

RESOLUTION 9704

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND SAID CITY BOUNDARIES TO INCLUDE SEGMENTS OF 6TH STREET SOUTHWEST AND INTERSTATE SPUR 315, IN NE¼, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-2-4402, MONTANA CODE ANNOTATED

* * * * *

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 outside the boundaries thereof, segments of 6th Street Southwest and Interstate Spur 315, in NE¼, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, containing 23 acres, more particularly described as follows:

Commencing at the Northeast corner of said Section 15, said corner being the True Point of Beginning, proceed thence S0° 20'00"W, 1426.26 feet along the east line of said Section 15 to a point on the southerly right-of-way line of U.S. Highway No. 89 and the Northeast corner of Lot 1B, Block 1, Tietjan Triangle Addition;

Thence S63°08'W, 274.43 feet along the north boundary line of Lot 1B, Block 1 Tietjan Triangle Addition and the southerly right-of-way line of U.S. Highway No. 89, to a point on the easterly right-of-way of Fox Farm Road and the Northwest corner of Lot 1B, Block 1 Tietjan Triangle Addition;

Thence S63°08'W, 100 feet, crossing the Fox Farm Road right-of-way to the intersection of the westerly right-of-way line of Fox Farm Road and the southerly right-of-way line of U.S. Highway No. 89;

Thence S63°12'30" W, 1674.5 along the north boundary of Montana Addition and the southerly right-of-way line of U.S. Highway No. 89, to the intersection of the easterly Burlington Northern and Santa Fe Railroad (B.N.S.F. RR.) right-of-way and the southerly right-of-way line of U.S. Highway No. 89;

Thence S63°12'30" W, 264 feet along the southerly right-of-way line of U.S. Highway No. 89, crossing the B.N.S.F. RR. to the intersection point of the southerly right-of-way line of U.S. Highway No. 89 and the westerly right-of-way of B.N.S.F. RR.

Thence N14°00'E, 290 feet along the westerly right-of-way of B.N.S.F. RR. to the intersection of a point along the northerly right-of-way line of U.S. Highway No. 89;

Thence N63°08'50"E, 247.38 feet to a point on the easterly right-of-way of B.N.S.F. RR., and the southwest corner of Tract 2, Dick's Addition;

The next seven courses being found on Certificate of Survey 4311, of the records of the Clerk & Recorder's Office of Cascade County,

Thence N63°08'50"E, 594.4 feet;

Thence N77°12'E, 82.4 feet;

Thence N63°08'50"E, 220 feet;

Thence N77°12'E, 41.2 feet;

Thence N63°08'50"E, 482.7 feet;

Thence N27°29'E, 88 feet;

Thence Northerly, 150.6 feet to a point along a curve to the right (chord = S5°45'30", 150.2 feet; radius = 571.5 feet) along the westerly right-of-way of 6th Street Southwest to the Northeast corner of Tract 2, Dick's Addition;

Thence S89°06'40"W 225.25, to a point along the north boundary of Tract 2, Dick's Addition;

Thence N0°00'0"W, 239.61 feet to the southerly high water mark of the Sun River;

Thence N0°00'0"W, 380.15 feet to the northerly high water mark of the Sun River, and a point on the southerly bank of the West Great Falls Flood Levee;

Thence E0°00'0' 412.25 feet to a point along the westerly right-of-way of 6th Street Southwest;

Thence N22°40'12"E 469.22 feet to the Southeast corner of Mark 1B, University Portions of Section 15, Township 20 North, Range 3 East, Cascade County, Montana and a point on the westerly right-of-way line of 6th Street Southwest;

Thence North 93 feet to the northeast corner of Mark 1B, University Portions of Section 15, Township 20 North, Range 3 East, Cascade County, Montana and a point on the westerly right-of-way line of 6th Street Southwest;

Thence North 110 feet to the northeast corner of Mark 1A, University Portions of Section 15, Township 20 North, Range 3 East, Cascade County, Montana and a point on the westerly right-of-way line of 6th Street Southwest and a point on the north boundary line of Section 15, Township 20 North, Range 3 East, Cascade County, Montana;

Thence East 105.25 feet along the north boundary line of Section 15, to the Northeast corner of said Section 15, Township 20 North, Range 3 East, Cascade County, Montana, being the Point of Beginning,

containing in all 23 acres more or less and as shown on the Vicinity/Zoning Map attached hereto, marked Exhibit "A" and by this reference made a part hereof; 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 by any agency, instrumentality, or political subdivision or whenever any of the foregoing have a beneficial interest in any land contiguous to a municipality, such land may be incorporated and included in the municipality to which it is contiguous and may be annexed thereto and made a part thereof; and,

WHEREAS, the City has obtained a Request for Annexation of the subject segments of rights-of-way from the Montana Department of Transportation.

