

Ordinance 2019-09

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF TOWN PUMP OF NORTHWEST MISSOULA, INC (VALLEY CENTER) ANNEXATION INTO THE FOUR CORNERS WATER & SEWER DISTRICT

WHEREAS, TOWN PUMP OF NORTHWEST MISSOULA, submitted a petition for annexation of two parcels of land more particularly described in Exhibit A, attached hereto, ("Property") requesting annexation into the Four Corner Water and Sewer District to connect to water and wastewater service; and

WHEREAS, the property is contiguous to the District boundary; and

WHEREAS, on May 21, 2019, at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property as contiguous property and determined that the systems will have capacity to provide service to the new proposed residence to be located on the Property once the new facility is completed; and

WHEREAS, TOWN PUMP OF NORTHWEST MISSOULA, INC (VALLEY CENTER) will provide evidence of purchase of water rights to serve the Property need to be provided for 15 EDU (2,400 gpd total), which shall be transferred to the District and agree to pay the water and sewer capacity fee per EDU to the District; and

WHEREAS, the property will need to provide the District of irrigation rights.

NOW THEREFORE, be it ordained by the Board of Directors of the Four Corners County Water and Sewer District as follows: the Board by passage of this ordinance annexes the Property, described on Exhibit A, into the Four Corners County Water and Sewer District to provide water and sewer service to the Property for 15 EDUs (2,400 gpd total).

No services will be provided until such time as the water rights have been transferred to the District.

Landowners/petitioners acknowledge prior to the second reading that should additional structures which utilized water or sewer on the property, the District makes no representation that the District will have sufficient water or sewer capacity to service future structures.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE FOUR CORNERS COUNTY WATER AND SEWER DISTRICT, the first reading on June 18, 2019, passed on a vote of 4 in favor and 2 against the Ordinance and amended prior to second reading on July 16, 2019, the Ordinance passed on a vote of 3 in favor and 0 against. This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved:
Dated: June 18, 2019

Four Corners County Water and Sewer District

Its: _____
President

Attested: Secretary

Deborah McAtee
Four Corners County Water and
Sewer District Secretary

2nd Read and approved:
Dated: July 16, 2019

Four Corners County Water and Sewer District

Its: _____
President

Attested:

Mindy P...
Four Corners County Water and
Sewer District Secretary

EXHIBIT A Ordinance 2019-09
Town Pump of Northwest Missoula
Property adjacent to Valley Center Road

Parcel 1:

Certificate of Survey No. 797, being a tract of land located in the SW1/4 of Section 24, Township 1 South, Range 4 East, P.M.M., Gallatin County Montana; and being further described as follows:

Beginning at a point on the South line of the SW1/4, said point being South 89° 37' 43" East a distance of 93.28 feet from the Southwest corner of said Section 24. Thence North 00°00'46" East along the Easterly right-of-way of U.S. Highway 291 a distance of 239.55 feet. Thence South 89°37'43" East a distance of 208.71 feet. Thence South 00°00'46" West a distance of 239.55 feet. Thence North 89°37'43" West along the said South line of the SW1/4 a distance of 208.71 feet to the point of beginning. EXCEPTING THEREFROM that portion conveyed to the Montana Department of Transportation by Bargain and Sale Deed, recorded November 2, 2007 Document No. 2283436, records of Gallatin County Montana FURTHER EXCEPTING THEREFROM that portion conveyed to Montana Department of Transportation by Bargain and Sale Deed, recorded June 9, 2015, Document No. 2513763, records of Gallatin County Montana.

AND

Parcel 2:

Tract G of Certificate of Survey No. 2829, located in the West Half of Section 24, Township 1 South, Range 4 East, P.M.M., Gallatin County Montana according to the official survey thereof on file and of record in the office of County Clerk and Recorder, Gallatin County, Montana EXCEPTING THEREFROM that portion conveyed to the Montana Department of Transportation by Bargain and Sale Deed, recorded June 9, 2015, Document No. 2513763, records of Gallatin County Montana.