

## RESOLUTION NO. 21 -

### 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:

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M.,

Yellowstone County, Montana, more particularly described as:

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M.,

Yellowstone County, Montana, being unplatted land wholly surrounded on the

West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121,

Recorded June 18, 1969, under Document Number 843148, on the South by the

Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate

of Survey Number 1591, Recorded August 20, 1976, under Document No.

1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of

Survey Number 1596, Recorded September 16, 1976, under Document No.

1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way.

Said tract of land containing an area of 35.94 acres more or less.

(#21-04) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following condition:

- Within 45 working days and prior to site development, a mutually acceptable 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;

If the conditions are not satisfied, any new requests for the property legally described within this resolution shall be processed as a new petition of annexation

3. EFFECTIVE DATE. Upon satisfaction of the above condition(s), this resolution to annex the above described territory will become effective and shall be filed with the Yellowstone County Clerk and Recorder. If the owner fails to meet the deadline identified above, this resolution to annex shall not become effective, will be null and void, and shall not be filed with the Yellowstone County Clerk and Recorder.

4. 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 12th day of July, 2021.

CITY OF BILLINGS:

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

William A. Cole, Mayor

ATTEST:

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

Denise R. Bohlman, City Clerk

(# 21-04)

# EXHIBIT BA-21-04

