

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY OF BILLINGS
TO CONSIDER ANNEXING TERRITORY
UNDER TITLE 7, CHAPTER 2, PART 44 OF THE
MONTANA CODE ANNOTATED, AND FIXING
A DATE FOR A PUBLIC HEARING ON THE
QUESTION OF ANNEXATION

WHEREAS, the City Council of the City of Billings has determined that it is in the best interest of the City of Billings to annex the territory hereinafter described; and

WHEREAS, Montana Code Annotated 7-2-4211 provides that in all cases of annexations of property, the city “shall include the full width of any public streets or roads, including the rights-of-way, that are adjacent to the property being annexed;” and

WHEREAS, the City Council intends to consider annexing said territory pursuant to Title 7, Chapter 2, Part 44 of the Montana Code Annotated; and

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

Yellowstone County road easement for Grand Avenue also described as a portion of County Road Petition Number 37, road Ordered Open June 4, 1891, being that portion south and adjacent to Zimmerman Acreage Tracts, Recorded May 27, 1958 under Document Number 601982 in the office of the Clerk and Recorder of Yellowstone County, said portion lying within Tract 1A, of Certificate of Survey No. 2990 Recorded December 29, 1998 under Document Number 3033372 in the office of the Clerk and Recorder of Yellowstone County described as follows:

Basis of bearings the north line of said Tract 1A of Certificate of Survey 2990, Beginning at the south west corner of said Zimmerman Acreage Tracts; thence S 89°56’21” E for a distance of 242.0 feet; thence to a point 30.0 feet and perpendicular to and in a southerly direction to the said north line of said Tract 1A, said point also being on the south easement line of said County Road Petition Number 37; thence along said County Road Petition and 30.0 feet parallel to the said north line of said Tract 1A for a distance of 242.0 feet; thence in a northerly direction for a distance of 30.0 feet to the Point of Beginning.

Said Tract containing 0.167 acres.

AS SHOWN BY EXHIBIT "A", consisting of one sheet, attached hereto and made a part of.

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

1. The Billings City Council intends to consider annexation of the above-described property.
2. Notice of the City Council's intent to annex said territory shall be published as provided in M.C.A, Title 7, Chapter 2, Part 4405, with notice that for a period of 20 days after first publication of the notice, the Billings City Clerk will receive written comments approving or disapproving of the proposed extension of the boundaries of the City of Billings.
3. The City Clerk shall forward all written communication received by the Clerk to the City Council for consideration.
4. A public hearing for the question of annexation of said territory shall be held on November 13, 2012.
5. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 44, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 9th day of October, 2012.

THE CITY OF BILLINGS:

BY: _____

Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

Cari Martin, CITY CLERK

(AN #12-07)

EXHIBIT "A"

