

RESOLUTION NO. 9554

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO RESCIND APPROVAL OF THE SUBDIVISION AND ANNEXATION DOCUMENTS FOR SOURCE GIANT SPRINGS ADDITION, LOCATED IN THE SE1/4SE1/4SE1/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED HEREINBELOW.

* * * * *

WHEREAS, Source Giant Springs conducts a bottled water operation from a building addressed as 5401 18th Avenue North; and,

WHEREAS, in 1996, in order to qualify for a \$100,000.00 economic development loan, Source Giant Springs, Inc., represented by David F. Brown, submitted a petition to annex 5.5 acres of land occupied by said bottled water operation to the City of Great Falls; and,

WHEREAS, on May 7, 1996, the City Commission of the City of Great Falls adopted Resolution No. 8799 annexing Source Giant Springs Addition and approved the accompanying Annexation Agreement and Minor Plat of the Addition; and,

WHEREAS, none of the legal documents associated with the hereinabove mentioned subdivision and annexation, including Resolution No. 8799, the Minor Plat of Source Giant Springs Addition or the referenced Annexation Agreement have ever been filed of record in the Cascade County Clerk and Records Office; and,

WHEREAS, without recordation of the hereinabove mentioned instruments, the subdivision plat and annexation of Source Giant Springs Addition has not been recognized or considered validated; and,

WHEREAS, the hereinabove referenced Source Giant Springs bottled water operation presently receives no City utility services including water or sanitary sewer; and,

WHEREAS, through a written communication dated January 24, 2006, David F. Brown, President of Source Giant Springs, Inc., noted the previously mentioned \$100,000.00 economic development loan has been paid back and requested the City of Great Falls rescind its actions taken on May 7, 1996, regarding the subdivision and annexation of Source Giant Spring Addition;

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

That the City Commission action taken on May 7, 1996, to adopt Resolution No. 8799 and approve an Annexation Agreement and Minor Plat, all pertaining to Source Giant Springs Addition, is hereby rescinded; and,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 21st day of February, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

Approved for legal content: City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9554 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 21st day of February, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 21st day of February, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)