

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20214

A RESOLUTION OF INTENTION TO ANNEX THE EAST 15 FEET AND SOUTH 60 FEET OF LOT 12 AND LOTS 13-19 IN BLOCK 163 OF THE SYNDICATE ADDITION IN LEWIS AND CLARK COUNTY, AND THE PORTIONS OF THE LAUREL STREET, KNIGHT STREET AND ALLEY RIGHTS-OF-WAY ADJACENT THERETO, INTO THE CITY OF HELENA, MONTANA, AND ESTABLISH CONDITIONS FOR ANNEXATION

WHEREAS, Cindy Lopez and Dan and Sue Hill, the legal owners of the east 15 feet and south 60 feet of Lot 12 and Lots 13-19 in Block 163 of the Syndicate Addition in Lewis and Clark County, Montana, generally located at 904 and 914 Laurel Street, west of Laurel Street and south of Knight Street, which property is adjacent to the existing City limits, have requested that the City of Helena annex said property; and

WHEREAS, the City of Helena desires to annex said property and the portions of Laurel Street, Knight Street, and alley rights-of-way adjacent thereto, under the provisions of Montana law; and

WHEREAS, the owners of the property in the territory to be annexed have 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

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WHEREAS, the annexation of the property more particularly described above appears to be in the best interests of the present owners 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 the east 15 feet and south 60 feet of Lot 12 and Lots 13-19 in Block 163 of the Syndicate Addition in Lewis and Clark County, Montana, generally located at 904 and 914 Laurel Street, west of Laurel Street and south of Knight Street, and the Laurel Street, Knight Street, and alley rights-of-way adjacent thereto, 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 owners 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

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improvements; (b) installation of a wastewater main and appurtenant facilities in the alley between Knight Street and Hauser Boulevard and Knight Street across the frontage of the property; and (c) installation of a water main and appurtenant facilities in Hauser Boulevard and Knight Street across the frontage of the property.

2. **Review of New Construction:** The property owners 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 owners must waive the right to notification and protest and consent to the alteration 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.

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5. Completion of Conditions: These annexation conditions must be completed within one (1) year of the date of approval of 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 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 14th DAY OF SEPTEMBER, 2015.**

/S/ JAMES E. SMITH
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE COMMISSION