

RESOLUTION 10-18976

A RESOLUTION TO EXCLUDE TERRITORY UNDER THE PROVISIONS OF TITLE 7, CHAPTER 2, PART 48 OF THE MONTANA CODE ANNOTATED

WHEREAS, the City Council of the City of Billings has determined that a petition to exclude 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 desires to exclude 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 desires to exclude 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, basis of bearings Certificate of Survey No. 1322, Recorded June 27, 1973, Under Document No. 937794, Records of Yellowstone County, Montana and as shown on the attached Exhibit A, AN10-01.

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

1. The Billings City Council desires to exclude the above described contiguous territory.
2. Upon filing of the certified copy of this resolution, all streets, avenues, alleys, and public places shall be deemed to be vacated and abandoned and title thereto shall revert to the owners of the adjacent property pursuant to Section 7-2-4808, MCA.
3. All registered voters in the territory to be embraced were immediately notified, in writing.
4. Notice of the City Council's intent to exclude said territory was 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 accepted 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.
5. The City Clerk forwarded all written communication received by the Clerk to the City Council for consideration.

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

APPROVED AND PASSED by the City Council of the City of Billings this 9th day of August, 2010.

THE CITY OF BILLINGS



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

ATTEST:

BY: Cari Martin
Cari Martin, CITY CLERK

EXHIBIT A

