



- Item:** Public Hearing – Resolution 9981 to Annex, Ordinance 3094 to assign City Zoning and Annexation Agreement all pertaining to 1527 17th Ave SW, legally described as Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, T20N, R3E, Cascade County, MT
- From:** Jana Cooper, RLA, Planner II, Planning and Community Development
- Initiated By:** Lester and Marla Mesenbrink, Property Owners
- Presented By:** Mike Haynes, AICP, Director of Planning and Community Development
- Action Requested:** City Commission adopt Resolution 9981, Ordinance 3094 and Annexation Agreement all pertaining to 1527 17th Ave SW.
-

Public Hearing:

1. Mayor conducts public hearing, calling three times each for opponents and proponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motions: (Each motion to be separately considered)

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 9981 and (approve/disapprove) the Annexation Agreement all pertaining to 1527 17th Ave SW.”

and;

“I move that the City Commission (adopt/deny) Ordinance 3094.”

2. Mayor calls for a second, discussion, and calls for the vote after each motion.
-

Recommendation: At the conclusion of a public hearing held June 26, 2012, the Planning Advisory Board conditionally approved the annexation of 1527 17th Ave SW, and the Zoning Commission approved assigning a zoning classification of R-3 Single-family high density residential district to the property upon annexation to the City. Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on June 10, 2012. No citizens spoke at the public hearing for or against the project.

Staff recommends approval of the proposed annexation and zoning of ±0.22 acres of unincorporated land legally described as Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, T20N, R3E, Cascade County, MT.

Ordinance 3094 to assign City zoning to the subject property was accepted by the City Commission on first reading on July 17, 2012. Notice of Public Hearing before the City Commission for the annexation and establishment of City zoning was published in the *Great Falls Tribune* on July 22, 2012.

Background: The owner of 1527 17th Avenue Southwest is requesting annexation of their property that consists of ±0.22 acres. There is a single family residence on the property and the owner is making the request in order to utilize and connect to existing public utilities adjacent to the subject property. The subject property is comprised of three lots and a portion of a vacated alley. An amended plat of the property, consolidating the lots and alley, is required as a condition of annexation.

Per MCA, the abutting portions of 17th Avenue Southwest, must also be annexed. The property to the east petitioned for annexation in May, 2012, and as a part of that request, the City is requiring all of 17th Avenue Southwest from 15th Street Southwest to 16th Street Southwest be annexed. Therefore, the portion of 17th Avenue Southwest abutting the subject property will be annexed as a part of that application which is being acted on by City Commission at the same public hearing on August 7, 2012.

The subject property abuts 17th Avenue Southwest, which is a gravel roadway. As a condition of annexation, any roadway section (gravel and subgrade) that is disturbed during construction activities of the project shall be restored to their original condition. Public Works is not requiring any escrow of funds for the improvement 17th Avenue Southwest. The owners will waive their right to protest a future special improvement district for roadway improvements as a condition of annexation into the City.

The applicant proposes to install water services from the City transmission mains located in the abutting right-of-way of 17th Avenue Southwest. As a condition of annexation, the owner will be required to participate in the installation of a fire hydrant at the intersection of 17th Avenue Southwest and 16th Street Southwest. The City will pay for the cost of the fire hydrant and the owner will pay for the labor to install the hydrant. The owner will be eligible for reimbursement of this hydrant as additional properties are annexed.

There is currently no sanitary sewer in 17th Avenue Southwest. The owner shall extend the sewer as required by Public Works from the subject properties eastern property boundary to its western property boundary. The owner will be eligible for reimbursement of this main as surrounding properties annex into the City. The owner will waive their right to protest a future special improvement district for water and sewer improvements as a condition of annexation into the City.

The request does not include a proposal for any new development; therefore, it is reasonable to assume that there would be no increased traffic demands caused by this request.

There is an existing storm drain in 17th Avenue Southwest (no inlets). The applicant would not be required to extend storm drain facilities in the area. Any future expansion of facilities is subject to review by the Department of Public Works for applicable storm water regulations.

Zoning of the subject property will enhance health, safety and welfare through application of City Codes and provision of municipal services.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines which must be considered in conjunction with establishing municipal zoning on land:

(1) Zoning regulations must be:

(a) made in accordance with a growth policy; and

(b) designed to:

(i) secure safety from fire and other dangers;

(ii) promote public health, public safety, and the general welfare; and

(iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

(2) In the adoption of zoning regulations, the municipal governing body shall consider:

(a) reasonable provision of adequate light and air;

(b) the effect on motorized and nonmotorized transportation systems;

(c) promotion of compatible urban growth;

(d) the character of the district and its peculiar suitability for particular uses; and

(e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

Applicable policy statements include “residential land uses should be planned and located so that they do not result in adverse impacts upon one another.” Therefore, staff concludes the above-cited criteria are substantially met.

