

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20336

A RESOLUTION OF INTENTION TO ANNEX LOT G1-A-1 OF THE AMENDED PLAT OF TRACT G1-A IN THE MCHUGH SUBDIVISION NO. 2, AND THE ADJACENT COONEY DRIVE RIGHT-OF-WAY, ALL LOCATED IN LEWIS AND CLARK COUNTY, INTO THE CITY OF HELENA, MONTANA, AND ESTABLISH CONDITIONS FOR ANNEXATION

WHEREAS, Helena First Assembly, the legal owner of Lot G1-A-1 of the amended plat of Tract G1-A in the McHugh Subdivision No. 2 in Lewis and Clark County, Montana, generally located north of Roadrunner Street and west of McHugh Lane, which property is currently located adjacent to the existing City limits, has requested that the City of Helena annex said property; and

WHEREAS, the City of Helena desires to annex said property and the Cooney Drive right-of-way adjacent thereto under the provisions of Montana law; and

WHEREAS, the owner of the property in the territory to be annexed has signed a written application requesting annexation pursuant to statute to the City of Helena; and

WHEREAS, the governing body need not submit the question of annexation to the qualified electors, and has approved the application upon its merits; and

WHEREAS, the annexation of the property more particularly described above appears to be in the best interests of the present owner of the property and the City of Helena, Montana.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. No. 20336

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, AS FOLLOWS:

Section 1. It is the intention of the Helena City Commission to annex Lot G1-A-1 of the amended plat of Tract G1-A in the McHugh Subdivision No. 2, and the Cooney Drive right-of-way adjacent thereto, in Lewis and Clark County, Montana, generally located north of Roadrunner Street and west of McHugh lane, located in Lewis and Clark County, Montana, as shown on Exhibit "A" attached hereto and by this reference made a part hereof.

This annexation will only be effective upon completion of the following conditions:

1. Infrastructure: The property owner must install all infrastructure improvements required by the City of Helena, to City standards, or enter into a development agreement acceptable to the City that defines responsibility for installation or deferment of the improvements, as shown below:

a. install a sanitary sewer main extension that lies within City right-of-way or in a City utility easement to serve any future development;

b. install a new lift station or acquire capacity from an existing lift station to serve any future development, prior to annexation (**this condition may not be deferred by a development agreement**);

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. No. 20336

c. install a looped water main from McHugh Lane to Cooney Drive within City right-of-way or in a City utility easement to serve any future development;

d. extend Roadrunner Street across the southern boundary of the property and dedicate it to the City (owner is responsible for costs of survey, installation, and dedication);

e. extend Cooney Drive across the western boundary of the property and dedicate fifty feet (50') to the City (owner is responsible for costs of survey, installation, and dedication);

f. install sidewalks in the McHugh Lane public right-of-way adjacent to the property; and

g. sign a waiver of right to protest an SID for future street improvements.

2. **Review of New Construction:** The property owner must submit plans for review by the City of Helena for compliance with City infrastructure, zoning, and other Code requirements, provide proof of compliance with all building and fire codes for all new construction or remodels subsequent to the adoption of this resolution and prior to annexation of the property, and pay all fees for such reviews in the same manner and on the same basis as do owners of properties already in the City.

3. **Taxes and Assessments:** Taxes and assessments must be paid and current at the time of filing the Resolution of Annexation.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. No. 20336

4. **Notice of Special Districts:** The property owners must waive the right to notification and protest and consent to the alteration of the boundaries of the Urban Forest Maintenance District and the Landfill Monitoring District in order to include the property in said districts prior to annexation, pursuant to §7-11-1023, MCA.

5. **Completion of Conditions:** These annexation conditions must be completed within one (1) year of the date of approval of this resolution. The property owner must notify City Planning in writing upon completion of the conditions for approval of annexation. If the conditions are not completed within that time frame, the City is under no obligation to annex the property and may discontinue any City services to the property, including water and sewer service.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 24th DAY OF APRIL, 2017.

ATTEST:

/S/ DANIEL A. ELLISON
MAYOR PRO TEM

/S/ DEBBIE HAVENS
CLERK OF THE COMMISSION

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. No. 20336

Helena First Assembly of God Annexation Vicinity Map Exhibit "A"

