

RESOLUTION 9778

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE PARCEL MARK NO. 6 IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST, AND PARCEL MARK NO. 8 IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND THE ABUTTING SEGMENTS OF SUN RIVER ROAD AND AIRPORT BENCH ROAD.

\* \* \* \* \*

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:

◆ A tract of land in the SE1/4SE1/4 of Section 9, Township 20 North, Range 3 East, Cascade County, Montana, commonly referred to as Parcel Mark No. 6, excluding the area designated as easement for Sun River Road, more particularly described on Certificate of Survey 2262 and containing an area of 2.53 acres; and

◆ The segment of Sun River Road in the SE1/4SE1/4 of Section 9, Township 20 North, Range 3 East, Cascade County, Montana, more particularly described as follows:

Beginning at the northeast corner of the SE1/4SE1/4 of Section 9; thence S0°59'45"W, 402.11 feet along the east line of said SE1/4SE1/4 to the true point of beginning; thence thirty (30) feet on either side of the following two courses being the centerline of Sun River Road; thence N63°59'W, 12.24 feet; thence N73°56'30"W, 966.23 feet and containing an area of 1.35 acres;

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

- ◆ A tract of land in the NW1/4 and the N1/2SW1/4 of Section 20, Township 20 North, Range 3 East, Cascade County, Montana, as referenced in the Warranty Deed recorded on Reel 253 Document 426, Clerk and Recorder's Office of Cascade County, Montana, commonly referred to as Parcel Mark No. 8, more particularly described as follows:

Beginning at the northwest corner of Section 20; thence S89°28'13"E, 580 feet along the north line of Section 20 to the true point of beginning; thence S89°28'13"E along the north line of Section 20 to the mid-section point (approximately 2060 feet); thence S0°5'29"E, 815.32 feet; thence S45°11'04"W, 3,675.92 feet to the east right-of-way of Airport Bench Road; thence North along the east right-of-way of Airport Bench Road to the southwest corner of a tract of land described on Certificate of Survey 2338 (approximately 810 feet); thence S89°12'22"E, 550.03 feet; thence North 2606.71 feet to the true point of beginning and containing an area of 94.39 acres; and

- ◆ The segment of Airport Bench Road in the W1/2 of Section 20 and the E1/2 of Section 19, Township 20 North, Range 3 East, Cascade County, Montana, more particularly described as follows:

Beginning at a point on the east right-of-way of Airport Bench Road which is the southwest corner of a tract of land described on Certificate of Survey 2338; thence South along the east right-of-way of Airport Bench Road (approximately 810 feet); thence S45°11'03"W, 84.34 feet to the west right-of-way of Airport Bench Road; thence North along the west right-of-way of Airport Bench Road (approximately 880 feet); thence S89°12'22"E, 60 feet to the east right-of-way of Airport Bench Road and the point of beginning and containing an area of 1.14 acres;

generally as shown on the vicinity map exhibit attached hereto marked Exhibit "B" 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 a political subdivision of the state, 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 9771 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 PARCEL MARK NO. 6 IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 3

EAST, AND PARCEL MARK NO. 8 IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND THE ABUTTING SEGMENTS OF SUN RIVER ROAD AND AIRPORT BENCH ROAD, DIRECTING NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

duly and regularly passed and adopted on the 5th day of August, 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: "PARCEL MARK NO. 6 IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST, AND PARCEL MARK NO. 8 IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND THE ABUTTING SEGMENTS OF SUN RIVER ROAD AND AIRPORT BENCH ROAD."

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 10th day of August, 2008; 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 September 2, 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 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: "PARCEL MARK NO. 6 IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST, AND PARCEL MARK NO. 8 IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND THE ABUTTING SEGMENTS OF SUN RIVER ROAD AND AIRPORT BENCH ROAD."

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 tracts 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 2nd day of September, 2008.

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz City Clerk

(SEAL OF CITY)

Approved for Legal Content:

\_\_\_\_\_  
David V. Gliko, City Attorney

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

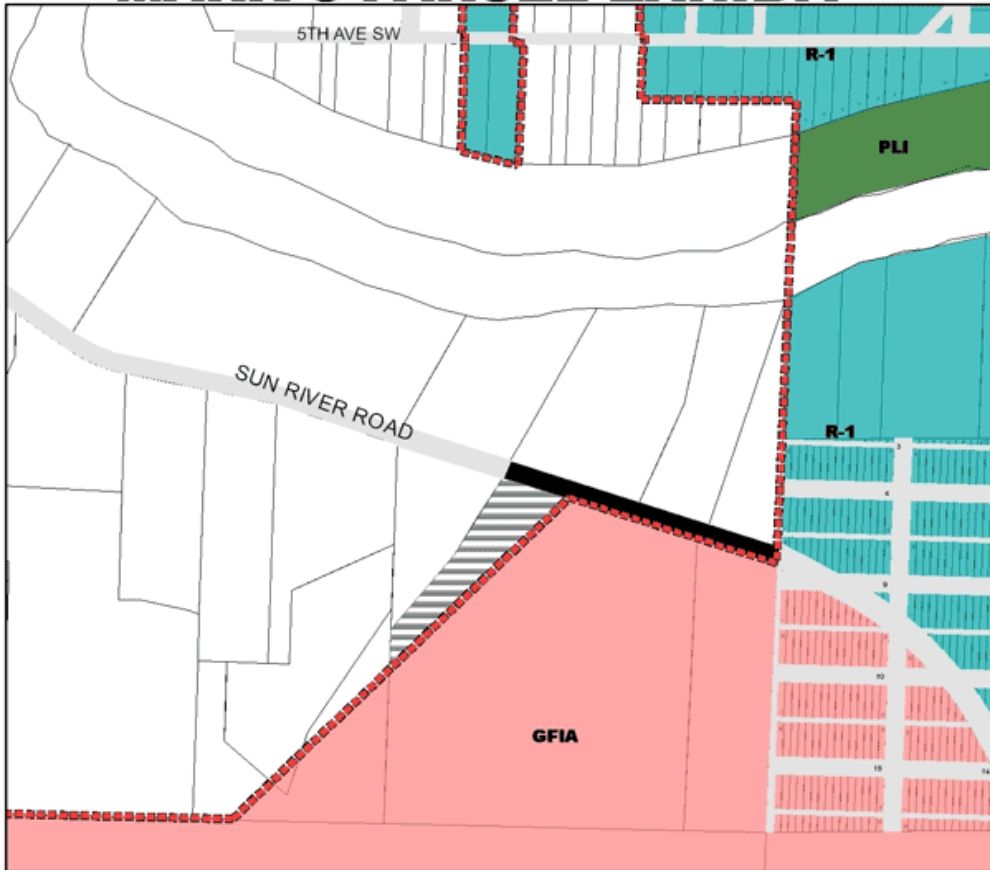
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9778 was placed on its final passage and approved by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 2nd day of September, 2008.








IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 2nd day of September, 2008.

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Lisa Kunz, City Clerk

(SEAL OF CITY)

**EXHIBIT "A"**  
**MARK 6 PARCEL EXHIBIT**



-  PARCEL MARK NO. 6 IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST, CONTAINING 3.5 ACRES TO BE ANNEXED TO THE CITY
-  PORTION OF SUN RIVER ROAD TO BE ANNEXED SIMULTANEOUSLY WITH MARK 6
-  City Limits
-  PLI Public Lands and Institutional
-  Tracts of land outside City
-  R-1 Single-family suburban
-  GFIA Great Falls International Airport

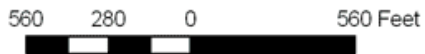
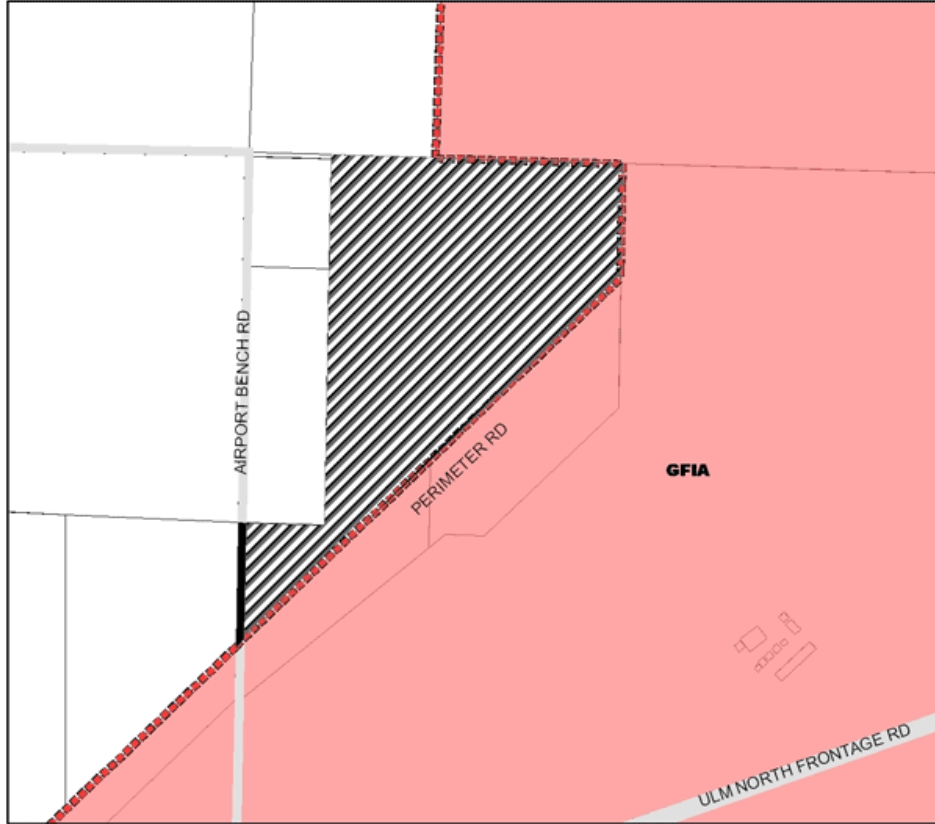







EXHIBIT "B"

# MARK 8 PARCEL EXHIBIT



-  PARCEL MARK NO. 8 IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 3 EAST, CONTAINING 95.3 ACRES TO BE ANNEXED TO THE CITY
-  PORTION OF AIRPORT BENCH ROAD TO BE ANNEXED SIMULTANEOUSLY WITH MARK 8
-  City Limits
-  GFIA Great Falls International Airport
-  Tracts of land outside City

