

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 SW1/4 of Section 26, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tracts 2-A and 2-B, of Amended Tract 2, Certificate of Survey No. 2577, Recorded November 29, 2011, under Document No. 3606777, Records of Yellowstone County;

Tract 1-B of Amended Tract 1 of, Certificate of Survey No. 266 Amended, Recorded December 17, 1987, under Document No. 1467493, Records of Yellowstone County;

and that portion of un-described land wholly surrounded by said Tract 1-B of Amended Tract 1 of, Certificate of Survey No. 266,

Gregory Subdivision, 5th Filing, Park land with in Block 5, Recorded January 16,, 1984, under Document No. 1293336, Records of Yellowstone County,

Brovista Subdivision, Lot 1A, Block 1, of Amended Plat of Lot 1, Block 1, Brovista Subdivision, Recorded June 01, 2001, under Document No. 3131588, Records of Yellowstone County,

Tracts 1-A and 2-A, Amended Tracts 1 and 2 of the Corrected plat of Haggmann Acreage Tracts Subdivision, Recorded December 16, 1983, under Document No. 1290304, Records of Yellowstone County. Including all adjacent right-of-way of Montana State Highway No. 3.

Containing 4.058 gross acres and 3.783 net acres more or less.

(# 12-06) 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 25th day of June, 2012.

THE CITY OF BILLINGS:

BY: _____

Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

CITY CLERK

(AN# 12-06)

