

## RESOLUTION NO. 16 -

### 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 located in the NE1/4 of Section 10, T.1S., R.25E., and the SE1/4 of Section 3, T.1S., R.25E., P.M.M., Yellowstone County, Montana, being more particularly described as:

Tract 3 and that portion of Tract 4 (a road Tract) adjacent to the north line of Tract 3 and that portion of Tract 5 (a road Tract) adjacent to the south line of Tract 3 of Corrected Amendment Of Tracts 1 And 3 and Remainder Tract 2 To Be Amendment Of Tracts 1, 2 And 3 Certificate Of Survey No 1648, Recorded July 20, 1994, Under Document No. 1749237, Records of Yellowstone County, Montana. Tracts 4 and 5, road tracts are called out under Dedication of Amendment Of Tracts 1 And 3 And Remainder Tract 2, Certificate of Survey No. 1648 Recorded October 12, 1982, Under Document No. 1242733, Records of Yellowstone County, Montana. Also including all adjacent right-of-way of Central Avenue and Bell Avenue.

Containing 16.991 gross acres and 15.107 net acres.

(# 16-05) 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 right-of-way dedication for Central Avenue and Bell Avenue, provide guarantees for said improvements, and include 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 right-of-way dedication for Central Avenue and Bell Avenue, 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 28<sup>th</sup> day of November, 2016.

THE CITY OF BILLINGS:

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

Thomas W. Hanel, MAYOR

ATTEST:

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

Denise Bohlman, CITY CLERK

(AN# 16-05)

# ANNEXATION 16-05 EXHIBIT "A"

