

RESOLUTION NO. 406

A RESOLUTION OF INTENT TO ANNEX

WHEREAS, Cody Omlid, as owner of the parcel of land described in Exhibit 1, has filed a Petition for Annexation to the Town, pursuant to MCA Title 7, Chapter 2, Part 46, and

WHEREAS, the Town of Stevensville Planning and Zoning Board has reviewed the Petition submitted by Cody Omlid and recommended that the Town Council proceed with annexation; and

WHEREAS, the legally described parcel of land described in Exhibit 1, attached hereto, is being sold to John Anderson, and

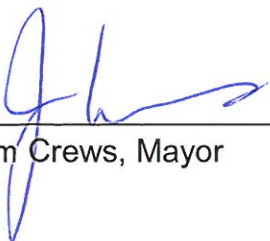
WHEREAS, the boundary line relocation is taking place between the jurisdiction of the Town of Stevensville and the County of Ravalli, and

WHEREAS, the Town council has determined that it is in the best interest of the Town of Stevensville that the legally described parcel of land described in Exhibit 1, attached hereto, be annexed.

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Stevensville intends to annex the parcel of land legally own by Cody Omlid as described in Exhibit 1 and that a public hearing be set for June 12th, 2017 at 6:30 P.M., to consider public comments on the proposed annexation.

PASSED AND ADOPTED by the Town of Stevensville, Montana this 22nd day of May, 2017.

ATTEST:



Jim Crews, Mayor



Stacy Bartlett, Town Clerk



March 13, 2017

To: Stevensville Town Council
From: Stevensville Planning & Zoning Board
Re: Petition for Annexation and Request for Rezoning


On March 1, 2017, the Stevensville Planning & Zoning Board met and reviewed the following:

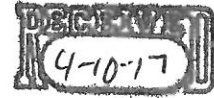
1. **Cody Omlid/John Anderson Petition for Annexation and Request for Rezoning**

The Planning & Zoning board met with Cody Omlid and John Anderson to review their Petition for Annexation and Request for Rezoning a portion of property as shown in the attached documentation.

After review, the Planning & Zoning Board has recommended the Petition for Annexation and Request for Rezoning be brought forward to the Town Council for public hearing and approval at its earliest convenience.

Respectfully,


Joe Moore
Planning and Zoning Board Chair



Ravalli County Planning Department

215 South 4th Street, Suite F

Hamilton, MT 59840

406.375.6530 Fax 406.375.6531

OG-17-04-130

**SUBDIVISION EXEMPTION APPLICATION APPROVAL
Boundary Line Relocation (SEA-2016-85A)**

Property Legal Descriptions: Lot 12, Block 5, George A. Smith Subdivision (Parcel #206461) and Parcel B, COS 4166 (Parcel # 308610, located within Sections 27 & 34, T9N, R20W.

April 7th, 2017

Baseline Surveying
Attn: Paul Jessop
996 Highway 93 N
Victor, MT 59875

Dear Mr. Jessop

Ravalli County has examined the subdivision exemption application you submitted on December 27th, 2016, and has determined that the applicants may use the exemption to adjust the boundary lines between the two above-described properties, as depicted on the application. The required Amended Plat and Certificate of Survey will show the new configurations of the parcels described above. **Because the relocation is taking place between the jurisdiction of the Town of Stevensville and the County of Ravalli, you will also need to work with the Town of Stevensville to amend their zoning districts and annex the addition to the new Amended Plat lot.**

IMPORTANT NOTICE REGARDING SUBDIVISION EXEMPTIONS

A determination by Ravalli County that a proposal is exempt from subdivision review does not constitute a substantive review of the proposal. The lots created or altered by exemption might not have legal or physical access, might not be eligible for a County road access permit, might not be able to use previous private access easements, might not be eligible for County well or wastewater treatment (septic system) permits, might not have access to utilities, and might not have any usable building site or beneficial economic use or value at all.

