

RESOLUTION NO. 22 -

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 NW 1/4 of Section 24, T.1S., R.25E, P.M.M., Yellowstone County, Montana, more particularly described as follows:
A portion of Tract 11A-1, of Amended Tract 11A of Certificate of Survey 1391, recorded May 23, 2022, under Document No.4017922 more particularly described as:

Beginning at the southeast corner of said Tract 11A-1; S 88°55'56" W for a distance of 304.08 feet; thence along a curve to the left, with a radius of 1916.88 feet, an arc length of 250.13 feet and a delta angle of 07° 28' 55"; thence N 71°20'38' E for a distance of 300.000 feet, to a point on the west Right-Of-Way of Harnish Boulevard; thence along a curve to the right and along said Right-Of-Way, with a radius of 2216.86 feet, and arc length of 342.86 feet, a delta angle of 08° 51' 40" to the Point Of Beginning.

Said tract of land describes a portion of said Tract 11A-1, added as a result of a relocation common boundary line as shown on said Amended Tract 11A of Certificate Of Survey No. 1391.

Including adjacent Right-Of-Way of Harnish Boulevard and that portion of Trade Center Avenue adjacent to Lots 2-4, Block 3 of Shackelford-Yellowstone Subdivision 3rd Filing.

Said annexation containing 2.043 gross and net acres, more or less.

(# 22-04) 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 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 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 June, 2022.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____

Denise R. Bohlman, City Clerk
(# 22-04)

EXHIBIT "A"