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: "SEGMENTS OF 6TH STREET SOUTHWEST AND INTERSTATE SPUR 315, IN NE¼, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION: That Tuesday, the 20th 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 "SEGMENTS OF 6TH STREET SOUTHWEST AND INTERSTATE SPUR 315, IN NE¼, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, 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 16th day of October, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

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 9704 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 16th day of October, 2007.

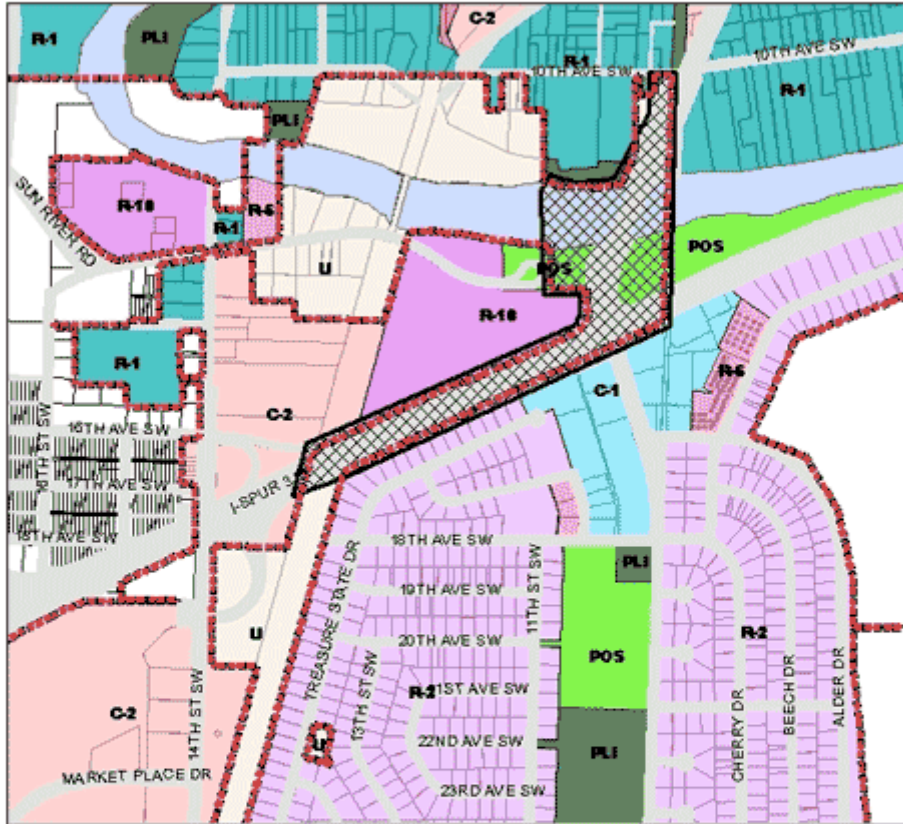
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 16th day of October, 2007.

Lisa Kunz, City Clerk












(SEAL OF CITY)

EXHIBIT "A"

VICINITY/ZONING MAP



 UNINCORPORATED SEGMENT OF 6TH STREET SOUTHWEST AND INTERSTATE SPUR 315 REQUESTED TO BE ANNEXED TO THE CITY AND BE ASSIGNED CITY ZONING CLASSIFICATIONS TO MATCH THE ABUTTING ZONING OF INCORPORATED PARCELS

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|--|--|--|
|  City Limits |  R-10 Mobile home park |  POS Parks and Open Space |
|  R-1 Single-family suburban |  C-1 Neighborhood commercial |  PUD Planned unit development |
|  R-2 Single-family medium density |  C-2 General commercial |  U Unincorporated endave |
|  R-6 Multi-family high density |  PLI Public Lands and Institutional |  Tracts of land outside City |

1,000 500 0 1,000 Feet

