

RESOLUTION NO. 07-18557

I certify that this is a true
and correct copy of the
official resolution
on file in my office.

Carimartin
City Clerk

A RESOLUTION OF THE CITY OF BILLINGS
APPROVING PETITIONS 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, AS FOLLOWS:

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:

Territory situated in the NW 1/4 of Section 16, and the SW 1/4 of Section 9, T.1S., R.26E., P.M.M.,

Yellowstone County, Montana, more particularly described as:

Being a portion of the NE1/4 NW1/4 of said Section 16, wholly surrounded by Tract 1, Certificate of Survey No. 2350, Recorded November 18, 1985, Under Document No. 1372518, Records of Yellowstone County to the north; King Avenue East right-of-way and the E1/2 NE1/4 NW1/4 of said Section 16 less Certificate of Survey 3153 to the east; Interstate Highway 90 to the south; and Tract 1, Certificate of Survey No. 2655, Recorded December 10, 1991, Under Document No. 1617045, Records of Yellowstone County, Lot 2A of Amended Plat of Lots 2, 3, 4, and 5, Block 1, Miller Crossing Subdivision Recorded May 28, 2003, Under Document No. 3232279, Records of Yellowstone County and King Avenue East right-of-way to the west.

Including all adjacent Right-Of-Way of King Avenue East, Parcel 7 of Montana Highway Project No. IR 90-8(120)447, Recorded June 14, 1991, Book 1361, Page 2150, Under Document No. 1598191, Records of Yellowstone County, and Parcel 12 of Montana Highway Project No. IR 90-8(120)447, Recorded December 15, 1992 Book 1387, Page 4193, Under Document No. 1664260, Records of Yellowstone County.

Containing 24.889 gross acres and 14.838 net acres, more or less.

(# 07-09 Exhibit "A" Attached)

2. CONDITIONS. The annexation is approved, subject to the following conditions:
 - a. Prior to site development a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements; or
 - b. A Subdivision Improvements Agreement (SIA) and Waiver of Protest the Creation of an SID shall be approved and filed that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.
3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 29th day of May, 2007.



THE CITY OF BILLINGS:

BY: _____

Ron Tussing, MAYOR

ATTEST:

BY: _____

Cari Martin, CITY CLERK

(AN 07-09)

EXHIBIT A

