

Resolution 8 - 2025

**A Resolution and Order by the Board of Fergus County
Commissioners Changing the Boundaries of Certain Precincts
in Fergus County, Montana Pursuant to 13-3-102, MCA**

WHEREAS, pursuant to Section 13-3-102, MCA, the County governing body may change the boundaries of precincts not less than 100 days before a primary or between a general election and the primary for that election, and

WHEREAS, the following property was annexed into the City of Lewistown on January 6, 2025, via City of Lewistown Resolution 4187:

Lot 1A of the Amended Plat of Larson Addition and Lot 3 of Tindall Trust Minor Subdivision being a portion of Larson Addition to the City of Lewistown and being Lot 3 of Tindall Trust Minor Subdivision, Located in the NE 1 / 4 of Section 22, T15N, R18E, P.M.M., Fergus County, Montana, and

WHEREAS, the consolidation of certain Election Precincts provides for a more efficient application of the equipment, resources and conduct of elections in the County,

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Fergus County, State of Montana, meeting in regular session the 10th day of March, 2025, at Lewistown, Montana, that the presently established Prec 13 boundary line be moved with the Prec 17 boundary line, per Resolution No. 4187 from the City of Lewistown annexing said property into its city limits. The boundary of said annexation is as follows and attached survey:

Lot 1A of the Amended Plat of Larson Addition and Lot 3 of Tindall Trust Minor Subdivision being a portion of Larson Addition to the City of Lewistown and being Lot 3 of Tindall Trust Minor Subdivision, Located in the NE 1 / 4 of Section 22, T15N, R18E, P.M.M., Fergus County, Montana.

FURTHER, BE IT RESOLVED, that in compliance with Section 13-3-102, MCA, of the Election Laws of the State of Montana, the following changes in the Fergus County election precinct boundaries are hereby adopted and approved.

Dated this 10 day of March, 2025,

BOARD OF COMMISSIONERS:

Absent
ROSS BUTCHER

[Signature]
JENNIFER SAUNDERS

[Signature]
TRAVIS WILLSON

ATTEST:

[Signature]
JANEL TUCEK, Clerk & Recorder



Resolution No. 4187

**A RESOLUTION PROVIDING FOR THE
ANNEXATION BY PETITION OF PROPERTY
BELONGING TO DUANE A. OTTO AND ANNIE
OTTO (A/K/A JOANNE E. OTTO)**

WHEREAS, Duane A. Otto and Annie Otto (a/k/a Joanne E. Otto) of Lewistown, Montana, as the owners of the below described property, have presented a Petition to the City of Lewistown requesting that such property located within Fergus County, Montana, be annexed to and incorporated into the City, to wit:

Lot 1A of the Amended Plat of Larson Addition and Lot 3 of Tindall Trust Minor Subdivision being a portion of Larson Addition to the City of Lewistown and being Lot 3 of Tindall Trust Minor Subdivision, Located in the NE 1/4 of Section 22, T15N, R18E, P.M.M., Fergus County, Montana.

WHEREAS, Lot 1A of the Larson Addition was previously incorporated into the City of Lewistown. The Amended Plat referenced herein moved the southern boundary line of Lot 1A to include property located in Fergus County.

WHEREAS, a copy of the Petition for Annexation is attached to this resolution and is incorporated by reference herein in its entirety.

WHEREAS, Part 46, Chapter 2, Title 7 of the Montana Code Annotated allows a city to annex property into its boundaries if it has received a written petition containing a description of the area requested to be annexed and signed by:

(i) more than 50% of the resident electors owning real property in the area to be annexed; or

(ii) the owner or owners of 50% of the real property in the area to be annexed.

WHEREAS, the Petition for Annexation recites that it is signed by the sole owner/authorized agent of the real property in the area to be annexed, and contains a description of the area requested to be annexed and therefore is properly before the Commission; and,

WHEREAS, the City Commission may approve or disapprove a petition for annexation submitted under the provisions of Montana law as stated herein, upon its merits.

NOW, THEREFORE, BE IT RESOLVED, that the following described property be and hereby is annexed to the City of Lewistown and that the boundaries of the city shall be extended to include such property;

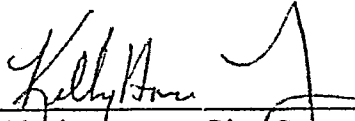
Lot 1A of the Amended Plat of Larson Addition and Lot 3 of Tindall Trust Minor Subdivision being a portion of Larson Addition to the City of Lewistown and being Lot 3 of Tindall Trust Minor Subdivision, Located in the NE 1/4 of Section 22, T15N, R18E, P.M.M., Fergus County, Montana.

BE IT FURTHER RESOLVED, Zoning for Lot 1A was previously determined and that the zoning of the above-described property shall be determined by the City Commission in accordance with existing rules and regulation to include the additional property based upon the boundary line change as shown by the Amended Plat referenced herein.

BE IT FURTHER RESOLVED that the City Clerk shall forthwith cause this resolution to be entered into the minutes of the City and that the Clerk certify under seal of the City a copy of such record which document shall be filed with Fergus County Clerk and Recorder's Office at which time annexation of the above-described parcel shall be complete.

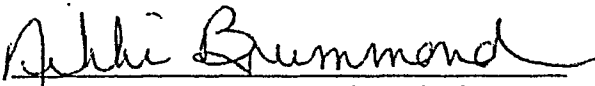
PASSED AND APPROVED this 10 day of January 2025.

Approved:



Chairperson, City Commission

ATTEST:



NIKKI BRUMMOND, City Clerk

PETITION FOR ANNEXATION

Petitioners, Duane A. Otto and Annie Otto (a/k/a Joanne E. Otto), of Lewistown, Montana, hereby petition the City Commission of the City of Lewistown to annex, incorporate and include that area located in Fergus County, Montana, and more particularly described as:

Lot 1A of the Amended Plat of Larson Addition and Lot 3 of Tindall Trust Minor Subdivision being a portion of Larson Addition to the City of Lewistown and being Lot 3 of Tindall Trust Minor Subdivision, Located in the NE 1/4 of Section 22, T15N, R18E, P.M.M., Fergus County, Montana.

Petitioners resolve that:

1. This petition is made pursuant to Montana Code Annotated § 7-2-4601, et. Seq.
2. Petitioners are the sole owners of the real property in the area herein requested to be annexed and therefore qualifies to petition for annexation.
3. Petitioners understand and agree that any extension of City water or sewer services shall be at the landowner's expense and performed according to City specifications and requirements.

Wherefore, Petitioners hereby requests that the City Commission of the City of Lewistown approve this petition and adopt a resolution of annexation to annex, incorporate and include the herein described area into the city limits of the City of Lewistown.

By:

Duane A. Otto
Duane A. Otto

Annie Otto
Annie Otto (a/k/a Joanne E. Otto)

STATE OF MONTANA)
 : ss.
COUNTY OF FERGUS)

SUBSCRIBED and SWORN TO before me by **DUANE A. OTTO** and
ANNIE OTTO (A/K/A JOANNE E. OTTO) on this 20th day of December 2024.

Renee J. Sanofsky
Notary Public for the State of Montana

(NOTARIAL SEAL)

