

RESOLUTION 10313

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 TRACT 1 OF CERTIFICATE OF SURVEY #5142, SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, PMM, CASCADE COUNTY, MONTANA AND TRACT 2 OF CERTIFICATE OF SURVEY #5142, SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 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:

Tract 1 of Certificate of Survey #5142, Section 21, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana and Tract 2 of Certificate of Survey #5142, Section 21, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana;

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 owners of the hereinabove described property, Love's Travel Stops and Country Stores, have submitted a petition to have the subject properties 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 territories 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 ORDAINED 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: "Tract 1 of Certificate of Survey #5142, Section 21, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana and Tract 2 of Certificate of Survey #5142, Section 21, Township 20 North, Range 3 East, P.M.M., 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 3rd day of September, 2019.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Resolution 10313 - Attachment A

CERTIFICATE OF SURVEY #5142 1/2

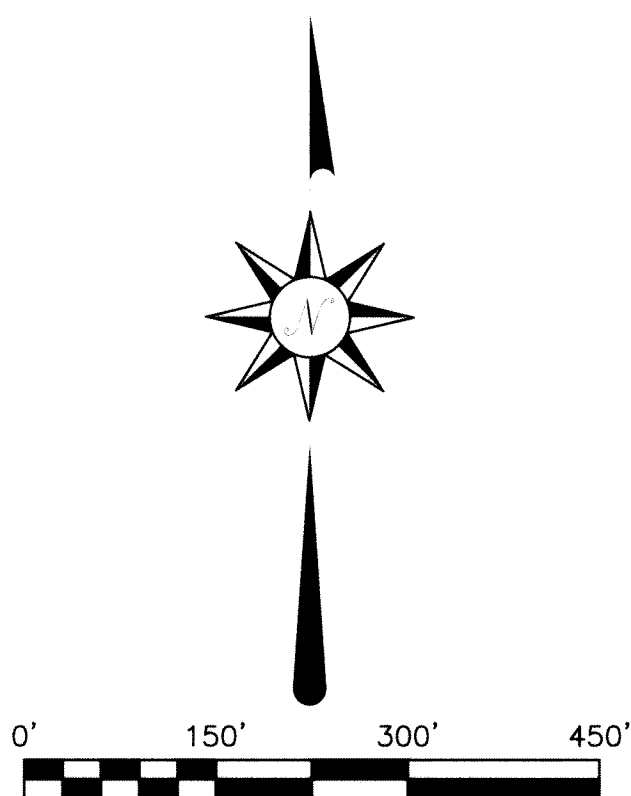
PURSUANT TO COURT ORDER: PROBATE NO. D.D.P. 06-055

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

PURPOSE OF SURVEY:

