

RESOLUTION NO. 04-18224

**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 unplatted land situated in the NW1/4, Section 16, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as follows:
Beginning at the northwest corner of Lot 5, Block 1 of Willowbrook Subdivision, Recorded May 30, 2002, Under Document No. 3178165, Records of Yellowstone County, Montana; thence in a southerly direction along the west boundary line of said subdivision for a distance of 654.21 feet to a point on said boundary line; thence N 89° 59' 42" W for a distance of 871.37 feet to a point on the south right-of-way line of South Frontage Road; thence crossing the said right-of-way to the West N 89° 59' 42" W to the north right-of-way line of said South Frontage Road; thence along said north right-of-way line of South Frontage Road and parallel to the south right-of-way line of South Frontage Road in a northeasterly direction to a point on said north right-of-way that is perpendicular to the northwest corner of Lot 5, Block 1 of Willowbrook Subdivision; thence in a southerly direction to the northwest corner of Lot 5, Block 1 of Willowbrook Subdivision which is the Point of Beginning. Including all adjacent right-of-way of South Frontage Road through Lot 5, Block 1 of Willowbrook Subdivision.
Containing 12.800 gross acres, and 10.000 net acres, more or less. See Exhibit "A" Attached

(Annexation (# 04-12))

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

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 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 22nd day of November, 2004.



THE CITY OF BILLINGS:

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

ATTEST:

BY: *Marita Herold*
Marita Herold, CMC/AE CITY CLERK

EXHIBIT "A"

