

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20246

A RESOLUTION OF INTENTION TO ANNEX LOT C IN BLOCK 11 OF THE HIGHLAND PARK ADDITION, INCLUDING THE ADJACENT GRANITE AVENUE RIGHT-OF-WAY, ALL IN LEWIS AND CLARK COUNTY, MONTANA, INTO THE CITY OF HELENA, MONTANA, AND ESTABLISH CONDITIONS FOR ANNEXATION

WHEREAS, Tiffany Hanson, personal representative of the Estate of John R. McQuillan, deceased, the legal owner of Lot C in Block 11 of the Highland Park Addition, in Lewis and Clark County, Montana, generally located north of Woodward Avenue and west of Granite Avenue, with a property address of 2510 Woodward Avenue, which property is adjacent to the existing City limits, and within the defined "Urban Standards Boundary Area," has requested that the City of Helena annex said property; and

WHEREAS, the City of Helena desires to annex said property and the full width of the Granite Avenue 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

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owner of the property 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 Lot C in Block 11 of the Highland Park Addition, and the full width of the adjacent Granite Avenue right-of-way, all 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 listed below:

a. sign a waiver of the right to protest an SID for future street improvements; and

b. install a water main and appurtenant facilities in Granite Avenue across the frontage of the property.

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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.

4. **Notice of Special Districts:** The property owner must waive the right to notification and protest and consent to the alteration of the 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

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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 9th DAY OF MAY, 2016.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION