



LINCOLN COUNTY MONTANA

311402 BOOK: PF PERM/FILES PAGE: 15211 Pages: 6
STATE OF MONTANA LINCOLN COUNTY
RECORDED: 07/17/2024 2:23 KOI: RESOLUTION
CORRINA BROWN CLERK AND RECORDER
FEE: \$0.00 BY: Delisha Storksen deputy
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

RESOLUTION 2024-19

A Resolution to Annex Cedar Glen Estates Into the Troy Rural Fire District

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

1. On May 24, 2024, per MCA §7-33-2125 the trustees of the Troy Rural Fire District presented to the Clerk and Recorder's Office a request for the annexation of the described property into the fire district: See attached Exhibit A; and
2. 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((1)(a) have been met; and
3. On June 5, 2024, the Lincoln County Board of Commissioners upon presentation of the petition set a date for the public hearing; and
4. Pursuant to MCA §7-1-2121, a Notice of Public Hearing was published in the Western News on June 25 and July 5, 2024, and was posted on two courthouse public bulletin boards and county website under public notices; and
5. Pursuant to §7-33-2125 MCA, the Lincoln County Board of Commissioners held a Public Hearing on July 10, 2024, at 11:30 AM in the Commissioner's meeting room at 512 California Ave. Libby, MT 59923; and
6. MCA §7-33-2125(2) states, "On the date set for the hearing, the board of county commissioners shall consider the petition and any objections to the annexation. 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
7. The County Commission did hear protests and public comments relating to the proposed annexation on July 10, 2024, and no protest petition was submitted.



LINCOLN COUNTY MONTANA

THE BOARD RESOLVES:

The property described herein as ten lots within the Cedar Glen Estates subdivisions (ref. Exhibit A) are annexed into the Troy Rural Fire District in accordance with MCA §7-33-2125.

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:

Marcia Boris, County Attorney

Date presented to the Board 7/17/24 Approved Disapproved [] Amended []

Adopted this 17th day of July, 2024.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chair

ATTEST:

Corrina Brown, Clerk of the Board

Lincoln County, MONTANA

Plat of

CEDAR GLEN ESTATES

A MINOR SUBDIVISION
IN THE SE 1/4 OF SECTION 35
TWP 32N, R. 34W,
P.M.M.

OWNER: FRANK C. AND MARY L. WILKINSON
DATE: SEPTEMBER 1993

CERTIFICATE OF DEDICATION

I, Frank C. and Mary L. Wilkinson, the undersigned property owners, do hereby certify that I have caused to be surveyed, subdivided and platted into lots and sections as shown by this Plat hereto annexed. The following described land near Troy in Lincoln County, Montana to wit:

DESCRIPTION

A tract of land in Gov't Lot 8 in the SE 1/4 of Section 35, Twp. 32 N., R. 34 W., P.M.M. containing 10.990 acres, more or less, is more particularly described as follows: Beginning at a point marked with an "x" (set in concrete) 32 N. 34 W. P.M.M.; thence, section corner of Section 35, along the south line of said section, 186.50 feet to a 5/8 inch dia. rebar capped; thence, section corner of Lot 5 of said Cedar Glen Estates; thence, S 89° 55' 18" W 186.50 feet to a 5/8 inch dia. rebar capped; thence, S 89° 55' 18" W 186.50 feet to a 5/8 inch dia. rebar capped; thence, S 89° 55' 18" W 186.50 feet to a 5/8 inch dia. rebar set as a witness line of Lot 5 N 49° 35' 47" E continuing along said witness line of Lot 5 N 49° 35' 47" E 23.70 feet to a 5/8 inch dia. rebar set as a witness line of the corner of Lot 8 at the approximate high water line of the high water line of the Kootenai River; thence, generally N 10° 15' 15" E 110.57 feet to a 5/8 inch dia. rebar set as a witness line of the following seven (7) courses (3) S 30° 29' 33" E 151.62 feet (2) S 34° 48' 22" E 121.15 feet (1) S 35° 28' 02" E 115.64 feet (4) S 35° 28' 02" E 199.99 feet (7) S 23° 44' 36" E 253.30 feet to the intersection of the left bank of the Kootenai River; thence, along the left bank of the Kootenai River with line of said Section 35 S 00° 10' 34" W 2681.01 feet to the point of beginning.

The above-described tract of land is to be known and designated as "CEDAR GLEN ESTATES" and the lands included in a 60 foot wide private road/utility easement, containing 1.34 acres, hereinafter as shown of said plat are hereby declared a private roadway/utility easement forever.

I, Harold Cooper, Trustee of the Lincoln County Trust, do hereby certify that the above described plat was recorded in the Public Records of Lincoln County, Montana, on the 13th day of September, 1993.

Lincoln County Trustee

Harold Cooper
9/13/93

CERTIFICATE OF FINAL PLAT APPROVAL

The County Commission of Lincoln County, Montana, does hereby certify that it has examined this minor subdivision plat and having found the same to conform to law, approved the same and hereby accepts the dedication to the public for such use, this land, shown on this plat as being dedicated, 1993 A.D.

Commissioner
County Clerk and Recorder
State of Montana
County of Lincoln

A.D. 1993 day of September, 1993

Filed this 20th day of September, 1993
A.D. at 3:00 o'clock P.M.

County Clerk and Recorder
by Deputy

Dated this 20th day of SEPT, 1993.
Frank C. and Mary L. Wilkinson
My Commission Expires 4-25-1996

STATE OF MONTANA

County of Lincoln

On this 20th day of September, 1993 A.D., before me, a Notary Public and Mary Wilkinson, known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
My Commission Expires 4-25-1996

CERTIFICATE OF SURVEYOR

State of Montana

County of Lincoln

I, Kenneth E. Davis, do hereby certify that a survey was made of CEDAR GLEN ESTATES, a minor subdivision, under my supervision, during the provisions of Sections 74-3-203 through 74-3-206, in accordance with the provisions of Sections 74-3-203 through 74-3-206, in accordance with such survey, that the dimensions of the lots are as shown hereon, and that the said plat area was laid out on the ground according to law.

Dated this 13th day of SEPT, 1993 A.D.
4755
Kenneth E. Davis, Land Surveyor - Registration No. 49758

CERTIFICATE OF EXAMINING BOARD SURVEYOR

I, Examining Board Surveyor, acting as an Examining Board Surveyor for Lincoln County, Montana, do hereby certify that I have examined the final plat of CEDAR GLEN ESTATES (a minor subdivision) and find that the survey data shown thereon conform to the provisions set forth by or pursuant to Sections 74-3-201 through 74-3-203, Montana Codes Annotated, 1978.

Dated this 20th day of SEPT, 1993 A.D.

PLAT NO. 4962
SHEET TWO OF TWO SHEETS

Sanitary Restrictions Formed 3/96

Lincoln County,
MONTANA
Part of

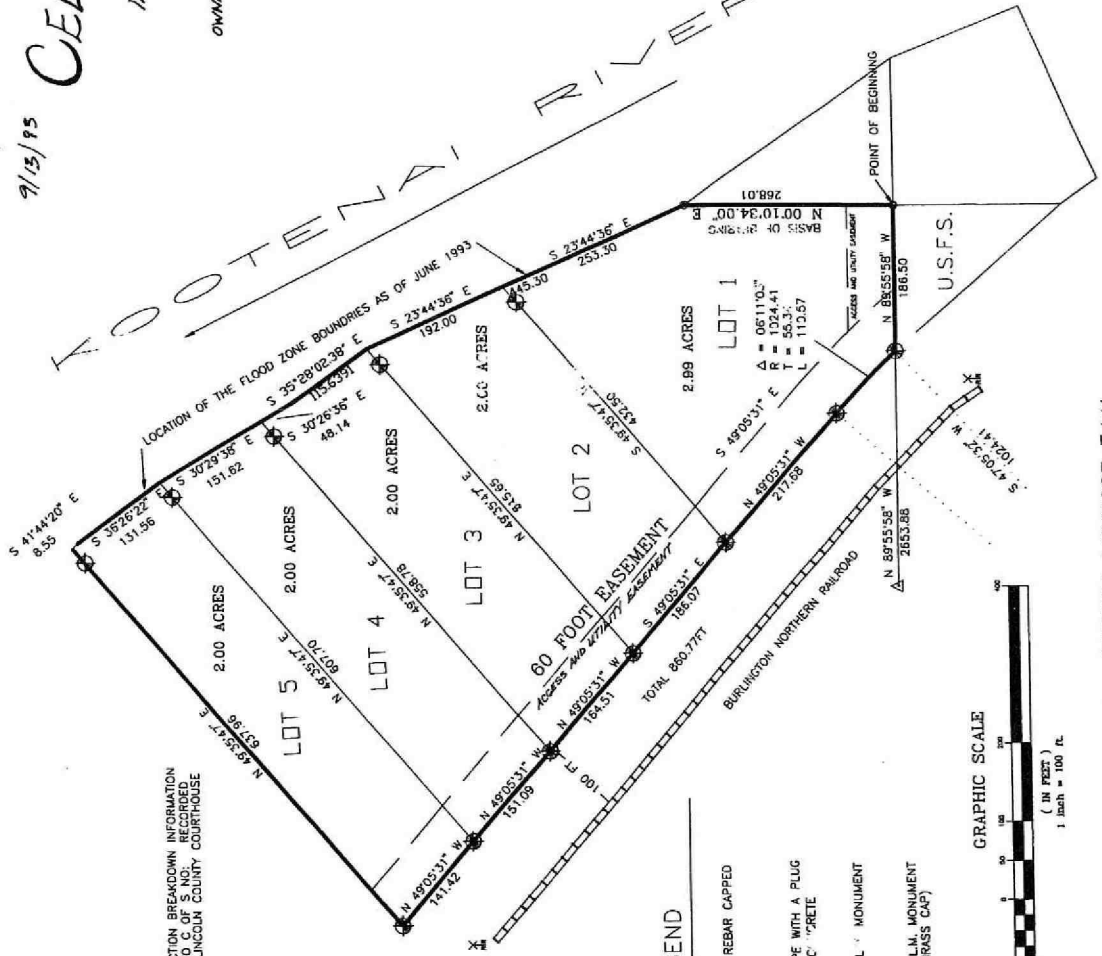
9/15/95
CEDAR GLEN ESTATES
A MINOR SURDIVISION
IN THE SE 1/4 OF SECTION 35
TWP 32N, R. 34W,
P.M.M.

OWNER: FRANK C. and MARY L. WILKINSON
DATE: SEPT. 1993

Handwritten signature

9/15/95

KOOTENAI RIVER

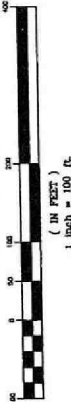


FOR SECTION BREAKDOWN INFORMATION
REFER TO C OF S NO. RECORDED
IN THE LINCOLN COUNTY COURTHOUSE

LEGEND

- SET 5/8" DIAM REBAR CAPPED
K.E.D. 49745
- 1 1/4" DIAM PIPE WITH A PLUG
MARKED "X" IN C' CORNER
- 3 1/4" DIAM B.L. MONUMENT
MARKED M.C.
- △ 1/4" DIAM B.L.M. MONUMENT
CORNER (BRASS CAP)

GRAPHIC SCALE



LINCOLN COUNTY, MONTANA

A PLAT OF: CEDAR GLEN ESTATES PHASE II

(THE FIRST ADDITION TO CEDAR GLEN ESTATES, CONTAINING LOTS 6-14 FOR A TOTAL OF 28.016 ACRES) DATE: AUGUST 1994
A PORTION OF GOVERNMENT LOT 8 IN SECTION 35 IN TWP.32N., R.34W., P.M.M.

CERTIFICATE OF DEDICATION

We, Frank and Mary Wilkinson, the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided and platted into lots and streets, as shown by this Plat hereinafter annexed, the following described land near Troy in Lincoln County, Montana to wit:

CEDAR GLEN ESTATES PHASE II

A tract of land lying northeast of the Burlington Northern Railroad and West 32 N. R. 34 W., P.M.M., containing a total of 28.016 acres, more or less, and more particularly described as follows:
Beginning at a 5/8 inch dia. rebar capped: XED 4975-8 marking the northwest corner of the original Cedar Glen Estates Subdivision of the easterly Right-of-Way line of the Burlington Northern Railroad which measures 100.00 feet from the southeast section corner of Section 35 to the north line of said lot N 67°35'47" E 637.96 feet to the meander line of the 249 courses along the bank of the following twenty (20) courses along the bank of the meander line (meander line) N 41°44'20" W 131.55'± feet; thence, N 48°28'05" W 84°33'00" W 631.80 feet; thence, N 48°44'51" W 70.06 feet; thence, N 48°44'51" W 48.70 feet; thence, N 43°08'30.45" W 109.93 feet; thence, N 48°44'51" W 67°18'19" W 8°10'16" W 47.24 feet; thence, N 67°52'26" W 180.64 feet; thence, N 58°43'27" W 183.65 feet; thence, N 58°43'27" W 180.64 feet; thence, N 65°48'43" W 51°19'06" W 63.54 feet; thence, N 55°47'39" W 114.47 feet; thence, N 55°47'39" W 62.90 feet; thence, N 53°11'48'54" W 128.87 feet; thence, N 45°33'05" W 84.76 feet; thence, N 51°22'59" W 113.78 feet; thence, N 45°46'01" W 122.46 feet; thence, N 57°49'55" W 135.32 feet; thence, N 46°43'06" W 121.42 feet; thence, N 60°19'12" W 110.81 feet; thence, N 59°25'58" W 119.23 feet; thence, N 60°19'12" W 132.76 feet; thence, N 58°52'08'29" W 254.96 feet to the intersection with the easterly Right-of-Way line of the Burlington Northern Railroad; thence, along the easterly Right-of-Way line thereof, along the easterly Right-of-Way line of said Burlington Northern Railroad S 49°05'31" E 3403.60 feet to the point of beginning.

