LC 1043/01

INTRODUCED BY Murray Jaskenden Thomas ł Story

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMENO SECTION 5 11-403, R.J.M. 1947, BY REQUIRING THAT NOTICE BE GIVEN TO 6 ALL FREEHOLDERS PRIOR TO ANNEXATION OF PLATTED OR UNPLATTED 7 TRACTS TO A CITY OR TJWN OF "THE FIRST CLASS AND TO PROVIDE 8 FOR OUJECTION TO SUCH ANNEXATION BY ALL FREEHOLDERS."

7

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 11-403, R.C.M. 1947, is amended to
 read as follows:

NIL-403. Extension of boundaries to include continuous 13 platted tracts or other parcels of land. (1) Cities or 14 towns of the first class. Any tracts or parcels of land, 15 which have been or may hereafter be platted into lots or 15 17 blocks, streats, and alleys, or platted for parks, and the map or plat thereof filed in the office of the county clerk 18 and recorder of the county in which the same are situated, 19 or any unplatted land that has been surveyed and for which a 20 certificate of survey has been filed, as provided in these 21 codes, and which platted or unplatted land shall be 22 continuous to any incorporated city of the first class, may 23 be embraced within the corporate limits thereof, and the 24 boundaries of such city of the first class extended so as to 25

INTRODUCED BILL

include the same in the following manner: When, in the 1 judgment of any city council of a city of the first class, 2 3 expressed by a resolution duly and regularly passed and adopted, it will be to the best interest of such city and 5 the inhabitants of any contiguous platted tracts or parcels of land, or unplatted land for which a certificate of survey has been filed, that the boundaries of such city shall be 7 extended, so as to include the same within the corporate 8 9 limits thereof, the city clerk of such city shall forthwith immediately notify in writing all owners of property in the 10 territory to be embraced and shall cause to be published in 11 the newspaper published nearest such platted tracts or 12 parcels of land, or unplatted land for which a certificate 13 of survey has been filed, at least once a week for two 14 15 successive weeks, a notice which shall be to the effect that such resolution has been duly and regularly passed, and that 15 17 for a period of twenty (20) days after the first publication of such notice, such city clerk will receive expressions of 18 approval or disapproval, in writing, of the proposed 19 extensions of the boundaries of such city of the first 29 21 class, from resident freeholders of the territory proposed 22 to be embraced therein. The clerk shall, at the next regular meeting of the city council of such city of the ∠3 first class after the expiration of said twenty (20) days, 24 lay before the same all communications in writing by him so 25

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1 received for its consideration, and if, after considering 2 the same, such council shall duly and regularly pass and 3 adopt a resolution to that effect, the boundaries of such city of the first class shall be extended so as to embrace 4 5 and include such platted tracts or parcels of land or 6 unplatted land for which a certificate of survey has been 7 filed, the time when the same shall do into effect to be 8 fixed by such resolution; provided however, that land uses 9 for industrial or manufacturing purposes shall not be 10 included in such city under the provisions of this section 11 without the consent in writing of the owners of such land, 12 and further provided, that such resolution shall not be 13 adopted by such council if disapproved, in writing, by a 14 majority of the resident freeholdersy--if--anyy of the 15 territory proposed to be embraced and no further resolutions 16 relating to the annexation of said territory or any portion 17 thereof may be considered or acted upon by the council on 18 its own initiative and without petition, for a period of one 19 year from the date of disapproval.

20 Provided also, that cities of the first class may 21 include as part of such city any platted or unplatted tract 22 or parcel of land that is wholly surrounded by such city 23 upon passing a resolution advertising and upon passing a 24 further resolution or following such advertising, all in the 25 manner aforesaid, and such land shall be annexed, if so LC 1048/01

1 resolved, whether or not a majority of the resident freeholdersy-if-anyy of the land to be annexed object; 2 providedy however, that land used for agricultural, mining, 3 smelting, refining, transportation, or any industrial or 4 manufacturing purpose or for the purpose of maintaining or 5 operating a golf or country club, an athletic field or 6 aircraft landing field, a cemetery or a place for public or 7 private outdoor entertainment or any purpose incident 8 9 thereto, shall not be annexed under this provision.