CONDITIONS OF APPROVAL

The following conditions of approval are required, in order to complete the process of filing the survey with the County Clerk and Recorder:



- **Survey**: Consult with a professional land surveyor to complete the surveys, which all of the property owners will have to sign and have notarized. Be sure to quote the exemption language from subdivision review in its entirety on the final plat. Please show both the old and new boundary lines on the survey, with a dashed line for the existing boundaries and a solid line for the new boundaries;
- **MDEQ**: Consult with the Ravalli County Environmental Health Department (RCEHD) at 375-6565 for instruction relative to the Montana Department of Environmental Quality (MDEQ) procedures for review of the lots (referred to as a Certificate of Subdivision Approval), and/or provide a letter of approval from RCEHD for the exemption from MDEQ review quoted or used on this survey;
- **Covenants/Zoning**: Research the properties for covenants and zoning (Clerk and Recorder's Office) to see that the proposed boundary relocations meet those restrictions; **The Town of Stevensville Zoning and the Stevensville Extended Zoning District boundaries will need to be re-defined and the portion included in the Amended Plat annexed into the Town of Stevensville, and**
- **Property Taxes**: Pay all property taxes that have been assessed and levied on the properties (Note: If you submit your survey for filing after the tax notices have been mailed out (which is generally by the end of September of each year) you will need to pay for the entire year – first and second half).

RECOMMENDATION

The following are recommended, in order to help alleviate potential future concerns:

- **Consent to Plat**: A Consent to Plat form, signed and notarized by all owners of interest, if the applicant is not the underlying titleholder of the property(ies);
- **Service Providers**: Applicants are encouraged to contact service providers, including irrigation districts/associations and utility providers, to determine what, if any, information should be provided to them independently of the subdivision exemption review to ensure that service provision continues;
- **GIS Department Review**: The completed surveys must be reviewed by the Ravalli County Geographic Information Systems (GIS) Department, prior to filing with the Clerk and Recorder. To help expedite the process, it is recommended that the applicant email the survey to GIS Department Director Ken Miller at kmiller@rc.mt.gov. Please be advised that failure to submit the survey to GIS for review may delay its recording, as the Clerk and Recorder's Office would then need to submit the survey for review, as time permits; and
- **Road Names**: According to County Resolution # 503, recorded as Permanent File #7360 on August 30, 1989, road names are required to be issued for existing and proposed, private, unnamed roads that serve two or more residences or potential residences, where applicable, for identification purposes in the event of an emergency. Since the County GIS Department approves road name petitions, inquiries should be directed to GIS at 375-6622.

FILING THE SURVEY

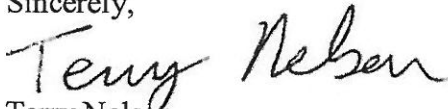
When you're ready to file the survey, please bring the following to the Clerk and Recorder's Office:

- This original **approval letter**;
- The appropriate **filing fees**;
- The **surveys** (one paper copy and one mylar copy of the Amended Subdivision Plat and the Certificate of Survey);
- The original Certificate of Subdivision Approval document from **MDEQ**, and/or provide a letter of approval from RCEHD for the exemption(s) from MDEQ review quoted on the survey. **Please ensure** that any lot layout diagram accompanying the MDEQ and/or RCEHD approval matches the proposed lot configurations;
- A **Consent to Plat** form, if needed, as set forth above;
- **Deeds** between property holders, if separate owners, to clear title, accompanied by the appropriate fees; and
- An approved Road Name Petition from the County GIS Department, as applicable, as set forth above.
- **The original approval letter from the Town of Stevensville.**
- **Documents to change the zoning boundaries of the Town of Stevensville and the Stevensville Extended Zoning District.**
- **Document to annexation of the additional land on the Amended Plat into the town of Stevensville.**

APPROVAL PERIOD

This approval must be utilized within **one (1) year** of the date of this letter, the expiration being April 7th, 2018, unless you provide a written request for a one-year extension of the approval period. The request must be submitted at least **thirty (30) calendar-days** prior to the approval period expiration.

