

RESOLUTION 10268

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 PARCEL 1 OF CERTIFICATE OF SURVEY #5162, A 21.10 ACRE TRACT LOCATED IN THE W 1/2 SECTION 15, TOWNSHIP 20 NORTH, RANGE 4 EAST, PMM, CASCADE COUNTY, MONTANA, IN ACCORDANCE WITH THE PROVISION OF SECTION 7-2-4601, MONTANA CODE ANNOTATED.

* * * * *

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:

Parcel 1 of Certificate of Survey #5162; a 21.10 acre tract located in the W 1/2 Section 15, Township 20 North, Range 4 East, PMM, Cascade County, Montana;

all 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 property 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 CITY 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: "Parcel 1 of Certificate of Survey #5162; a 21.10 acre tract located in the W 1/2 Section 15, Township 20 North, Range 4 East, PMM, Cascade County, Montana," as shown on attached Attachment "A."

BE IT FURTHER RESOLVED BY THE CITY 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 5th day of March, 2019.

Bob Kelly, Mayor

ATTEST:

Darcy Dea, Deputy City Clerk

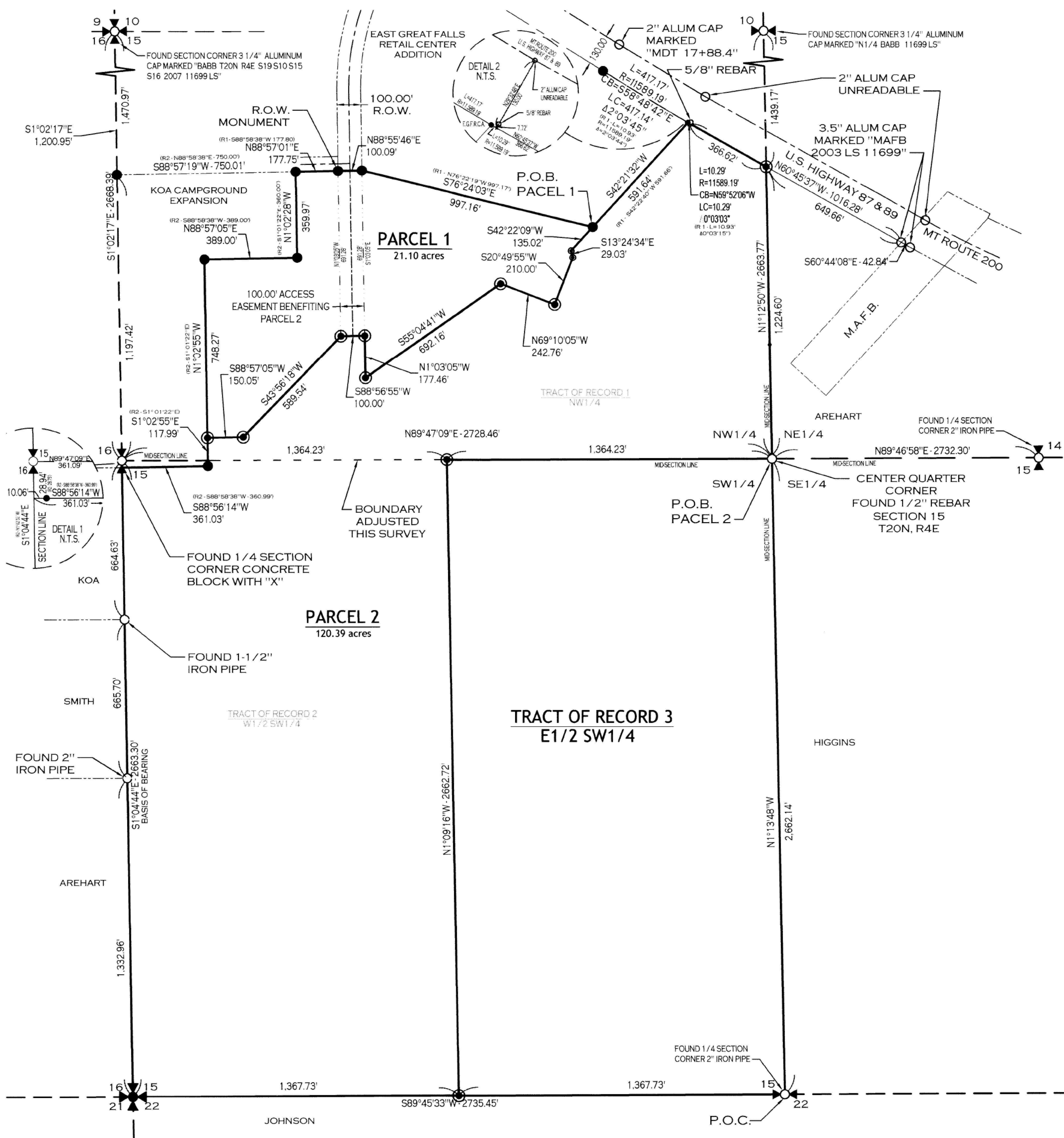
(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