(2) Cities and towns of the second and third class. 10 Any tracts or parcels of land, which shall be contiguous to 11 any incorporated cities or towns of the second and chird 12 class, may be embraced within the corporate limits thereof 13 and the boundaries of such cities or towns of the second and 14 third class extended so as to include the same in the 15 following manner: When, in the judgment of any such city or 1.6 town council, expressed by resolution duly and regularly 17 passed and adopted, it will be to the best interest of such 18 19 city, or town and the inhabitants thereof, and of the inhabitants of any contiguous tracts or parcels of land, as 20 aforesaid, that the boundaries of such city or town shall be 21 22 extended, so as to include the same within the corporate 23 limits thereof, the city or town clerk of such city or town 24 shall forthwith notify in writing all property holders within the boundaries of the territory proposed to be 25

1 embraced, and cause to be published in the newspaper published nearest such tracts or parcels of land, at least 2 3 once a week for two successive weeks, a notice which shall be to the effect that such resolution has been duly and 4 5 regularly passed and that for a period of twenty (20) days after the first publication of such notice, such city or 5 1 town clerk will receive expressions of approval or disapproval, in writing, of the proposed extensions of the в 9 boundaries of such city or town, from freeholders of the 10 territory proposed to be embraced therein. The clark shall, at the next regular meeting of the city or town council 11 12 after the expiration of said twenty (20) days, lay before 13 the same all communications in writing by him so received for its consideration, and if, after considering the same, 14 15 such council shall duly and regularly pass and adopt a resolution to that effect, the boundaries of such city or 16 town of the second or third class, shall be extended so as 17 18 to emprace and include such tracts or parcels of land, the 19 time when the same shall go into effect to be fixed by such resolution; provided, that such resolution shall not be 20 adopted by such council, if disapproved, in writing, by a 21 22 majority of the freeholders of the territory proposed to be 23 ambraced.

24 (3) Whenever two or more adjacent tracts taken as a
25 whole shall adjoin the city, they may be included in one

- 1 resolution under subdivision (2) hereof, although one or
- 2 more of said tracts taken alone may not be adjacent to the
- 3 corporate limits as then existing.\*

-End-

# STATE OF MONTANA

REQUEST NO. 166-77

## FISCAL NOTE

Form BD-15

In	compliance	with	a written	request received	January 24	, 19	, there is hereby	submitted a	Fiscal Note
for	Senate	Bill	199	pursuant	t to Chapter 53, Laws	of Montana, 19	65 - Thirty-Ninth	Legislative Ass	embly.
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members									
of	the Legislat	ure u	pon reques	t.					

### DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 199 requires all first class cities and towns to give written notice to all property owners affected by a proposed annexation.

FISCAL IMPACT:

No additional expenditures are required at the state level.

### LOCAL IMPACT:

Each of the eight Montana cities classified as a first class city will have some additional work and expense in notifying property owners affected by a proposed annexation. The number of annexations per year each city might have and the number of actual property owners affected cannot be estimated at this time.

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BUDGET DIRECTOR UN Office of Budget and Program Planning Date: \_\_\_\_\_\_\_

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1	SENATE BILL ND. 199
Z	INTRODUCED BY MURRAY, FASBENDER, THOMAS, STORY
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5	L1-403, R.C.M. 1947, BY REQUIRING THAT NUTICE BE GIVEN TO
6	ALL FREEHOLDERS PRIOR TO ANNEXATION OF PLATTED OR UNPLATTED
7	TRACTS TO A CITY OR TOWN OF THE FIRST CLASS AND TO PROVIDE
đ	FOR OBJECTION TO SUCH ANNEXATION BY ALL FREEHOLDERS."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 11-403, R.C.M. 1947, is amended to
12	read as follows:
13	*11-403. Extension of boundaries to include contiguous
14	platted tracts or other parcels of land. (1) Cities or
15	towns of the first class. Any tracts or parcels of land,
16	which nave been or may hereafter be platted into lots or
17	blocks, streets, and alieys, or platted for parks, and the
18	map or plat thereof filed in the office of the county clerk
19	and recorder of the county in which the same are situated,
20	or any unplatted land that has been surveyed and for which a
21	certificate of survey has been filed, as provided in these
22	codes, and which platted or unplatted land shall be
23	contiguous to any incorporated city of the first class, may
24	be embraced within the corporate limits thereof, and the
25	boundaries of such city of the first class extended so as to

SB 0199/02

1	include the same in the following manner: When, in the
2	judgment of any city council of a city of the. first class,
3	expressed by a resolution duly and regularly passed and
4	adopted, it will be to the best interest of such city and
5	the inhabitants of any contiguous platted tracts or parcels
ь	of land, or unplatted land for which a certificate of survey
7	has been filed, that the boundaries of such city shall be
8	extended, so as to include the same within the corporate
9	limits thereof, the city clerk of such city shall forthwith
10	<pre>immediatelyootifyinwriting ADDRESSED_IO_IHE_ADDRESS_IO</pre>
11	WHICH IAX NOTICES ARE SENT all owners of property in the
12	territory to be embraced and shall cause to be published in
13	the newspaper published nearest such platted tracts or
14	parcels of land, or unplatted land for which a certificate
15	of survey has been filed, at least once a week for two
16	successive weeks, a notice which shall be to the effect that
17	such resolution has been duly and regularly passed, and that
18	for a period of twenty (20) days after the first publication
19	of such notice, such city clerk will receive expressions of
20	approval or disapproval, in writing, of the proposed
21	extensions of the Doundaries of such city of the first
22	class, from resident freeholders of the territory proposed
23	to be embraced therein. The clerk shall, at the next
24	regular meetiny of the city council of such city of the
25	first class after the expiration of said twenty (20) days,

