

NOTICE IS HEREBY GIVEN that on August 25, 2023, the District Board (the "Board") of the Fort Smith Water and Sewer District (the "District"), intends to adopt an ordinance to approve an application the board received to annex property into the District.

Ordinance 8-25-2023

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Fort Smith Water and Sewer District, Big Horn County, Montana (the "District"), as follows:

Section 1. Annexation. The Board received an application to annex property into the District.

Section 2. Application for Annexation It is the applicant's intent to have the District's Board make a determination (pursuant to Section 7-13-2341(5), MCA). Applicant submitted a complete application. Applicant is a registered voter residing in the area described as the 3.58 acre unplatted tract of the Yellowtail subdivision, less the .79 acre westerly portion divided in COS #140CB on 6/13/2000, the undivided parcel is 147.5' x 1056' and lies north of second street and east of second avenue. The applicant is the sole owner. The property to be annexed is contiguous to existing District boundaries. The property owner of the land wishes to accomplish annexation without a vote of the electors of the District. The present use of the property is vacant land. The proposed use of property is residential with 21 or less water & sewer hookups. The applicant has been notified that there is excess capacity of the water system and when the sewer system is completed there will also be excess capacity.

Section 3. Approval of Annexation Application: The board approves the application as submitted requesting annexation for the parcel of 3.58 acres unplatted tract of the Yellowtail Subdivision, the undivided parcel is 147.5 X 1056ft and lies north of second street and east of second avenue as noted on cos #140cb. It has been determined that sufficient capacity for water service exists. The final approval of this request however, is contingent upon completion of and verified functionality of the new sewer system. Additionally, the applicant shall comply with all "Water System Development Fees" as determined by the board.

A public hearing notice regarding the application for annexation was published in the Big Horn County News on August 10th and August 17, 2023 as well as mailing the public hearing notice to all property owners in the Fort Smith water & Sewer District. A public hearing was held on the Annexation of property into the District Boundaries on August 25, 2023 @ 5pm at the Bighorn Baptist Church in Fort Smith, Montana. Comments were taken orally at the hearing.

Further information about the annexation approval may be obtained by contacting Alan Shaw, President, at (406) 995-2792.

This notice by Order of the Board of the Fort Smith Water and Sewer District this 25th day of August, 2023.

The District, after the first adoption and reading, will post copies of the ordinance and copies will be made available to the public, and a copy of the ordinance will be mailed to all property owners in the Fort Smith Water & Sewer District with the next billing.