

RESOLUTION NO. 9483

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 2 AND 4, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND SEGMENTS OF U.S. HIGHWAY 87 AND STATE ROUTE 225 (BOOTLEGGERS TRAIL) IN THE W1/2 OF SECTION 30, AND THE NW1/4 OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 4 EAST, AND THE NE1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 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, certain tracts of land described as follows:

? Lots 2 and 4, Block 1, International Malting Company, LLC Addition, in Section 30, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, and containing 45.457 acres; and

? Portions of U.S. Highway 87, Federal Aid Project No. 149-D(3) and Project No. F- 149(13), together with portions of State Route 225 (Bootleggers Trail), Project S-312(4) according to right-of-way plans in the records of the Montana Department of Transportation, said Parcel being situated in the West Half (W1/2) of Section 30, and the Northwest Quarter (NW1/4) of Section 31 in Township 21 North, Range 4 East and situated in the Northeast Quarter (NE1/4) of Section 36 in Township 21 North, Range 3 East all of the Principle Meridian Montana, Cascade County, Montana, described as follows:

COMMENCING at the Northwest Corner of said Section 31;

THENCE S88°55'10"E along the north line of said Section 31, a distance of 15.04 feet to the centerline of said State Route 225 at Station 6+85.3;

THENCE S00°33'10"W along said centerline, a distance of 135.11 feet to Station 5+50.19, which is the intersection of said centerline with the north right-of-way line of 36th Avenue Northeast extended easterly and the POINT OF BEGINNING of the Parcel herein described;

THENCE S89°26'50"E a distance of 50.00 feet to the east right-of-way of said State Route 225 at Station 5+50.19;

THENCE S00° 33' 10"W along said east right-of-way, a distance of 408.46 feet to the northwesterly right-of-way of U.S. Highway 87 (Project F-149(13)) at Station 62+01.71;

THENCE N26°35'47"E along said northwesterly right-of-way, a distance of 601.78 feet to the north line of said Section 31 at Station 68+03.49;

THENCE continuing N26°35'47"E along said northwesterly right-of-way, a distance of 2936.02 feet to the east-west midsection line of said Section 30;

THENCE continuing N26°35'47"E along said northwesterly right-of-way, a distance of 292.17 feet to Station 99+52.99 (Project FAP 149-D(3)), from which the Point of Curvature at Station 100+65.3 bears N26°35'47"E a distance of 112.31 feet;

THENCE S63°24'13"E a distance of 70.00 feet to the centerline of said U.S. Highway 87 at Station 99+52.99 ;

THENCE continuing S63°24'13"E a distance of 60.00 feet to the southeasterly right-of-way of said U.S. Highway 87;

THENCE S26°35'47"W along said southeasterly right-of-way, a distance of 228.56 feet to the east-west midsection line of said Section 30;

THENCE continuing S26°35'47"W along said southeasterly right-of-way, a distance of 2937.58 feet to the north line of said Section 31 at Station 68+65.74 of Project F-149(13);

THENCE continuing S26°35'47"W along said southeasterly right-of-way, a distance of 377.54 feet to a Point on Curve of a circular curve to the left with a radius point which bears S67°34'00"E a distance of 5685.00 feet;

THENCE along said southeasterly right-of-way and along the arc of said curve, through a central angle of 4°08'03" a distance of 410.20 feet;

THENCE N63°24'50"W a distance of 104.51 feet to the centerline of U.S. Highway 87 at Station 60+80.29 (Project F-149(13));

THENCE continuing N63°24'50"W a distance of 39.59 feet to a point on the southwesterly right-of-way of State Route 225 at Station 0+35.6, which is the Point of Curvature of a circular curve to the right, with a radius point which bears N26°35'10"E a distance of 131.90 feet;

THENCE along said southwesterly right-of-way and along the arc of said curve, through a central angle of 63°58'00" a distance of 147.26 feet to the Point of Tangency at Station 1+37.8;

THENCE N00°33'10"E along the west right-of-way of said State Route 225, a distance of 412.39 to Station 5+50.19;

THENCE S89°26'50"E a distance of 50.00 feet to the POINT OF BEGINNING;

CONTAINING in all 568,905 square feet or 13.060 acres, more or less;

generally as shown on the vicinity map exhibit attached hereto marked Exhibit "A" and by this reference made a part hereof, and according to the minor subdivision plat of International Malting Company, LLC Addition; 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 7-2-4311, Montana Code Annotated, provides that any tracts or parcels of land that have been platted into lots or blocks and are contiguous to any incorporated city may be embraced within the corporate limits thereof and the boundaries of such city extended so as to include the same.

