

RESOLUTION NO. 04-18114

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:

A tract of land situated in the S1/2 of Section 31, T.1N., R.25E., M.P.M., Yellowstone County, Montana, more particularly described as:
Sunny Cove Fruit Farms, Tracts 101 and 124, Recorded April 27, 1910, Under Document No. 21540, Records of Yellowstone County, Montana; including all adjacent right-of-way of 58th Street West and Grand Avenue. Containing 21.073 gross acres, and 19.102 net acres, more or less.

(Annexation # 04-02)

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

1. That prior to development of the site the following shall occur:

- a. 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 to SID and PMD 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 12th day of April, 2004.



THE CITY OF BILLINGS:

BY: *Charles F. Tooley*

Charles F. Tooley, MAYOR

ATTEST:

BY: *Marita Herold*

Marita Herold, CMC/AE CITY CLERK

Empowering Every Citizen

ATTACHMENT A
MAP OF AREA TO BE ANNEXED

