**RESOLUTION # 2023-1**

**A RESOLUTION OF THE CITY COUNCIL OF WHITE SULPHUR SPRINGS, MONTANA, EXTENDING THE BOUNDARIES OF THE SAID CITY SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF THE CITY A TRACT OF LAND KNOWN AS “A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 9 NORTH, RANGE 7 EAST, PRINCIPAL MERIDIAN, MONTANA, MEAGHER COUNTY, MONTANA”, AND BEING MORE PARTICULARLY DESCRIBED HEREIN.**

**WHEREAS**, The City of White Sulphur Springs received a request for annexation from Mountainview Medical Center, 16 W. Main Street., White Sulphur Springs, MT 59645, in April of 2021 requesting the City Council extend the boundaries of the City of White Sulphur Springs so as to include a certain contiguous tract of land legally described as: A tract of land located in the Northeast 1/4 of Section 18, Township 9 North, Range 7 East, Principal Meridian, Montana, Meagher County, Montana, and being more particularly described below; and

**WHEREAS**, the request was referred to the Consolidated City County Planning Board of White Sulphur Springs and Meagher County pursuant to the City’s Annexation Policy for consideration of the proposal; and

**WHEREAS,** the request was modified by the Landowner in July of 2022, and the modification proposed was again referred to the City/County Planning Board for consideration; and

**WHEREAS**, the parcel being annexed under Title 7, Chapter 2, Part 46 MCA is at the request of the sole owner and no resolution of intent or public hearing was required; and

**WHEREAS**, a public meeting on the annexation was duly noticed according to the City’s annexation policy, and the hearing was held on May 1, 2023; and

**WHEREAS**, the report from the City/County Planning Board was received at the Public Hearing before the White Sulphur Springs City Council on or about May 1, 2023; and

**WHEREAS**, on May 1, 2023, the City Council voted to approve the annexation request and bring before it a Resolution of Annexation, together with all necessary terms and conditions as required or applicable; and

**WHEREAS**, the provision of available services, including but not limited to, rights-of-way, easements, and stormwater plans and other matters of concern is the subject of a written agreement of the parties; and

**WHEREAS**, said contiguous tract is the subject of a certificate of survey, filed in the office of the Meagher County Clerk and Recorder and attached to the Annexation Agreement; and

**WHEREAS**, The White Sulphur Springs City Council hereby finds that the annexation of this contiguous tract is in the best interests of the City and the inhabitants thereof, as well as the county at large.

**NOW, THEREFORE BE IT ORDAINED AND RESOLVED BY THE CITY OF WHITE SULPHUR SPRINGS, MONTANA as follows:**

**Section 1**

It is hereby declared that, pursuant to Title 7, Chapter 2, Part 46 M.C.A., the following-described property be annexed to the City of White Sulphur Springs and that the boundaries of said City shall be modified so as to embrace and include such 15 acres of land, to wit, and as further described in the Annexation Agreement and illustrated and described on the Certificate of Survey, attached hereto:

A tract of land located in the Northeast 1/4 of Section 18, Township 9 North, Range 7 East, Principal Meridian, Montana, Meagher County, Montana, being more particularly described as follows:

Beginning at a survey monument, being a 5/8" x 24" rebar with 1.25" blue plastic cap marked "67665LS", from which the survey monument located at the Center One-Quarter corner of said Section 18 bears S00°32'02"E 465.21 feet; thence from said Point of Beginning N00°32'02"W 578.90 feet to a survey monument; thence N89°44'24"E 1129.00 feet to a survey monument; thence S00°32'02"E 578.90 feet to a survey monument; thence S89°44'24"W 1129.0 feet to the survey monument located at the Point of Beginning, containing 15.00 acres, more or less, and subject to all easements of record or apparent on the ground.

**Section 2**

The effective date of this annexation is May 17, 2023.

**Section 3**

The annexation of the above-described tract is subject to the terms of the Annexation Agreement dated May 16, 2023, by and between the City of White Sulphur Springs and Mountainview Medical Center; and the extension of services plan as delineated in the Agreement.

This measure is effective upon passage.

passed by the City Council in the City of White Sulphur Springs, Montana, at a regular session thereof held on the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2023.

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Rick Nelson, Mayor

ATTEST:

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Michelle Stidham, City Clerk

APPROVED AS TO FORM:

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Susan L. Wordal, City Attorney