

RESOLUTION 9994

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE ± 1.85 ACRES CONSISTING OF MARK 1, SUN RIVER BRIDGE GARDEN TRACTS, A SEGMENT OF 13TH AVENUE SOUTHWEST AND A PORTION OF THE SUN RIVER, LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED ATTACHMENT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

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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, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Mark 1, Sun River Bridge Garden Tracts, located in Section 15, Township 20 North, Range 3 East, Cascade County, Montana and containing ± 0.67 acres;

And,

A segment of 13th Avenue Southwest, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, more particularly described as follows:

Commencing at the Northwest corner of Lot 3, Sun River Garden Tracts, said corner being the "True Point of Beginning", proceed thence northerly ± 60.0 feet, crossing the 13th Avenue Southwest right-of-way to a point on

the easterly right-of-way line of 14th Street Southwest and the Southwest corner of Mark 2AC, Sun River Bridge Garden Tracts;

Thence Easterly ± 455 feet along the northerly right-of-way line of 13th Avenue Southwest, to a point on the easterly right-of-way of 13th Avenue Southwest and the Southeast corner of Mark 1, Sun River Bridge Garden Tracts;

Thence Southerly ± 60 feet, crossing the 13th Avenue Southwest right-of-way to a point on the southerly right-of-way line of 13th Avenue Southwest and the Northeast corner of Mark 2C Sun River Bridge Garden Tracts;

Thence Westerly ± 455 feet along the southerly right-of-way line of 13th Avenue Southwest, to a point on the eastern right-of-way of 14th Street Southwest and the Northeast corner of Lot 3 Sun River Bridge Garden Tracts, being the "True point of Beginning";

containing ± 0.63 acres more or less;

And,

A segment of the Sun River, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, more particularly described as follows:

Commencing at the Northwest corner of Mark 1, Sun River Bridge Garden Tracts and the High Water Mark of the Sun River, said corner being the "True Point of Beginning", proceed thence northerly ± 266 feet, crossing the Sun River to a point along the northerly High Water Mark of the Sun River and the southern property line of the West Great Falls Flood Levee;

Thence Easterly ± 102 feet along the northerly High Water Mark of the Sun River, to a point along the High Water Mark of the Sun River and the southern property line of the West Great Falls Flood Levee;

Thence Southerly ± 235 feet, crossing the Sun River to a point along the High Water Mark of the Sun River and the Northeast corner of Mark 1, Sun River Bridge Garden Tracts;

Thence Westerly ± 93 feet along the northerly property line of Mark 1, Sun River Bridge Garden Tracts and the High Water Mark of the Sun River, to a point along the southern High Water Mark of the Sun River and the Northwest corner of Mark 1, Sun River Bridge Garden Tracts, being the "True Point of Beginning";

containing ± 0.55 acres more or less and containing in all ± 1.85 acres more or less 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 said property annexed to the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done 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: " ± 1.85 ACRES CONSISTING OF MARK 1, SUN RIVER BRIDGE GARDEN TRACTS, A SEGMENT OF 13TH AVENUE SOUTHWEST AND A PORTION OF THE SUN RIVER, LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA."

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

The Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said tract of land; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION 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 4th day of October, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David L. Nielsen, Interim City Attorney