

RESOLUTION 10214

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF THE CITY OF GREAT FALLS TO INCLUDE A TRACT OF LAND IN CERTIFICATE OF SURVEY 5114 AND MORE PARTICULARLY DESCRIBED AS: A PORTION OF VACATED RAILROAD RIGHT-OF-WAY IN THE SE¼ NE¼ SECTION 3, TOWNSHIP 20N, RANGE 3E, PMM, CASCADE COUNTY, MONTANA, IN ACCORDANCE WITH THE PROVISION OF SECTION 7-2-4601, MONTANA CODE ANNOTATED; AS SHOWN ON THE MAP ATTACHED HERETO AS ATTACHMENT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

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

A tract of land described in Certificate of Survey #5114 as: A portion of vacated railroad right-of-way in the SE¼ NE¼ Section 3, Township 20N, Range 3E, PMM Cascade, County, Montana.

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

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be

embraced within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owner of the hereinabove described property has submitted a petition to have the subject property annexed to the City of Great Falls; and,

WHEREAS, the City Commission 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 laws of the Montana Code Annotated, Title 7, Chapter 2, Part 46, Annexation by Petition, and all conditions, acts, and actions required to be performed 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: "a tract of land described in Certificate of Survey #5114 as a portion of vacated railroad right-of-way in the SE¼ NE¼ Section 3, Township 20N, Range 3E, PMM Cascade, County, Montana" as shown on attached Exhibit "A."

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 boundaries of the City of Great Falls, Montana, to include said tract of land; and,

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 16th day of January, 2018.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

CERTIFICATE OF SURVEY NO. 5114

A TRACT OF LAND BEING A PORTION OF VACATED RAILROAD RIGHT-OF-WAY IN THE
SE1/4 NE1/4 SECTION 3, T. 20 N., R. 3 E., P.M.M., CASCADE COUNTY, MONTANA

Attachment "A"

PURPOSE

THE PURPOSE OF THIS SURVEY IS TO RETRACE AN EXISTING TRACT OF LAND THAT WAS AGGREGATED INTO A TRACT OF LAND (STAR TRACT) THAT HAD BEEN PREVIOUSLY ANNEXED INTO THE CITY OF GREAT FALLS. AT THE TIME OF THIS SURVEY, THE TRACT DESCRIBED HEREIN HAS NOT BEEN FORMALLY ANNEXED INTO THE CITY OF GREAT FALLS.

LEGAL DESCRIPTION:

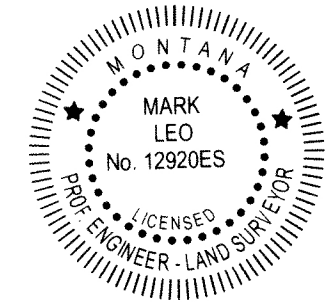
A TRACT OF LAND BEING A PORTION OF VACATED RAILROAD RIGHT-OF-WAY IN THE SE1/4 NE1/4 SECTION 3, T. 20 N., R. 3 E., P.M.M., CASCADE COUNTY, MONTANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF 11TH ST. NW. AND 8TH AVE. NW, WHICH IS A FOUND IRON PIN LOCATED INSIDE OF A CENTERLINE MONUMENT CASE; THENCE ALONG THE CENTERLINE OF 11TH ST. NW, N00°05'43"E A DISTANCE OF 279.92 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF NORTHWEST BYPASS; THENCE DEPARTING THE CENTERLINE OF 11TH ST. NW. AND ALONG THE NORTH RIGHT-OF-WAY OF NORTHWEST BYPASS, S89°48'33"E A DISTANCE OF 179.16 FEET TO AN ANGLE POINT; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY, N00°05'43"E A DISTANCE OF 112.52 FEET TO A POINT THAT LIES ON THE SOUTH RIGHT-OF-WAY OF THE VACATED CHICAGO, MILWAUKEE, AND SAINT PAUL RAILROAD, SAID POINT IS ALSO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE N00°05'43"E A DISTANCE OF 80.6 FEET TO AN ANGLE POINT; THENCE N83°09'38"W A DISTANCE OF 220.68 FEET TO AN ANGLE POINT; THENCE S00°05'43"W A DISTANCE OF 80.6 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF THE VACATED CHICAGO, MILWAUKEE, SAINT PAUL RAILROAD; THENCE ALONG SAID VACATED RIGHT-OF-WAY S83°09'38"E A DISTANCE OF 220.68 FEET TO THE POINT OF BEGINNING, CONTAINING 0.405 ACRES.

