

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 SW 1/4 of Section 18, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Lot 4A, of Amended Plat of Lots 2, 3, 4, and 5 of, QFC Subdivision, First Filing, recorded September 09, 2020, under Document No. 3937860, on file and of record in the Records of Yellowstone County.

Including all adjacent rights-of-way of South Frontage Road, Interstate 90 and B.N / Montana Rail Link Railroad.

Said annexation containing 16.584 gross and 8.785 net acres, more or less.

(# 21-12) 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 which will be recorded with the Yellowstone County Clerk and Recorder.

If the above condition(s) is not satisfied as set forth herein, the annexation will not be effective and any subsequent requests for annexation of the property legally described within this resolution shall be processed as a new petition of annexation.

4. EFFECTIVE DATE. This resolution to annex the above-described territory identified shall be effective immediately upon satisfaction of all conditions. If the above condition(s) is not satisfied, this resolution shall be null and void and shall have no effect.

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 13th day of December, 2021.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____

Denise R. Bohlman, City Clerk

(# 21-12)

EXHIBIT A