Sincerely,



Terry Nelson
 Planning Department Administrator

Cc: Project File – Subdivision Exemption Application (SEA – 2016-85A)
 Cody Omlid, 342 Pine Hollow Road, Stevensville, MT 59870
 John & Patricia Anderson, 336 Valley View Drive, Stevensville, MT 59870
 Town of Stevensville
 Ravalli County Environmental Health Department
 Ravalli County Clerk & Recorder
 Ravalli County GIS Department (Email)
 Daly Ditches Irrigation District (Email)
 Bitter Root Irrigation District (Email)
 Outgoing Mail File

LEGAL DESCRIPTION OF PROPOSED AREA TO ANNEXED TO THE TOWN OF STEVENSVILLE

A parcel of land located in the NE¼ of section 34, Township 9 North, Range 20 West, P.M.M. and more particularly described as follows:

Beginning at the north quarter corner of section 34, T9N, R20W, P.M.M., said point also being the southwest corner of Lot 12 in Block 5 of the George A. Smith Subdivision, and running thence, first course, N89°47'35"E along the south boundary of the George A. Smith Subdivision for 106.53 feet to the southeast corner of Lot 12 in Block 5 of the George A. Smith Subdivision; thence, second course, S00°01'40"E for 96.18 feet; thence, third course, S89°47'35"W for 106.60 feet; thence, fourth course, N00°01'09"W for 96.18 feet to the point of beginning. Containing 10,250 square feet in all.

AMENDED SUBDIVISION PLAT

LOT 12 IN BLOCK 5 OF THE GEORGE A. SMITH SUBDIVISION AND PARCEL B OF CERTIFICATE OF SURVEY NO. 4166 AND LOCATED IN THE SE 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 34, T9N, R20W, P.M.M. RAVALLI COUNTY, STATE OF MONTANA

SURVEY COMMISSIONED BY: CODY OMLID

CERTIFICATE OF SURVEYOR
 I, PAUL LESSOR, LICENSE NUMBER 16407 LS DO HEREBY CERTIFY THAT THIS SURVEY HAS BEEN CONDUCTED UNDER MY SUPERVISION, DURING THE MONTH OF JANUARY IN 2017. FURTHER, THAT THIS SURVEY HAS BEEN IN COMPLIANCE WITH THE MONTANA SUBDIVISION AND PLATTING ACT.

DATED THIS _____ DAY OF _____ 2017.

PAUL LESSOR, LICENSE # 16407 LS
 PROFESSIONAL LAND SURVEYOR
 596 HWY. 93 N., VICTOR, MT 59875

ACKNOWLEDGED

STATE OF _____) SS

COUNTY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2017, BY _____, JOHN H. ANDERSON, AND PATRICIA A. ANDERSON.

NOTARY PUBLIC FOR THE STATE OF MONTANA
 MY COMMISSION EXPIRES _____
 RESIDING AT _____

PARCEL G
 COS 48216
 OWNER: CHILCOIT

(F)N89°43'45"W 1759.98'
 (R)S89°43'45"W 1759.98'

PARCEL B-1
 29.403 ACRES
PARCEL B
 COS 4166
 OWNER: OMLID

LEGEND	
○	SET 1" x 1" ESSOP GREEN PLASTIC CAP ON 3/8" x 24" REBAR
●	FOUND 1/2" APPELURRY YELLOW PLASTIC CAP ON 3/8" REBAR
○	FOUND 1/2" NELSON YELLOW PLASTIC CAP ON 3/8" REBAR
○	FOUND 1/2" ILLEGIBLE YELLOW PLASTIC CAP ON 3/8" REBAR
▲	FOUND 3/8" REBAR
W.C.	WITNESS CORNER
(F)	FOUND BEARING AND DISTANCE
(R)	RECORD PER COS 4166
(R2)	RECORD PER COS 5829
(R3)	RECORD PER PLAT OF GEORGE A. SMITH SUBDIVISION

CERTIFICATE OF FINAL PLAT APPROVAL
 THE CITY COUNCIL OF THE TOWN OF STEVENSVILLE, MONTANA, CERTIFIES THAT IT HAS REVIEWED THE AMENDED SUBDIVISION PLAT AND FOUND IT TO CONFORM TO LAW, THEREFORE APPROVES IT THIS _____ DAY OF _____ 2017.