The above-described tract of land is to be known and designated as "CEDAR GLEN ESTATES PHASE II", Lincoln County, Montana.
Dated this 24th day of August, 1994.
Frank Wilkinson and Mary Wilkinson
Frank Wilkinson
Mary Wilkinson

STATE OF MONTANA
County of Lincoln

On this 24th day of August, 1994 A.D., before me, a Notary Public in and for the State of Montana, personally appeared Frank and Mary Wilkinson, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Witness my hand and Notary Seal this 24th day of August, 1994.
Notary Public
Randy at Troy

DAVIS SURVEYING INC. TROY, MONTANA (406)295-5441

CERTIFICATE OF SURVEYOR

State of Montana
County of Lincoln

I, Kenneth E. Davis, do hereby certify that a survey was made of CEDAR GLEN ESTATES II, a minor subdivision, under my supervision, during the month of August, 1994, in accordance with the provisions of Sections 13-301 through 16-3-403 Montana Codes Annotated, that the annexed plat is in accordance with sections 13-301 through 16-3-403 Montana Codes Annotated; and that the said dimensions of the lots shown hereon; and that the said plat was laid out on the ground according to law.

MONTANA 15th day of August, 1994 A.D.
KENNETH E. DAVIS
Land Surveyor Registration No. 47755



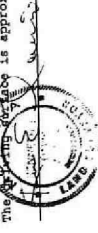
TAX CERTIFICATION

I hereby certify that all real property taxes and special assessments assessed and levied on the land to be divided have been paid. Dated this 24th day of August, 1994.

Ken E. Davis
Treasurer, Lincoln County, Montana

LEGAL AND PHYSICAL ACCESS

I hereby certify that physical access to all lots within this subdivision is provided by the public road shown on this plat. The width of the road is approximately 22 feet wide.



EXAMINED AND APPROVED FOR LINCOLN COUNTY BY: Paul Bullock

DATE: 1-25-15

APPROVED: Charles P. Davis
Chairman, Lincoln County, Montana Commissioners

STATE OF MONTANA
COUNTY OF LINCOLN

Plated on this 24th day of August, 1994 A.D. at
8:00 o'clock P.M.

