

Ordinance 2020-12

ORDINANCE ANNEXING THE DYKSTRA FARMS, LLC, FOR 4498
JACKRABBIT LANE, BOZEMAN MT BEING APPROXIMATELY 40.2 ACRES
OF A PORTION OF TRACT 5D-2 OF CERTIFICATE OF SURVEY 2829A TO
THE FOUR CORNERS WATER & SEWER DISTRICT
CORRECTING LEGAL DESCRIPTION

WHEREAS, Dykstra Farms, LLC, submitted a petition for annexation of 4498 Jackrabbit Road, Bozeman, Montana being approximately a 40.2 acre portion of Tract 5D-2 of Certificate of Survey 2928A which is currently conditionally preliminarily approved for subdivision and described in the preliminary plat as Tracts 2 and 4 of the Dykstra Minor Subdivision, located in Section 24, T1S, R4E, Gallatin County Montana ("Property") requesting that the Property be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater service with two (2) EDUs; and

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

WHEREAS, on August 18, 2020, 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 has capacity to provide service to the new proposed residence to be located on the Property; and

WHEREAS, Dykstra Farms, LLC, will provide evidence of water rights to serve the Property for two (2) EDUs, one for each tract with a combined total of 320 gpd to serve two residential uses prior the final adoption of this Ordinance; and

WHEREAS, the Property will need to provide its own irrigation water.

WHEREAS, the Board conducted the readings and approved the annexation during the calendar year 2020 in which the legal description included in the readings did not clearly delineate the area to be annexed.

NOW THEREFORE, the Board by passage of this ordinance does agree to annex the Property described in the petition for annexation of 4498 Jackrabbit Road, Bozeman, Montana being approximately a 40.2 acre portion of Tract 5D-2 of Certificate of Survey 2928A which is currently conditionally preliminarily approved for subdivision and described in the preliminary plat as Tracts 2 and 4 of the Dykstra Minor Subdivision, located in Section 24, T1S, R4E, Gallatin County Montana ("Property") into the District to provide after transfer of water rights & payment of fees water and sewer service to the Property for 2 EDUs (320 gpd total).

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.

This annexation shall become effective upon the recording of the final plat for Dykstra Minor Subdivision which depicts and describes Tracts 2 and 4 in compliance with the annexation petition.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on October 20, 2020 with a vote of ____ in favor and ____ against and second reading on November 17, 2020 with a vote of _ in favor and _ against.

AND PASSAGE of this third reading which corrected the legal description.

This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved:
October 20, 2020

Four Corners County Water and Sewer District

BY: 
ITS: President

Attested:

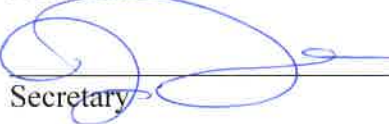

Secretary

2nd Read and approved:
November 17, 2020

Four Corners County Water and Sewer District

BY: 
ITS: President

Attested:

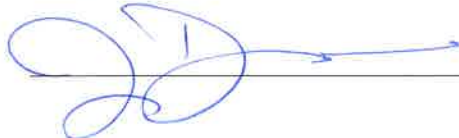

Secretary

3rd Read and approved:
Correcting legal description
January 19, 2021

Four Corners County Water and Sewer District

BY: 
ITS: President

Attested:


Secretary