

RESOLUTION NO. R14-10

**A RESOLUTION TO ANNEX A PORTION OF
EAST MAIN STREET LOCATED BETWEEN ALDER AVENUE AND
LOCUST AVENUE, ADJACENT AND CONTIGUOUS TO THE CITY OF LAUREL,
AND CURRENTLY OWNED BY THE STATE OF MONTANA.**

WHEREAS, the City Staff and State of Montana Department of Transportation agreed that it is in the public's best interest for the City to annex a portion of East Main Street, namely between Alder Avenue and Locust Avenue into the City Limits; and

WHEREAS, the State of Montana possesses an interest in or is the owner of the portion of East Main Street under consideration, and by and through its Department of Transportation has requested annexation of the portion of East Main including the rights-of-way as described herein and shown on the attached map, that is adjacent to and contiguous to the City Limits pursuant to Montana Law at MCA § 7-2-4401; and

WHEREAS, in order to annex the properties, pursuant to MCA § 7-2-4402 et. seq., the City Council adopted a Resolution of intent to annex the contiguous government land for inclusion within the boundaries of the City of Laurel and advertised and conducted a public hearing on the proposed annexation; and

WHEREAS, the City Council adopted the Resolution of Intent at a regular meeting of the City Council on February 4, 2014, and the City Clerk provided notice to the public, and for a period of 20 days after said publication, the City Clerk accepted written comments from registered voters residing in the area approving or disapproving the proposed annexation; and

WHEREAS, a public hearing was held on March 4, 2014 and no objections to the annexation were heard.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. Pursuant to Montana Code Annotated, §7-2-4404, the following governmental property contiguous to the City of Laurel, more particularly described as follows is hereby annexed for inclusion within the boundaries of the City of Laurel:

“A strip of land within the N1/2S1/2 of Section 10, Township 2 South, Range 24 East, P.M.,M., in Yellowstone County, Montana.”

2. This Resolution shall be incorporated into the official minutes of the City Council, and upon said incorporation, the City Clerk-Treasurer shall file a true and correct, certified copy of this Resolution and of said minutes with the Yellowstone County Clerk and Recorder.

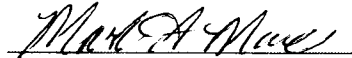
3. From and after the date that the City Clerk-Treasurer files such certified copy of this Resolution and of the Council minutes in the office of the Yellowstone County Clerk and Recorder, this annexation of the above-described territory to the City of Laurel shall be deemed and shall be complete.

Introduced at a regular meeting of the City Council on March 4, 2014, by Council Member McGee.

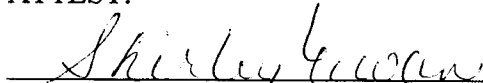
PASSED and APPROVED by the City Council of the City of Laurel this 4th day of March, 2014.

APPROVED by the Mayor this 4th day of March, 2014.

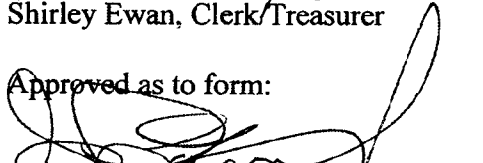
CITY OF LAUREL


Mark A. Mace, Mayor

ATTEST:


Shirley Ewan, Clerk/Treasurer

Approved as to form:


Sam S. Painter, Civil City Attorney

Project: FAP 228-B, C
Designation: Billings-West
Control Number: W504-B00-000
Parcel: "City of Laurel Annexation"

REQUEST FOR ANNEXATION

WHEREAS, the STATE OF MONTANA, Department of Transportation, possesses an interest in or is the owner of the hereinafter described property/right-of-way; and

WHEREAS, the hereinafter described property being the portion of East Main Street between Alder Avenue and Locust Avenue as follows:

A strip of land within the N $\frac{1}{2}$ S $\frac{1}{2}$ of Section 10, Township 2 South, Range 24 East, P.M., M., in Yellowstone County, Montana, as shown on the map, consisting of 1 page, attached hereto and made a part hereof.

NOW, THEREFORE, pursuant to Title 7, chapter 2, part 44, Montana Code Annotated, the STATE OF MONTANA, Department of Transportation, formally advises the City of Laurel, Montana that it desires to have the aforementioned land annexed to the City of Laurel, Montana.

IT IS FURTHER understood by the STATE OF MONTANA, Department of Transportation, and by annexing said premises to the City of Laurel pursuant hereto, the City of Laurel does agree, that said property shall not be subject to assessment for any present or future Special Improvement District created by the City of Laurel, including or affecting such property. Further, said property shall not be subject to present or future zoning restrictions created by the City of Laurel. This request does not, however, in any way further diminish or add to the rights or duties of the STATE OF MONTANA, Department of Transportation, in relation to said property. The request shall also constitute a waiver of any notice of annexation that may be required per section 7-2-4405, MCA, AS AMENDED.

Dated this 4th day of JANUARY, 2014.

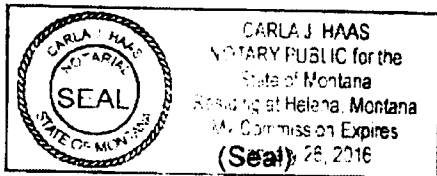
STATE OF MONTANA
 Department of Transportation


 Dwane E. Kailey, P.E., Chief Engineer
 Highways & Engineering Division

State of Montana)
)
County of Lewis & Clark)

On this 4th day of January, 2014, before me Carla J. Haas a Notary Public in and for the State of Montana, personally appeared DWANE E. KAILEY, P.E., Chief Engineer, Highways & Engineering Division, of the Montana Department of Transportation, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



Carla J. Haas
Notary Signature Line
Carla J. Haas
Notary Printed Name
Notary Public for State of Montana _____
Residing at: Helena
My Commission Expires: 1/26/2016

Approved as to Form & Content:

[Signature]
Attorney

CITY OF LAUREL
REQUEST FOR ANNEXATION

