

RESOLUTION 9701

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 19 AND 19B, PARK HIGHWAY GARDEN TRACTS, SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA, AND AN UNINCORPORATED PORTION OF 22<sup>ND</sup> STREET NORTHWEST; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

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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:

Lots 19 and 19B, Park Highway Garden Tracts, Section 4, Township 20 North, Range 3 East, Cascade County, Montana, and containing 1.782 acres,

and;

the west half of 22<sup>nd</sup> Street Northwest between the Northwest Bypass and Vaughn Roar, described as follows:

Beginning at the Quarter Section corner on the east boundary of Section 4, Township 20 North, Range 3 East, Cascade County, Montana;

thence south 0°22'00" east 15 feet along the east boundary to the True Point of Beginning;

thence south 0°22'00" east 395.9 feet along the east boundary;

thence north 69°47'00" west 32.1 feet;

thence north 0°22'00" west 385.6 feet;

thence east 0°00'00" east 30 feet to the True Point of Beginning, containing, 0.27 acres more or less.

as shown on the Vicinity/Zoning 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, The representative of the Estate of Adeline E. Wells and the purchasers, Jack and Virginia Tolan, have provided written consent to annex said property 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: "LOTS 19 & 19B, PARK HIGHWAY GARDEN TRACTS, SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA, AND A UNINCORPORATED PORTION OF 22<sup>ND</sup> STREET NORTHWEST."

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 6<sup>th</sup> day of November, 2007.

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Dona R. Stebbins, Mayor

ATTEST:

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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, Liza Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9701 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 6<sup>th</sup> 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 6<sup>th</sup> day of November, 2007.

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Lisa Kunz, City Clerk

(SEAL OF CITY)

# EXHIBIT "A"

## VICINITY/ZONING MAP



- LOT 19 & 19B, PARK HIGHWAY GARDEN TRACTS PROPOSED TO BE ANNEXED INTO THE CITY OF GREAT FALLS AND ASSIGNED A ZONING CLASSIFICATION OF "M-2" MIXED-USE TRANSITIONAL DISTRICT
- ABUTTING SEGMENT OF 21ST STREET NORTHWEST BEING ANNEXED INTO THE CITY IN ACCORDANCE WITH 7-2-4211, MCA REGARDING INCLUSION OF ROADS AND RIGHT-OF-WAYS IN ANNEXATIONS
- City Limits
- M-2 Mixed-use transitional
- I-2 Heavy industrial
- R-1 Single-family suburban
- POS Parks and Open Space
- R-3 Single-family high density
- I-1 Light industrial
- U Unincorporated
- Tracts of land outside City

