

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 EFFECTIVELY 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 NW 1/4 of Section 24, T.1S., R.25E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract 11A, of Amended Tracts 10 and 11 of Certificate of Survey 1391, recorded January 09, 1980, under Document No. 1153511;

Lots 2, 3, and 4, Block 3, of Shackelford-Yellowstone Subdivision 3rd Filing, recorded June 23, 1981, under Document No. 1201904;

Including adjacent Right-Of-Way of South Frontage Road, Interstate I-90 and B.N / Montana Rail Link Railroad

Said annexation containing 26.425 gross and 13.729 net acres, more or less.

(# 21-11) 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.

4. EFFECTIVE DATE. Upon satisfaction of the above condition(s), this resolution to annex the above described territory identified will become effective and shall be filed with the Yellowstone County Clerk and Recorder.
5. 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 27th day of September, 2021.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____

Denise R. Bohlman, City Clerk

(# 21-11)

EXHIBIT A

