

RESOLUTION 9699

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE MARKS J AND J1, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND A PORTION OF 14TH STREET SOUTHWEST AND A SEGMENT OF 16TH AVENUE SOUTHWEST, 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, 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:

Marks J and J1, Section 15, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana, and containing 2.344 acres, more or less

and,

A portion of 14th Street Southwest and a segment of 16th Avenue Southwest, abutting Marks J and J1, Section 15, Township 20 North, Range 3 East, P.M.M. Cascade County, Montana, described as follows:

Beginning at the southeast corner Mark I, being the point of beginning;

thence West along the south lot line 22 feet to a point on the south boundary of Mark I and the intersection of the east lot line of Mark J;

thence South along the east lot line of Mark J, extended 18 feet to the NE corner of Mark J;

continuing south along the east lot line of Marks J and J1, 278 feet to the SE corner of Mark J1;

thence west 97 feet, along the south lot line of Mark J1, to the SW corner of Mark J1;

thence south 61 feet, to the NW corner of Lot 12A, University Addition;

thence east 109 feet, along the north lot line of Lot 12A, extended, to the intersection with the existing City Limit Boundary Line;

thence north 356 feet, along the existing City Limit Boundary Line to the NE corner of Mark I, to the point of beginning;

containing 0.307 acres more or less,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof;

and,

WHEREAS, on February 21, 2006, the Great Falls City Commission adopted Ordinance 2930 regarding the annexation of parcels that receive water and/or sewer services and are currently outside the City limits; and,

WHEREAS, pursuant to 69-7-201, MCA, it is the opinion of the Montana Attorney General that a City may require the annexation of parcels located outside the city limits receiving water and/or sewer services as a condition for the continuation of such utility services to said parcels, 46 Op. Atty. Gen. No. 12 (1995); and,

WHEREAS, Eric & Lori Ellingson, property owners of record, have provided written consent to annex said properties into the City of Great Falls, as a condition for the continuation of City water and sewer services in accordance with City Ordinance 2930;

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: "MARKS J and J1, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND A PORTION OF 14TH STREET SOUTHWEST AND A SEGMENT OF 16TH AVENUE SOUTHWEST."

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 tracts 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 6th day of November, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, 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, Liza Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9699 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 6th day of November, 2007, wherein it was approved by said Commission.

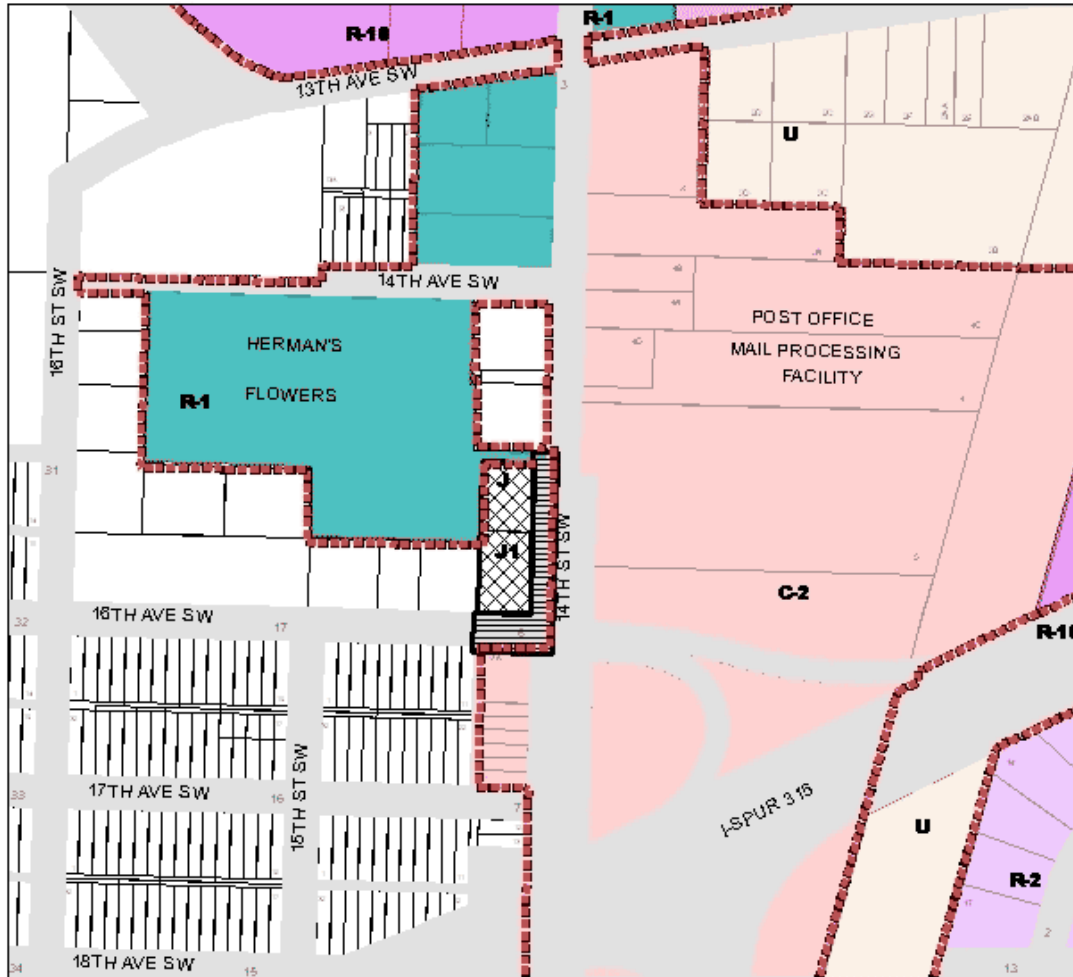
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 6th day of November, 2007.

Lisa Kunz, City Clerk

(SEAL OF CITY)

EXHIBIT "A"

VICINITY/ZONING MAP



MARKS J & J1, SEC 15, T20N, R3E, CASCADE COUNTY, MONTANA PROPOSED TO BE ANNEXED INTO THE CITY OF GREAT FALLS AND ASSIGNED A ZONING CLASSIFICATION OF R-1 SINGLE-FAMILY SUBURBAN AND C-2 GENERAL COMMERCIAL DISTRICT, RESPECTIVELY

ABUTTING SEGMENT OF 14TH STREET SOUTHWEST AND 16TH AVENUE SOUTHWEST BEING ANNEXED INTO THE CITY IN ACCORDANCE WITH 7-2-4211, MCA REGARDING INCLUSION OF ROADS AND RIGHTS-OF-WAY IN ANNEXATIONS

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| City Limits | R-6 Multi-family high density | U Unincorporated enclave |
| R-1 Single-family suburban | R-10 Mobile home park | Tracts of land outside City |
| R-2 Single-family medium density | C-2 General commercial | |

