

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20726

RESOLUTION OF INTENTION TO ANNEX A 36.55-ACRE PARCEL DESCRIBED AS TRACT B1 ON THE CERTIFICATE OF SURVEY FILED UNDER DOCUMENT NO. 3203658, LEWIS & CLARK COUNTY, MONTANA, AS WELL AS THE RIGHTS-OF-WAY ADJACENT THERETO, INTO THE CITY OF HELENA, MONTANA AND ESTABLISH CONDITIONS FOR ANNEXATION.

WHEREAS, Helena Kings Common LLC, has requested that the property described below be annexed into the City of Helena, which property is legally described as "Tract B-1" as shown on the Certificate of Survey filed under Document No. 3203658, Lewis & Clark County, Montana;

This property is generally located at the northwest corner of Frontage Drive and North Washington Street intersection, is adjacent to the existing City limits on the south, east and north sides, is within the "Urban Standards Boundary Area," and is in Lewis & Clark County, Montana;

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

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also being considered for pre-zoning with a designation B-2 (General Commercial);

WHEREAS, under the provisions of Montana law, the City of 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 Tract B-1 as shown on the Certificate of Survey filed under Document No. 3203658, 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,

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- a. Frontage Drive, specifically the portion that runs along the property's western boundary in a north-south direction, must be upgraded to City Engineering Standards with curb, gutter and boulevard sidewalks required adjacent to the subject property only.
 - b. To-Be constructed section of North Washington Street must be built to City Engineering Standards for a Minor Collector. Boulevard sidewalks are required adjacent to the subject property only.
 - c. Future Collector Road must be built to City Engineering Standards for a Minor Collector. Boulevard sidewalks are required adjacent to the subject property only.
 - d. A fence must be installed around the Helena Valley Irrigation District Canal.
2. Review of New Construction: The property owner must submit

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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.
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

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this resolution. The property owners 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.

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

MONTANA, THIS 14th DAY OF March, 2022



A handwritten signature in blue ink, appearing to be "W. ...", written over a horizontal line.

MAYOR

A handwritten signature in black ink, appearing to be "Stefani Reinhardt", written over a horizontal line.
CLERK OF THE COMMISSION

Stefani Reinhardt, Interim