

RESOLUTION 9696

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ABUTTING SEGMENT OF U.S. HIGHWAY 87, 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 of land described as follows:

◆ Lot 5, Block 1, International Malting Company, LLC Addition, in Section 30, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, and containing 54.86 acres; and

◆ A Parcel of land being portions of U.S. Highway 87, Federal Aid Project No. 149-D(3) according to right-of-way plans in the records of the Montana Department of Transportation, said Parcel being situated in the Northwest Quarter (NW 1/4) of Section 30, in Township 21 North, Range 4 East of the Principle Meridian Montana, Cascade County, Montana, described as follows:

COMMENCING at the Southwest Corner of said Section 30;

THENCE S88°55'00"E along the south line of said Section 30, a distance of 407.16 feet (407.50 feet recorded) to the centerline of said U.S. Highway 87, at Station 67+57.29 (67+76.25 recorded);

THENCE N26°36'03"E (N26°35'47"E recorded) along said centerline, a distance of 3194.81 feet to Station 99+52.10 (99+52.99 recorded), which is the intersection of said centerline with a southerly line of said Lot 5, extended westerly and the POINT OF BEGINNING of the Parcel herein described;

THENCE N63°24'13"W along said southerly line extended, a distance of 70.00 feet to the northwesterly right-of-way line of said U.S. Highway 87;

THENCE along said northwesterly right-of-way on the following 3 courses:

THENCE N26°36'03"E (N26°35'47"E recorded) a distance of 113.21 feet (112.31 feet recorded) to the Point of Curvature of a circular curve to the right, with a radius point which bears S63°23'57"W (S63°24'13"E recorded) a distance of 11535.48 feet, said point being at Station 100+65.30, 70.00 feet left of centerline;

THENCE along last said curve, through a central angle of 4°16'48" an arc distance of 861.72 feet to the Point of Tangency of said curve at Station 109+21.79 (109+22.0 recorded). 70.00 feet left of centerline;

THENCE N30°52'51"E a distance of 822.86 feet to the north-south midsection line of said Section 30 at a point 70.00 feet left of centerline, from which point the Quarter Section Corner to said Section 30 and Section 19 bears N00°43'23"E a distance of 808.41 feet;

THENCE leaving said northwesterly right-of-way and along said midsection line, S00°43'23"W a distance of 139.34 feet to the intersection of said midsection line with said highway centerline at Station 116+24.17;

THENCE continuing along said midsection line, S00°43'23"W a distance of 119.43 feet to the southeasterly right-of-way of said U.S. Highway 87 at 60.00 feet right of centerline and the Northwest Corner of said Lot 5, from which point the Center Quarter Section corner of said Section 30 bears S00°43'23"W a distance of 1574.55 feet (1574.42 feet recorded);

THENCE along said southeasterly right-of-way and along the westerly boundary of Lot 5, on the following 3 courses:

THENCE S30°52'51"W (S30°52'46"W recorded) a distance of 599.12 feet (599.71 feet recorded) to the Point of Curvature of a circular curve to the left, with a radius point which bears S59°07'09"E a distance of 11405.48 feet, at Station 109+21.79 (109+22.0 recorded), 60.00 feet right of centerline;

THENCE along said curve, through a central angle of 4°16'48" (4°16'59" recorded) an arc distance of 852.01 feet (852.19 feet recorded) to the Point of Tangency at Station 100+65.30, 60.00 feet right of centerline;

THENCE S26°36'03"W (S26°35'47"W recorded) a distance of 113.20 feet (112.31 feet recorded) to a southwest corner of said Lot 5;

THENCE leaving said southeasterly right-of-way, along a southerly line of said Lot 5 extended westerly, N63°24'13"W a distance of 60.00 feet to the POINT OF BEGINNING of the Parcel herein described;

CONTAINING in all 218,538 square feet or 5.017 acres.

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 7-2-4601, 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.

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: "LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ABUTTING SEGMENT OF U.S. HIGHWAY 87."

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION: That Tuesday, the 6<sup>th</sup> day of November, 2007, 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 "LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION, IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ABUTTING SEGMENT OF U.S. HIGHWAY 87."

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 2nd day of October, 2007.

