

ORDINANCE OF THE COUNTY WATER DISTRICT OF BILLINGS HEIGHTS
CONFIRMING and RATIFYING ANNEXATIONS
OF PROPERTIES INTO THE DISTRICT

WHEREAS, the County Water District of Billings Heights (the "District") is a duly formed water district and unit of local government/body politic under the laws of the State of Montana;

WHEREAS, pursuant to Mont. Code Ann. 7-13-2341, and/or any preceding provision, upon petition of a property owner or owners holding property contiguous to the District and with written consent of all property owners to whom the service is to be extended, any portion of any county or municipality, or both, may be added to a water district;

WHEREAS, the owners of certain parcels of real property, more particularly described on attached Exhibit "A" (collectively the "Properties"), have petitioned for annexation and inclusion of those Properties into the District and for the receipt of water service(s) offered by the District and have satisfied the District's requirements and applicable local, state and statutory law for being included within the District;

WHEREAS, the District acted, and included, the Properties within the District is providing services to the same, and wherein prior to including said Properties within the District, the District's Board of Directors determined that the District had a water facility with a capacity greater than that required to meet the needs of the District as it existed at the time of each annexation;

WHEREAS, the Properties have been included as part of the District subject to the District's rules, regulations, ordinances and resolutions, as may be amended from time to time; and;

WHEREAS, the District desires to confirm and ratify the annexations and/or additions of Properties into the District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS of the County Water District of Billings Heights, Billings, Yellowstone County, Montana, as follows:

1. Pursuant to the petitions filed as provided in MCA Title 7, Chapter 13, Part 23, annexation of the following Properties into the County Water District of Billings Heights is hereby adopted, ratified and confirmed:

[See attached Exhibit "A"].

2. Said annexations have been approved subject to state and local law as well as the District's rules, regulations and ordinances, as may be amended from time to time.

3. The officers of the District be, and they hereby are, authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Ordinance.

4. All orders, by-laws, resolutions and ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repeal section shall not be construed to revive any order, by-law, resolution or ordinance, or part thereof, heretofore repealed.

5. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

6. All procedures as required under MCA Title 7, Chapter 13, Part 23, have been duly and properly followed and taken.

7. This Ordinance is necessary for the orderly administration of the District and its inhabitants.

PASSED by the Board of Directors of the County Water District of Billings Heights and APPROVED this 16th day of March, 2022.

COUNTY WATER DISTRICT OF BILLINGS
HEIGHTS

BY:



ITS: Board President Attest:



Recording Secretary

APPENDIX A TO S 1010.230 CERTIFICATION

EXHIBIT A

1. Hills Acreage Spring Tracts, Second Filing, Lot 1, Block 3, Yellowstone County, Montana.
2. C.O.S. 2012 AMD, PARCEL 5A-M-I-A, S02, TOI N, R26 E, Yellowstone County, Montana
3. C.O.S 631, Parcel 14C 1, Yellowstone County, Montana.
4. C.O.S 631 Parcel 14A 1, Yellowstone County, Montana.
5. C.O.S 631 Tract 14B, 3rd Amended, Yellowstone County, Montana.
6. High Sierra Subdivision, 10th Filing, Lot 2A-1 of amended plat 2A, Block 2, Marisela Sub, Yellowstone County, Montana.
7. Bitterroot Heights Subdivision, 3rd Filing, Tract 2A-1, C.O.S 3217 2nd Amended, Lot 1 Block 7 Bitterroot Heights Sub 2nd Filing, Yellowstone County, Montana
8. Cornerstone Meadows Subdivision, Lot 2A Amended, Yellowstone County, Montana
9. C.O.S 1160 2nd Amended, Lot 4A-1, Yellowstone County, Montana
10. 1637 Sagebrush Lane, S02, TOI N, R26 E, W2E2 LTI, Yellowstone County, Montana
11. Spring Hills Acreage Tracts, Second Filing, Lot 8, Block 3, Yellowstone County, Montana
12. C.O.S 631 3rd Amended Plat, Tract 12 Amended, 1228 Rawhide Strip, Yellowstone County, Montana