

RESOLUTION NO. 14 -

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 20, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract being a portion of Tract 1A, of the Corrected Certificate of Survey No. 3223, Tract 1 Amended, Recorded December 14, 2005, under Document Number 3360294, of record and on file in the office the Yellowstone County, Clerk and Recorder's, said portion described as follows:

Basis of Bearings being the plat of Josephine Crossing Subdivision, Document No. 3402833. Beginning at the northeast corner of Tract 1A of said Corrected Certificate of Survey No. 3223; thence S 00°11'11" E along the east line of said Tract 1A for a distance of 1858.00 feet; thence leaving said east line, S 89°49'46" W for a distance of 246.00 feet; thence N 00°11'11" W for a distance of 585.63 feet; thence along a curve to the left with a central angle of 27°15'58" and a radius of 480.00 feet, with an arc length of 228.42 feet (chord bearing N 13°49'10" W for a distance of 226.27 feet); thence along a reversing curve to the right with a central angle of 27°15'58" and a radius of 150.00 feet, with an arc length of 71.38 feet (chord bearing N 13°49'10" W for a distance of 70.71 feet); thence N

00°11'11" W for a distance of 983.78 feet to a point on the north line of said Tract 1A, point also being on the south right-of-way line of Elysian Road; thence N 89°49'46" E along said south right-of-way line for a distance of 316.00 feet to the Point of Beginning.

Containing 12.263 gross and net acres more or less.

(# 14-04) 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 25th day of August, 2014.

THE CITY OF BILLINGS:

BY: _____

Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

CITY CLERK

(AN# 14-04)

EXHIBIT "A"

