

RESOLUTION NO. 24 -

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:

The land being annexed is described as being NW ¼ of Section 31, T1N, R25E, PMM, Billings, Yellowstone County, Montana, more particularly described as follows: A portion of Lot 27A of the Amended Plat of Sunny Cove Fruit Farm Subdivision, recorded on December 29, 2009 under document number 3536038, further described as follows: Beginning at the Northeast corner of Lot 27A, thence S0°07'20"E a distance of 666.42' to the southeast corner of Lot 27A, thence S89°41'20"W a distance of 607.35', more or less, thence N0°24'55"W a distance of 665.74' to a point on the boundary lot line between Lots 27A and 6A-1, thence N89°37'30"E along the boundary line of Lot 27A and 6A-1 a distance of 610.76' to the point of beginning. Including all adjacent Right-Of-Way of Rimrock Road. Including Mared Street in its entirety extending from the west right-of-way of 58th Street West to its western boundary on the east boundary of Lot 6A-1 of the Sunny Cove Fruit Farms Subdivision, and 58th Street West in its entirety extending from the south right-of-way of Rimrock Road to the north boundary of Sweetgrass Creek Drive.

Said annexation containing 9.31 acres, more or less.

(# 24-04) See Exhibit "A" & Exhibit "B" Attached

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

- Within 45 working days and prior to site development, a mutually acceptable Annexation Agreement shall be executed between the owner(s) and the City that shall stipulate, among other things, 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.

3. 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.
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 28th day of October, 2024.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____

Denise R. Bohlman, City Clerk
(# 24-04)

EXHIBIT 'A'

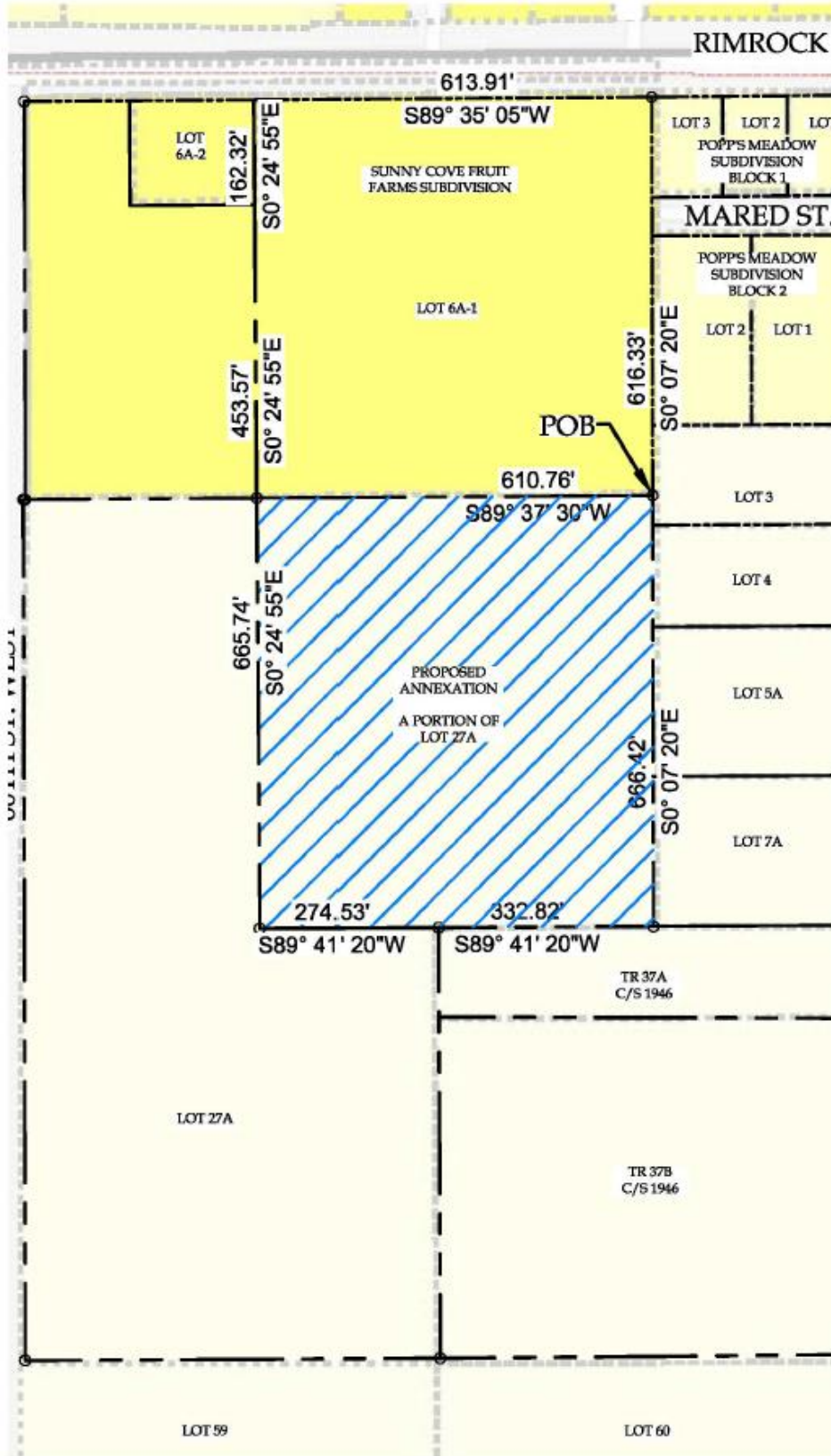


EXHIBIT 'B'

