

Ordinance 2010 - 02

ORDINANCE ACCEPTING THE PETITIONS OF PROPERTY FOR ANNEXATION  
INTO THE  
GALLATIN GATEWAY COUNTY WATER AND SEWER DISTRICT

WHEREAS, the owners of real property by Petition, attached as Exhibit A, requested annexation into the Gallatin Gateway County Water and Sewer District by giving the legal description of the real property requesting annexation, being contiguous and executing an annexation agreement with the Gallatin Gateway County Water and Sewer District;

WHEREAS, the property described in Exhibit A is contiguous to the existing District and the property owners each acknowledged that currently the Gallatin Gateway County Water and Sewer District does not have any service capacity for any property within the District as the District is newly formed and is in the process of securing a Preliminary Engineering Report;

WHEREAS, on April 5, 2010, at a regularly scheduled and notice meeting of the Board of Directors, the Board considered the Petitions to annex this contiguous property.

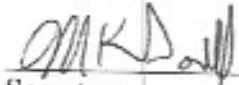
WHEREAS, pursuant to §7-5-103, MCA, an ordinance must be read twice with not less than 12 days between readings, the second reading of this Ordinance shall be on May 3, 2010. After the second reading and the passage of thirty days the Ordinance shall be in full force and effect.

NOW THEREFORE, IT BE ORDAINED BY THE BOARD OF DIRECTORS OF THE GALLATIN GATEWAY COUNTY WATER AND SEWER DISTRICT AS FOLLOWS:

the Board by passage of this ordinance does agree to annex the property described in Exhibit A into the District and does not require an election of the members of the District in doing so.

ADOPTED by the Board of Directors of the Gallatin Gateway County Water and Sewer District after reading on April 5, 2010 and second reading on May 3, 2010. This Ordinance shall be in effect 30 days after the date of the second reading.

Attested:

  
Secretary


  
\_\_\_\_\_  
President, Gallatin Gateway Board of Directors

EXHIBIT A

03/25/2010 13:31 4868435347

COUNTY LIBRARY

PAGE 01

**GALLATIN GATEWAY COUNTY WATER AND SEWER DISTRICT**

In re the Annexation of Property to the Gallatin Gateway County Water and Sewer District )  
Petition for Annexation )

1. Ruth Hargrove \_\_\_\_\_ is the owner of all that land set forth and described on Exhibit A hereto.
2. 100% of the owners of all that land set forth and described on Exhibit A hereto have executed this Petition for Annexation.
3. Ruth Hargrove (owner), hereby petitions the Gallatin Gateway County Water and Sewer District to annex and otherwise incorporate all that property set forth and described on Exhibit A hereto within the jurisdictional authority and territory of the District.
4. Owner desires to obtain sewage and other wastewater collection and treatment for the uses of those lands set forth on Exhibit A. In addition, owner desires to obtain a water supply for these lands to provide potable water, (excluding any supply for the irrigation of lawns and gardens) add if applicable
5. Owner has made the following arrangements for a potable water supply: \_\_\_\_\_

Done this 24 day of MARCH, 2010.

Ruth Hargrove

Signature lines for property owners. Also, attach a legal description and label it Exhibit A.

Exhibit A: ADDRESSES(2) 418 LYADE ST GALL GATEWAY W  
416 LYADE ST GALL GATEWAY W.  
S 11 T03 R04E TRACT 2A  
SW4 SEC 11 35 4E 1.02AC  
COS 2046A

03/25/2010 13:31 4068435347

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PAGE 02

**GALLATIN GATEWAY COUNTY WATER AND SEWER DISTRICT**

In re the Annexation of Property to the )  
Gallatin Gateway County Water and Sewer )  
District )  
)

