

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20725

RESOLUTION OF INTENTION TO ANNEX AN 9.123-ACRE PORTION OF TRACT A-1-A-1-A-1-A-1-A-1-A-1-A OF THE AMENDED PLAT OF THE CROSSROADS AT MOUNTAIN VIEW MEADOWS SUBDIVISION DOCUMENT NO. 3368415 AS SHOWN ON THE PRELIMINARY PLAT FOR ASPEN PARK #2 MINOR SUBDIVISION INTO THE CITY OF HELENA, MONTANA AND ESTABLISH CONDITIONS FOR ANNEXATION.

WHEREAS, R & D Partners LLC, has requested that the property described below be annexed into the City of Helena, which property is legally described as "A Portion of Tract A-1-A-1-A-1-A-1-A-1-A-1-A of the Amended Plat of the Crossroads at Mountain View Meadows Subdivision Document No. 3368415." The parcel is an 9.123-acre site on the northwest corner of the Alpine View Drive and Runkle Parkway intersection.

WHEREAS, the owners of the property to be annexed have 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-4(Residential);

WHEREAS, under the provisions of Montana law, the City of

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Helena desires to annex the property and the rights-of-way adjacent thereto; 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 a 9.123-acre Portion of Tract A-1-A-1-A-1-A-1-A-1-A of the Amended Plat of the Crossroads at Mountain View Meadows Subdivision Document No. 3368415, 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,
2. Alpine View must be built to City Engineering Standards for a Local Road.
3. Twilight Avenue must be built to City Engineering Standards for a Local Road.
4. **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

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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.

5. Taxes and Assessments: Taxes and assessments must be paid and current at the time of filing the Resolution of Annexation.
6. 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.
7. Final Plat: The final plat of Aspen Park 2 Minor Subdivision must be submitted to the City Commission for approval prior annexation.
8. Completion of Conditions: These annexation conditions must be completed prior to the end of the period during which the preliminary plat approval is in force including any agreement extending the preliminary plat approval period. 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.

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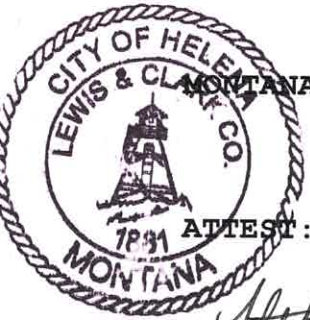
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PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,


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MONTANA, THIS 14th DAY OF March, 2022


MAYOR


CLERK OF THE COMMISSION
Stefani Reinhardt, Interim