CERTIFICATE OF SURVEY #5162

LOCATED IN THE W 1/2 SECTION 15, T.20N., R.4E., P.M., MT
CASCADE COUNTY, MONTANA



LEGEND

POINT OF COMMENCEMENT	P.O.C.
POINT OF BEGINNING	P.O.B.
SECTION LINE	---
CURRENT SURVEY LINE	---
ADJACENT PROPERTY LINE	---
ROADWAY CENTERLINE	---
ACCESS EASEMENT	---

- FOUND MONUMENT AS NOTED
- SET A 5/8" REBAR W/ 2" ALUMINUM CAP - "WOITH ENGINEERING FLS 19235"
 - FOUND RED PLASTIC CAP BABB 11699 LS
 - FOUND QUARTER CORNER
 - FOUND SECTION CORNER
 - SET A 5/8" REBAR W/ 2" ALUMINUM CAP - "WOITH ENGINEERING T20N R4E S15 S16 S21 S22 FLS 19235"
 - RECORD PL 2007-0000024
 - RECORD CS 0004636

SURVEY NOTES

THE PURPOSE OF THIS SURVEY IS TO RELOCATE THE COMMON BOUNDARY BETWEEN TWO TRACTS OF RECORD.

THE BASIS OF BEARINGS FOR THIS SURVEY IS REFERENCED TO A DIRECT GPS MEASUREMENT FROM GEODETIC NORTH (USING WGS 84), RESULTING IN A BEARING OF S1°04'44" E BETWEEN THE MONUMENTED QUARTER SECTION CORNER COMMON SECTIONS 15 AND 16, TOWNSHIP 20 NORTH, RANGE 4 EAST AND THE MONUMENTED SECTION CORNER COMMON TO SECTIONS 15, 16, 21, 22, TOWNSHIP 20 NORTH, RANGE 4 EAST, AS SHOWN HEREON.

NO UNDERGROUND UTILITIES OR SUBSURFACE IMPROVEMENTS WERE MAPPED AS PART OF THIS SURVEY.

MULTIPLE FENCE LINES, UTILITIES, AND ROADWAYS EXIST, TAKE NOTE THAT THEY DO EXIST AND ARE NOT SHOWN HEREON.

EASEMENTS OF SIGHT AND RECORD NOT SHOWN HEREON MAY EXIST.

CERTIFICATE OF OWNER

THAT WE THE UNDERSIGNED OWNERS DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED THE FOREGOING TRACTS OF LAND AS SHOWN AND MORE PARTICULARLY DESCRIBED HEREON.

THAT SAID SURVEY HAS BEEN PERFORMED WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS OF SAID LANDS:

THAT WE, KYSO CORPORATION, CURRENTLY OWN TWO TRACTS OF RECORD, RECORDED AS FOLLOWS:

TRACT OF RECORD 1

PART OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION FIFTEEN (15), TOWNSHIP TWENTY (20) NORTH, RANGE FOUR (4) EAST, OF THE PRINCIPAL MERIDIAN OF MONTANA;

CONVEYED BY THAT DEED RECORDED ON PAGE 1160 OF BOOK 328 OF DEEDS, RECORDED IN THE OFFICE OF THE CLERK AND RECORDER, CASCADE COUNTY, MONTANA.

