

TOWN OF PHILIPSBURG

RESOLUTION 2021-8

A RESOLUTION OF INTENT TO EXCLUDE (DE-ANNEX) A PARCEL OF LAND FROM TOWN

WHEREAS, MCA 7-2-4801 et. seq. provides for a process to exclude real estate from the Town by resolution of the Town Council;

WHEREAS, a written application has been made pursuant to MCA 7-2-4803 to exclude the below-described parcel of real estate from the corporate limits of the Town of Philipsburg; and,

WHEREAS, the petition was presented to the Town Council at the regularly scheduled meeting on September 7th, 2021; and

WHEREAS, the legal description of the property for which exclusion was requested is:

S25, T07 N, R14 W, C.O.S. 648, ACRES 6.562, PT LUTHER LODGE LODE MS 5008,
WITHIN CITY LIMITS.

NOW THEREFORE,

1. The Town Council hereby finds:
 - (1) that the petition to exclude the above-described property is signed by Edwin Johnson, President of the Johnson Family Georgetown Lake LLC, owner of the territory to be excluded,
 - (2) that the territory to be excluded is within the corporate limits and on the border of the corporate limits,
 - (3) that granting of the petition, subject to the Town's retention of any existing utility right-of-way and/or easement rights relating to the above-referenced property, is in the best interest of the town and the inhabitants, and,
 - (4) that the exclusion will not materially mar the symmetry of the town.
2. The Town Council hereby chooses to proceed with the process provided for by MCA 7-2-4801 et. seq. to consider this property for exclusion from the corporate limits of Town.
3. The Town Council hereby directs the clerk, upon receipt of payment for the newspaper's fee from the petitioner, to cause notice of hearings on the matter to be published as provided in 7-2-4805.

Dated this 21st of September, 2021.

Attest:


Clerk/Treasurer

Approved:


Mayor

The following Council Members voted in favor of the Resolution:

Scott Lyons, DuWayne Ulrich, Carl Sundstrom, John Laigaie, Jason White

