

RESOLUTION NO. 9594

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE PORTIONS OF 10<sup>TH</sup> AVENUE SOUTH AND U.S. HIGHWAY 87 & 89 AND SEGMENTS OF 50<sup>TH</sup> AND 52<sup>ND</sup> STREETS SOUTH, ALL SITUATED IN THE NW1/4 OF SECTION 15, AND THE NE1/4 OF SECTION 16, 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.

\* \* \* \* \*

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:

Montana Department of Transportation rights-of-way for 10<sup>th</sup> Avenue South and U.S. Highway 87 & 89 situated in the NE1/4 NE1/4 of Section 16 and the NW1/4 of Section 15, all in T20N, R4E, PMM, Cascade County, Montana, described as follows:

COMMENCING at the Northwest Corner of said Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of said Section 16;

THENCE S01°27'15"E along the west line of said NE1/4 NE1/4, a distance of 117.69 feet (117.54 feet recorded) to the north right-of-way of State Highway 87, otherwise known as 10<sup>th</sup> Avenue South, and the POINT OF BEGINNING of the parcel herein described;

THENCE along said north right-of-way on the following 5 courses:

S89°30'37"E a distance of 722.20 feet (723.25 feet recorded) to an angle point in Tract 4 of Certificate of Survey number 2069;

THENCE N00°30'39"E a distance of 25.00 feet to an angle point in said Tract 4;

THENCE S89°30'37"E a distance of 150.00 feet to an angle point in said Tract 4;

THENCE S00°30'39"W a distance of 25.00 feet to an angle point in said Tract 4;

THENCE S89°30'37"E a distance of 378.06 feet (376.15 feet recorded) to the east line of said Section 16;

THENCE N01°01'22"W along said east line, a distance of 129.69 feet to the Section Corner common to Sections 9, 10, 15 and 16;

THENCE N89°54'26"E along the north line of said Section 15, a distance of 489.68 feet to the intersection of said line with the west right-of-way of 54<sup>th</sup> Street South;

THENCE continuing along said north line, N89°54'26"E a distance of 60.00 feet to the east right-of-way of said 54<sup>th</sup> Street South and the Northwest Corner of a roadway and utilities easement annexed by the City of Great Falls as recorded in Reel 118, Document 532 in the records of Cascade County;

THENCE along the perimeter of said annexed easement on the following 3 courses:

S00°30'49"W a distance of 70.00 feet;

THENCE N89°54'26"E a distance of 721.13 feet;

THENCE N00°51'07"W a distance of 70.01 feet to the north line of said Section 15 at the intersection of said line with the west right-of-way of a U.S. Highway 87 Bypass, otherwise known as 57<sup>th</sup> Street South, and the Northeast Corner of said easement;

THENCE N89°54'26"E along said north line of Section 15, a distance of 170.02 feet to the east right-of-way of said U.S. Highway 87 Bypass;

THENCE S00°51'07"E along said east right-of-way, a distance of 395.23 feet (394.8 feet recorded) to the intersection of said east right-of-way with the northeasterly right-of-way U.S. Highways 87 and 89;

THENCE along said northeasterly right-of-way on the following 4 courses:

S60°31'18"E a distance of 871.53 feet (871.2 feet recorded) to an angle point therein;

THENCE S29°29'15"W a distance of 21.33 feet;

THENCE S72°28'24"E a distance of 71.79 feet to a Point of Curvature of a non-tangent circular curve to the left, at highway station 18+66.44 (18+68.4 recorded) according to right-of-way plans for M.D.O.T. project number F 60-2(18)81, with a radius point which bears N31°53'27"E a distance of 11399.20 feet;

THENCE along said curve, through a central angle of 01°43'14", an arc distance of 340.53 feet to a Point of Tangency in said right-of-way at highway station 22+12.44 (22+12.62 recorded);

