

ORDINANCE 3207

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ASSIGNING A ZONING CLASSIFICATION OF AI AIRPORT INDUSTRIAL DISTRICT TO THE PROPERTIES LEGALLY DESCRIBED AS TRACT 1 AND TRACT 2 OF CERTIFICATE OF SURVEY #5142, A TRACT OF LAND EQUALING +/- 2.775 ACRES, LOCATED IN SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA

* * * * *

WHEREAS, Love's Travel Stops and Country Stores is the owner of record and has petitioned the City of Great Falls to annex the subject property, consisting of ±2.775 acres, as legally described above; and

WHEREAS, Love's Travel Stops and Country Stores has petitioned said property to be assigned a City zoning classification of AI Airport Industrial district, upon annexation to City; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on July 9, 2019, to consider said zoning request and, at the conclusion of said hearing, passed a motion recommending the City Commission assign a zoning classification of AI Airport Industrial district to the property legally described as Tract 1 and Tract 2 of Certificate of Survey #5142, a Tract of Land equaling +/- 2.775 acres, located in Section 21, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana; and

WHEREAS, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 3rd day of September, 2019, before final passage of said Ordinance herein; and

WHEREAS, the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.40.030; and

WHEREAS, following said public hearing, it was found and decided that said zoning designation be made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. It is determined that the herein requested zoning assignment meets the criteria and guidelines cited in Mont. Code Ann. § 76-2-304, and meets the requirements of OCCGF Section 17.16.40.030.

Section 2. That the property legally described as: Tract 1 and Tract 2 of Certificate of Survey #5142, a Tract of Land equaling +/- 2.775 acres, located in Section 21, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana, be designated as AI Airport Industrial district as shown in Exhibit A.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading August 6, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading September 3, 2019.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, 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 certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3207, on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Ordinance 3207 - Exhibit A

CERTIFICATE OF SURVEY #5142 1/2

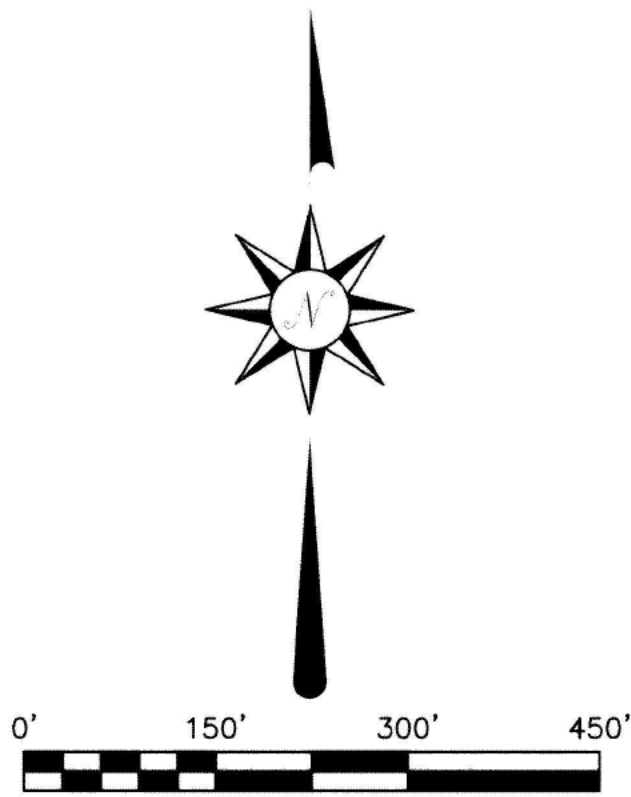
PURSUANT TO COURT ORDER: PROBATE NO. D.D.P. 06-055

Affecting Parcels of Land in Sections 16 & 21, T20N, R3E, P.M.M., Cascade County, Montana

PURPOSE OF SURVEY:

SURVEY BEING COMMISSIONED BY THE ESTATE OF GEORGE A. SWANSON VIA CAUSE NO. CDV-08-1030 AS DECIDED BY THE MONTANA EIGHTH JUDICIAL DISTRICT COURT AND FILED WITH THE OFFICE OF THE CLERK AND RECORDER CASCADE COUNTY, MONTANA AT R0209880 OD(Ord of Decree) . The purpose of this survey is to provide a permanent record in the Office of the Clerk and Recorder, Cascade County, Montana showing the controlling evidence used to adjust and monument the boundary lines of parcels per the direction of the District Court as recorded at R0209880 OD , Said document being on file with the Office of the Clerk and Recorder, Cascade County, Montana. Said Court Order "Probate No. D.D.P. -06-055" and corresponding Order of Decree R0209880 OD defined the boundaries as being to the centerline of Montana Department of Transportation Project No. FAP 218(B) and this survey reflects that by relocating the existing boundaries to the centerline of MDT Project No. FAP 218(B). M.C.A. 76-3-201(1)(a) & M.C.A. 76-4-125(1)(a). It is also the purpose of this survey to show the relationship of existing(found) monuments on the ground to monuments being set this survey in accordance with M.C.A. 76-3-404(1)(a-d).

