

RESOLUTION NO. 9422

A RESOLUTION 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, 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, 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, in the judgement of the City Commission of said City, expressed by Resolution No. 9417 entitled:

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.

duly and regularly passed and adopted on the 20th day of July, 2004, 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 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."

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 extension of the boundaries of 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 25th day of July, 2004; 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 August 17, 2004, 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 annexation of said property;

NOW, THEREFORE, the City Commission now finds that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into 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: "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 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 thirty (30) days after its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 17th day of August, 2004.

Randall H. Gray, Mayor

ATTEST:

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

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. 9422 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 17th day of August, 2004, and approved by the Mayor of said City on the 17th day of August, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 17th day of August, 2004.

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

