

RESOLUTION 9705

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND SAID CITY BOUNDARIES TO INCLUDE SEGMENTS OF 6<sup>TH</sup> 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

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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 outside the boundaries thereof, segments of 6<sup>th</sup> 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 feet 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  $S63^{\circ}12'30''$  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  $N14^{\circ}00'E$ , 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  $N63^{\circ}08'50''E$ , 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  $N63^{\circ}08'50''E$ , 594.4 feet;

Thence  $N77^{\circ}12'E$ , 82.4 feet;

Thence  $N63^{\circ}08'50''E$ , 220 feet;

Thence  $N77^{\circ}12'E$ , 41.2 feet;

Thence  $N63^{\circ}08'50''E$ , 482.7 feet;

Thence  $N27^{\circ}29'E$ , 88 feet;

Thence Northerly, 150.6 feet to a point along a curve to the right (chord =  $S5^{\circ}45'30''$ , 150.2 feet; radius = 571.5 feet) along the westerly right-of-way of 6<sup>th</sup> Street Southwest to the Northeast corner of Tract 2, Dick's Addition;

Thence  $S89^{\circ}06'40''W$  225.25 feet, to a point along the north boundary of Tract 2, Dick's Addition;

Thence  $N0^{\circ}00'0''W$ , 239.61 feet to the southerly high water mark of the Sun River;

Thence  $N0^{\circ}00'0''W$ , 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  $E0^{\circ}00'0''$  412.25 feet to a point along the westerly right-of-way of 6<sup>th</sup> Street Southwest;

Thence  $N22^{\circ}40'12''E$  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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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.

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution 9704 entitled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND SAID CITY BOUNDARIES TO INCLUDE SEGMENTS OF 6<sup>TH</sup> 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,

duly and regularly passed and adopted on the 16<sup>TH</sup> day of October, 2007, 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 so as to include "SEGMENTS OF 6<sup>TH</sup> STREET SOUTHWEST AND INTERSTATE SPUR 315, IN NE¼, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, 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 28<sup>th</sup> day of October, 2007; and,

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls on November 20, 2007, 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 rights-of-way 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: "SEGMENTS OF 6<sup>TH</sup> STREET SOUTHWEST AND INTERSTATE SPUR 315, IN NE<sup>1</sup>/<sub>4</sub>, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, 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 right-of-way; and,

That this Resolution shall become effective thirty (30) days after its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 20<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 THE 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 9705 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 20<sup>th</sup> day of November, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 20<sup>th</sup> day of November, 2007.

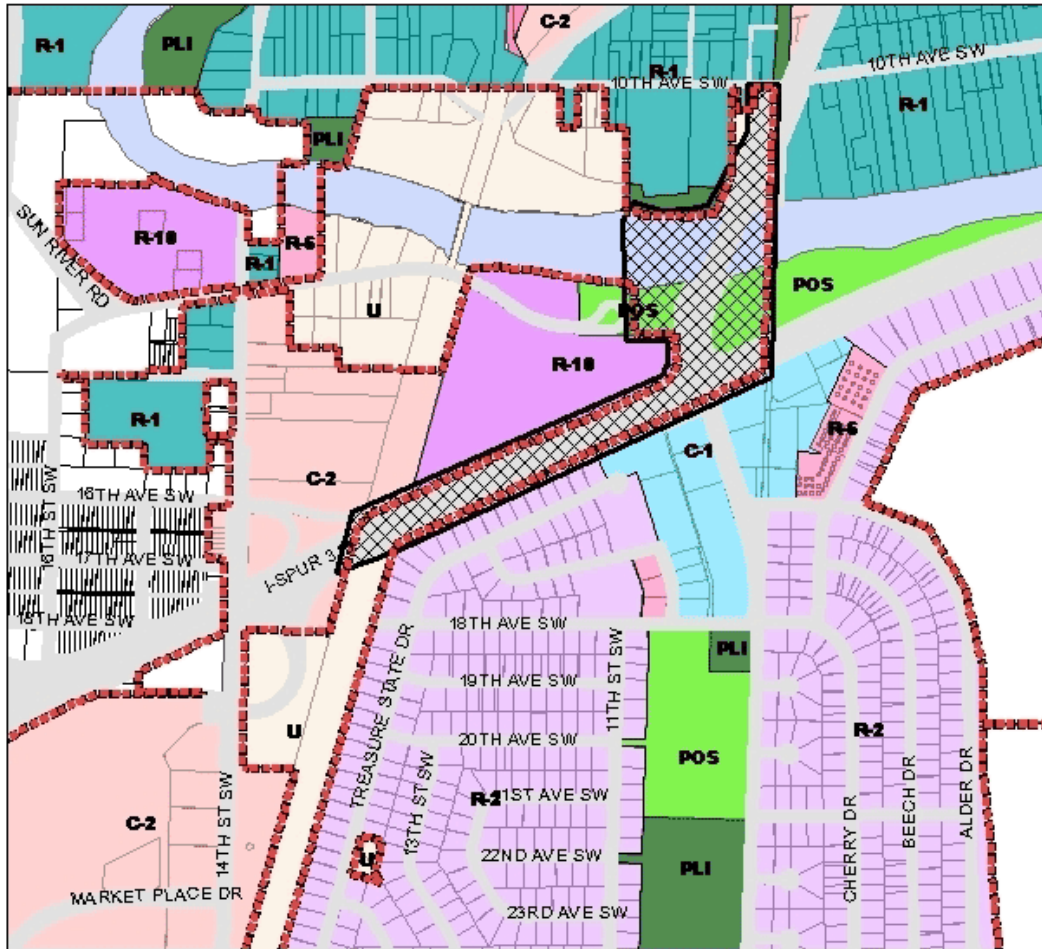
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Lisa Kunz, City Clerk













(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 enclave     |
|  R-6 Multi-family high density    |  PLI Public Lands and Institutional |  Tracts of land outside City  |

1,000 500 0 1,000 Feet

