

RESOLUTION 9763

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE NINETY-TWO (92) SEPARATE PARCELS OF LAND COMPRISING THE UNINCORPORATED PORTION OF TWO UTILITY CORRIDORS IN THE VICINITY OF HENDERSON HEIGHTS AND NORTH RIVERVIEW TERRACE IN SECTIONS 35 AND 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND TO DIRECT NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

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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 wholly surrounded by said City, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Ninety-two (92) separate parcels of land comprising the unincorporated portion of two utility corridors in the vicinity of Henderson Heights and North Riverview Terrace in Sections 35 and 36, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana, and containing 12.76 acres, more or less,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof; and,

WHEREAS, Section 7-2-4501 Montana Code Annotated, a city may unilaterally annex properties that are wholly surrounded by the city, upon passing a resolution of intent, giving notice, and passing a resolution of annexation. Upon conducting these actions, wholly surrounded lands are annexed whether or not a majority of the property owners of the areas to be annexed object, such land may be incorporated and included in the municipality to which it is contiguous.

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution 9756 entitled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO EXTEND THE BOUNDARIES OF

SAID CITY TO INCLUDE NINETY-TWO (92) SEPARATE PARCELS OF LAND COMPRISING THE UNINCORPORATED PORTION OF TWO UTILITY CORRIDORS IN THE VICINITY OF HENDERSON HEIGHTS AND NORTH RIVERVIEW TERRACE IN SECTIONS 35 AND 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND TO DIRECT NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

duly and regularly passed and adopted on the 1<sup>st</sup> day of July, 2008, 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 “THE 92 SEPARATE PARCELS OF LAND COMPRISING THE UNINCORPORATED PORTION OF TWO UTILITY CORRIDORS IN THE VICINITY OF HENDERSON HEIGHTS AND NORTH RIVERVIEW TERRACE IN SECTIONS 35 AND 36, TOWNSHIP 21 NORTH, RANGE 3 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 13<sup>th</sup> day of July, 2008; and,

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls on August 5, 2008, 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 parcels 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: “THE 92 SEPARATE PARCELS OF LAND COMPRISING THE UNINCORPORATED PORTION OF TWO UTILITY CORRIDORS IN THE VICINITY OF HENDERSON HEIGHTS AND NORTH RIVERVIEW TERRACE IN SECTIONS 35 AND 36, TOWNSHIP 21 NORTH, RANGE 3 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 parcels; 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 5<sup>th</sup> day of August, 2008.

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Dona R. Stebbins, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

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 9763 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 5<sup>th</sup> day of August, 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 5<sup>th</sup> day of August, 2008.

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Lisa Kunz, City Clerk

(CITY SEAL)

