

RESOLUTION NO. 9331

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXCLUDE FROM THE BOUNDARIES OF SAID CITY DISCOVERY MEADOWS ADDITION, PHASE 1, LOCATED IN THE NE1/4SE1/4 OF SECTION 4, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

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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, on May 1, 2001, the City Commission of the City of Great Falls, adopted Resolution No. 9157 annexing:

Discovery Meadows Addition, Phase 1, located in the NE1/4SE1/4 of Section 4, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, containing 5.069 acres and consisting of 20 single family residential lots along a planned 660-ft extension of 50th Street located immediately north of 7th Avenue North,

highlighted on the vicinity map attached hereto marked Exhibit "A" and by this reference made a part hereof; and,

WHEREAS, no construction, including public infrastructure or private structures have been initiated within said Addition nor has the final subdivision plat of said Addition been filed of record in the Cascade County Clerk and Recorder's Office; and,

WHEREAS, Discovery Meadows, Inc., the owners of the property within the hereinabove described area, have submitted a petition to the City of Great Falls seeking to exclude said described area from the boundaries of the City of Great Falls; and,

WHEREAS, Sections 7-2-4801 through 4810, Montana Code Annotated, provides that whenever the owners of real property petition any incorporated city to have said property excluded from the corporate limits of such city, the governing body of said incorporated city may adopt, after conducting an advertised hearing, a final resolution excluding said property from the city.

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution No. 9291 entitled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXCLUDE FROM THE BOUNDARIES OF SAID CITY DISCOVERY MEADOWS ADDITION, PHASE 1, LOCATED IN THE NE1/4SE1/4 OF SECTION 4, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, DIRECTING NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

duly and regularly passed and adopted on the 3rd day of June, 2003, stating that it will be in the best interest of said city and the inhabitants thereof, that the boundaries of said City of Great Falls shall be modified so as to exclude the 5.069 acres contained in Discovery Meadows Addition, Phase 1, located in the NE1/4SE1/4 of Section 4, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, from the City of Great Falls, Montana; and,

WHEREAS, the City Clerk of said City, pursuant to said Resolution and the statute in such case made and provided, forthwith caused to be published in the Great Falls Tribune, the newspaper published nearest said tract of land, at least once a week for two (2) successive weeks, a notice to the effect that said Resolution had been duly and regularly passed, and that for a period of twenty (20) days after the first publication of said notice, said City Clerk would receive expressions of approval or disapproval, in writing, of the said proposed exclusion from said City, and also stating therein the time and place set for the public hearing provided by said Resolution; and,

WHEREAS, the first publication of said notice hereinbefore referred to was the 22nd day of June, 2003; and,

WHEREAS, the City Clerk has received no expressions of approval or disapproval of the proposed alterations of the boundaries of the municipality, within the time allowed by said notice; and,

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls on July 15, 2003, at 7:00 P.M., in the Commission Chambers of the Great Falls Civic Center, where said Commission heard all persons and all things relative to the proposed exclusion of said property;

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 modified to exclude the 5.069 acres contained in Discovery Meadows Addition,

Phase 1, located in the NE1/4SE1/4 of Section 4, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, from the city; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective thirty (30) days after its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 15th day of July, 2003.

Randall H. Gray, Mayor

ATTEST:

Melodi A. Wald, Deputy City Clerk

(SEAL OF CITY)

Approved for legal content: City Attorney

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

I, Melodi A. Wald, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9331 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 15th day of July, 2003, and approved by the Mayor of said City on the 15th day of July, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 15th day of July, 2003.

Melodi A. Wald, Deputy City Clerk

(SEAL OF CITY)