

ORDINANCE 3010

AN ORDINANCE ASSIGNING CITY ZONING TO NINETY-THREE (93) SEPARATE PARCELS OF LAND COMPRISING THE UNINCORPORATED PORTION OF TWO UTILITY CORRIDORS WITHIN HENDERSON HEIGHTS AND NORTH RIVERVIEW TERRACE IN SECTIONS 35 AND 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA.

\* \* \* \* \*

WHEREAS, ninety-three (93) separate parcels of land comprising the unincorporated portion of two utility corridors within Henderson Heights and North Riverview Terrace and containing 15.39 acres, more or less, are contiguous to and are enclaves entirely surrounded by the incorporated area of the City of Great Falls; and,

WHEREAS, in accordance with Section 7-2-4501 MCA, a city may include as part of the city any platted or unplatted tracts or parcels of land that are wholly surrounded by the city; and,

WHEREAS, one of the above stated parcels is governmental land and in accordance with Section 7-2-4402, Montana Code Annotated, 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, notice of assigning a zoning classification of R-2 Single-family medium density district upon all the parcels comprising the utility corridors being annexed, except for the two parcels abutting Sacajawea School and North Middle School which will be zoned PLI Public lands and institutional district, was published in the Great Falls Tribune advising that a public hearing on these zoning designations would be held on the 5<sup>th</sup> day of August, 2008, before final passage of said Ordinance herein; and,

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

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

Section 1. It is determined assignment of a zoning classification of R-2 Single-family medium density district upon all the parcels comprising the utility corridors being annexed, except for the two parcels abutting Sacajawea School and North Middle School which will be zoned PLI Public lands and institutional district, 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 the ninety-three (93) separate parcels of land be designated as R-2 Single-family medium density district, except for the two parcels abutting Sacajawea School and North Middle School which will be zoned PLI Public lands and institutional district.

Section 3. This ordinance shall be in full force and effect 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 resolutions annexing the hereinabove described ninety-three (93) separate parcels of land into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, 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 Ordinance 3010 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 5<sup>th</sup> day of August, 2008 and approved by the Mayor of said City on the 5<sup>th</sup> day of August, 2008.

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.

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

(CITY SEAL)

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

I, Lisa Kunz, being first duly sworn, deposes and says: That on the 5<sup>th</sup> day of August, 2008 and prior thereto, I 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 3010 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

(CITY SEAL)