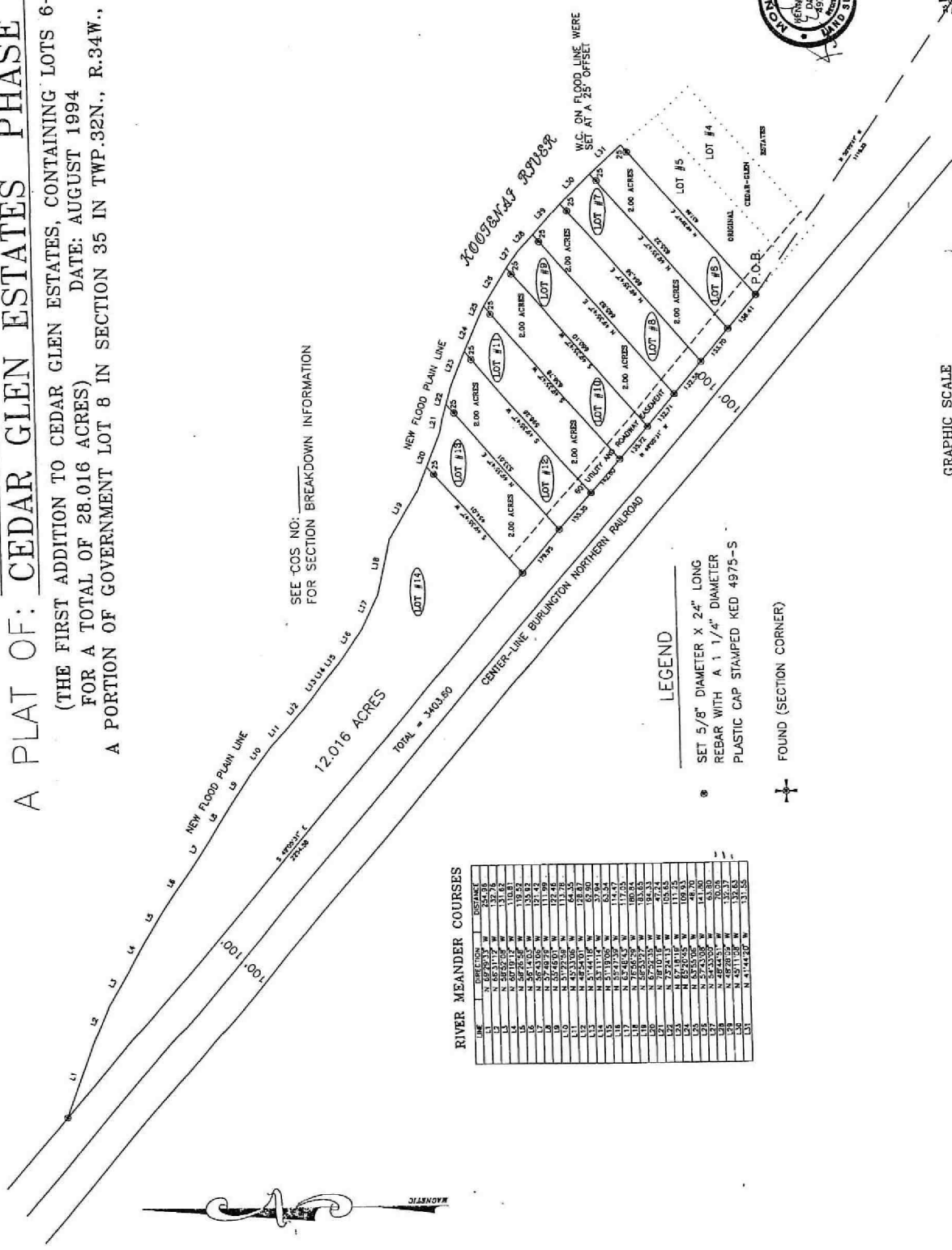
by Paula L. Slaw
County Clerk and recorder
Deputy

LINCOLN COUNTY, MONTANA

A PLAT OF: CEDAR GLEN ESTATES PHASE II

(THE FIRST ADDITION TO CEDAR GLEN ESTATES, CONTAINING LOTS 6-14 FOR A TOTAL OF 28.016 ACRES) DATE: AUGUST 1994
 A PORTION OF GOVERNMENT LOT 8 IN SECTION 35 IN TWP.32N., R.34W., P.M.M.

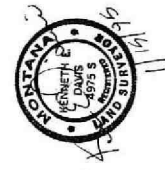
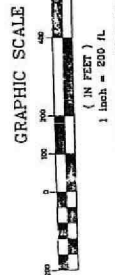
SEE COS NO. _____ FOR SECTION BREAKDOWN INFORMATION



RIVER MEANDER COURSES

LINE	BEARING	DISTANCE	BEARING	DISTANCE
1	N	69.7033	W	84.735
2	N	69.3117	W	137.75
3	N	69.3117	W	137.75
4	N	69.3117	W	137.75
5	N	69.3117	W	137.75
6	N	69.3117	W	137.75
7	N	69.3117	W	137.75
8	N	69.3117	W	137.75
9	N	69.3117	W	137.75
10	N	69.3117	W	137.75
11	N	69.3117	W	137.75
12	N	69.3117	W	137.75
13	N	69.3117	W	137.75
14	N	69.3117	W	137.75
15	N	69.3117	W	137.75
16	N	69.3117	W	137.75
17	N	69.3117	W	137.75
18	N	69.3117	W	137.75
19	N	69.3117	W	137.75
20	N	69.3117	W	137.75
21	N	69.3117	W	137.75
22	N	69.3117	W	137.75
23	N	69.3117	W	137.75
24	N	69.3117	W	137.75
25	N	69.3117	W	137.75
26	N	69.3117	W	137.75
27	N	69.3117	W	137.75
28	N	69.3117	W	137.75
29	N	69.3117	W	137.75
30	N	69.3117	W	137.75

- LEGEND
- SET 5/8" DIAMETER X 24" LONG REBAR WITH A 1 1/4" DIAMETER PLASTIC CAP STAMPED KED 4975-S
 - ⊕ FOUND (SECTION CORNER)



SUBSET 1 OF 2 P.F. # 5271
 P.F. PLAT NO # 5271

DAVIS SURVEYING INC. TROY, MONTANA (406)295-5441

Sanitary Reel. Keenard P.F. #5270