

RESOLUTION NO. **02-17809**

A RESOLUTION OF THE CITY OF BILLINGS APPROVING PETITION
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:

Briarwood Subdivision, 1st, 2nd and 3rd Filings; Ridgewood Estates Subdivision, 1st Filing; Shadowbrook Subdivision; Certificate of Survey 2544, Tracts 1 – 16 inclusive; certificate of Survey 2165, Tracts 29A3, 29A4, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 57, 58, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78A2, 78A1A, 81A, 86, 87, 88, 89, 91A, 95; Certificate of Survey 2814, Tract 2; and Certificate of Survey 2218, Tracts 1 and 2B. Including all of the Blue Creek Road right-of-way from Robindale Drive north to the northern boundary of Certificate of Survey 2544, Tract 1. (#02-02)

Cedar Park Subdivision, including Cedar Park; White Subdivision; Certificate of Survey 1118, Tract 1; Certificate of Survey 646 Amended, Tract A-4; and Certificate of Survey 566, 2nd Amended, Tract 2. Including all of the Santiago Road right-of-way and all of the Blue Creek Road right-of-way from Santiago Road north to the northern boundary of White Subdivision. (#02-03)

SEE EXHIBIT 'A' ATTACHED

2. PROCEDURE, All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

CONDITIONS OF APPROVAL. Annexations is approved subject to the following condition: Prior to any additional development of the sites, including the issuance of building permits, the following shall occur:

- A Development Agreement shall be executed between the owner(s) and the City which shall stipulate specific infrastructure improvements and provide guarantees for said improvements and make provisions for the establishment of a Parks Maintenance District; and
- If there is any further subdivision, the required Subdivision Improvements Agreement (SIA) shall be approved and filed with the subdivision, and will stipulate specific infrastructure improvements and provided guarantees for such infrastructure improvements and make provisions for the inclusion in the Parks Maintenance District.

PASSED by the City Council and APPROVED this 25th day of February 2002.

THE CITY OF BILLINGS:

BY: _____

Charles F. Tooley, MAYOR

ATTEST:

BY: _____

Marita Herold, CMC/AAE CITY CLERK