

RESOLUTION 9736

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 34 AND 35A, BEEBE TRACTS, AND SEGMENTS OF 2ND AVENUE NORTH AND 57TH STREET NORTH, IN NW¼, SECTION 10, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, 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:

Lots 34 and 35A, Beebe Tracts, in NW¼, Section 10, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana and containing 7.9 acres;

and,

Segments of 2nd Avenue North and 57th Street North rights-of-way, in NW¼, Section 10, Township 20 North, Range 4 East, Cascade County, Montana, said rights-of-way being more fully described as follows:

Commencing at the northwest corner of Lot 32A, Beebe Tracts, said corner being the TRUE POINT OF BEGINNING, proceeding north 100.65 feet along the center line of

52nd Street North extended to the intersecting point of the North right-of-way line of 2nd Avenue North and the center line of 52nd Street North;

Thence East 1537.68 feet along the North right-of-way line of 2nd Avenue North to the Southwest corner of Lot 36A, Beebe Tracts;

Thence South 110.92 feet across the right-of-way of 2nd Avenue North to a point on the Northerly boundary of Lot 43A, Beebe Tracts;

Thence along a curve to the Southwest 170.55 feet following the right-of-way line for the Southeast corner of the intersection of 2nd Avenue North and 57th Street North;

Thence West 5 feet;

Thence South 159 feet to the Southwest corner of Lot 43A, Beebe Tracts;

Thence West 134.4 feet across the right-of-way of 57th Street North to a point on the West right-of-way line of 57th Street North and the East boundary of Lot 44, Beebe Tracts;

Thence North 78.46 feet along the West right-of-way line of 57th Street North;

Thence East 20 feet;

Thence North 91.2 feet along the West right-of-way line of 57th Street North;

Thence along a curve to the Northwest 165.5 feet following the right-of-way line for the southwest corner of the intersection of 2nd Avenue North and 57th Street North to a point on the south right-of-way line of 2nd Avenue North;

Thence West 1206.75 feet along the South right-of-way line of 2nd Avenue North to the TRUE POINT OF BEGINNING;

containing 4.88 acres more or less; and,

containing in all 12.78 acres more or less as shown on the attached, as Exhibit "A" and by this reference made a part hereof.

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 Section 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, Murphy Limited Partnership, property owner of record, has provided written consent to annex said property into the City of Great Falls, as a condition for the continuation of City water and/or 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 34 AND 35A, BEEBE TRACTS, AND SEGMENTS OF 2ND AVENUE NORTH AND 57TH STREET NORTH, IN NW¼, SECTION 10, 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:

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 3rd day of June, 2008.

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, Liza Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9736 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 3rd day of June, 2008, wherein it was approved by said Commission.

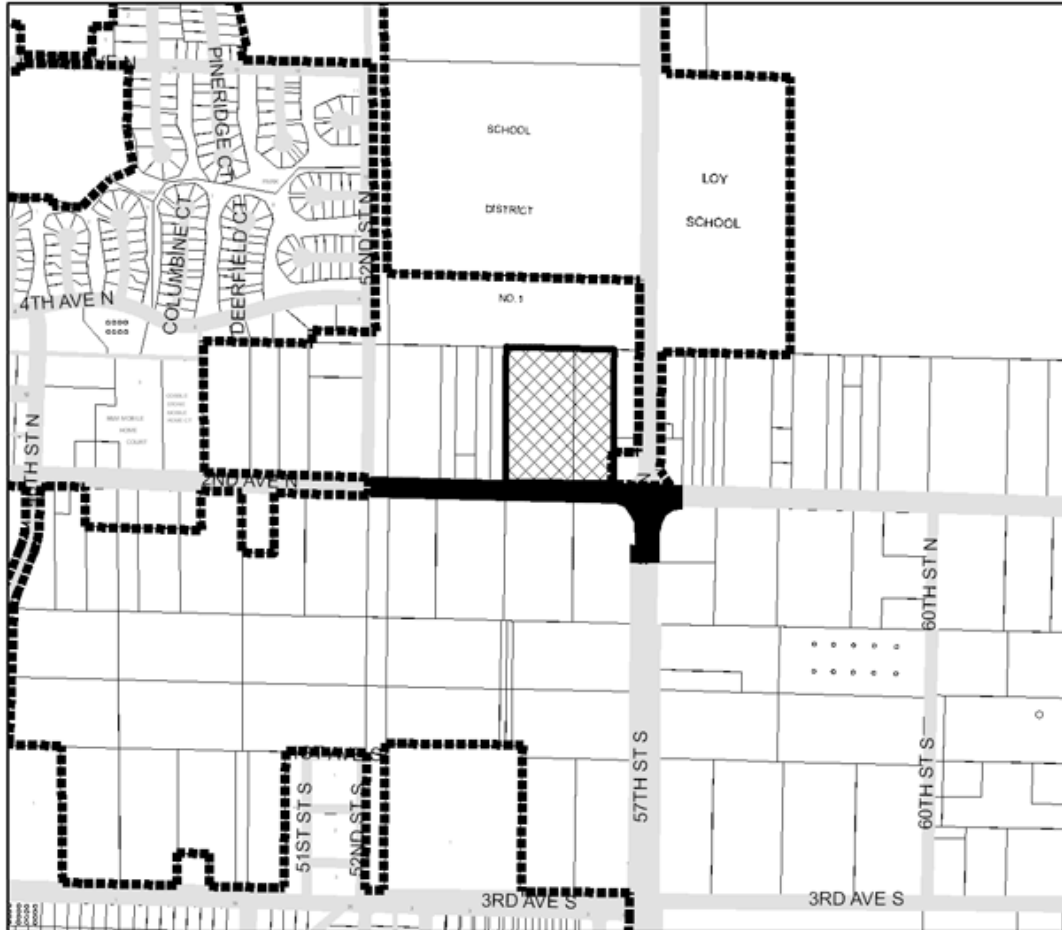
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 3rd day of June, 2008.


Lisa Kunz, City Clerk


(CITY SEAL)

EXHIBIT "A"


VICINITY MAP



 LOTS 34 AND 35A, BEEBE TRACTS BEING ANNEXED INTO THE CITY OF GREAT FALLS AND ASSIGNED A CITY ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL DISTRICT

 PORTIONS OF 2ND AVENUE NORTH AND 57TH STREET NORTH BEING ANNEXED

 City Limits

 Tracts of land

840 420 0 840 Feet