MAYOR _____ ATTEST

Base Line
Surveying & Mapping
 996 Hwy. 93 North, Victor, MT 59875 (406) 381-6909

AMENDED SUBDIVISION PLAT - GEORGE A. SMITH SUBDIVISION LOCATED IN THE SE 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 34, T9N, R20W, P.M.M. RAVALLI COUNTY, STATE OF MONTANA

Drawn by: P.J.

Scale: 1"=100'

Date: 2/14/17

Sheet #: 1 of 1

COS #:

PURPOSE OF THE SURVEY
 THE PURPOSE OF THIS SURVEY IS A RELOCATION OF COMMON BOUNDARIES BETWEEN A LOT WITHIN CERTAIN CITY BLOCKS AND ADJOINING LAND OUTSIDE A PLATTED SUBDIVISION AND IS THEREFORE EXEMPT FROM REVIEW AS A SUBDIVISION PURSUANT TO SECTION 76-3-207(1)(a) M.C.A. WHICH PROVIDES THAT ANY PERSONS MADE FOR THE PURPOSE OF RELICITING LAND OUTSIDE A PLATTED SUBDIVISION A RESTRICTION OR REQUIREMENT ON THE ORIGINAL PLATTED LOT OR ORIGINAL UNPLATTED PARCEL CONTINUES TO APPLY TO THOSE AREAS.

LOT 12-A OF THIS SURVEY IS EXEMPT FROM DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW PURSUANT TO A.R.M. 24-183.10(4)(i)(ii)(c) THE AREA THAT IS BEING RELOCATED FROM ONE TRACT OF RECORD AND JOINED WITH AN ADJOINING TRACT OF RECORD. SAID AREA SHALL NOT BE AVAILABLE AS A TRACT OF RECORD IN ANY SUBSEQUENT REAL PROPERTY TRANSFER AFTER THE INITIAL TRANSFER ASSOCIATED WITH THE AMENDED PLAT ON WHICH SAID AREA IS DESCRIBED, UNLESS SAID AREA IS INCLUDED WITH OR EXCLUDED FROM ADJOINING TRACTS OF RECORD.

PARCEL B-1 OF THIS SURVEY IS GREATER THAN 20 ACRES IN SIZE, EXCLUSIVE OF PUBLIC ROADWAYS, AND IS THEREFORE EXEMPT FROM DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW PURSUANT TO SECTION 76-3-207(1)(b) M.C.A. (NOTE: PARCELS LESS THAN 20 ACRES IN SIZE, EXCLUSIVE OF PUBLIC ROADWAYS, MAY BE SUBJECT TO LOCAL SANITATION REVIEW PER THE MONTANA PLATTING AND SUBDIVISION ACT, TITLE 76, CHAPTER 3, M.C.A.)

PER A.R.M. 24-183.10(4)(i)(ii)(c) THE AREA THAT IS BEING RELOCATED FROM ONE TRACT OF RECORD AND JOINED WITH AN ADJOINING TRACT OF RECORD. SAID AREA SHALL NOT BE AVAILABLE AS A TRACT OF RECORD IN ANY SUBSEQUENT REAL PROPERTY TRANSFER AFTER THE INITIAL TRANSFER ASSOCIATED WITH THE AMENDED PLAT ON WHICH SAID AREA IS DESCRIBED, UNLESS SAID AREA IS INCLUDED WITH OR EXCLUDED FROM ADJOINING TRACTS OF RECORD.