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution No. 9473 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 LOTS 2 AND 4, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND SEGMENTS OF U.S. HIGHWAY 87 AND STATE ROUTE 225 (BOOTLEGGERS TRAIL) IN THE W1/2 OF SECTION 30, AND THE NW1/4 OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 4

EAST, AND THE NE1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 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 19th 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: 'LOTS 2 AND 4, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND SEGMENTS OF U.S. HIGHWAY 87 AND STATE ROUTE 225 (BOOTLEGGERS TRAIL) IN THE W1/2 OF SECTION 30, AND THE NW1/4 OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 4 EAST, AND THE NE1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 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 24th 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 17, 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 said 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: "LOTS 2 AND 4, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND SEGMENTS OF U.S. HIGHWAY 87 AND STATE ROUTE 225 (BOOTLEGGERS TRAIL) IN THE W1/2 OF SECTION 30, AND THE NW1/4 OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 4 EAST, AND THE NE1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 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 from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

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 Resolution No. 9483 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)

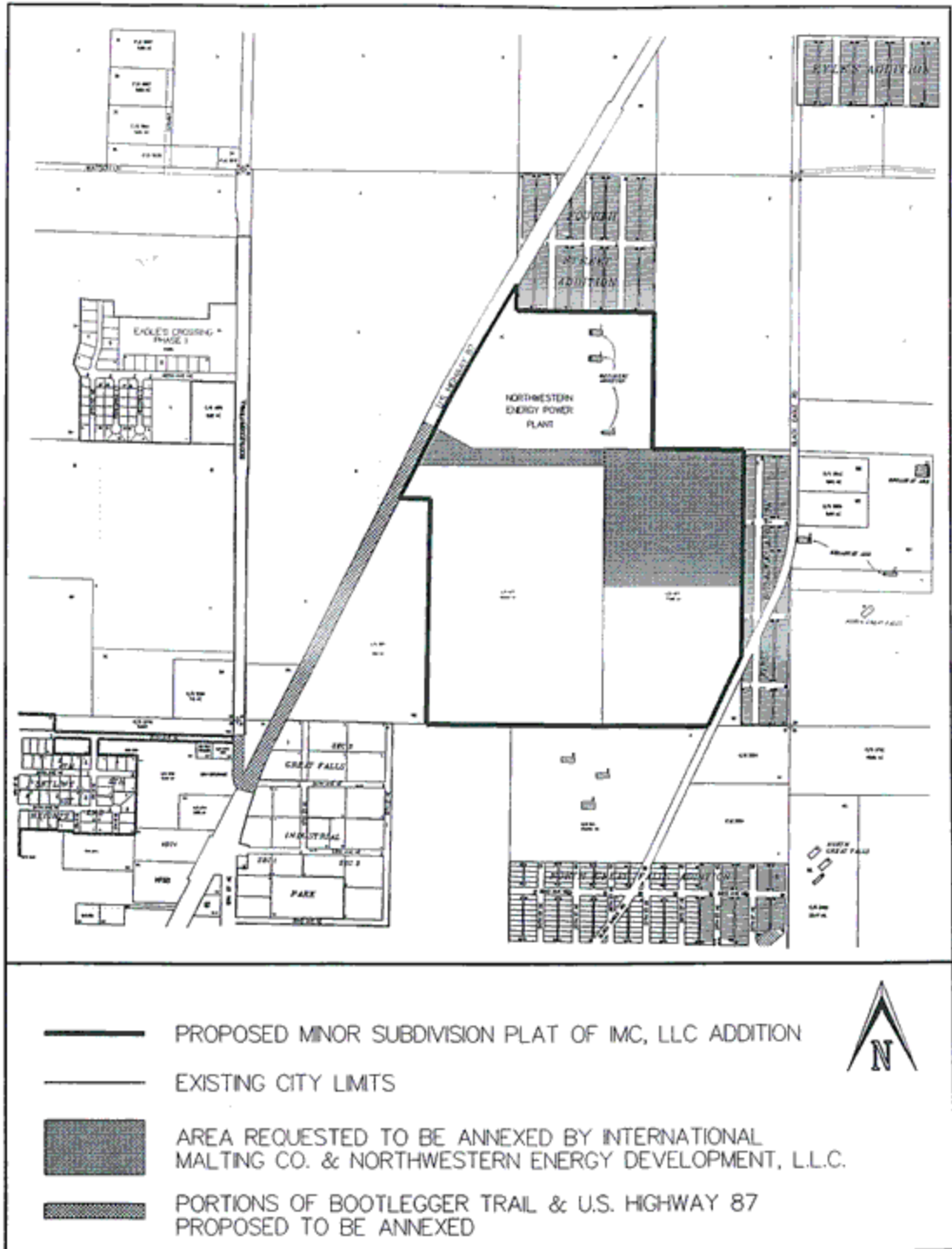


EXHIBIT "A"