CERTIFICATE OF SURVEYOR:

I, MARK LEO, PROFESSIONAL ENGINEER AND LAND SURVEYOR, MONTANA REGISTRATION NUMBER 12920 ES, DO HEREBY CERTIFY THAT DURING THE MONTHS OF JULY-AUGUST 2017, THAT I PERFORMED, OR IT WAS PERFORMED UNDER MY DIRECT SUPERVISION, THE SURVEY THAT THE ACCOMPANYING MAP REPRESENTS AND THAT THIS SURVEY IS IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN 76-3-402 AND 403, M.C.A., AND THAT THE MONUMENTS FOUND AND SET ARE OF THE CHARACTER AND OCCUPY THE POSITIONS SHOWN HEREON.

DATED THIS 15th DAY OF SEPTEMBER, 2017.

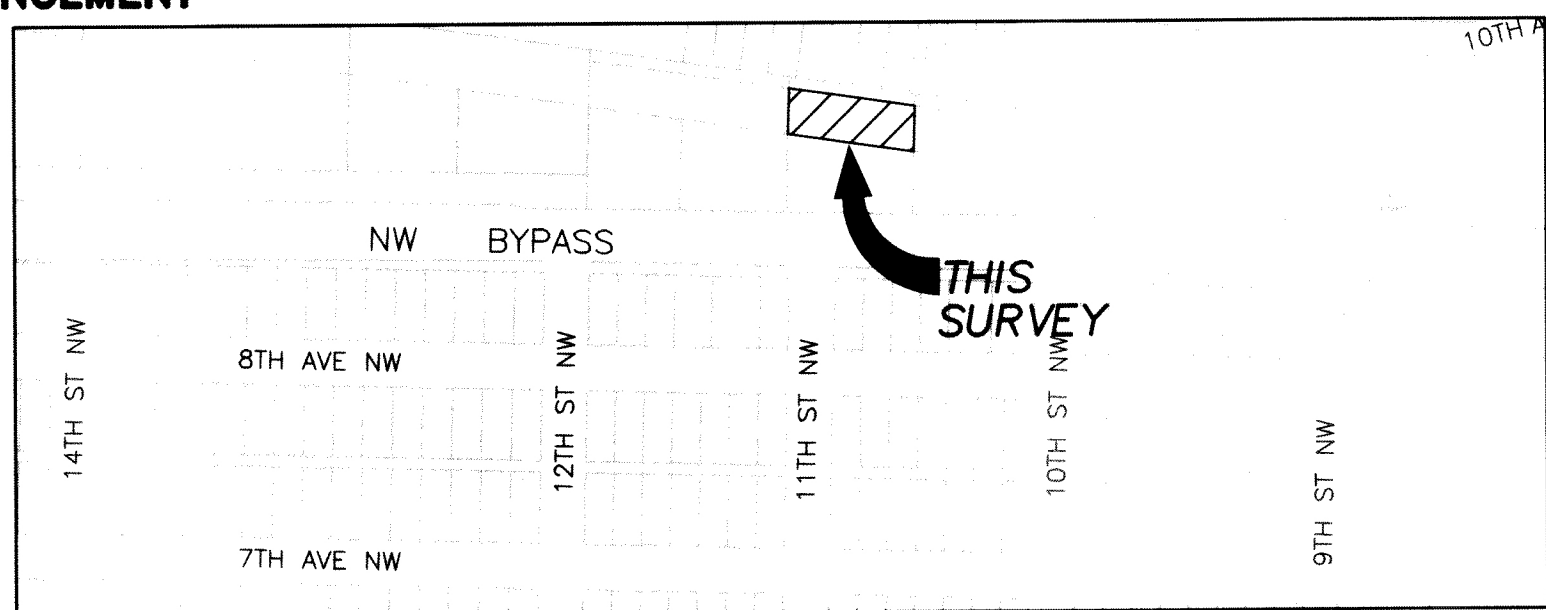
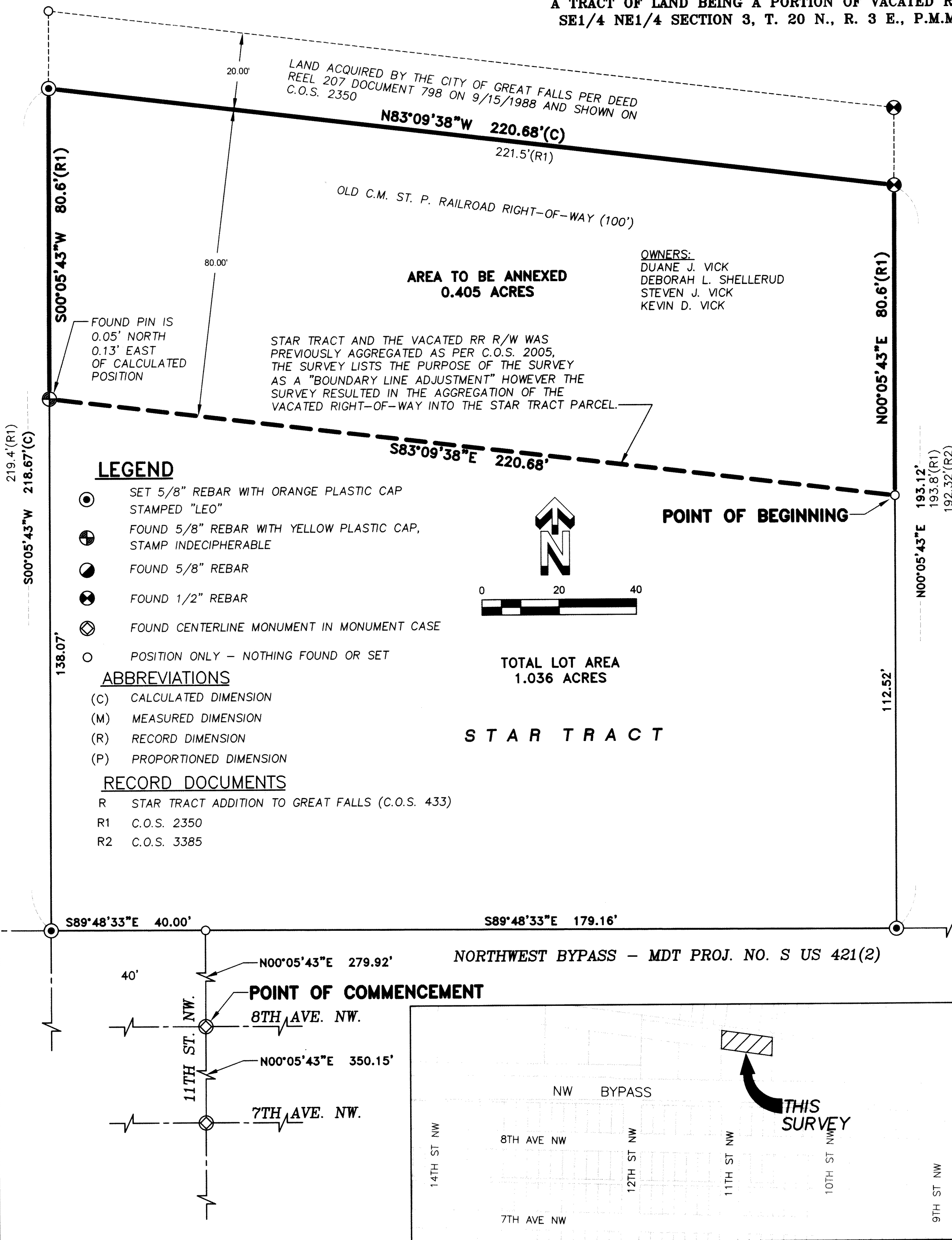


MARK LEO, PROFESSIONAL ENGINEER AND LAND SURVEYOR, MT REGISTRATION NUMBER 12920 ES

BASIS OF BEARINGS

THE BEARING SOURCE FOR THIS SURVEY IS BASED ON GPS OBSERVATIONS OF RECORD POSITIONS OF EXISTING MONUMENTS TO BEST FIT THE VARIOUS BEARING SOURCES. REFERENCE BEARINGS ARE SHOWN ON THE ACCOMPANYING MAP.

NOTE: THE INTENT OF THIS SURVEY WAS NOT TO SHOW ALL EASEMENTS. EASEMENTS OF RECORD MAY EXIST AND MAY NOT BE SHOWN.



S-0005114 CS

Total Pages: 1 R 25 50 By: tmarc08/09/2017 11:00:33 AM
Cascade County, Rina Fl Moore - Clerk & Recorder

SHEET TITLE: RETRACEMENT-ANNEXATION		
JOB NO.: 17BJ	DRAWING NAME: 17BJ-ANNEX	SHEET: 1 OF 1
FILE NO.:	DRAWN BY: CRB	DATE: 8/9/17



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