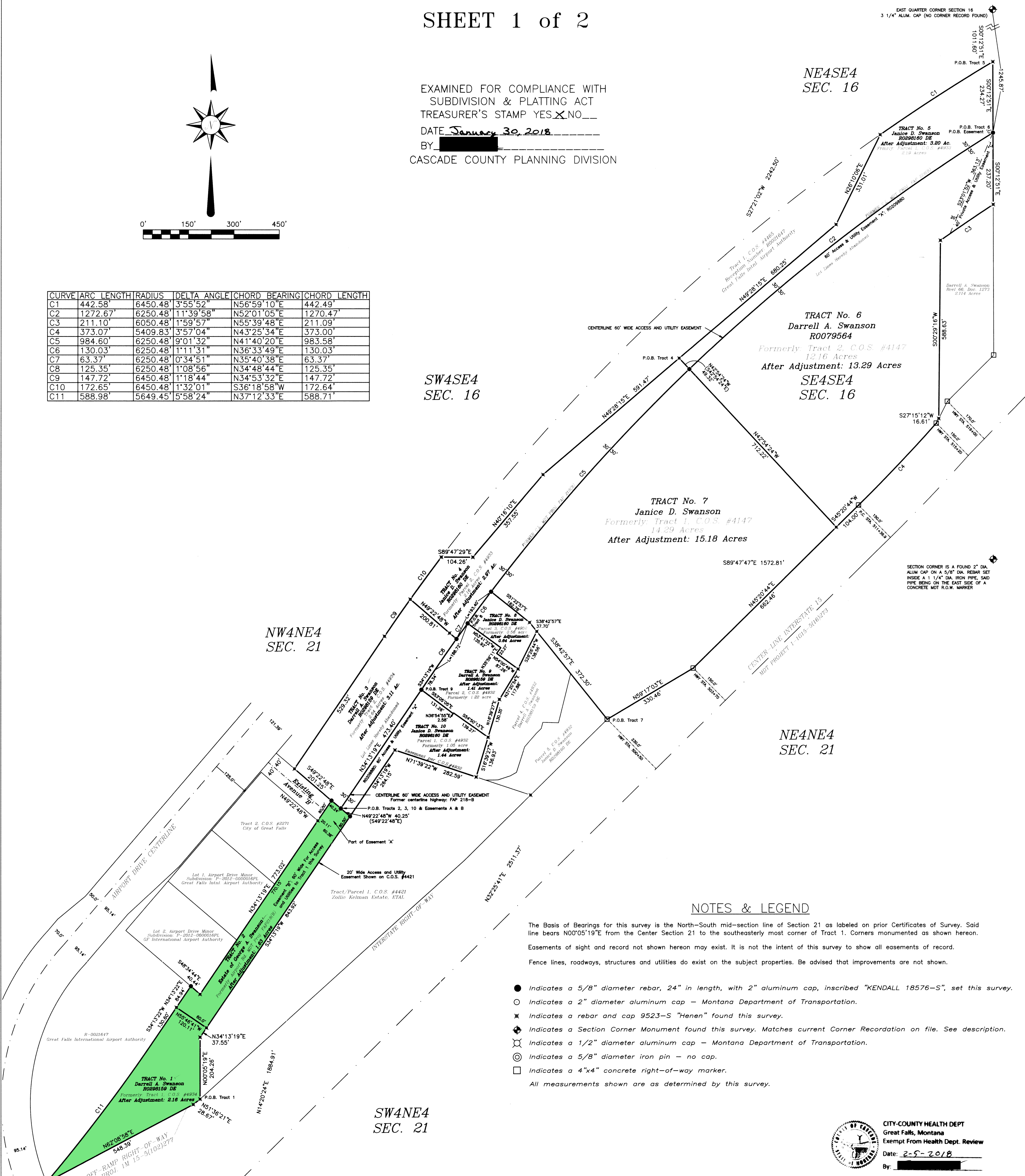
SURVEY BEING COMMISSIONED BY THE ESTATE OF GEORGE A. SWANSON VIA CAUSE NO. CDV-08-1030 AS DECIDED BY THE MONTANA EIGHTH JUDICIAL DISTRICT COURT AND FILED WITH THE OFFICE OF THE CLERK AND RECORDER CASCADE COUNTY, MONTANA AT R0209880 OD(Ordere of Decree) . The purpose of this survey is to provide a permanent 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 [Redacted]
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'



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.

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.

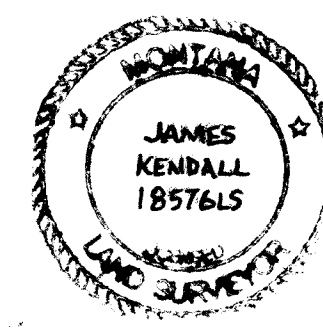
Jamie Bailey, Treasurer of Cascade County, Montana
By: Casey Wilkinson, Deputy



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.

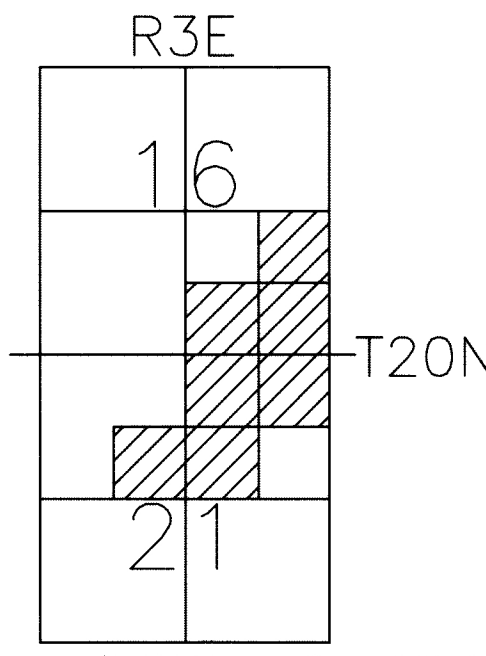
James Scott Kendall, PLS MT Registration No. 18576LS



SHEET 1 of 2

R0351153-55

KENDALL LAND SURVEYING, INC
GREAT FALLS, MONTANA 59405
406-217-7707



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

FOUND 3 1/4" ALUM CAP (NO CORNER REC FOUND)

SE1/4 SECTION 16 & N1/2 SECTION 21, T20N, R3E, P.M.M.