

RESOLUTION NO. 26 -

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:

Areas of land part of a larger parcel to be subdivided situated in Section 30 Township 01 North, Range 25 East, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Area 1:

Beginning at the northeast corner of Lot 17, Block 26 of Yellowstone Club Estates, 6th Filing, said point also being Point of Beginning #1; thence N01° 28' 04"E a distance of 31.53 feet; thence S88° 31' 56"E a distance of 496.10 feet; thence S01° 28' 04"W a distance of 98.86 feet; thence S36° 31' 40"W a distance of 98.15 feet; thence following a non-tangent curve to the left having a radius of 320.48 feet a central angle of 060° 01' 27" a length of 335.74 feet; thence following a non-tangent curve to the left having a radius of 240.00 feet a central angle of 041° 23' 58" a length of 173.41 feet back to the Point of Beginning.

Said Area 1 contains 1.39 acres gross and net, more or less.

Area 2:

Beginning at the northwest corner of Lot 5, Block 22 of Yellowstone Club Estates, 6th Filing, said point also being Point of Beginning #2; thence S37° 45' 43"E a distance of 396.65 feet; thence S65° 11' 15"W a distance of 230.83 feet; thence following a non-tangent curve to the right having a radius of 1700.00 feet a central angle of 11° 51' 06" a length of 351.65 feet; thence N53° 19' 21"E a distance of 181.91 feet back to the Point of Beginning.

Said Area 2 contains 1.70 acres gross and net, more or less.

Area 3:

Beginning at the northwest corner of Lot 14, Block 22 of Yellowstone Club Estates, 6th Filing, said point also being Point of Beginning #3; thence S50° 15' 13"W a distance of 169.77 feet; thence following a non-tangent curve to the left having a radius of 250.00 feet a central angle of 043° 15' 58" a length of 188.78 feet; thence N06° 58' 12"E a distance of 185.00 feet; thence S66° 26' 21"E a distance of 150.09 feet; thence S51° 58' 07"E a distance of 167.92 feet, back to the Point of Beginning.
Said Area 3 contains 0.98 acres gross and net, more or less.

(# 26-01) 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 23rd Day of March.

CITY OF BILLINGS:

BY: _____
Mike Nelson, Mayor

ATTEST:

BY: _____
Denise R. Bohlman, City Clerk
(# 26-01)

EXHIBIT 'A'

