

RESOLUTION NO. 9417

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE EAGLE'S CROSSING PHASE 1, LOCATED IN THE NE1/4 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 3 EAST, AND A SEGMENT OF THE BOOTLEGGER TRAIL LOCATED IN THE E1/2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 3 EAST AND THE W1/2 OF SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, DIRECTING NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

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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, 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:

**Eagle's Crossing Phase 1**, located in the NE1/4 of Section 25, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana, and containing 36.06 acres; and,

Portions of State Route 225 (**Bootlegger Trail**) Project S-312(4) according to the right-of-way plans in the records of the Montana Department of Transportation, said parcel being situated in the East Half (E1/2) of Section 25, Township 21 North, Range 3 East., and in the West Half (W 1/2) of Section 30, Township 21 North, Range 4 East all of the Principle Meridian Montana, Cascade County, Montana, described as follows:

COMMENCING at the Northwest Corner of Section 31, Township 21 North, Range 4 East, which is also the Southeast Corner of said Section 25, which is also the True Point of Beginning;

Thence easterly along the north line of said Section 31 a distance of 67.04 feet to the easterly right of way line of said State Route 225 at Station 6+85.3;

Thence N 0° 45′ W (said bearing being basis of bearing as shown on right of way map for said State Route 225) along the easterly right of way line of said State Route 225 a distance of 2314.7 feet, more or less, to right of way Station 30+00 and a right of way break;

Thence N 77° 56′ E along the easterly right of way line of said State Route 225 a distance of 40.79 feet more or less, to Station 30+40, a right of way break;

Thence N 0° 45′ E along the east right of way line of said State Route 225 a distance of 2269.5 feet, more or less, to Station 53+09.5 and the north line of Eagle Falls Subdivision extended, for which a Certificate of Survey has been filed in the Cascade County Clerk and Records Office;

Thence S 89° 15′ W a distance of 120 feet more or less to the westerly right of way line of said State Route 225; said point being in the E ½ of Section 25

Thence S 0° 45′ E 2269.5 feet more or less, along the westerly right of way line of said State Route 225 to Station 30 + 40, a right of way break 60 feet west of centerline of said State Route 225;

Thence S 79° 30′ E 40.79 feet, more or less, along the westerly right of way line of said State Route 225, to station 30+00, a right of way break;

Thence S 0° 45′ E, 2314.7 feet more or less, along the westerly right of way line of said State Route 225 to Station 6 + 85.3 a point on the South line of Section 25;

Thence easterly along said southern boundary of Section 25 a distance of 34.96 feet to the southeast corner of said Section 25, and the True Point of Beginning;

Containing in all 11.77 acres, more or less,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof, and according to the final plat of Eagle's Crossing Phase 1; and,

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.

WHEREAS, Section 7-2-4402, Montana Code Annotated, provides that whenever any land contiguous to a municipality is owned by the state of Montana, such land may be incorporated and included in the municipality to which it is contiguous.

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

That in its judgment it will be to the best interest of said City of Great Falls and the inhabitants thereof, that the boundaries of said City of Great Falls shall be extended so as to include: "EAGLE'S CROSSING PHASE 1, LOCATED IN THE NE1/4 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 3 EAST, AND A SEGMENT OF THE BOOTLEGGER TRAIL LOCATED IN THE E1/2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 3 EAST AND THE W1/2 OF SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of said City shall, at the aforesaid public hearing before the said City Commission and after expiration of a twenty (20) day period following the first publication of notice of passage of this Resolution, lay before the City Commission all communications in writing by her so received pertaining to said annexation.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 20<sup>th</sup> day of July, 2004.

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Randall H. Gray, Mayor

ATTEST:

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Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

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Approved for legal content: City Attorney

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

I, Carolyn M. Horst, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9417 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 20<sup>th</sup> day of July, 2004, and approved by the Mayor of said City on the 20<sup>th</sup> day of July, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 20<sup>th</sup> day of July, 2004.

(SEAL OF CITY)

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Carolyn M. Horst, Deputy City Clerk

