

RESOLUTION NO. 9611

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE A PORTION OF 10TH AVENUE SOUTH IN N½ SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

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, the following described unincorporated properties are wholly surrounded by said City of Great Falls:

Montana Department of Transportation right-of-way for 10th Avenue South located in the North Half (N½) of Section 16, Township 20 North, Range 4 East, P.M.M., Great Falls, Cascade County, Montana, more particularly described as follows:

Beginning at the southeast corner of Lot 17, Block 7, Sunrise Terrace Addition; of the Amended Plat of Lots 17, 18 and East 58' of Lot 19, The West 41 Feet of Lot 22, Lots 22 thru 28, Block 7, Sunrise Terrace Addition, incorporating there in the Fifth Supplement to Sunrise Terrace Addition and the former portion of the abutting State Highway Roadway Easement, Filed with the Cascade County, Clerk and Recorder on February 25, 1986; thence N.0°06'30"E. 15.0 feet to a point along the west right-of-way line of Doris Drive; thence S.89°55'30"E. 1025.11 feet along the north right-of-way line of the existing State Highway, 10th Avenue South, to the southeast corner of Lot 4, Block 1, Bleskin Tracts Addition to Great Falls;

thence S.0°06'30"W. 140.0 feet to the northeast corner of Lot 4, Block 1, T.R.F. Addition to Great Falls and to a point on the south right-of-way of 10th Avenue South;
thence N.89°52'20"W. 1026.2 feet along the south right-of-way line of the existing State Highway, 10th Avenue South, to the northeast corner of Lot 1, Block 1, McEwen Addition to Great Falls;
thence N.89°52'20"W. 632 feet continuing along the south right-of-way line of the existing State Highway, 10th Avenue South, to the northeast corner of Lot 1, Block 1, Third Supplement to Rice Tracts Addition to Great Falls;
thence N.0°43'W. 124.18 feet to a point along the north right-of-way line of the existing State Highway, 10th Avenue South;
thence S.89°51'45"E. 634.85 feet along the north right-of-way line of the existing State Highway, 10th Avenue South, to the point of beginning, containing in all 5.071 acres more or less; 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, in the judgment of the City Commission of said City, expressed by Resolution No. 9609 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 MONTANA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY FOR 10TH AVENUE SOUTH LOCATED IN THE NORTH HALF (N½) OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., GREAT FALLS, 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 September, 2006, 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 to include "MONTANA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY FOR 10TH AVENUE SOUTH LOCATED IN THE NORTH HALF (N½) OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., GREAT FALLS, 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 September, 2006; 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 October 3, 2006, 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: "MONTANA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY FOR 10TH AVENUE SOUTH LOCATED IN THE NORTH HALF (N½) OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., GREAT FALLS, CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That 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,

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 3RD day of October, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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. 9611 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 October, 2006, wherein it was approved by said City Commission.

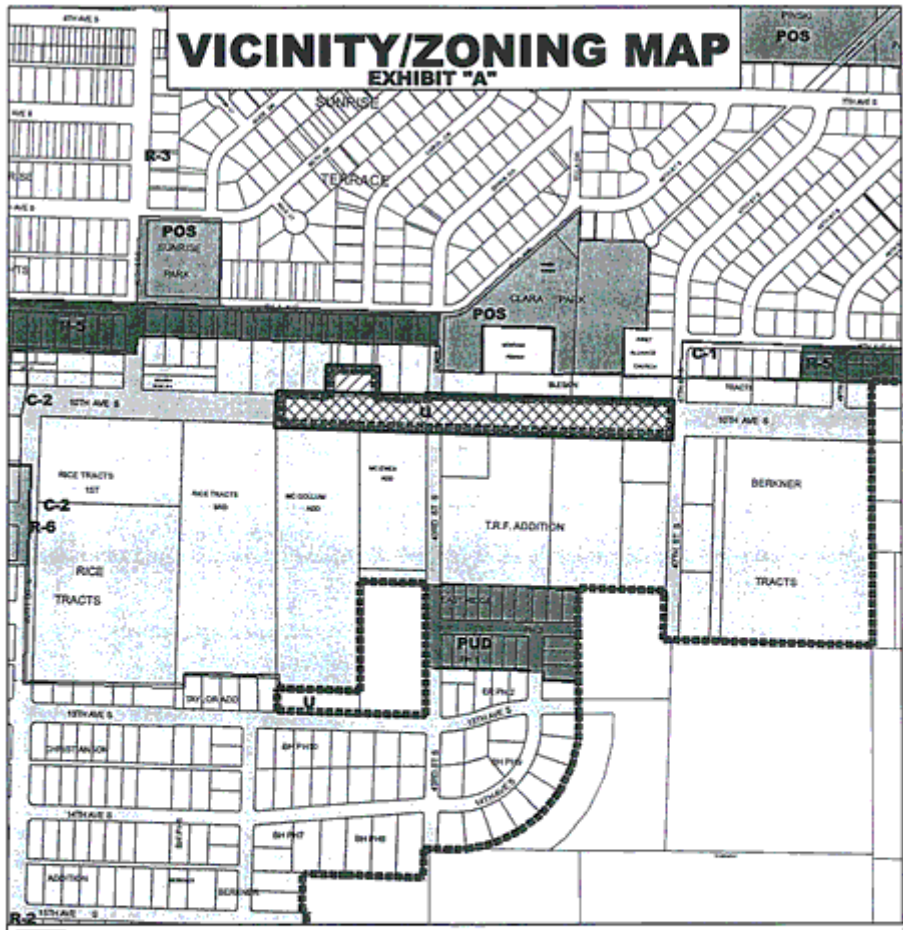
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 3rd day of October, 2006.







Peggy J. Bourne, City Clerk










(SEAL OF CITY)

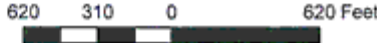
VICINITY/ZONING MAP

EXHIBIT "A"



 MARK 1B, SEC 16, T20N, R4E PROPOSED TO BE ANNEXED INTO THE CITY
 PORTION OF STATE HIGHWAY 87, (10TH AVENUE SOUTH) PROPOSED TO BE ANNEXED INTO THE CITY
 TRACTS OF LAND OUT OF CITY LIMITS
 SUBDIVISION BOUNDARY
 CITY LIMITS BOUNDARY


 R-2 Single-family medium density	 C-1 Neighborhood commercial
 R-3 Single-family high density	 C-2 General commercial
 R-5 Multi-family medium density	 POS Parks and Open Space
 R-6 Multi-family high density	 PUD Planned unit development
	 U Unincorporated Enclaves

 620 310 0 620 Feet
 STREETS