AND

TRACT OF RECORD 2

PART OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER (W1/2NW1/4) OF SECTION FIFTEEN (15), TOWNSHIP TWENTY (20) NORTH, RANGE FOUR (4) EAST, OF THE PRINCIPAL MERIDIAN OF MONTANA;

CONVEYED BY THAT DEED RECORDED ON PAGE 1160 OF BOOK 328 OF DEEDS, RECORDED IN THE OFFICE OF THE CLERK AND RECORDER, CASCADE COUNTY, MONTANA.

THAT WE, THE UNDERSIGNED DO HEREBY CERTIFY THAT WE DESIRE THE COMMON LINE BETWEEN THE AFOREMENTIONED TRACTS OF RECORD TO BE RELOCATED IN ACCORDANCE WITH THIS MAP CREATING PARCEL 1 AND PARCEL 2 AS DEPICTED AND SECONDARILY DESCRIBED HEREON.

THAT PARCEL 1 AND PARCEL 2 ARE SUBJECT TO ANY OTHER EASEMENTS, RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY, AND CONDITIONS OF SIGHT AND/OR RECORD INCLUDING, BUT NOT LIMITED TO THOSE SHOWN HEREON.

DESCRIPTION OF PARCEL 1

A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 15, TOWNSHIP 20 NORTH, RANGE 4 EAST, PRINCIPAL MERIDIAN OF MONTANA (P.M.M.T), CASCADE COUNTY, MONTANA, AS SHOWN HEREON.

SAID PARCEL 1 BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE ONE-QUARTER SECTION CORNER COMMON TO SECTION 15 AND 22 OF TOWNSHIP 20 NORTH, RANGE 4 EAST;

THENCE, N 1°13'48" W, 2662.14 FEET, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 15 TO A POINT, BEING THE CENTER ONE-QUARTER OF SAID SECTION;

THENCE, N 1°12'50" W, 1224.60 FEET, ALONG SAID MID-SECTION LINE TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF THAT STATE HIGHWAY COMMONLY KNOWN AS STATE HIGHWAY 200;

THENCE, N 60°45'37" W, 366.62 FEET, ALONG SAID RIGHT-OF-WAY TO A POINT;

THENCE, ALONG SAID RIGHT-OF-WAY FOLLOWING A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 10.29 FEET, A RADIUS OF 11598.19 FEET, A CHORD BEARING OF N 59°52'06" W, A LONG CHORD OF 10.29', AND A Δ OF 0° 03'03"; FOR A DISTANCE OF 10.29 FEET, TO A POINT OF INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF THE EAST GREAT FALLS RETAIL CENTER ADDITION;

THENCE, S 42°21'32" W, 591.64 FEET, ALONG SAID BOUNDARY TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

THENCE, S 42°22'09" W, 135.02 FEET, TO A POINT;

THENCE, S 13°24'34" E, 29.03 FEET, TO A POINT;

THENCE, S 20°49'55" W, 210.00 FEET, TO A POINT;

THENCE, N 69°10'05" W, 242.76 FEET, TO A POINT;

THENCE, S 55°04'41" W, 692.16 FEET, TO A POINT;

THENCE, N 1°03'05" W, 177.46 FEET, TO A POINT;

THENCE, S 88°56'55" W, 100.00 FEET, TO A POINT;

THENCE, S 43°56'18" W, 589.54 FEET, TO A POINT;

THENCE, S 88°57'05" W, 150.05 FEET, TO A POINT OF INTERSECTION WITH THE BOUNDARY OF THE KOA CAMPGROUND EXPANSION;

THENCE, S 1°02'55" E, 748.27 FEET, ALONG SAID BOUNDARY TO A POINT;

THENCE, N 88°57'05" E, 389.00 FEET, ALONG SAID BOUNDARY TO A POINT;

THENCE, N 1°02'28" W, 359.97 FEET, ALONG SAID BOUNDARY TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF THE EAST GREAT FALLS RETAIL CENTER ADDITION;

THENCE, N 88°57'01" E, 177.75 FEET, ALONG SAID BOUNDARY TO THE SOUTHWESTERLY CORNER OF THAT ROAD COMMONLY KNOWN AS 57TH STREET SOUTH;

THENCE, N 88°55'46" E, 100.09 FEET, TO THE SOUTHEASTERLY CORNER OF THAT ROAD COMMONLY KNOWN AS 57TH STREET SOUTH;

THENCE, S 76°24'03" E, 997.16 FEET, ALONG SAID BOUNDARY TO THE POINT OF BEGINNING;

SAID PARCEL 1 ENCOMPASSES 21.10 ACRES.

