

RESOLUTION NO. 04-18108

A RESOLUTION OF THE CITY OF BILLINGS
RESCINDING RESOLUTION 03-18051 – A RESOLUTION
OF THE CITY OF BILLINGS ANNEXING TERRITORY TO
THE CITY AND DEANNEXING TERRITORY FROM THE
CITY.

WHEREAS, on December 8, 2003, the City Council of the City of Billings passed and approved Resolution 03-18051 annexing territory into the City; and

WHEREAS, the territory described in the annexation resolution was described in the Petition as required by law, and

WHEREAS, annexation of said territory was deemed to be in the best interest of the City, and

WHEREAS, the City has been notified that the condition of annexation requiring property owners to sign waivers of right to protest creation of one or more Special Improvement Districts for future water, sanitary sewer, storm water, street and other improvements cannot be fulfilled, and it is hereby the intent of the City Council to deannex the territory.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. TERRITORY DEANNEXED. Pursuant to the unfulfilled condition of annexation requiring property owners to sign waivers of right to protest creation of one or more Special Improvement Districts, the following territory is hereby DEANNEXED from the City of Billings:

A tract of land situated in the NE1/4 of Section 25, T.1N., R.24E., P.M.M., Yellowstone County, Montana, more particularly described as:

Golden West Estates, Blocks 2 and 3 and a portion of Lots 1 and 2, Block 1 of Golden West Estates, Recorded June 22, 1973, Under Document No. 937278, Records of Yellowstone County, Montana, The metes and bounds of the portion of Lots 1 and 2, Block 1 of Golden West Estates are as follows, Beginning at the most northeasterly corner of Lot 1, Block 1 of Golden West Estates; Thence S 42° 01' 00" W a distance of 297.40 feet to a point on the west right-of-way line of Quarter Circle Drive;

Thence along a curve to the left with a radius of 387.89 feet a distance of 490.96 feet (chord bearing S 05° 45' 23" W a distance of 458.84 feet) to a point on the west right-of-way line of Quarter Circle Drive and the north right-of-way line of Burlington Northern Santa Fe Railroad; Thence along a curve to the left with a radius of 1,712.04 feet a distance of 113.93 feet (chord bearing N 32° 24' 37" W a distance of 113.91 feet) to a point on the north right-of-way line of Burlington Northern Santa Fe Railroad;

Thence along a curve to the right with a radius of 407.89 feet a distance of 286.02 feet (chord bearing N 05° 47' 27" E a distance of 280.18 feet);

Thence N 53° 06' 31" W a distance of 139.67 feet;

Thence N 04° 51' 09" E a distance of 120.26 feet;

Thence N 60° 36' 21" E a distance of 206.50 feet;

Thence S 89° 17' 30" E a distance of 199.50 feet to the point of beginning;

including all of the adjacent street right-of-way of Molt Road / State Highway F.A.S. 176, Golden West Terrace and Quarter Circle Drive,

Containing 22.633 gross acres, and 15.336 net acres more or less

(Annexation #03-06)

2. REPEALER Resolution 03-18051 is hereby repealed and declared null and void.

PASSED by the City Council and APPROVED this 12th day of April, 2004.



THE CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

BY: Marita Herold
Marita Herold, CMC/AAE CITY CLERK

Deputy City Clerk

