

## RESOLUTION NO. 13-

### 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 SE1/4 of Section 32, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being a portion of the Tract 2 Remainder, Certificate of Survey No. 3295, Recorded November 22, 2006, under Document No. 3401405, Records of Yellowstone County, basis of bearing being the N-S Center Section line of said Section 32, per Document No 3401405, Beginning at the northwest corner of the Plat Of Zimmerman Acreage Tracts, Recorded May 27, 1958, under Document No. 601982, Records of Yellowstone County; thence N 00°04'17" W for a distance of 57.04 feet; thence N 89°55'43" E for a distance of 429.60 feet to a point on the east line of said Tract 2 Remainder; thence S 00°36'44" E along said east line for a distance of 417.06 feet to the south line of said Tract 2 Remainder also being the centerline of Grand Avenue; thence S 89°50'53" W along the said centerline for a distance of 2.41 feet to the Northwest Section Corner of Section 3, T.1S., R.25E., thence S 89°55'43" W and continuing along said centerline for a distance of 189.12 feet; thence leaving said centerline N 00°04'17" W for a distance of 30.00 feet to a point on the north right-of-way line of Grand Avenue said point also being on the

east line of said Zimmerman Acreage Tracts; thence N 00°04' 17" W along said east line for a distance of 330.00 feet to the north east corner of said Zimmerman Acreage Tracts; thence S 89°55'43" W along the north line of said Zimmerman Acreage Tracts for a distance of 242.00 feet to the Point of Beginning. Including all adjacent right-of-way of Grand Avenue.

Containing 2.132 gross acres and 2.000 net acres more or less.

(# 13-04) 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 22<sup>nd</sup> day of April, 2013.

THE CITY OF BILLINGS:

BY: \_\_\_\_\_

Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_

CITY CLERK  
(AN# 13-04)

# EXHIBIT "A"