DESCRIPTION OF PARCEL 2

A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) AND A PORTION OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER (W1/2SW1/4) OF SECTION 15, TOWNSHIP 20 NORTH, RANGE 4 EAST, PRINCIPAL MERIDIAN OF MONTANA (P.M.M.T), CASCADE COUNTY, MONTANA, AS SHOWN HEREON.

SAID PARCEL 2 BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE ONE-QUARTER SECTION CORNER COMMON TO SECTION 15 AND 22 OF TOWNSHIP 20 NORTH, RANGE 4 EAST;

THENCE, N 1°13'48" W, 2662.14 FEET, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 15 TO A POINT, BEING THE CENTER ONE-QUARTER OF SAID SECTION, SAID POINT BEING THE POINT OF BEGINNING;

THENCE, N 1°12'50" W, 1224.60 FEET, ALONG SAID MID-SECTION LINE TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF THAT STATE HIGHWAY COMMONLY KNOWN AS STATE HIGHWAY 200;

THENCE, N 60°45'37" W, 366.62 FEET, ALONG SAID RIGHT-OF-WAY TO A POINT;

THENCE, ALONG SAID RIGHT-OF-WAY FOLLOWING A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 10.29 FEET, A RADIUS OF 11598.19 FEET, A CHORD BEARING OF N 59°52'06" W, A LONG CHORD OF 10.29', AND A Δ OF 0° 03'03"; FOR A DISTANCE OF 10.29 FEET, TO A POINT OF INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF THE EAST GREAT FALLS RETAIL CENTER ADDITION;

THENCE, S 42°21'32" W, 591.64 FEET, ALONG SAID BOUNDARY TO A POINT;

THENCE, S 42°22'09" W, 135.02 FEET, TO A POINT;

THENCE, S 13°24'34" E, 29.03 FEET, TO A POINT;

THENCE, S 20°49'55" W, 210.00 FEET, TO A POINT;

THENCE, N 69°10'05" W, 242.76 FEET, TO A POINT;

THENCE, S 55°04'41" W, 692.16 FEET, TO A POINT;

THENCE, N 1°03'05" W, 177.46 FEET, TO A POINT;

THENCE, S 88°56'55" W, 100.00 FEET, TO A POINT;

THENCE, S 43°56'18" W, 589.54 FEET, TO A POINT;

THENCE, S 88°57'05" W, 150.05 FEET, TO A POINT OF INTERSECTION WITH THE BOUNDARY OF THE KOA CAMPGROUND EXPANSION;

THENCE, S 1°02'55" E, 117.99 FEET, ALONG SAID BOUNDARY TO A POINT;

THENCE, N 88°56'14" W, 361.03 FEET, ALONG SAID BOUNDARY TO A POINT OF INTERSECTION WITH THE SECTION LINE COMMON TO SECTIONS 15 AND 16;

THENCE, S 01°04'44" E, 2663.30 FEET, ALONG SAID SECTION LINE TO A POINT, BEING THE SECTION CORNER COMMON TO SECTIONS 15, 16, 21 AND 22;

THENCE, S 89°45'33" W, 1367.73 FEET, ALONG THE SECTION LINE COMMON TO SECTIONS 15 AND 22 TO A POINT, BEING THE WEST ONE-SIXTEENTH CORNER COMMON TO SECTIONS 15 AND 22;

THENCE, N 01°09'16" W, 2662.72 FEET, TO A POINT, BEING THE SOUTHWEST ONE-SIXTEENTH CORNER OF SECTION 15;

THENCE, N 89°47'09" E, 1364.23 FEET, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 15 TO THE POINT OF BEGINNING;

SAID PARCEL 2 ENCOMPASSES 120.39 ACRES.

WE HEREBY CERTIFY THAT THIS CERTIFICATE OF SURVEY IS EXEMPT FROM REVIEW AS A SUBDIVISION IN ACCORDANCE WITH MCA 76-3-207(1)(A): "DIVISIONS MADE OUTSIDE OF PLATTED SUBDIVISIONS FOR THE PURPOSE OF RELOCATING COMMON BOUNDARY LINES BETWEEN ADJOINING PROPERTIES."

