consider excluding said territory from the City of Billings pursuant to Title 7, Chapter 2, Part 48 of the Montana Code Annotated; and

WHEREAS, the boundaries of the territory that the Billings City Council intends to consider excluding is particularly described as follows:

Broadwater Avenue, annexed under Resolution No. 07-18653, Recorded December 24, 2007, Under Document No. 3449522, Records of Yellowstone County, Montana,

Broadwater Avenue Tract:

Basis of bearings Certificate of Survey No. 1322, Recorded June 27, 1973, Under Document No. 937794, Records of Yellowstone County, Montana,

Commencing at the East 1/4 corner of Section 5, T.1S., R.25E., P.M.M.; thence N 89°48'30" W along the E-W mid section line of said Section 5 for a distance of 40.0 feet to the True Point of Beginning; thence continuing along the E-W mid section line of said Section 5 N 89°48'30" W for a distance of 1264.60 feet; thence S 00°05'30" W for a distance of 30.0 feet; thence S 89°48'30" E for a distance of 1264.6 feet; thence N 00°04' E for a distance of 30.0 feet to the Point of Beginning. Said Tract containing 0.871 acres.

(# 10-01) See Exhibit "A" Attached

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. The Billings City Council intends to consider excluding the above described contiguous territory.
2. All registered voters in the territory to be embraced are to be immediately notified, in writing.
3. Notice of the City Council's intent to exclude said territory shall be published as provided in Section 7-1-4127, MCA, with notice that for a period of twenty (20) days after first publication of the notice, the Billings City Clerk shall accept written comments approving or disapproving the proposed exclusion of the above described territory from the City of Billings from registered voters residing in the area proposed to be excluded.
4. The City Clerk shall forward all written communication received by the Clerk to the City Council for consideration.

A public hearing on the question of exclusion of said territory shall be held on August 9, 2010.

APPROVED AND PASSED by the City Council of the City of Billings this 12th day of July, 2010.



THE CITY OF BILLINGS

BY: Thomas W. Hanel
Thomas W. Hanel, MAYOR

ATTEST:

BY: Cari Martin
Cari Martin, CITY CLERK

EXHIBIT A

