

## RESOLUTION NO. 16 - 10574

### 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 NE1/4 of Section 36, T.1N., R.24E., P.M.M, the SW1/4 of Section 30, and the NW1/4 of Section 31, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being Lot 8 of Sunny Cove Fruit Farms, Recorded April 27, 1910, under Document No. 21540, on file and of record in the Records of Yellowstone County

Including all adjacent right-of-way of Rimrock Road and 62<sup>nd</sup> Street West.

Containing 11.104 gross acres and 9.275 net acres more or less.

(# 16-04) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:
  - Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and include a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or

- A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and right-of-way dedication, and provide guarantees for such infrastructure improvements.
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 8<sup>th</sup> day of August, 2016.



THE CITY OF BILLINGS:

BY: Thomas W. Hanel

Thomas W. Hanel, MAYOR

ATTEST:

BY: Denise R. Bohlman

Denise R. Bohlman, CITY CLERK

(AN# 16-04)

ANNEXATION 16-04 EXHIBIT "A"

