

RESOLUTION NO. 9477

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE BEEBE TRACT 35B AND A SEGMENT OF 57TH STREET NORTH IN THE NW1/4 OF SECTION 10, 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, two tracts of land situated in the NW1/4 of Section 10, Township 20 North, Range 4 East, P.M.M., County of Cascade, State of Montana, and described as follows:

? Beebe Tract 35B, more particularly described as follows: beginning at a point on the North boundary line of said Section 10, which point bears North 88°14' East a distance of 1192.1 feet from the Northwest corner of said Section 10; thence South 2°45' East 505.9 feet to a point, the true point of beginning; thence South 2°45' East 150.2 feet to a point on the North boundary line of the former Great Falls-Belt Highway, which highway is now known as the highway to Malmstrom Air Force Base; thence North 88°38' East along the Northerly boundary line of said highway a distance of 77.8 feet; thence North 42°58' East a distance of 69.9 feet to a point; thence North 2°45' West a distance of 100.2 feet to a point; thence South 88°38' West a distance of 127.8 feet to the point of beginning, as described in Corporate Warranty Deed R0014215 recorded in the Clerk and Recorder's Office of Cascade County, Montana, on 09/27/2001 and containing 0.412 acres;

? Segment of 57th Street North Right-of-Way more particularly described as follows: beginning at the northwest corner of said Section 10, thence South 89°52'31" East, along the north boundary line of said Section 10, a distance of 1321.03 feet, to the westerly right-of-way of said 57th Street North and true point of beginning; thence South 89°52'31" East along said north boundary line, a distance of 100.00 feet to the easterly right-of-way of said street; thence South 00°53'36" East, along said easterly right-of-way, a distance of 587.72 feet; thence South 36°26'28" East along said easterly right-of-way, a distance of 86.56 feet; thence North 89°43'31" West, a distance of 199.93 feet to a point on the westerly right-of-way of 57th Street North; thence North 48°50'41" East, along said westerly right-

of-way, a distance of 70.31 feet; thence North 00°53'36" West, along said westerly right-of-way, a distance of 606.76 feet to the point of beginning and containing 1.57 acres;

generally as shown on the vicinity map exhibit 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; 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 judgment of the City Commission of said City, expressed by Resolution No. 9470 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 BEEBE TRACT 35B AND A SEGMENT OF 57TH STREET NORTH IN THE NW1/4 OF SECTION 10, 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 5th day of April, 2005, 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: "BEEBE TRACT 35B AND A SEGMENT OF 57TH STREET NORTH IN THE NW1/4 OF SECTION 10, 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 10th day of April, 2005; 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 May 3, 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: "BEEBE TRACT 35B AND A SEGMENT OF 57TH STREET NORTH IN THE NW1/4 OF SECTION 10, 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 3rd 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 Resolution No. 9477 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 3rd day of May, 2005, and approved by the Mayor of said City on the 3rd day of May, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 3rd day of May, 2005.

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

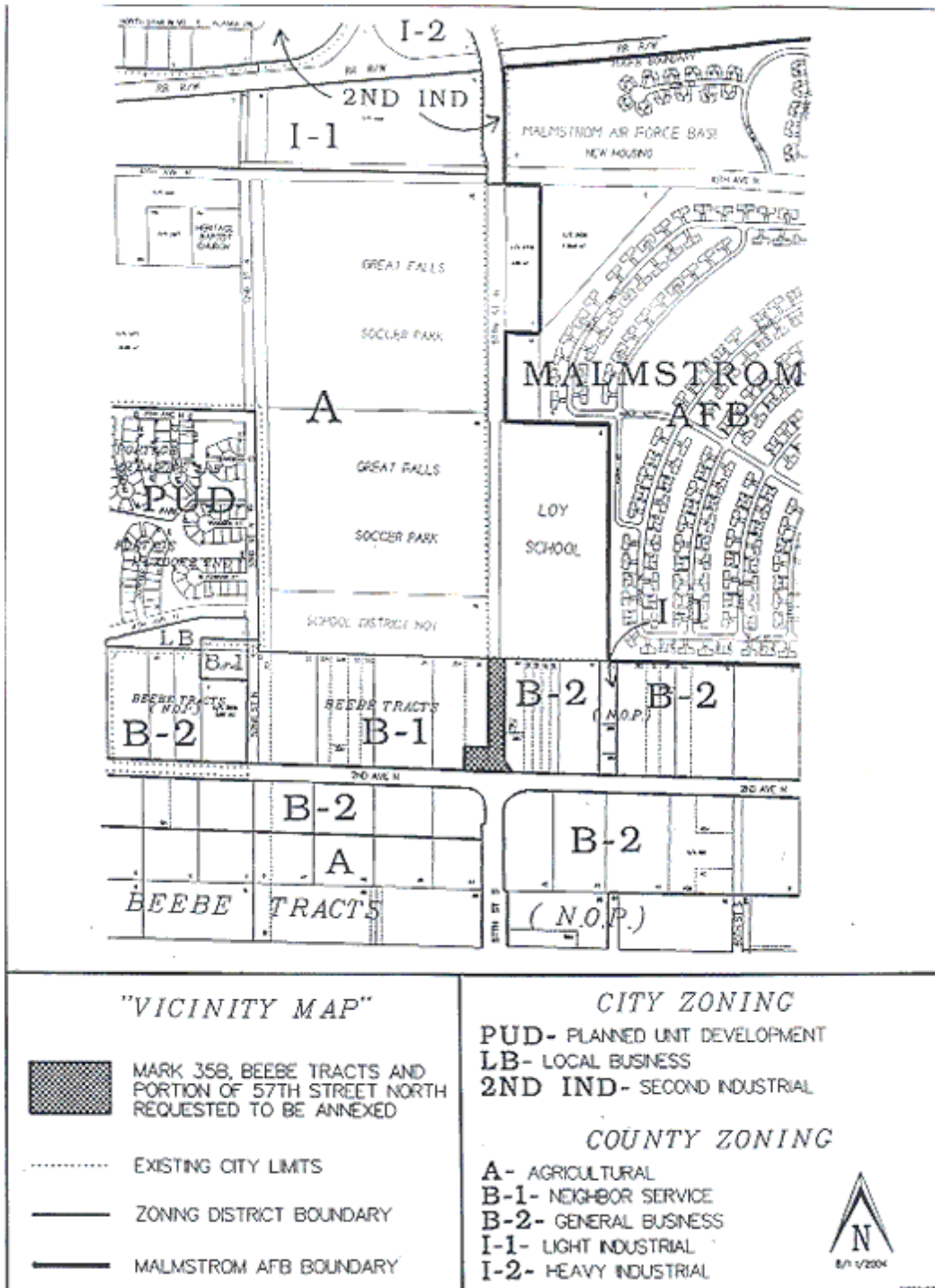


EXHIBIT "A"