

RESOLUTION NO. 12-

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 NW1/4 of Section 11 T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being Tract 2A of Certificate of Survey 1404 Amended, Recorded November 27, 1974, under Document No. 976470, Records of Yellowstone County; a fraction of southwest corner of Lot 4 and a portion of Lot 13 Clark Subdivision, Recorded April 10, 1909, under Document No. 15486, Records of Yellowstone County; Beginning at the southwest corner of said Lot 13 of Clark Subdivision; thence in a northerly direction along the west lot line of said Lot 13 and along the west line of said Tract 2A Certificate of survey 1404 Amended to a point on the southwesterly right-of-way of South 27th Street; thence on a curve to the left in a southeasterly direction along the said southwest right-of-way to the intersection of the said southwest right-of-way and the projected east right-of-way of Nall Avenue; thence in a southerly direction along the said east right-of-way to a point 40.00 feet and perpendicular from the southeast corner of said Lot 13 of Clark Subdivision; thence in a westerly direction and crossing said Nall Avenue and along the south line of said Lot 13 of Clark Subdivision to the southwest corner of said Lot 13 of Clark Subdivision, said point being the Point of Beginning Including all adjacent right-of-way of Nall Avenue.

Containing 6.3 gross acres and 6.1 net acres more or less.

(# 12-01) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:
- 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 and a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or
 - A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded 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 February, 2012.

THE CITY OF BILLINGS:

BY: _____

Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

CITY CLERK

(AN# 12-01)

