

ORDINANCE 2990

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF M-2 MIXED-USE TRANSITIONAL DISTRICT TO LOTS 19 & 19B, PARK HIGHWAY GARDEN TRACTS, SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA

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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 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, the representatives of the estate of Adeline E. Wells and the purchasers, Jack and Virginia Tolan, have provided written consent to annex said properties into the City of Great Falls, as a condition for the continuation of City water and sewer services in accordance with City Ordinance 2930; and,

WHEREAS, notice of assigning a zoning classification of M-2 Mixed-use transitional district upon Lots 19 & 19B, Park Highway Garden Tracts, Section 4, Township 20 North, Range 3 East, Cascade County, Montana, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 6<sup>th</sup> day of November, 2007, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and recommended that the said zoning designation be made, NOW THEREFORE,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. It is determined that the herein described zoning designation will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls.

Section 2. That the zoning of Lots 19 & 19B, Park Highway Garden Tracts, Section 4, Township 20 North, Range 3 East, Cascade County, Montana, be designated as M-2 Mixed-use transitional district.

Section 3. This ordinance shall be in full force and effect either thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing Lots 19 & 19B, Park Highway Garden Tracts, Section 4, Township 20 North, Range 3 East, Cascade County, Montana, upon annexation to the City, whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 6<sup>th</sup> day of November, 2007.

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Dona R. Stebbins, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF THE CITY)

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 Ordinance 2990 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 6<sup>th</sup> day of November, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 6<sup>th</sup> day of November, 2007.

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

(SEAL OF CITY)

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

I, Lisa Kunz, being first duly sworn, deposes and says: That on the 6<sup>th</sup> day of November, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk, I did publish and post as required by law and as prescribed and directed by the Commission, Ordinance 2990 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

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Lisa Kunz, City Clerk

(SEAL OF CITY)