Petition for Annexation

1. Ruth Hargrove \_\_\_\_\_ is the owner of all that land set forth and described on Exhibit A hereto.
2. 100% of the owners of all that land set forth and described on Exhibit A hereto have executed this Petition for Annexation.
3. Ruth Hargrove (owner), hereby petitions the Gallatin Gateway County Water and Sewer District to annex and otherwise incorporate all that property set forth and described on Exhibit A hereto within the jurisdictional authority and territory of the District.
4. Owner desires to obtain sewage and other wastewater collection and treatment for the uses of those lands set forth on Exhibit A. In addition, owner desires to obtain a water supply for these lands to provide potable water, [excluding any supply for the irrigation of lawns and gardens] <sup>and if applicable</sup>
5. Owner has made the following arrangements for a potable water supply: \_\_\_\_\_

Done this 24 day of MARCH, 2010

*Ruth D. Hargrove*

Signature lines for property owners. Also, attach a legal description and label of Exhibit A

EXHIBIT A: ADDRESS    405 LAURE STREET  
SCT 11 TWIN OAKS        GALLATIN GATEWAY, MT  
RNG: 04 E  
S 11 T 03 S, R 04 E S 2 TRS BEING 92.25 X 96.74' NW 4 S W 4  
SEC 11 3 S 4 E

Susan B. Swimley  
Attorney & Counselor at Law  
1807 W. Dickerson, #B  
Bozeman, MT 59715

Recorded: 12-30-10

Document No. 2378975

**CERTIFICATE AS TO ORDINANCE AND ADOPTING VOTE**

I, the undersigned, being the duly qualified and acting recording officer of the Gallatin Gateway County Water and sewer District, (the "District"), hereby certify that the attached Ordinance 2010-02 is a true and accurate copy of the ordinance entitled: Ordinance accepting the Petitions of Property for Annexation into the Gallatin Gateway County Water and Sewer District" (the "Ordinance") on file in the original records of the District in the legal custody of the general manager of the District; that the Ordinance was duly adopted on June 4, 2010, after two readings and the passage of 30 days, of which all meetings were duly held by the Board of Directors for the District and were attended by a quorum of the Board, pursuant to call and notice of such meetings given as required by law; and that the Ordinance has not as of the date hereof been amended or repealed.

I further certify that, upon vote taken on the 1<sup>st</sup> and 2<sup>nd</sup> readings of this Ordinance at said meetings, the following Directors voted in favor thereof: Merle Adams, Ted Border, Charlie White, and Earl Wortman; voted against the same: none; abstained from voting thereon: none or were absent: none.

WITNESS my hand officially this 29<sup>th</sup> day of December, 2010

  
Susan B. Swimley, Acting Secretary

State of Montana     )  
                                  :ss  
County of Gallatin    )

The foregoing instrument was acknowledged before me on the 29<sup>th</sup> day of December 2010 by Susan B. Swimley, acting secretary for the Gallatin Gateway County Water and Sewer District.



Susan E. Carroll

Notary Public for the State of Montana

Printed Name: Susan E. Carroll

Residing at Bozeman, Montana

My Commission expires: 2-6-2012

1. 405 LYNDE ST. P.O.B. 683

GALLATIN GATEWAY, MT 59730

GEO CODE: S11 T03 R04 E  
S2 TRS BEING 92K 96.74' NW4SW 4 SEC 11 S 4 E

2. 410 LYNDE ST. P.O.B. 142

GALLATIN GATEWAY, MT 59730

GEO CODE: SALESVILLE SEC. 11 S 4 E LOTS 7+8 BLK  
PLUS ABNDN ALLEY

3. 418 LYNDE ST:

P.O.B 62

GALLATIN GATEWAY, MT 59730

GEO CODE: S11 T03, R04 E, TRACT 2A SW 4 SEC 11 3  
S 4 E 1.02 AC COS 2046A

4. 416 LYNDE ST

P.O.B 111 GALLATIN GATEWAY, MT 59730

GEO CODE: (SAME AS 418 LYNDE ST)

S11 T03, R04 E, TRACT 2A SW 4 SEC 11 3  
S 4 E 1.02 AC COS 2046A

RUTH HARGROVES'  
PROPERTY

\* Please  
change

P.O.B 163 Virginia City MT 59755