The proposed development is compatible with the 2005 Growth Policy, as it advances specific Goals, Policies, and Action Strategies contained within the related plan elements, and is also in line with the general themes and principles found in the document. Plan elements related to the proposed development include providing infill development and protecting and enhancing the character of existing neighborhoods.

Patty Cadwell, Neighborhood Council Coordinator, presented the project to Neighborhood Council #1 on June 13, 2012. There were no comments related to this application.

Concurrences: Representatives from the City’s Public Works, Park and Recreation and Fire Departments have been involved throughout the review and approval process for this project.

Fiscal Impact: The annexation will marginally expand the fire and police service area, which will have a minimal fiscal impact on the City. The City should see a slight increase in tax revenues from the improvements being made to the property.

Alternatives: If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.




Attachments/Exhibits:

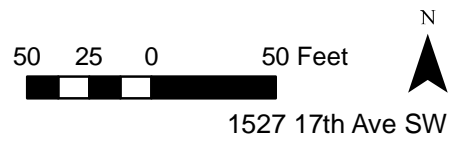
Aerial Photo
Ordinance 3094 with Attachment A
Resolution 9981 with Attachment A
Annexation Agreement
Reduced copy of Amended Plat

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Lester and Marla Mesenbrink, 2240 Richter St, Kelowna, BC V1Y 202, Canada

Aerial Photo



- City Limits
-  1527 17th Ave SW
-  ROW - annexed as part of separate application
-  Tracts of Land



ORDINANCE 3094

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY RESIDENTIAL DISTRICT TO LOTS 28, 29 & 30 AND VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA

* * * * *

WHEREAS, Lester and Marla Mesenbrink have petitioned the City of Great Falls to annex 1527 17th Ave SW consisting of ±0.22 acres, described as Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, herein referred to as Subject Property, and;

WHEREAS, Lester and Marla Mesenbrink have petitioned the Subject Property be assigned a zoning classification of R-3 Single-family high density residential district upon annexation to the City; and,

WHEREAS, notice of assigning said zoning classifications to Subject Property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 7th day of August, 2012, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the said zoning designation be made;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. It is determined that the herein requested zoning designation will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls.

Section 2. That the zoning of Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, be designated as R-3 Single-family high density residential district classification attached hereto as Attachment "A" and by this reference made a part hereof.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

APPROVED by the City Commission on first reading July 17, 2012.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading August 7, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

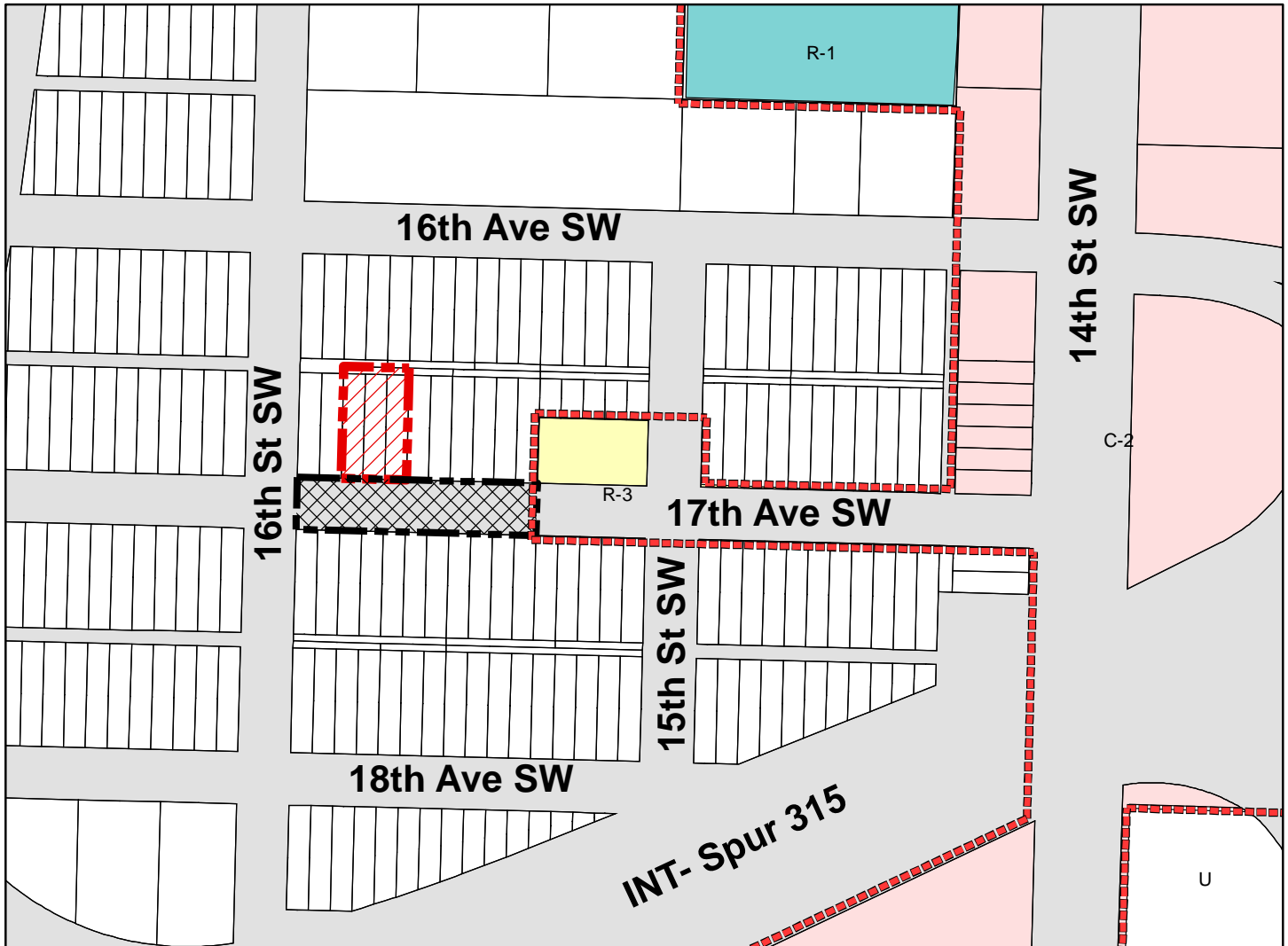
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3094 in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;
On the Bulletin Board, first floor, Cascade County Court House;
On the Bulletin Board, Great Falls Public Library

