

## **RESOLUTION NO. 06-18403**

### **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 SE1/4 of Section 10 and the SW1/4 of Section 11, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Certificate of Survey 2776, a partition of Tract 1, Recorded September 3, 1993, Under Document No. 1702477, Records of Yellowstone County, Montana, less that portion of Tract 1 previously annexed as Tract 1 of Certificate of Survey 1965 Recorded January 21, 1980, Under Document No. 1154541, Records of Yellowstone County, Montana, annexed by City of Billings Resolution No. 84-14768 passed and approved by City Council December 17, 1984; including all adjacent right-of-way of U.S Highway No. 87 and existing U.S. Highway No. 87 right-of-way south of proposed Annexation wholly surrounded by City of Billings city limits.

Containing 22.516 gross and 19.038 net acres, more or less. (See Exhibit "A" Attached)

(# 06-02)

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 future SID's shall be approved and filed that stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements. The subdivider will be responsible for forming a Park Maintenance District at the time of subdivision.

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 10<sup>th</sup> day of April, 2006.

THE CITY OF BILLINGS:

BY: \_\_\_\_\_  
Ron Tussing, MAYOR

ATTEST:

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

*EXHIBIT A*

