

**ORDINANCE NO. 08-5443**

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD IV PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:**

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to the following designated Ward the following described real property:

A tract of land situated in Section 27, T.1N., R.25E., P.M.M., Yellowstone County, Montana,

A portion of Zimmerman Trail between Rimrock Road and State Highway No. 3, as recorded in Book 342, Page 349, Recorded May 11, 1949, Under Document No. 450203, Records of Yellowstone County, also described under Quitclaim Deed, Yellowstone County to the City of Billings, Recorded December 5, 2005, Under Document No. 3359157, Records of Yellowstone County, being a strip of land 100.0 feet in width to the following described centerline:

Beginning at a point on the south line of Section 27, Township 1 North, Range 25 East M.P.M. which point is 2904.9 feet west of the southeast corner of said section; thence due North, 1105 feet; thence Northeast 382.6 feet on a 17°28' curve right ( $\Delta=67^{\circ}28'$ ); thence Easterly 165.9 feet on a 25°43' curve right ( $\Delta=42^{\circ}40'$ ); thence South 69°52' East, 96.5 feet; thence South 69°0' East, 202.4 feet; thence Easterly 351.2 feet on an 8°18' curve left ( $\Delta=29^{\circ}09'$ ); thence North 81°51' East, 66.0 feet; thence North 85°18' East, 110.3 feet; thence Northeasterly 376.1 feet on a 6°0' curve left, ( $\Delta=22^{\circ}34'$ ); thence North 62°44' East, 90.3 feet; thence Northeasterly, 183.9 feet on a 41°0' curve left ( $\Delta=75^{\circ}25'$ ); thence North 12°41' West, 219.8 feet; thence N. 19°01' West, 388.0 feet; thence Northwesterly 392 feet on a 24°0' curve left ( $\Delta=92^{\circ}21'$ ); thence S. 68°38' West, 232 feet; thence Northwesterly 450 feet on a 19°0' curve right ( $\Delta=85^{\circ}30'$ ); thence Northeasterly 371.7 feet on a 15°0' curve right ( $\Delta=55^{\circ}45'$ ); thence North 29°53' East, 93.3 feet, more or less to the intersection with the center line of the new Billings-Broadview road (now known as State Highway No. 3), including all adjacent right-of-way of State Highway No. 3;

Also that portion of Yellowstone County Park land wholly surrounded by the previously described portion of Zimmerman Trail to the west; Durland Heights Subdivision, Recorded September 22, 1951, Under Document No. 482159, Records of Yellowstone County to the south; Wilshire Heights Subdivision 5<sup>th</sup> Filing, Recorded October 10, 1972, Under Document No. 918177, Records of Yellowstone County, and Wilshire Heights Subdivision 6<sup>th</sup> Filing, Recorded February 9, 1973, Under Document No. 926987, Records of Yellowstone County to the east; and Wilshire Park of Certificate of Survey No. 972, Recorded September 29, 1964, Under Document No. 739703, Records of Yellowstone County to the north.

Containing 13.401 gross acres and 4.205 net acres, more or less.  
(# 07-05) See Exhibit "J" Attached

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.
  
3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 17th day of December, 2007.

PASSED by the City Council on the second reading this 14th day of January, 2008.



THE CITY OF BILLINGS:

  
 Ron Tussing, MAYOR

ATTEST:

BY: Cari Martin  
 CITY CLERK

# EXHIBIT J



