

## RESOLUTION NO. 15 -

### 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 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tract of land being a portion of Industrial Subdivision 2<sup>ND</sup> Filing:

Being Lots 1 through 13, Block 6 of Industrial Subdivision 2<sup>ND</sup> Filing, Recorded June 28<sup>TH</sup>, 1949, under Document Number 451738.

Including all adjacent Right-Of-Way of North 10<sup>TH</sup> Street, North 9<sup>TH</sup> Street, 2<sup>ND</sup> Avenue North and alley Right-Of-Way within said Block 6.

Containing 1.902 gross and 1.018 net acres more or less.

(# 14-09) See Exhibit "A" Attached

2. CONDITION. The annexation is approved, subject to the following conditions:
  - An Annexation Incentive Development Agreement & Waiver will be executed between the property owner and the City.
  - 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 26<sup>th</sup> day of January, 2015.

THE CITY OF BILLINGS:

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

Thomas W. Hanel, MAYOR

ATTEST:

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

CITY CLERK

(AN# 14-09)