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Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz 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, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9696 was placed on its final passage and approved by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 2nd day of October, 2007.

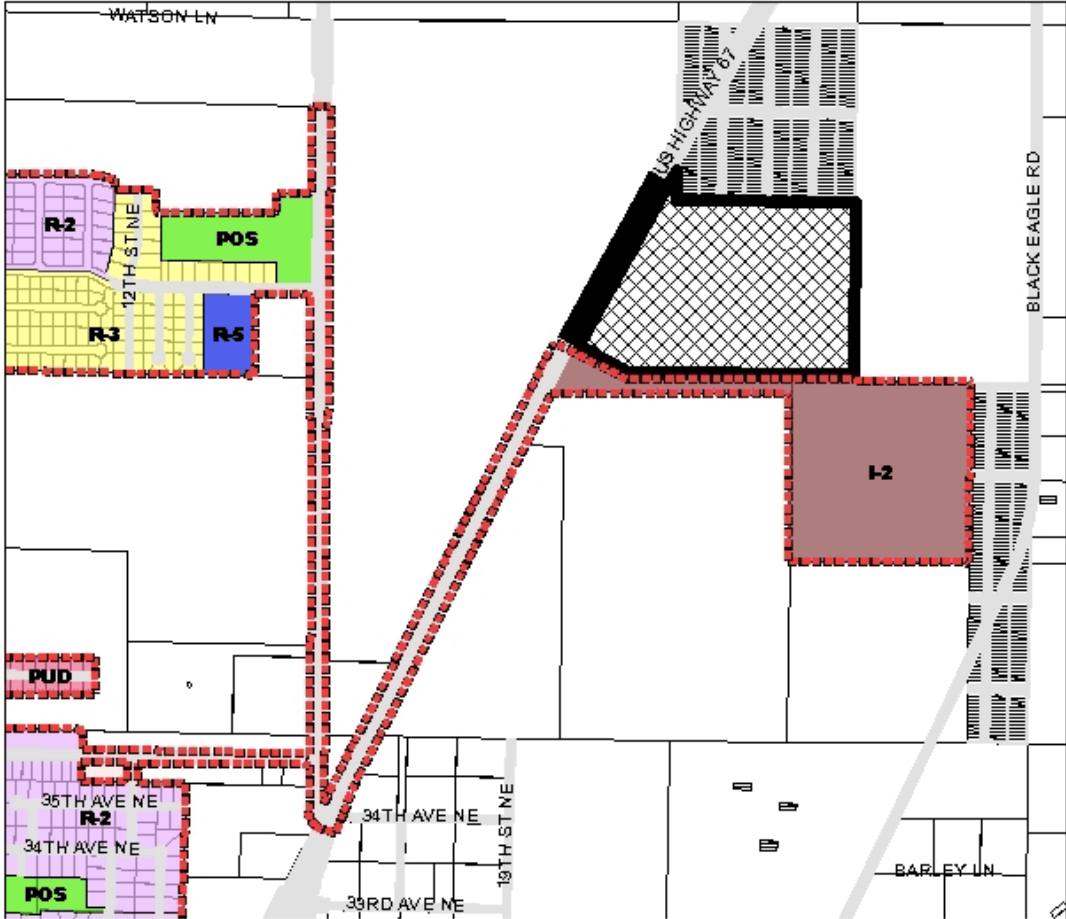
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 2nd day of October, 2007.

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Lisa Kunz, City Clerk

(SEAL OF CITY)

# EXHIBIT "A"

## VICINITY/ZONING MAP



- LOT 5, BLOCK 1 INTERNATIONAL MALTING COMPANY, LLC ADDITION REQUESTED TO BE ANNEXED AND ZONED "I-2" HEAVY INDUSTRIAL DISTRICT
  - PORTION OF U.S. HIGHWAY 87 PROPOSED TO BE ANNEXED
  - EXISTING CITY LIMITS
- |                                  |                              |                             |
|----------------------------------|------------------------------|-----------------------------|
| R-2 Single-family medium density | POS Parks and Open Space     | U Unincorporated enclave    |
| R-3 Single-family high density   | PUD Planned unit development | Tracts of land outside City |
| R-5 Multi-family medium density  | I-2 Heavy industrial         |                             |

