

Ordinance 2023-06

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF NOLHEIMER CONDOMINIUMS INTO THE FOUR CORNERS WATER & SEWER DISTRICT

WHEREAS, Nullus Desiderium, LLC as owner of Units 1 and 2 and KKC Rentals, LLC as owners of Units 3 and 4 of 100% of Units owners and limited common elements of Nolheimer Condominiums, located on Lot 3 of Block 1 of Kennedy Subdivision (total of 2.0 acres) being located in Section 35, Township 1 South, Range 4 East, Kennedy Subdivision, Gallatin County, Montana ("Property") petitioned for annexation of the Nolheimer Condominiums, including all units, common elements and limited common elements requesting that the Property be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater services; and

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

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property and determined that the systems has capacity to provide service to the new proposed development to be located on the Property; and

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

WHEREAS, Nolheimer Condominiums will provide evidence of purchased of water rights to serve the Property need to be provided for 2 EDU (320 gpd total) and have agreed to pay the water and wastewater fee per EDU to the District; and

NOW THEREFORE, be it ordained by the board of directors of the Four Corners County Water and Sewer District Board, by passage of this ordinance, the District does agree to annex the Property, described above, into the District after transfer of water rights & payment of fees water and sewer service 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 or more uses.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on June 20, 2023 with a vote of 3 in favor and 0 against and second reading on Aug 15, 2023 with a vote of 4 in favor and 0 against.

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

1st Read and approved: Four Corner's County Water and Sewer District

Dated: June 20, 2023

Buddy W. Brady
Its: Treasurer

Attested: Walter Krenke
Secretary

2nd Read and approved: Four Corner's County Water and Sewer District

Dated: Aug 15, 2023

Nancy A. Filibkema
Its: President

Attested: Walter Krenke
Secretary