

Ordinance 2024-04

ORDINANCE ACCEPTING THE ANNEXATION PETITION TRACT 6 of
DEPENDENT SURVEY (COOLWATER) in SECTIONS 1 & 12, TOWNSHIP
25 SOUTH, RANGE 4 EAST. GALLATIN COUNTY MONTANA INTO THE
FOUR CORNERS WATER & SEWER DISTRICT- SEWER ONLY

WHEREAS, LEXINGTON REALTY, LLC, as owner, submitted a petition for annexation of a parcel of land described Tract 6 of Dependent Survey #8A, (commonly referred to as Coolwater), located in the south 1/w of Section 1 & and north ½ of Section 12, Township 25 South, Range 4 East P.M.M. Gallatin County Montana hereinafter also referred to as "Property" requesting that the Property be annexed into the Four Corners County Water and Sewer District to connect to *sewer service only*; and

WHEREAS, the Property is contiguous by virtue of platted streets dedicated to public use to the District boundary; and

WHEREAS, on June 18, 2024 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 sufficient future capacity to provide service to the Property.

WHEREAS, the LEXINGTON REALTY, LLC, agrees to pay the sewer capacity fee for 4 Equivalent Dwelling Units ("EDUs"), with an EDU equal to a maximum daily flow of 640 gallons a day and average daily flow of 160 gallons per day per EDU. The District shall not provide sewer service in excess of the capacity provided herein. The District shall not provide water and shall not provide water service for any purposes.

NOW THEREFORE, the Board by passage of this ordinance does agree to annex the Property described as Tract 6 of Dependent Survey #8A, (commonly referred to as Coolwater), located in the south 1/w of Section 1 & and north ½ of Section 12, Township 25 South, Range 4 East P.M.M. Gallatin County Montana into the District to provide sewer only service to the Property not to exceed equal to a maximum daily flow of 640 gallons a day and average daily flow of 160 gallons per day per EDU. All recitals set forth above are incorporated herein as if fully set forth herein.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on Aug 20, 2024 with a vote of 4 in favor and 0 against and second reading on September 17, 2024 with a vote of 3 in favor and 0 against. This Ordinance shall be in effect 30 days after the date of the second reading.

[signatures to follow]

1st Read and approved:

Four Corner's County Water and Sewer District

Dated: Aug 20, 2024

Nancy A. Filibkema
Its: President

Attested:

Muffy Kneveke
Secretary

2nd Read and approved:

Four Corner's County Water and Sewer District

Dated: Sept 17, 2024

Nancy A. Filibkema
Its: President

Attested:

Muffy Kneveke
Secretary