WE FURTHER CERTIFY THAT THIS SURVEY IS EXCLUDED FROM REVIEW BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN THAT PARCEL 1 AND PARCEL 2 EACH CONTAIN MORE THAN 20 ACRES AND THUS DO NOT MEET THE DEFINITION OF A SUBDIVISION PURSUANT TO MCA 76-4-102(17): "SUBDIVISION" MEANS A DIVISION OF LAND OR LAND SO DIVIDED THAT CREATES ONE OR MORE PARCELS CONTAINING LESS THAN 20 ACRES, EXCLUSIVE OF PUBLIC ROADWAYS, IN ORDER THAT THE TITLE TO OR POSSESSION OF THE PARCELS MAY BE SOLD, RENTED, LEASED, OR OTHERWISE CONVEYED AND INCLUDES ANY RESUBDIVISION AND ANY CONDOMINIUM OR AREA, REGARDLESS OF SIZE, THAT PROVIDES PERMANENT MULTIPLE SPACE FOR RECREATIONAL CAMPING VEHICLES OR MOBILE HOMES."

DATED THE 29th DAY OF JUNE, 2018

KYSO CORPORATION

[Signature]

DANA HEUSTIS, AUTHORIZED OFFICER

STATE OF MONTANA)

:SS

COUNTY OF CASCADE)

ON THIS 29th DAY OF JUNE, 2018, BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF MONTANA, PERSONAL APPEARED DANA HEUSTIS, AN AUTHORIZED OFFICER OF KYSO CORPORATION, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING CERTIFICATE OF SURVEY AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

SEAL

CERTIFICATE OF SURVEYOR

I, MARK THEODOR LARSON, PROFESSIONAL LAND SURVEYOR, MONTANA LICENCE NO. 19235LS, DO HEREBY CERTIFY THAT IN MARCH, 2018 I SURVEYED THE TRACTS OF LAND LOCATED IN THE W1/2 OF SECTION 15, T20N, R4E, P.M.M.T, CASCADE COUNTY, MONTANA AS SHOWN AND DESCRIBED IN THIS CERTIFICATE OF SURVEY AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF TITLE 76, CHAPTER 3, PART 4, MCA.

[Signature]

MARK THEODOR LARSON, PLS
MONTANA REG. NO. 19235

CERTIFICATE OF COUNTY TREASURER

I, JAMIE BAILEY, COUNTY TREASURER OF CASCADE COUNTY, MONTANA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS COVERING THE AREAS INCLUDED IN THE ACCOMPANYING CERTIFICATE OF SURVEY AND FIND THAT THE TAXES ON THE SAME HAVE BEEN PAID FOR THE LAST FIVE YEARS. DATED THIS 2nd DAY OF JULY, 2018.

[Signature]

JAMIE BAILEY, CASCADE COUNTY TREASURER

EXAMINED FOR COMPLIANCE WITH SUBDIVISION & PLATTING ACT

TREASURER'S STAMP YES ___ NO ___

DATE _____

BY _____

CASCADE COUNTY PLANNING DIVISION

1/4	SEC	TSP	
15	T20N	R4E	

WOITH ENGINEERING, INC.
ENGINEERS & SURVEYORS
P.O. BOX 7326, GREAT FALLS, MONTANA 59406

JOHN: 1404
F.BNO: G.P.S.
FILE: 1404-WRE.CDS
DRAWN: D.W.G.C.
DATE: 05-07-18

1

CITY-COUNTY HEALTH DEPT
Great Falls, Montana
Exempt From Health Dept. Review
Date: 7-2-18
By: [Signature]

EXAMINED FOR COMPLIANCE WITH SUBDIVISION & PLATTING ACT
TREASURER'S STAMP YES X NO ___
DATE June 29 2018
BY [Signature]
CASCADE COUNTY PLANNING DIVISION

S-0005162 CS
Total Pages: 1 R 28.00 By: leach07/02/2018 10:37:38 AM
CASCADE COUNTY, 3104 Ft. Boone - Clerk & Recorder

1" = 300'