

## ORDINANCE NO. 04-5290

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:

**Ward IV:**

A tract of land situated in the E1/2 of Section 31, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as: Sunny Cove Fruit Farms, a portion of Lot 65A, of the Plat of Amended Lots 65-68, 93-100 and 125-128, Recorded December 29, 1998, Under Document No. 3033371, Records of Yellowstone County; Montana more particularly described as:

Beginning at a point which is N 00° 08' 25" E for a distance of 25.0 feet from the E1/4 Corner of Section 31, T.1N., R.25E., P.M.M; thence S 00° 08' 25" W for a distance of 2029.10 feet, along the East section line on Section 31; thence S 89° 53' 22" W for a distance of 880.59 feet, to a point on the west lot line of Lot 65A; thence N 00° 08' 25" E for a distance of 2027.76 feet to a point on the south lot line of Sunny Cove Fruit Farms, Lot 63; thence N 89° 47'57" E for a distance of 880.59 feet to point of beginning; Including all adjacent Right-Of-Way of 54<sup>th</sup> Street west and Colton Boulevard.

Containing 41.005 gross acres, and 38.632 net acres, more or less

(# 04-06)

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All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.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 28<sup>th</sup> day of June, 2004.

PASSED by the City Council on the second reading this 12<sup>th</sup> day of July, 2004.

THE CITY OF BILLINGS:

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

ATTEST:

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