

RESOLUTION 9718

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 2A-1 AND 2A-2 AND THE UNINCORPORATED PORTION OF LOT 2A-3, BLOCK 1, OF THE AMENDED PLAT OF LOT 2A, BLOCK 1, OF AN AMENDED PLAT OF LOT 2, BLOCK 1, SAND HILLS PARK ADDITION; AND OF BLOCKS 40 AND 45, AND VACATED PORTIONS OF 24TH STREET SOUTH, MONROE AVENUE, 16TH ALLEY SOUTH AND 17TH ALLEY SOUTH, REPLAT OF LINCOLN HEIGHTS ADDITION, IN SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA.

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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 of land described as follows:

Lots 2A-1 and 2A-2 and that portion of Lot 2A-3 excepting the easterly 60 feet which was previously annexed, Block 1, of the Amended Plat of Lot 2A, Block 1 of an Amended Plat of Lot 2, Block 1, Sand Hills Park Addition; and of Blocks 40 and 45, and Vacated Portions of 24th Street South, Monroe Avenue, 16th Alley South and 17th Alley South, Replat of Lincoln Heights Addition, in Section 18, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, and containing 11.37 acres; and

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 hereinabove mentioned Amended Plat; 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.

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution 9706 entitled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 2A-1 AND 2A-2 AND THE UNINCORPORATED PORTION OF LOT 2A-3, BLOCK 1, OF THE AMENDED PLAT OF LOT 2A, BLOCK 1, OF AN AMENDED PLAT OF LOT 2, BLOCK 1, SAND HILLS PARK ADDITION; AND OF BLOCKS 40 AND 45, AND VACATED PORTIONS OF 24TH STREET SOUTH, MONROE AVENUE, 16TH ALLEY SOUTH AND 17TH ALLEY SOUTH, REPLAT OF LINCOLN HEIGHTS ADDITION, IN SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, DIRECTING NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

duly and regularly passed and adopted on the 6th day of November, 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: "LOTS 2A-1 AND 2A-2 AND THE UNINCORPORATED PORTION OF LOT 2A-3, BLOCK 1, OF THE AMENDED PLAT OF LOT 2A, BLOCK 1, OF AN AMENDED PLAT OF LOT 2, BLOCK 1, SAND HILLS PARK ADDITION; AND OF BLOCKS 40 AND 45, AND VACATED PORTIONS OF 24TH STREET SOUTH, MONROE AVENUE, 16TH ALLEY SOUTH AND 17TH ALLEY SOUTH, REPLAT OF LINCOLN HEIGHTS ADDITION, IN SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., 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 11th day of November, 2007; and,

WHEREAS, the City Clerk has received no expressions of approval or disapproval of the proposed alterations of the boundaries of the municipality, within the time allowed by said notice; and,

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls on December 4, 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 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 said 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 2A-1 AND 2A-2 AND THE UNINCORPORATED PORTION OF LOT 2A-3, BLOCK 1, OF THE AMENDED PLAT OF LOT 2A, BLOCK 1, OF AN AMENDED PLAT OF LOT 2, BLOCK 1, SAND HILLS PARK ADDITION; AND OF BLOCKS 40 AND 45, AND VACATED PORTIONS OF 24TH STREET SOUTH, MONROE AVENUE, 16TH ALLEY SOUTH AND 17TH ALLEY SOUTH, REPLAT OF LINCOLN HEIGHTS ADDITION, IN SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

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 tract of land; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION 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 4th day of December, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

Approved for Legal Content:

David V. Gliko, City Attorney

State of Montana)
County of Cascade :ss
City of Great Falls)

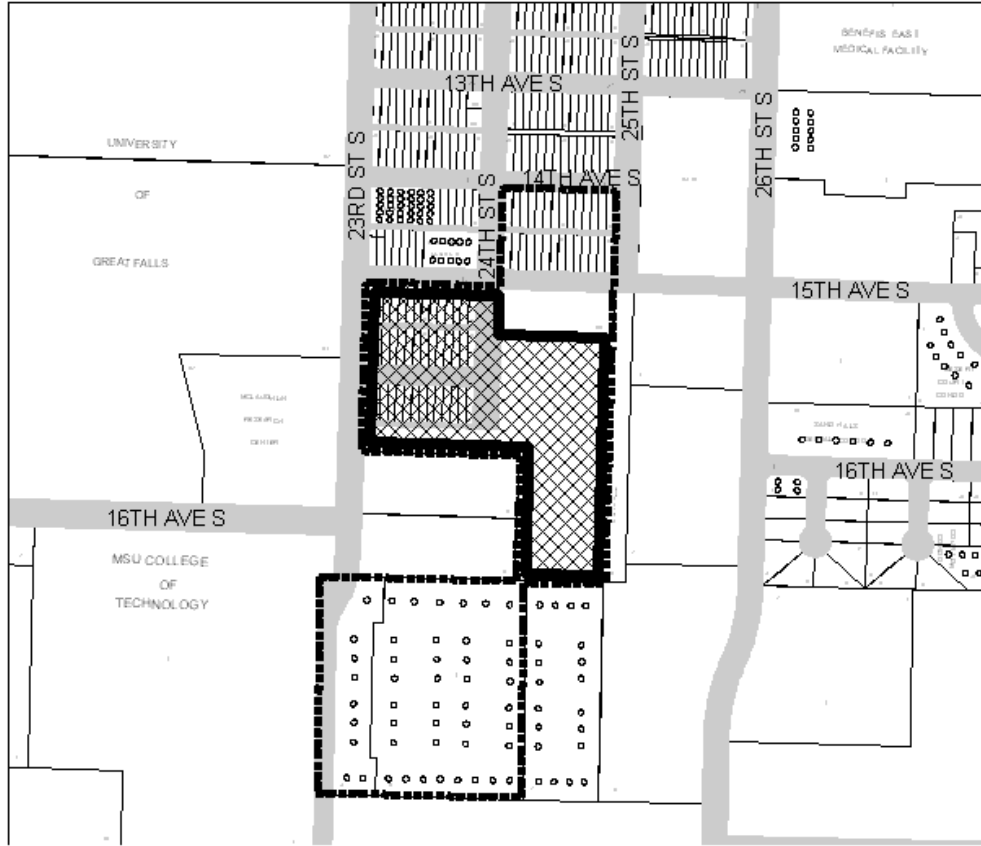
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9718 was placed on its final passage and approved by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 4th day of December, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 4th day of December, 2007.

Lisa Kunz, City Clerk

(CITY SEAL)

EXHIBIT "A" VICINITY MAP



 UNINCORPORATED AREA ANNEXED TO THE CITY BY RESOLUTION 9718

 City Limits