SHEET 1 of 2



EXAMINED FOR COMPLIANCE WITH
SUBDIVISION & PLATTING ACT
TREASURER'S STAMP YES NO
DATE January 30, 2018
BY [Signature]
CASCADE COUNTY PLANNING DIVISION

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	442.58'	6450.48'	3°55'52"	N56°59'10"E	442.49'
C2	1272.67'	6250.48'	11°39'58"	N52°01'05"E	1270.47'
C3	211.10'	6050.48'	1°59'57"	N55°39'48"E	211.09'
C4	373.07'	5409.83'	3°57'04"	N43°25'34"E	373.00'
C5	984.60'	6250.48'	9°01'32"	N41°40'20"E	983.58'
C6	130.03'	6250.48'	1°11'31"	N36°33'49"E	130.03'
C7	63.37'	6250.48'	0°34'51"	N35°40'38"E	63.37'
C8	125.35'	6250.48'	1°08'56"	N34°48'44"E	125.35'
C9	147.72'	6450.48'	1°18'44"	N34°53'32"E	147.72'
C10	172.65'	6450.48'	1°32'01"	S36°18'58"W	172.64'
C11	588.98'	5649.45'	5°58'24"	N37°12'33"E	588.71'

SW4SE4
SEC. 16

NE4SE4
SEC. 16

TRACT No. 6
Darrell A. Swanson
R0079564
Formerly Tract 2, C.O.S. #4147
12.16 Acres
After Adjustment: 13.29 Acres
SE4SE4
SEC. 16

TRACT No. 7
Janice D. Swanson
Formerly Tract 1, C.O.S. #4147
14.29 Acres
After Adjustment: 15.18 Acres

NW4NE4
SEC. 21

NE4NE4
SEC. 21

NOTES & LEGEND

The Basis of Bearings for this survey is the North-South mid-section line of Section 21 as labeled on prior Certificates of Survey. Said line bears N00°05'19"E from the Center Section 21 to the southeasterly most corner of Tract 1. Corners monumented as shown hereon.
Easements of sight and record not shown hereon may exist. It is not the intent of this survey to show all easements of record.
Fence lines, roadways, structures and utilities do exist on the subject properties. Be advised that improvements are not shown.

- Indicates a 5/8" diameter rebar, 24" in length, with 2" aluminum cap, inscribed "KENDALL 18576-S", set this survey.
 - Indicates a 2" diameter aluminum cap - Montana Department of Transportation.
 - ✕ Indicates a rebar and cap 9523-S "Henen" found this survey.
 - ◆ Indicates a Section Corner Monument found this survey. Matches current Corner Recordation on file. See description.
 - ⊗ Indicates a 1/2" diameter aluminum cap - Montana Department of Transportation.
 - ⊙ Indicates a 5/8" diameter iron pin - no cap.
 - Indicates a 4"x4" concrete right-of-way marker.
- All measurements shown are as determined by this survey.

SE4NW4
SEC. 21

CERTIFICATE OF COUNTY TREASURER

I, Jamie Bailey, County Treasurer of Cascade County, Montana do certify that I have examined the records covering the areas encompassed by this Certificate of Survey, and I find no real property taxes assessed or levied on said land are delinquent.

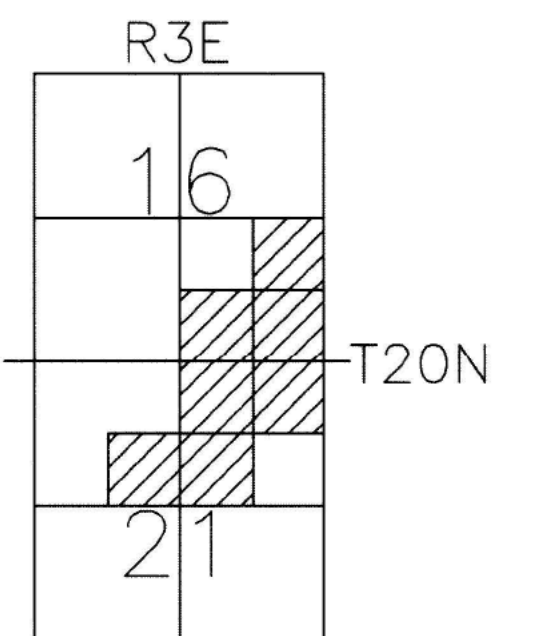
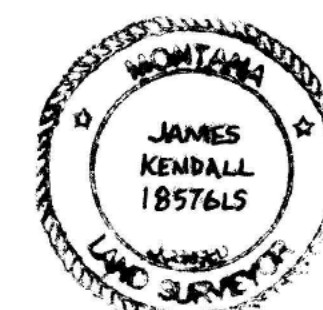
[Signature] 29.18
Jamie Bailey, Treasurer of Cascade County, Montana
By: Casey Wilkinson, Deputy



CERTIFICATE OF SURVEYOR

I, James S. Kendall, a Registered Professional Land Surveyor, Montana License Number 18576-LS, do hereby certify that I have performed the survey shown and described hereon; that survey was completed and all monuments established during November/December 2017; that survey is true and complete as shown and conforms to current Subdivision Regulations and M.C.A.

[Signature] 30 JAN 18
James Scott Kendall, PLS MT Registration No. 18576LS



SHEET 1 of 2

R0351153-55

S-0005142 CS

12:50:49 PM 02/09/2018
Cascade County, Blaine F. Moore - Clerk & Recorder

KENDALL LAND SURVEYING, INC

GREAT FALLS, MONTANA 59405
406-217-7707

SCALE: 1" = 150'
DRAWN BY: JSK
DATE: 05DEC2017

CENTER OF SECTION 21
FOUND 3/4" ALUM. CAP (NO CORNER REC FOUND)