CODY OMLID

JOHN H. ANDERSON

PATRICIA A. ANDERSON

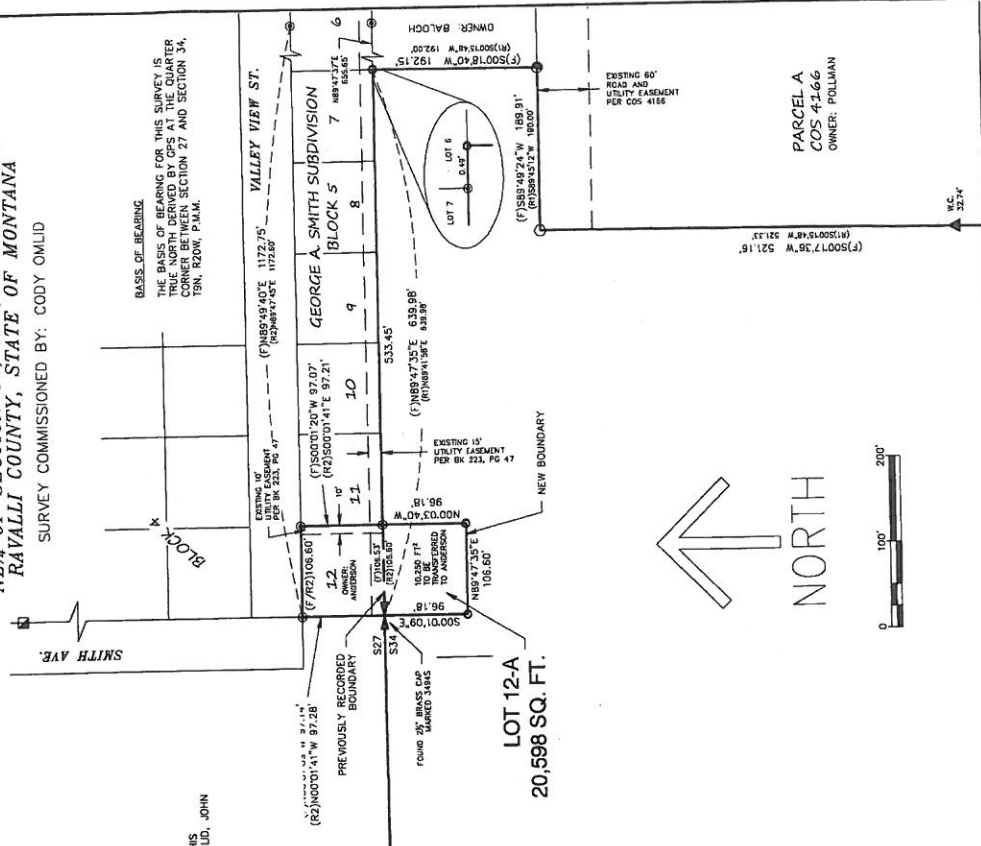
FOUND SOUTHWEST CORNER 3" ALUM CAP

(F)S89°39'50"W 1359.03'
 (R)S89°39'50"W 1359.03'
 (R)S89°39'50"W 1359.03'

1/8" LINE

SURVEYOR NOTICE
 PER SECTION 76-3-201 OF MONTANA CODE WHICH PROVIDES THAT THE BED OF THE BITTERROOT RIVER BETWEEN THE LOW WATER MARKS IS OWNED BY THE STATE OF MONTANA AND MAY MOVE OVER TIME.

APPROXIMATE LOCATION OF BITTERROOT RIVER



LEGAL DESCRIPTION OF THE ENCOMPASSING PERIMETER OF THE PARCELS SHOWN ON THIS SURVEY

A TRACT OF LAND LOCATED IN THE SE 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 20 WEST, P.M.M., RAVALLI COUNTY, STATE OF MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 LOT 12 IN BLOCK 5 OF THE GEORGE A. SMITH SUBDIVISION AND PARCEL B OF CERTIFICATE OF SURVEY NO. 4166 FILED IN THE RAVALLI COUNTY CLERK AND RECORDERS OFFICE, CONTAINING 29.878 ACRES IN ALL.
 SUBJECT TO THE EASEMENTS SHOWN ON THIS SURVEY AND ANY OTHER RECORDED OR UNRECORDED EASEMENTS.