

RESOLUTION NO. 06-18489

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:

Tracts of land situated in the N1/2 of Section 32, the NE1/4 of Section 31, the SE1/4 of Section 30 and the SW1/4 of Section 29, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as: Tracts 1 and 2 of Certificate of Survey 2054, Recorded March 2, 1981, Under Document No. 1191101, Records of Yellowstone County, Montana; Cynthia Park of Yerger Heights Subdivision, Recorded December 27, 1956, Under Document No. 575291, Records of Yellowstone County, Montana; including all adjacent right-of-way of Rimrock Road, 54th Street West, 50th Street West and Cynthia Park Drive. Containing 68.128 gross and 64.714 net acres.

(# 06-13)

See Exhibit "A" Attached

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

1. 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. 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 25th day of September, 2006.

THE CITY OF BILLINGS:

BY: _____
Ron Tussing, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK

EXHIBIT A

