

RESOLUTION 9764

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE A PARCEL OF GOVERNMENTAL LAND LOCATED IN THE UNINCORPORATED PORTION OF A UTILITY CORRIDOR ADJACENT TO SACAJAWEA SCHOOL AND SACAJAWEA PARK IN NORTH<sup>1</sup>/<sub>2</sub> NORTH<sup>1</sup>/<sub>2</sub> SOUTHWEST<sup>1</sup>/<sub>4</sub> OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

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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, a certain tract or parcel of governmental land situated in the County of Cascade, State of Montana, and described as follows:

A parcel of governmental land located in the unincorporated portion of a utility corridor adjacent to Sacajawea School and Sacajawea Park in N<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> of Section 36, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana, and containing 2.63 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 7-2-4402, 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 on file a Request for Annexation of the subject segment of governmental land owned by the City of Great Falls; and,

WHEREAS, in the judgment of the City Commission of said City, expressed by Resolution 9757 entitled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE A PARCEL OF GOVERNMENTAL LAND LOCATED IN THE UNINCORPORATED PORTION OF A UTILITY CORRIDOR ADJACENT TO SACAJAWEA SCHOOL AND SACAJAWEA PARK IN NORTH $\frac{1}{2}$  NORTH $\frac{1}{2}$  SOUTHWEST $\frac{1}{4}$  OF SECTION 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 PARCEL OF GOVERNMENTAL LAND LOCATED IN THE UNINCORPORATED PORTION OF A UTILITY CORRIDOR ADJACENT TO SACAJAWEA SCHOOL AND SACAJAWEA PARK IN NORTH $\frac{1}{2}$  NORTH $\frac{1}{2}$  SOUTHWEST $\frac{1}{4}$  OF SECTION 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 segment of governmental land 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 PARCEL OF GOVERNMENTAL LAND LOCATED IN THE UNINCORPORATED PORTION OF A UTILITY CORRIDOR ADJACENT TO SACAJAWEA

SCHOOL AND SACAJAWEA PARK IN NORTH½ NORTH½ SOUTHWEST¼ OF SECTION 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 segment of governmental land; 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:

\_\_\_\_\_  
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    )

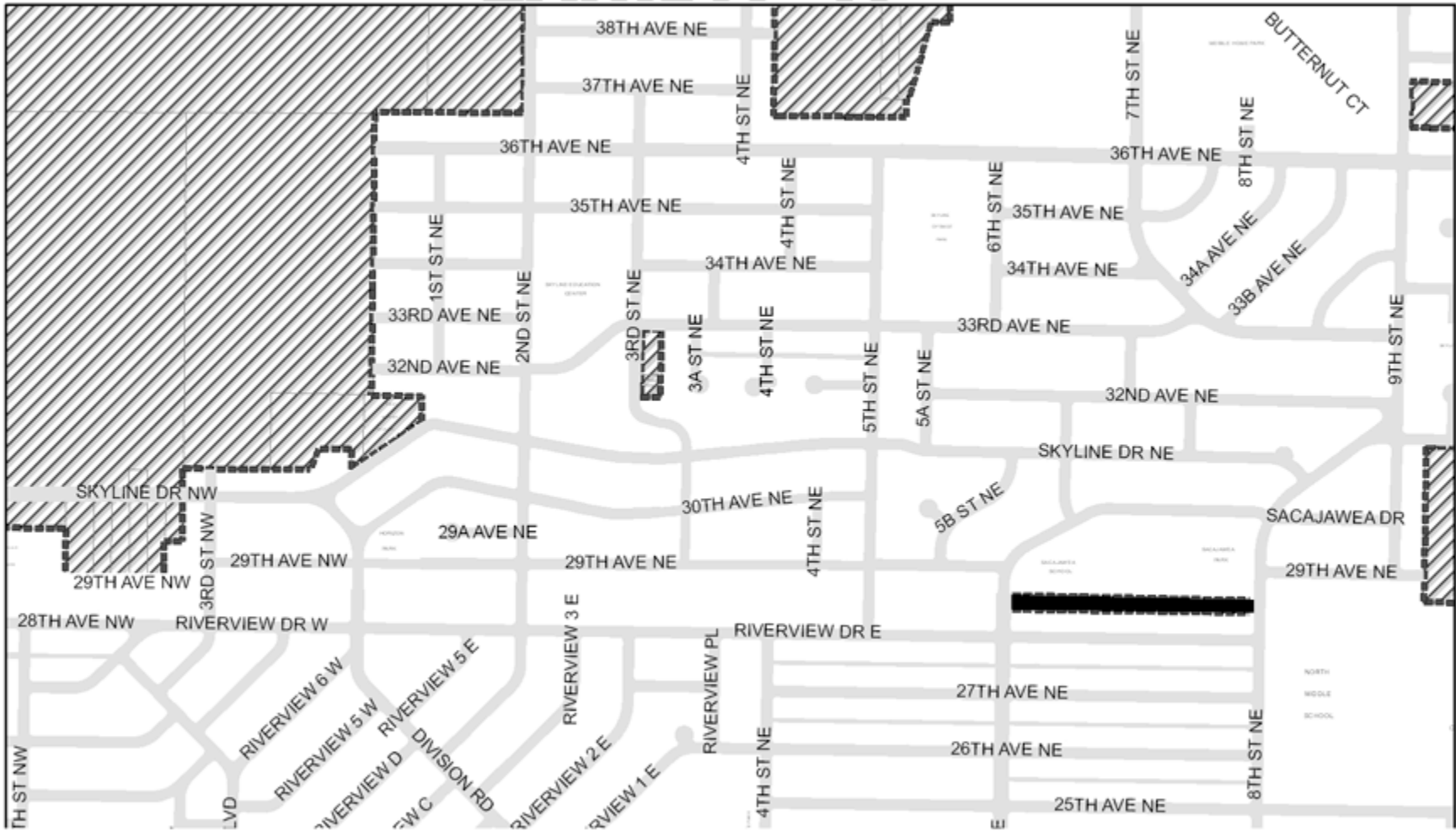
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9764 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 5<sup>th</sup> day of August, 2008, wherein it was approved by said 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)

# EXHIBIT "A"



-  CONTIGUOUS GOVERNMENTAL LAND PROPOSED TO BE ANNEXED INTO THE CITY OF GREAT FALLS
-  TRACTS OF LAND OUTSIDE CITY
-  CITY LIMITS

