

CORRECTED
RESOLUTION NO. 9450

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE PARCEL MARK NO.S 7, 7B, AND 7C AND A SEGMENT OF 10TH AVENUE NORTH IN SECTION 3, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA.

* * * * *

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, four tracts of land situated in Section 3, Township 20 North, Range 4 East, P.M.M., County of Cascade, State of Montana, and described as follows:

- ? Parcel Mark No.s 7B and 7C comprising the site for the community soccer complex and further described in Reel 44, Document 1739 and in Deed R0065371 filed of record in the Cascade County Clerk and Recorder's Office and containing 67.6 acres;
- ? Parcel Mark No. 7 located southeast of the intersection of 57th Street North and 10th Avenue North and further described as Tract 2 on Certificate of Survey 3749 filed of record in the Cascade County Clerk and Recorder's Office and containing 3.9769 acres; and
- ? Segment of 10th Avenue North Right-of-Way between 52nd and 57th Streets North comprising 2.919 acres;

all as shown on the survey drawing attached hereto marked Exhibit "A" and by this reference made a part hereof; and,

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

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution No. 9443 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 PARCEL MARK NO.S 7, 7B,

AND 7C AND A SEGMENT OF 10TH AVENUE NORTH
IN SECTION 3, 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 7th day of December, 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: "PARCEL MARK NO.S 7, 7B, AND 7C AND A SEGMENT OF 10TH AVENUE NORTH IN SECTION 3, TOWNSHIP 20 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 12th day of December, 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 January 4, 2005, 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: "PARCEL MARK NO.S 7, 7B, AND 7C AND A SEGMENT OF 10TH AVENUE NORTH IN SECTION 3, TOWNSHIP 20 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 May, 2005.

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 Corrected Resolution No. 9450 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 May, 2005, and approved by the Mayor of said City on the 17th day of May, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 17th day of May, 2005.

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

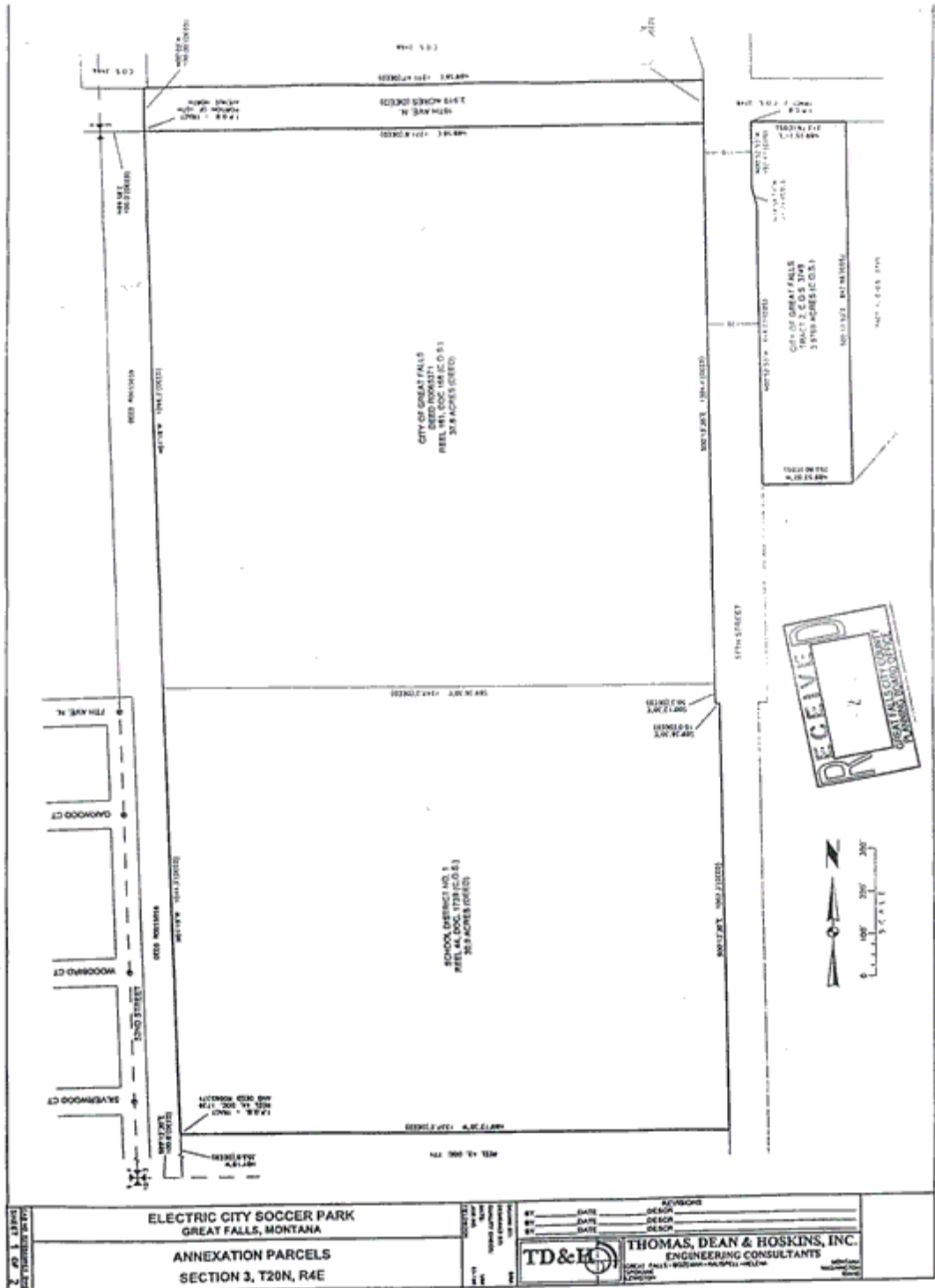


EXHIBIT "A"