

## RESOLUTION NO. 25 -

### 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:

#### Area #1:

A tract of land situated in the NW1/4 of Section 19, T. 1 S., R. 26 E., Yellowstone County, Montana, being Lot 4A of the Amended Plat of Lot 4, Block 27, Lot 5A, Block 24, & Lot 6A, Block 20, Annafeld Subdivision, Fourth Filing And Tract 2A-1A of Am. Tract 2A-1 of Am. Tract 2A of Am. Tract 2, Certificate Of Survey No. 3594, on file in the office of the clerk & recorder of said County, under Document No. 4072378, said tract being more particularly described as follows, to-wit:

Beginning at a point on the existing city limits line being the southeast corner of said Lot 4A; thence, from said Point of Beginning and leaving the city limits line, S 89°57'56" W along the south line of said Lot 4A, a distance of 659.38 feet to the southwest corner of said Lot 4A; thence, N 00°09'03" W along the west line of said Lot 4A, a distance of 637.83 feet to the northwest corner of said Lot 4A; thence, S 89°57'58" E along the north line of said Lot 4A, a distance of 389.13 feet a northeasterly corner of said Lot 4A, said corner also being on the existing city limits line; thence along said city limits line and the northerly and easterly lines of said Lot 4A, the following seven (7) courses and distances:

- 1) S 00°02'02" W a distance of 29.81 feet;
- 2) S 89°57'58" E a distance of 184.98 feet;
- 3) S 00°02'02" W a distance of 155.58 feet;
- 4) S 89°57'58" E a distance of 185.93 feet;

- 5) S 00°08'35" E a distance of 246.53 feet;
- 6) S 89°57'56" W a distance of 100.00 feet;
- 7) S 00°08'35" E a distance of 205.00 feet to said Point of Beginning;

said described tract having an area of 9.7246 acres, more or less; including all adjacent Right-Of-Way of East Lane; said tract also being as shown on attached 'Annexation Exhibit'; and

Area #2:

A tract of land situated in the NW1/4 of Section 19, T. 1 S., R. 26 E., Yellowstone County, Montana, being Lot 5A-1 of said Amended Plat of Lot 4, Block 27, Lot 5A, Block 24, & Lot 6A, Block 20, Annafeld Subdivision, Fourth Filing And Tract 2A-1A of Am. Tract 2A-1 of Am. Tract 2A of Am. Tract 2, Certificate Of Survey No. 3594, on file in the office of the clerk & recorder of said County, under Document No. 4072378, said tract being more particularly described as follows, to-wit:

Beginning at a point on the existing city limits line also being the northeast corner of said Lot 5A-1; thence, from said Point of Beginning, along said exiting city limits line, the following three (3) course and distances:

- 1) S 00°02'02" W a distance of 361.07 feet;
- 2) N 89°57'58" W a distance of 76.01 feet;
- 3) S 00°02'02" W a distance of 42.93 feet to a point being the southeastern-most corner of said Lot 5A-1; thence, leaving said city limits line and continuing along the south line of said Lot 5A-1, N 89°57'58" W a distance of 181.33 feet to the southwest corner of said Lot 5A-1; thence N 00°09'03" W along the west line of said Lot 5A-1, a distance of 403.71 feet to the northwest corner of said Lot 5A-1; thence N 89°58'09" E along the north line of said Lot 5A-1, a distance of 258.64 feet to said Point of Beginning;

said described tract having an area of 2.3170 acres, more or less; said tract also being as shown on attached 'Annexation Exhibit'; and

Area #3:

A tract of land situated in the NW1/4 of Section 19, T. 1 S., R. 26 E., Yellowstone County, Montana, being the southerly 30.00 feet of the westerly 467.35 feet of Tract 2A of Amended Tract 2, Certificate of Survey No. 3592, Document No. 4044778; said tract being more particularly described as follows, to-wit:

Beginning at a point on the existing city limits line being the southwest corner of said Tract 2A; thence, from said Point of Beginning, N 00°09'54" W along the west line of said Tract 2A and the existing city limits line, a distance of 30.00 feet;

thence, leaving said west line and city limits line, N 89°58'09" E a distance of 467.35 feet to a southeasterly corner of said Tract 2A, said corner also being on the existing city limits line; thence along the east line of said Tract 2A and the city limits line, S 00°09'54" E a distance of 30.00 feet to the southeastern-most corner of said Tract 2A; thence, leaving said city limits line and continuing along the south line of said Tract 2A, S 89°58'09" W a distance of 467.35 feet to said Point of Beginning;  
said described tract having an area of 0.3219 acres, more or less;

(# 24-05) 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 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 24<sup>th</sup> Day February, 2025.

CITY OF BILLINGS:

BY: \_\_\_\_\_

William A. Cole, Mayor

ATTEST:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk  
(# 24-05)

