

## 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:

A Tract of Land situated in the NW 1/4 of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as:

Being a portion of Tract 2A of Amended Tract 2 of Certificate of Survey No. 3594, recorded March 01, 2019, under Document No. 3876931, that portion further described as follows:

Beginning at the most west-southwest corner of Lot 1 Block 17 of Annafeld Subdivision, Third Filing, recorded February 25, 2021, under Document No. 3961163; Thence N 89°57'56" E for a distance of 584.00 feet to a point on the east line of said Lot 1 Block 17; Thence S 00°08'35" E and along said lot line for a distance of 471.53 feet to a point on the north line of Tract 1, Certificate of Survey No. 1287, recorded November 27, 1972, under Document No. 921563; Thence S 89°57'56" W and along said north line for a distance of 684.00 feet; Thence N 00°08'35" W for a distance of 205.00 feet; Thence N 89°57'56" E for a distance of 100.00 feet; Thence N 00°08'35" W for a distance of 266.53 feet, to the Point Of Beginning.

Said tract of land describes Tract 2A-2 of proposed Amended Tract 2A of Amended Tract 2, Certificate of Survey No. 3594.

Said annexation containing 6.792 gross and net acres.

(# 21-13) See Exhibit "A" Attached

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

- Within 45 working days and prior to site development, a Subdivision Improvement Agreement shall be approved as part of a Preliminary Plat approval for Annafeld Subdivision, Fourth Filing.
- Within 14 working days, a standalone Waiver of Right to Protest, granted in perpetuity, shall be signed by the developer, and filed with the Yellowstone County Clerk and Recorder upon the City's approval of the annexation.

If the above conditions are 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 for annexation.

4. EFFECTIVE DATE. This resolution to annex the above-described territory shall be effective immediately upon satisfaction of all conditions. If the above condition(s) are 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  
(# 21-13)

# EXHIBIT "A"