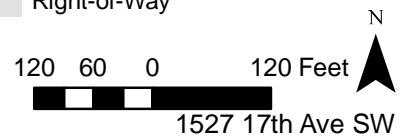
Lisa Kunz, City Clerk

(CITY SEAL)

Attachment A Ordinance 3094



- | | | |
|---|--------------------------------|----------------------------------|
| City Limits | C-4 Central business core | R-1 Single-family suburban |
| 1527 17th Ave SW | C-5 Central business periphery | R-2 Single-family medium density |
| ROW - annexed as part of separate application | I-1 Light industrial | R-3 Single-family high density |
| Tracts of Land | I-2 Heavy industrial | R-5 Multi-family medium density |
| ZONING | M-1 Mixed-use district | R-6 Multi-family high density |
| AI Airport Industrial | M-2 Mixed-use transitional | R-9 Mixed residential |
| C-1 Neighborhood commercial | PLI Public lands institutional | R-10 Mobile home park |
| C-2 General commercial | POS Park Open Space | Unincorporated Enclave |
| C-3 Highway commercial | PUD Planned unit development | Right-of-Way |



RESOLUTION 9981

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 28, 29 & 30 AND VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-2-4601, MONTANA CODE ANNOTATED; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED ATTACHMENT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, Montana containing ± 0.22 acres.

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be embraced within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owner of the hereinabove described property has submitted a petition to have said property annexed to the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That the boundaries of the City of Great Falls, Montana, be and the same are hereby extended so as to embrace and include within the corporate limits of said city all of the land hereinabove described, included as: "LOTS 28, 29 & 30 AND VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

The Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said tract of land; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 7th day of August, 2012.

Michael J. Winters, Mayor

ATTEST:

