

RESOLUTION NO. 04 – 18196

A RESOLUTION OF THE CITY OF BILLINGS AMENDING
AND SUPERSEDING RESOLUTION NO. 03-17938, A RESOLUTION AMENDING RESOLUTION
02-17789, A RESOLUTION APPROVING A PETITION FOR ANNEXATION AND ANNEXING
TERRITORY INTO THE CITY

WHEREAS, on January 13, 2003 the Billings City Council approved Resolution No. 03-17938
amending Resolution No. 02-17789 annexing property that had been petitioned for annexation to the City;
and

WHEREAS, the description in Resolution No. 03-17938 was incorrectly described as follows:

Lots 1-4, Block 5; Lots 1-4, Block 6; Lots 1-5, Block 7; Lots 1-4, Block 8; Lots 1-4, Block 9; Lots
11-19, Block 10, Lots 3-8, Block 11, all in Daniels Subdivision 2nd filing and more particularly
described in Exhibit "A" attached.

(#01-20)

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; and

WHEREAS, it is the desire of the City Council and the intent of this Resolution to correct only the
error in the legal description. No other sections or parts of Resolution No. 03-17938 are being amended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
BILLINGS, MONTANA, AS FOLLOWS:

1. TERRITORY ANNEXED. Pursuant to the petition filed as provided in MCA Title 7, Chapter 2,
Part 46, the following territory is hereby annexed to the City of Billings:

Corrected Description:

Lots 1-4, Block 5; Lots 1-4, Block 6; Lots 1-4, Block 7; Lot 9, Block 7; Lots 1-4, Block 8; Lots 1-4,
Block 9; Lots 11-19, Block 10; Lots 3-8, Block 11, all in Daniels Subdivision 2nd filing and more
particularly described in the Metes and Bounds and Exhibit "A" attached.

2. PROCEDURE. All procedures required by MCA Title 7, Chapter 2, Part 46 have been duly and
properly followed and taken.

3. AMENDMENT. Resolution No. 03-17938 is hereby amended and superseded.

PASSED by the City Council and APPROVED this 27th day of September, 2004.



THE CITY OF BILLINGS:

BY: 
Charles F. Tooley, MAYOR

Deputy Mayor in the absence of the Mayor

ATTEST:

BY: 
Marita Herold, CMC/AAE CITY CLERK

**Metes and Bounds Description of Property to be Corrected
(Correcting Resolution # 03-17938)**

A tract of land situated in the N1/2SW1/4NE1/4, of Section 14, T.1N., R.26E., P.M.M., Yellowstone County, Montana, being more particularly described as follows, to-wit:

Beginning at a point which is the southeast corner of Lot 11, Block 12, Daniels Subdivision 2nd Filing, Recorded October 25, 1984, Under Document No. 1327771, Records of Yellowstone County, Montana; thence from said point of beginning, along the north right-of-way line of Mossman Drive, the following courses and distances:

S 89° 36' 12" E a distance of 147.35 feet; Thence, along a curve to the right with a radius of 492.57 feet a distance of 85.32 feet (chord bearing S 84° 38' 28" E, chord distance 85.21 feet); Thence, along a reverse curve to the left with a radius of 432.57 feet a distance of 74.93 feet (chord bearing S 84° 38' 28" E, chord distance 74.83 feet); Thence S 89° 36' 12" E a distance of 9.90 feet to a point on the east line of the above said Daniels Subdivision 2nd Filing; Thence, along said east line, S 00° 12' 02" W a distance of 661.16 feet to a point on the north right-of-way line of Mading Drive; Thence, along said north right-of-way line, N 89° 36' 12" W a distance of 101.61 feet; Thence, continuing along said north right-of-way line, along a curve to the right with a radius of 10.00 feet a distance of 15.71 feet (chord bearing N 44° 36' 12" W, chord distance 14.14 feet) to a point on the east right-of-way line of Columbine Drive; Thence, along said east right-of-way line, N 00° 23' 48" E a distance of 113.00 feet; Thence, across the right-of-way of Columbine Drive and along the south line of said Daniels Subdivision 2nd Filing, N 89° 36' 12" W a distance of 1196.60 feet to a point on the west right-of-way line of Hawthorne Lane; Thence, along said west right-of-way line, N 00° 23' 48" E a distance of 260.00 feet; Thence, across the right-of-way of Hawthorne Lane and along the south lines of Lots 1 through 10, Block 10, Daniels Subdivision 2nd Filing, S 89° 36' 12" E a distance of 773.33 feet to a point on the west right-of-way line of Hyacinth Drive; Thence, across the right-of-way of Hyacinth Drive, N 80° 50' 18" E a distance of 68.61 feet to a point on the east right-of-way line of said Hyacinth Drive;

Thence, along the south line of Lots 9 and 10, Block 11 of said Daniels Subdivision 2nd Filing, N 79° 36'02" E a distance of 188.95 feet to the southwest corner of Lot 4 of said Block 11; Thence, along the west line of said Lot 4, N 00° 23' 48" E a distance of 83.21 feet to a point on the south line of Lot 2 of said Block 11; Thence, along the south line of said Lot 2, S 89° 36'12" E a distance of 24.88 feet to the southeast corner of said Lot 2; Thence, along the east line of said Lot 2, N 00° 23' 48" E a distance of 102.00 feet to a point on the south right-of-way line of Mossman Drive; Thence, across the right-of-way of Mossman Drive, N 45° 38' 55" W a distance of 86.44 feet to the point of beginning.

Said tract containing an area of 10.046 acres.

See Exhibit "A" Attached

EXHIBIT A

