



# LINCOLN COUNTY MONTANA

## Resolution 2023-05

### RESOLUTION TO ANNEX PROPERTY INTO THE TROY RURAL FIRE DISTRICT

#### THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

1. A petition conforming to the ownership requirements of 7-33-2125(1)(a) MCA was presented to the trustees of the Troy Rural Fire District (TRFD) for annexation of the described property into the fire district: See attached Exhibit A; and
2. On December 7, 2022 the TRFD submitted petitions for inclusion into its fire district to the county commission; and
3. The property listed in the application has been verified as being within the proposed area for annexation and requirements pursuant to MCA 7-33-2125(a) have been met; and
4. The Lincoln County Board of Commissioners did approve and pass RESOLUTION 2022-28 INTENT FOR ANNEXATION on December 14, 2022; and
5. Pursuant to 7-1-2121 MCA, a NOTICE OF PUBLIC HEARING was published in The Western News on December 21 and 28, 2022, and was posted on two courthouse public bulletin boards and county website/public notices; and
6. Pursuant to 7-33-2125(1)(b), the Lincoln County Board of Commissioners held a hearing on January 4, 2022 at 11:00am in the Commissioners Chamber, Lincoln County Courthouse.
7. Section 7-33-2125(2) MCA states, "On the date set for the hearing, the board of county commissioners shall consider the petition and any objections to the annexations. The board shall approve the annexation unless a protest petition signed by at least 40% of the owners of real property in the area proposed for annexation and owners of property representing 40% or more of the taxable value of the property in the area proposed for annexation is presented at the hearing, in which case the annexation must be disapproved; and
8. The County Commission did hear protests and public comments relating to the proposed annexation on January 4, 2022 and no protest petition was submitted; and

304162 BOOK: PF PERM/FILES PAGE: 14961 Pages: 4  
 STATE OF MONTANA LINCOLN COUNTY  
 RECORDED: 01/04/2023 1:00 KOI: RESOLUTION  
 ROBIN A. BENSON CLERK AND RECORDER  
 FEE: \$0.00 BY: *Michelle Byrd Deputy*  
 FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE.





# LINCOLN COUNTY MONTANA

## THE BOARD RESOLVES:

That the following described property (see attached Exhibit A) are annexed to the Troy Rural Fire District in accordance with 7-33-2125 MCA.

## THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

### END OF RESOLUTION

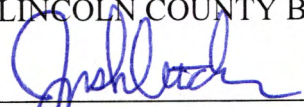
Approved as to Form:

  
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 Marcia Boris, County Attorney


Date presented to the Board 1-4-2023 Approved () Disapproved ( ) Amended ( )

Adopted this 4th day of January 2023.

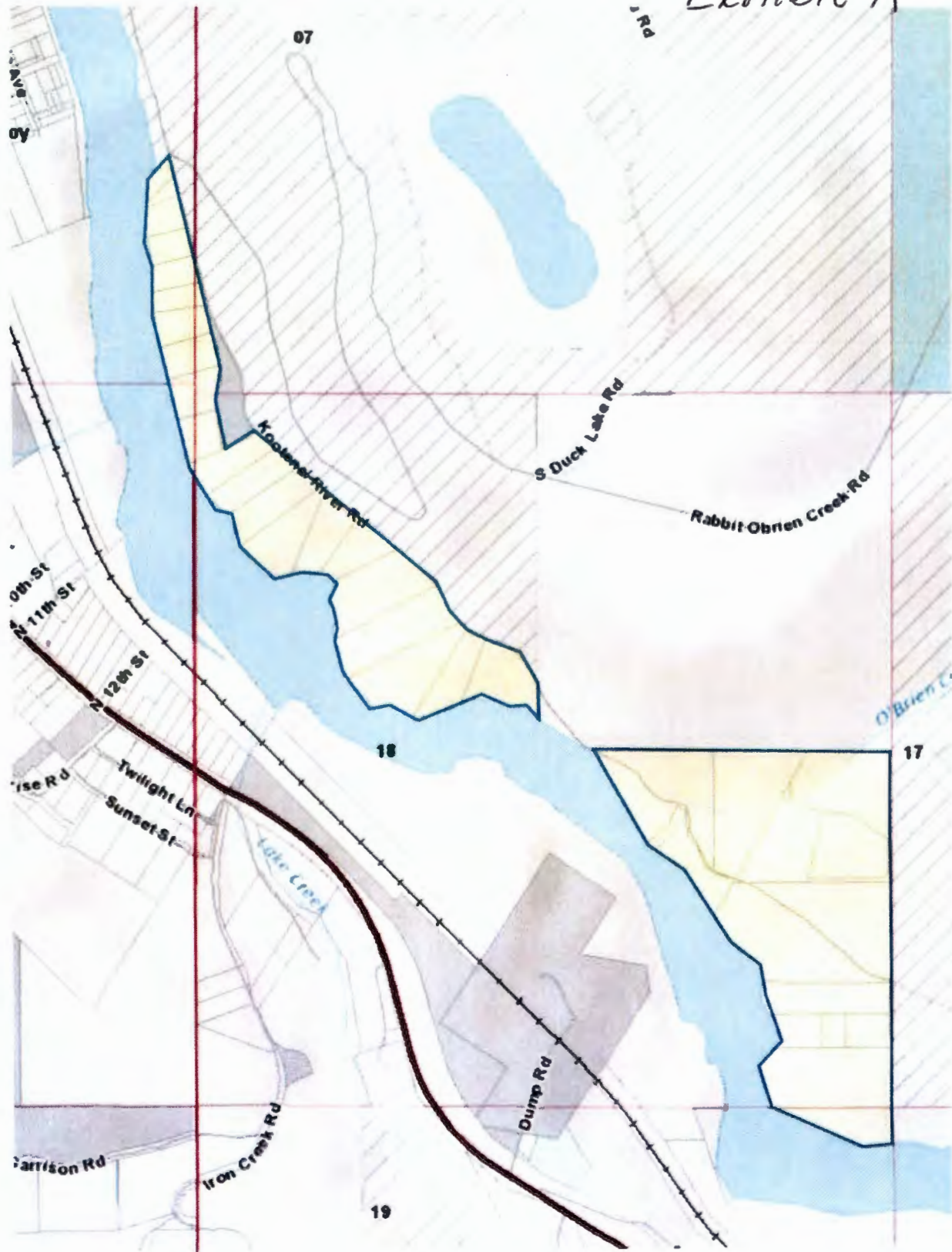
LINCOLN COUNTY BOARD OF COMMISSIONERS

  
 \_\_\_\_\_  
 Josh Letcher, Chair

ATTEST:

  
 \_\_\_\_\_  
 Robin Benson, Clerk of the Board

# Exhibit A



Phillip  
And  
Chera  
Cole