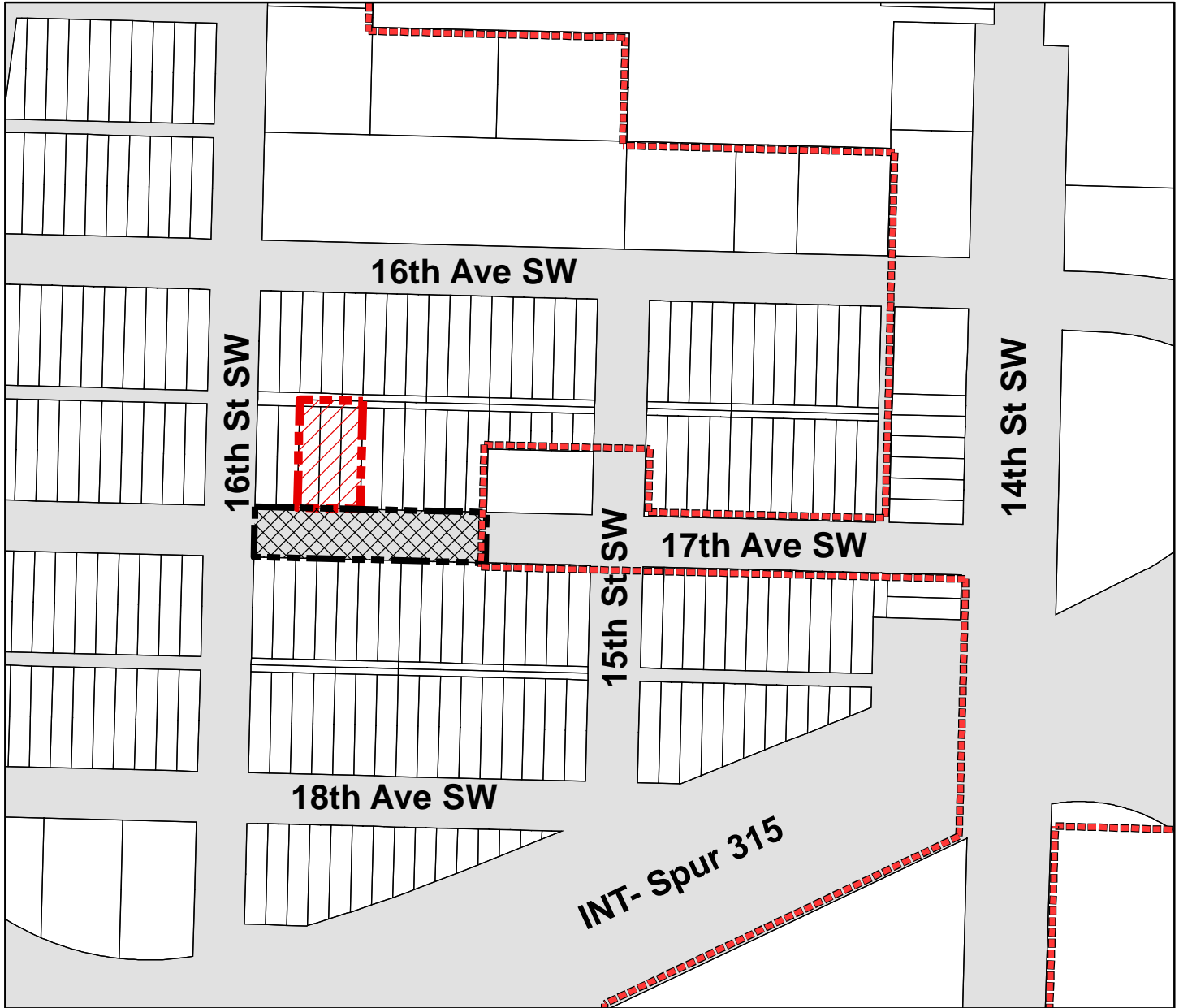
Lisa Kunz, City Clerk





(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, City Attorney

Attachment A Resolution 9981



- City Limits
-  Area being Annexed by Resolution 9981
-  ROW being Annexed with Separate Application
-  Tracts of Land
-  Right-of-Way



1527 17th Ave SW

**ANNEXATION AGREEMENT FOR
LOTS 28, 29, 30 AND VACATED ALLEY, BLOCK 17,
UNIVERSITY ADDITION
LOCATED IN SECTION 15, TOWNSHIP 20 NORTH,
RANGE 3 EAST, CASCADE COUNTY, MONTANA**

1. PREFACE

The following is a binding Agreement dated this _____ day of _____, 2012, between Lester & Marla Mesenbrink, hereinafter referred to as “Owner,” and the CITY OF GREAT FALLS, MONTANA, a municipal corporation of the State of Montana, hereinafter referred to as “City,” regarding the requirements for filing the Amended Plat and the annexation to the corporate limits of City, Lots 28, 29, 30 and Vacated Alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, hereinafter referred to as “Subject Property.”

2. PREVIOUS AGREEMENTS/RESTRICTIONS

Annexation Agreement for the South 75 Feet of lots 17-21, Block 17, University Addition filed with the Cascade County Clerk and Recorder’s Office.

3. SUPPORTING DOCUMENTS

- A. Amended Plat of Subject Property, prepared by TD&H Engineering, and filed of record in the Clerk and Recorder’s Office of Cascade County, Montana.
- B. Final engineering drawings, specifications and cost estimates prepared by TD&H Engineering, consisting of documents for sanitary sewer mains and fire hydrant. Said drawings and specifications are on file in the City Engineer’s office.

