

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20721

A RESOLUTION OF INTENTION TO ANNEX INTO THE CITY OF HELENA PROPERTY DESCRIBED AS TRACT 2-A ON THE CERTIFICATE OF SURVEY FILED AS DOCUMENT NO. 579398/B, LEWIS AND CLARK COUNTY, MONTANA, AND ESTABLISH CONDITIONS FOR ANNEXATION

WHEREAS, Triple Tree Engineering, on behalf of property owner Hydra LLC, has requested that the property described below be annexed into the City of Helena, which property is generally located 150 feet north of the intersection of Custer Avenue and Cooney Drive, is adjacent to the existing City limits, is within the "Urban Standards Boundary Area," and is in Lewis & Clark County, Montana:

1. Tract 2-A as shown on the Certificate of Survey filed under Document No. 579398/B.

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

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

WHEREAS, the property under consideration for annexation is also being considered for pre-zoning with a designation R-3 (Residential) District;

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20721

WHEREAS, under the provisions of Montana law, the City of Helena desires to annex the property; and

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

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 Tract 2-A as shown on the Certificate of Survey filed as Document No. 579398/B, Lewis and Clark County, Montana.

Annexation will be effective only upon completion of pre-zoning of the property and 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 including, but not limited to:
 - a. signing a waiver of the right to protest an SID for future street improvements;
 - b. establishing additional right-of-way for Cooney Drive

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20721

within Tract 2-A prior to annexation if the subject right-of-way is found to not have adequate width to serve as a Local Street in accordance with the adopted City Engineering and Design Standards;

- c. installing sidewalks in conformance with City Engineering and Design Standards in Cooney Drive across the frontage of the property;
 - d. installing water and sewer mains and appurtenant facilities in Cooney Drive across the frontage of the property in conformance with Sections 6-2-6(A) and 6-3-4(A) of City Code or obtaining applicable variances to the aforementioned codes from the City Commission; and
 - e. establishing an easement to the City for the sanitary sewer main running through the property if a variance to Section 6-3-4 of City Code is granted or verifying a maintenance easement exists.
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

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20721


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.
4. Notice of Special Districts: The property owner must waive the right to notification and protest and consent to the alteration of boundaries of Urban Forest Maintenance District and Landfill Monitoring District in order to include the Property 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 properties and may discontinue any City services to the properties, including water and sewer service.

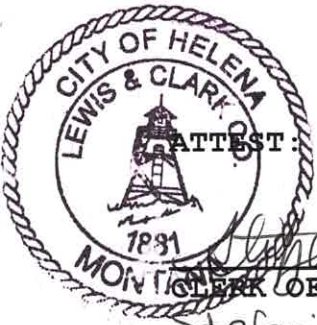
RESOLUTIONS OF THE CITY OF HELENA, MONTANA


Resol. 20721

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 28th DAY OF February, 2022.



MAYOR





CLERK OF THE COMMISSION
Stefani Reinhardt, Interim