THENCE leaving said northeasterly right-of-way, along said station 22+12.44 on a radial bearing to last said curve, S29°16'37"W a distance of 120.00 feet to a M.D.O.T. 2" diameter aluminum cap marking said Point of Tangency at project centerline;

THENCE continuing along said station, S29°16'37"W a distance of 130.00 feet to the southwesterly right-of-way of said U.S. Highway 87 & 89 at a Point of Curvature of a circular curve to the right, with a radius point which bears N29°16'37"E a distance of 11589.19 feet;

THENCE along said southwesterly right-of-way on the following 8 courses:

THENCE along said curve, through a central angle of 00°03'15", an arc distance of 10.93 feet;

THENCE continuing along said curve, through a central angle of 02°03'44", an arc distance of 417.11 feet to a point a highway station 17+89.77 (17+88.4 recorded);

THENCE N58°21'22"W a distance of 546.80 feet to an angle point in said right-of-way at highway station 12+42.97 (12+43.06 recorded);

THENCE N47°25'23"W a distance of 141.71 feet to an angle point in said right-of-way at highway station 11+00.00;

THENCE N60°31'18"W a distance of 374.75 feet to the Point of Curvature of a circular curve to the left, at highway station 7+24.76 (7+25.0 recorded) according to M.D.O.T. right-of-way plans for project number 64-A, with a radius point which bears S29°28'42"W a distance of 1332.50 feet;

THENCE along said curve, through a central angle of 28°59'18", an arc distance of 674.17 feet to the Point of Tangency at highway station 0+00;

THENCE N00°29'23"E along last said station, a distance of 20.00 feet to the southeast corner of the parcel described in Book 190, Page 529 in the

records of Cascade County and a point on the southerly right-of-way of said U.S. Highway 87 & 89;

THENCE N89°30'37"W along said southerly right-of-way and along the southerly line of the parcel described in Book 190, Page 529, a distance of 520.09 feet to the west line of said Section 15;

THENCE S89°30'37"E along said south right-of-way, a distance of 1249.21 feet to the west line of said NE1/4 NE1/4 of Section 16;

THENCE N01°27'15"W along said west line, a distance of 140.08 feet to the POINT OF BEGINNING of the parcel herein described;

and containing 21.961 acres, and

a 123.39 foot segment of 50<sup>th</sup> Street South measured along its centerline between 9<sup>th</sup> and 10<sup>th</sup> Avenues South and containing 0.23 acres, and

a 128.87 foot segment of 52nd Street South measured along its centerline between 9<sup>th</sup> and 10<sup>th</sup> Avenues South and containing 0.18 acres,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof, and according to the Minor Subdivision Plat of East Great Falls Retail Center 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.

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

That in its judgment it will be to the best interest of said City of Great Falls and the inhabitants thereof, that the boundaries of said City of Great Falls shall be extended so as to include: "PORTIONS OF 10<sup>TH</sup> AVENUE SOUTH AND U.S. HIGHWAY 87 & 89 AND SEGMENTS OF 50<sup>TH</sup> AND 52<sup>ND</sup> STREETS SOUTH, ALL SITUATED IN THE NW1/4 OF SECTION 15, AND THE NE1/4 OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION: That Tuesday, the 5th day of September, 2006, at 7:00 P.M., in the Commission Chambers at the Great Falls Civic Center, Great Falls, Montana, be and the same is hereby set as the time and place for a public hearing at which time the Great Falls City Commission shall hear all persons and all things relative to the proposed annexation of "PORTIONS OF 10<sup>TH</sup> AVENUE SOUTH AND U.S. HIGHWAY 87 & 89 AND SEGMENTS OF 50<sup>TH</sup> AND 52<sup>ND</sup> STREETS SOUTH, ALL SITUATED IN THE NW1/4 OF SECTION 15, AND THE

NE1/4 OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M.,  
CASCADE COUNTY, MONTANA.”