4. AMENDMENTS

Minor changes to engineering documents and such revisions to the engineering drawings as are deemed appropriate and necessary by City’s Engineer and City’s Public Works Department and which do not materially affect the hereinabove mentioned amended plat, can be made as follows:

- A. The proposed revision will be submitted to City’s Public Works Department for review and, if approved, the City Engineer or Public Works Director will sign and adequately annotate the change.

- B. The annotated revision becomes a part of this Agreement upon City’s Public Works Department approval.
- C. Changes during construction shall be made by change order approved by City’s Public Works Department.
- D. “As Built” reproducible drawings shall be supplied to City’s Engineer upon completion of the construction.
- E. All amendments to this Agreement, except as allowable above in this section, shall be in writing and approved by City and Owner.

5. UNFORESEEN POTENTIALITIES

It is mutually recognized, understood and agreed by City and Owner that subsequent to the time this agreement was entered into, events may occur and actions may be taken which were unforeseen by either party or both parties hereto. In this perspective, it is, therefore, agreed that the parties may by mutual subsequent agreement modify the terms, conditions and covenants of this Agreement.

6. FEES AND CHARGES

- A. Prior to annexation of Subject Property, Owner shall, in addition to the \$100.00 fee for Annexation Application, \$200.00 fee for Annexation Agreement, and \$100.00 fee for Resolution, \$700.00 for Establishing City Zoning, which have been paid, pay the following fees as provided by City policy and resolution;

a. Storm Sewer Fee (\$250/acre x 0.22 acres)	\$ 55.00
b. Recording fees for Agreement and <u>Resolution (\$11 per page x 11 pages)</u>	<u>\$ 121.00</u>

Total fees made payable to City of Great Falls	\$ 176.00
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- B. Owner or its successors or assigns shall pay City for its expenses incurred in construction, testing, inspection and acceptance of public utilities to serve Subject Property at the rates charged by City for said work at the time performed.
- C. Water tapping, water connection, sewer service tapping, and sewer connection fees will be assessed at the time of installation.
- D. The absence of any fee from this agreement lawfully charged by the City in connection with construction activity associated with Subject Property shall not constitute a waiver by the City.

7. PUBLIC IMPROVEMENTS

Owner agrees, in coordination with the owner of Lots 26 and 27, Block 17, University Addition, to complete within two (2) years of the date of this Agreement, the installation of the sewer main and fire hydrant improvements for the Subject Property, according to plans referenced in Paragraph 3.B above and filed in the City Engineer’s office and in accordance with standards of City.

8. FUTURE REIMBURSEMENTS

- A. Owner shall pay the full cost of the eight inch (8”) sanitary sewer main to be immediately installed in 17th Avenue Southwest abutting Subject Property, but shall be entitled to reimbursement for one/half of the cost of the eight inch (8”) sanitary sewer main from the

abutting property owner to the south (Lots 3, 4 and 5, Block 16, University Addition), upon annexation of same to City.

- B. Owner shall pay their proportional share of the cost to install a fire hydrant as specified by the Department of Public Works and Fire Department. The City shall pay the cost of materials or supply materials for said hydrant.

9. SOIL AND/OR GROUNDWATER CONDITIONS

The owner of the property in the Subdivision shall indemnify, hold harmless and defend the City of Great Falls, its officers, agents, servants and employees and assigns from and against all claims, debts, liabilities, obligations and costs including reasonable attorney fees, that arise from, result from or relate to adverse soil or groundwater conditions on the owner's property in the Subdivision. This indemnity obligation runs with the land. Upon the transfer of ownership of the property in the Subdivision, the prior owner's (whether the Owner that made this annexation agreement or a subsequent owner) indemnity obligation for adverse soil or adverse groundwater conditions for the transferred property is released and the indemnity obligation runs to the new owner of the property. Only the owner of the parcel of property with the adverse conditions at the time the City incurs the claim, debt, liability, obligation or cost is obligated to indemnify and no owner of property in the Subdivision is obligated to indemnify for adverse conditions on property owned by someone else.

This indemnification by the owner of the property in the Subdivision shall apply unless such damage or injury results from the negligence, gross negligence or willful misconduct of the City.

10. MAINTENANCE DISTRICTS

Owner waives its right to protest the lawful creation by City of maintenance districts for any proper purpose including, but not limited to, fire hydrant and street maintenance and shall pay the proportionate share of the costs associated with said maintenance districts as they may be applied to lots in Subject Property.

