

## RESOLUTION NO. 17 -

### A RESOLUTION APPROVING PETITION 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:

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 20, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tract 2, Certificate of Survey No. 3426, Recorded March 11 2010, under Document Number 3543127, of record and on file in the office the Yellowstone County, Clerk and Recorder's;

Including all adjacent Right-Of-Way of Blue Creek Road. Containing 18.052 gross acres and 10.871 net acres more or less. (# 17-03) 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, 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, 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.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 14<sup>th</sup> day of August, 2017.

CITY OF BILLINGS:

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

Thomas W. Hanel, Mayor

ATTEST:

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

Denise R. Bohlman, City Clerk

(AN# 17-03)

# EXHIBIT "A"