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of said City shall, at the aforesaid public hearing before the said City Commission and after expiration of a twenty (20) day period following the first publication of notice of passage of this Resolution, lay before the City Commission all communications in writing by her so received pertaining to said annexation.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 1st day of August, 2006.

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

Approved for legal content:

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David V. Gliko, City Attorney

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

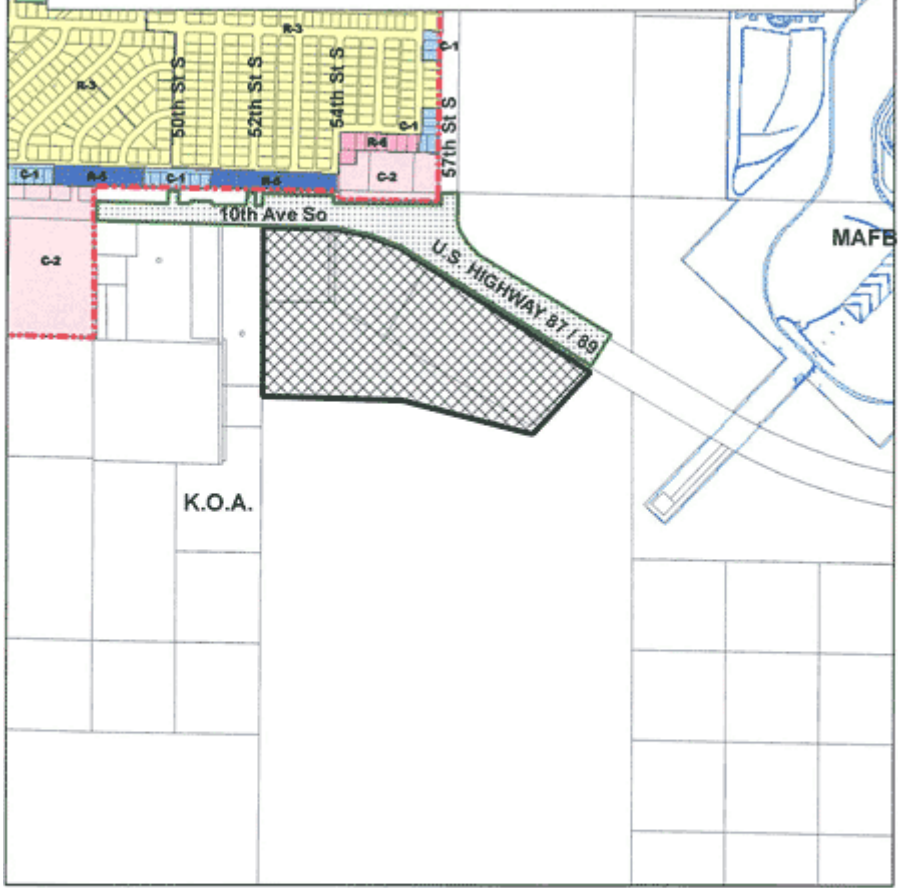
I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9594 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 1<sup>st</sup> day of August, 2006, wherein it was approved by said Commission.






IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 1st day of August, 2006.

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

# VICINITY / ZONING MAP



-  PROPOSED AREA TO BE SUBDIVIDED AND ANNEXED TO THE CITY AS EAST GREAT FALLS RETAIL CENTER ADDITION
-  EXISTING RIGHT-OF-WAY PROPOSED TO BE ANNEXED TO THE CITY AS PART OF EAST GREAT FALLS RETAIL CENTER ADDITION
-  PARCELS
-  CITY LIMITS
-  MAFB









- Base Zoning Districts**
-  R-3 Single-family high density
  -  R-5 Multi-family medium density
  -  R-6 Multi-family high density
  -  C-1 Neighborhood commercial
  -  C-2 General commercial
  -  POS Parks and Open Space
-   
 Feet  
 0 230 460 920 1,380 1,840

EXHIBIT "A"