11. FUTURE STORM DRAINAGE FACILITIES

Owner hereby agrees to waive right to protest any future area wide special improvement district for storm drainage facilities and further agrees to pay for proportionate share of any future storm drainage improvements which service Subject Property that may be installed with or without an area wide special improvement district. The term "area wide" as used herein, means any area larger than that covered by Subject Property which is a contributor to the drainage sub-basin of which Subject Property is a part.

12. FUTURE ROADWAY IMPROVEMENTS

Owner hereby agrees to waive right to protest creation of any future special improvement district for the Subject Property and further agrees to pay when deemed necessary by the City for proportionate share of said roadway improvements, including sidewalks that may be installed with or without a special improvement district.

13. PUBLIC ROADWAY LIGHTING

Owner hereby agrees to waive its right to protest any future special lighting district for public roadway lighting facilities that service Subject Property, and further agrees to pay for proportionate share of the costs associated with roadway lighting which service Subject Property that may be installed with or without a special lighting district.

14. WAIVER OF PROTEST OF ANNEXATION

Owner does hereby waive any and all statutory procedure notice on right of protest to annexation of Subject Property, as provided for by State law.

15. WARRANTY, OWNERSHIP AND INSPECTION OF UTILITY AND STREET IMPROVEMENTS

After the public utilities improvements described in Paragraph 3.B hereof have been installed and accepted by City, the same shall be in all respects treated, owned and maintained as though the same had been constructed and installed by City. However, to the extent installed by Owner, Owner or its contractor shall guarantee said improvements against defective work and materials for a period of two (2) years from date of acceptance of the completed improvements by City.

Installation of the public utilities and street improvements described in Paragraph 3.B hereof, shall be subject to City’s infrastructure inspection policy in place at the time of installation.

16. ANNEXATION PREREQUISITES

Subject Property is contiguous to City; is not included within the boundary of any other incorporated municipality; and is not a part of any fire district existing or organized under any of the provisions of Chapter 33, Title 7, of the Montana Code Annotated. Subject Property, upon annexation to City, will be provided fire protection services by City comparable to that provided incorporated properties.

17. CITY ACCEPTANCE AND ZONING

In consideration of the foregoing, City hereby accepts and approves Lots 28, 29, 30 and Vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, Mon, and will approve the property contained within the boundaries of said lot for incorporation by annexation into the corporate limits of the City of Great Falls, Montana with an assigned zoning classification of R-3 Single-family low density residential district. It is hereby understood that the preceding language regarding zoning of lots in the Subject Property does not preclude City from reclassifying lots if an area wide reclassification is undertaken, in which event City agrees to reclassify said lots as a conforming use.

18. BINDING EFFECT

The provisions, covenants and terms of this Agreement shall run with the land and bind the present owners, their devisees, heirs, successors, and assigns; and any and all parties claiming by, through, or under them, shall be taken to agree and covenant with each of the

parties to the Agreement, their devisees, heirs, successors and assigns, to conform to the provisions, covenants and terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day, month and year first hereinabove written.

CITY OF GREAT FALLS

Party of the First Part

Gregory T. Doyon, City Manager

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, City Attorney

OWNER
Party of the Second Part

By: _____
Lester Mesenbrink

State of Montana)
County of Cascade) :ss.
City of Great Falls)

On this _____ day of _____, 2012, before me, a Notary Public in and for the State of Montana, personally appeared Lester Mesenbrink, known to me to the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year certificate first above written.

(NOTARIAL SEAL)

Notary Public for the State of Montana
Printed Name: _____
Residing at: _____
My commission Expires: _____, 20_____

OWNER
Party of the Second Part

By: _____
Marla Mesenbrink

State of Montana)
County of Cascade) :ss.
City of Great Falls)

On this _____ day of _____, 2012, before me, a Notary Public in and for the State of Montana, personally appeared Marla Mesenbrink, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year certificate first above written.

(NOTARIAL SEAL)

Notary Public for the State of Montana
Printed Name: _____
Residing at: _____
My commission Expires: _____, 20_____

AN AMENDED PLAT OF LOTS 26-30 & THE SOUTH HALF OF THE ADJACENT VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION

LOCATED IN THE NW1/4 OF SECTION 15, T20N, R3E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

LAND OWNER: BRUCE & RENE ROHRER, LESTER & MARLA MENSEBRINK

LEGEND

- TRACT BOUNDARY
- FOUND PROPERTY MONUMENT - AS NOTED
- SET PROPERTY MONUMENT
- 5/8" X 24" REBAR/15625LS YPC
- FOUND CENTERLINE MONUMENT
- LOT LINE
- FIELD MEASUREMENT
- PLAT DISTANCE (F)



I, the undersigned, Daniel R. Keniczka, Professional Land Surveyor, Montana Registration No. 15625LS, do hereby certify that I supervised this survey of AN AMENDED PLAT OF LOTS 26-30 & THE SOUTH HALF OF THE ADJACENT VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, and plotted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76-3-101 through 76-3-614, M.C.A., and Cascade County.

Dated this _____ day of _____, A.D., 2012

Daniel R. Keniczka, Montana Reg. No. 15625LS

CERTIFICATE OF SURVEYOR

We, the undersigned property owners, do hereby certify that we have caused to be surveyed and plotted into lots and blocks as shown by the within described plat, the following described tract of land to wit:

A tract of land being Lots 26-30 & the South half of the adjacent vacated alley, Block 17, of the University Addition to the City of Great Falls, located in the NW1/4 of Section 15, Township 20 North, Range 3 East, P.M.M., City of Great Falls, Cascade County, Montana, and being more particularly described as follows:

Beginning at the point of intersection of the Eastern right-of-way of 16th Street Southwest and the Northern right-of-way of 17th Avenue Southwest; thence North 89°58'51" East along said Northern right-of-way a distance of 49.96 feet to the Southwest corner of said Lot 30 and being the True Point of Beginning; thence North 00°00'01" East along the Western line of said Lot 30, a distance of 128.09 feet to the center of the vacated alley; thence North 89°58'51" East along said alley a distance of 124.90 feet; thence South 00°00'02" West along the Eastern line of said Lot 26, a distance of 128.09 feet to said Northern right-of-way of 17th Avenue Southwest; thence South 89°58'51" West along said Northern right-of-way, a distance of 124.90 feet to the True Point of Beginning and containing 0.287 acres or 15598 square feet.

The above described tract of land is to be known and designated as AN AMENDED PLAT OF LOTS 26-30 & THE SOUTH HALF OF THE ADJACENT VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION to the City of Great Falls.

Exempt From Review per 76-3-207(1)(D) MCA and 17.26.605(2)(b)(ii) ARM.

Dated this _____ day of _____, A.D., 2012

BRUCE K. ROHRER _____

State of _____)
: ss _____)
County of _____)

On this _____ day of _____, 2012, before me, _____, the undersigned, a Notary Public for the State of MONTANA, personally appeared, Bruce K. Rohrer, known to me to be the person who executed the Certificate of Consent. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

Notary Public for the State of _____ (Notarial Seal)

Residing at _____
My commission expires _____

Dated this _____ day of _____, A.D., 2012

RENE ROHRER _____

State of _____)
: ss _____)
County of _____)

On this _____ day of _____, 2012, before me, _____, the undersigned, a Notary Public for the State of MONTANA, personally appeared, Rene Rohrer, known to me to be the person who executed the Certificate of Consent. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

Notary Public for the State of _____ (Notarial Seal)

Residing at _____
My commission expires _____

Dated this _____ day of _____, A.D., 2012

LESTER DEAN MENSEBRINK _____

State of _____)
: ss _____)
County of _____)

On this _____ day of _____, 2012, before me, _____, the undersigned, a Notary Public for the State of MONTANA, personally appeared, Lester Dean Mensebrink, known to me to be the person who executed the Certificate of Consent. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

Notary Public for the State of _____ (Notarial Seal)

Residing at _____
My commission expires _____

Dated this _____ day of _____, A.D., 2012

MARLA JANE MENSEBRINK _____

State of _____)
: ss _____)
County of _____)

On this _____ day of _____, 2012, before me, _____, the undersigned, a Notary Public for the State of MONTANA, personally appeared, Marla Jane Mensebrink, known to me to be the person who executed the Certificate of Consent. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

Notary Public for the State of _____ (Notarial Seal)

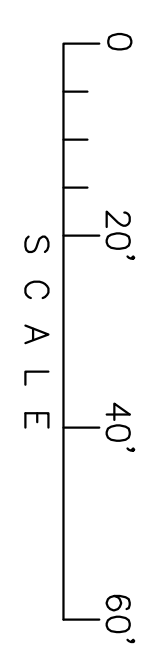
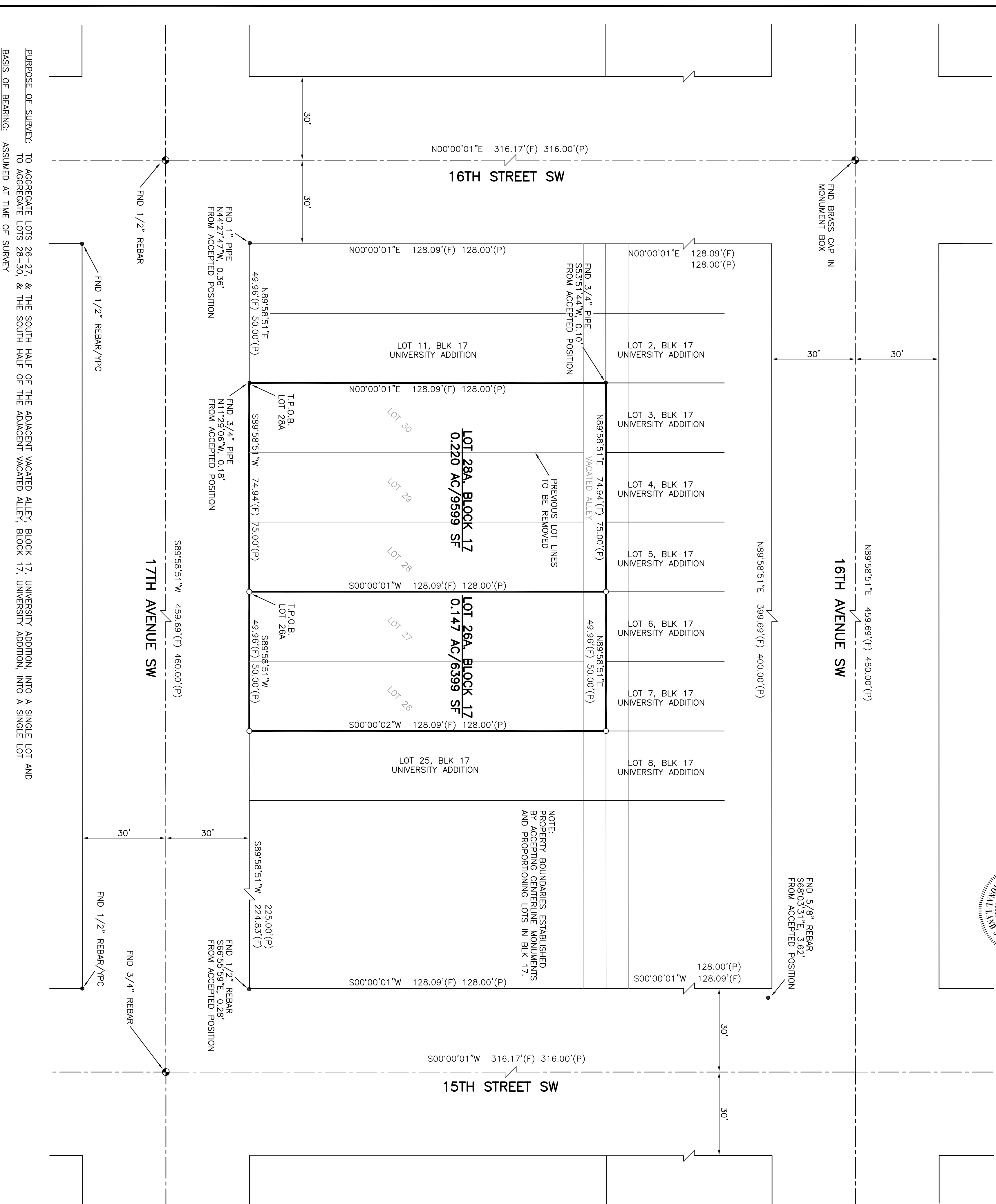
Residing at _____
My commission expires _____

CERTIFICATE OF COUNTY TREASURER

I, Jamie Bailey, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included in the accompanying plat of AN AMENDED PLAT OF LOTS 26-30 & THE SOUTH HALF OF THE ADJACENT VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, and find that the current taxes in some have been paid for the last five years.

Dated this _____ day of _____, A.D., _____

County Treasurer, Cascade County, Montana



PURPOSE OF SURVEY: TO AGGREGATE LOTS 26-27 & THE SOUTH HALF OF THE ADJACENT VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, INTO A SINGLE LOT AND TO AGGREGATE LOTS 28-30, & THE SOUTH HALF OF THE ADJACENT VACATED ALLEY, BLOCK 17, UNIVERSITY ADDITION, INTO A SINGLE LOT AND BASIS OF BEARING: ASSUMED AT TIME OF SURVEY

TD&H

THOMAS, DEAN & HOSKINS, INC.
ENGINEERING CONSULTANTS
MONTANA WASHINGTON
GREAT FALLS-BOZEMAN-KALISPELL-HELENA
SHEILA L. LEWISTON

DRAWN BY: DRK	DATE: 7-11-12	QUALITY CHECK:	
SURVEYED BY: RRS	JOB NO: 12-132	FIELDBOOK:	