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SECOND READING

1 lay before the same all communications in writing by him so 2 received for its consideration, and if, after considering the same, such council shall duly and regularly pass and 3 4 adopt a resolution to that effect, the boundaries of such 5 city of the first class shall be extended so as to emprace and include such platted tracts or parcels of land or 6 7 unplatted land for which a certificate of survey has been 8 filed, the time when the same shall go into effect to be 9 fixed by such resolution; provided however, that land used for industrial or manufacturing purposes shall not be 10 included in such city under the provisions of this section 11 12 without the consent in writing of the owners of such land. 13 and further provided, that such resolution shall not be 14 adopted by such council if disapproved, in writing, by a 15 majority of the resident freeholdersy--if--anyy of the 16 territory proposed to be empraced and no further resolutions 17 relating to the annexation of said territory or any portion 18 thereof may be considered or acted upon by the council on 19 its own initiative and without petition, for a period of one 20 year from the date of disapproval.

21 Provided also, that cities of the first class may 22 include as part of such city any platted or unplatted tract 23 or parcel of land that is wholly surrounded by such city 24 upon passing a resolution advertising and upon passing a 25 further resolution or following such advertising, all in the

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SB 199

manner aforesaid, and such land shall be annexed, if so 1 2 resolved, whether or not a majority of the resident freeholdersy--if--any, of the land to be annexed object; 3 4 provided, however, that land used for agricultural, mining, 5 smelting, refining, transportation, or any industrial or manufacturing purpose or for the purpose of maintaining or 6 7 operating a golf or country club, an athletic field or 8 aircraft landing field, a cemetery or a place for public or 9 private outdoor entertainment or any purpose incident 10 thereto, shall not be annexed under this provision.

11 (2) Cities and towns of the second and third class. 12 Any tracts or parcels of land, which shall be contiguous to any incorporated cities or towns of the second and third 13 14 class, may be embraced within the corporate limits thereof 15 and the boundaries of such cities or towns of the second and third class extended so as to include the same in the 16 17 following manner: When, in the judgment of any such city or town council, expressed by resolution duly and regularly 18 19 passed and adopted, it will be to the best interest of such city, or town and the inhabitants thereof, and of the 20 21 inhabitants of any contiguous tracts or parcels of land, as aforesaid, that the boundaries of such city or town shall be 22 extended, so as to include the same within the corporate 23 limits thereof, the city or town clerk of such city or town 24 25 shall forthwith notify in writing all property holders

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within the boundaries of the territory proposed to be ì 2 embraced, and cause to be published in the newspaper published nearest such tracts or parcels of land, at least 3 4 once a week for two successive weeks, a notice which shall 5 be to the effect that such resolution has been duly and regularly passed and that for a period of twenty (20) days ò 7 after the first publication of such notice, such city or 8 town clerk will receive expressions of approval or 9 disapproval, in writing, of the proposed extensions of the 10 boundaries of such city or town, from freeholders of the 11 territory proposed to be embraced therein. The clerk shally 12 at the next regular meeting of the city or town council 13 after the expiration of said twenty (20) days, lay before 14 the same all communications in writing by him so received 15 for its consideration, and if, after considering the same, 16 such council shall duly and regularly pass and adopt a 17 resolution to that effect, the boundaries of such city or 18 town of the second or third class, shall be extended so as 19 to embrace and include such tracts or parcels of land, the 20 time when the same shall go into effect to be fixed by such resolution; provided, that such resolution shall not be 21 22 adopted by such council, if disapproved, in writing, by a 23 majority of the freeholders of the territory proposed to be 24 embraced.

25 (3) Whenever two or more adjacent tracts taken as a

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1 whole shall adjoin the city, they may be included in one 2 resolution under subdivision (2) hereof, although one or

- 3 more of said tracts taken alone may not be adjacent to the
- 4 corporate limits as then existing."

-End-

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1	SENATE BILL NO. 199
2	INTRODUCED BY MURRAY, FASBENDER, THOMAS, STORY
3	
4	A BILL FOR AN ACT ENTITLED: MAN ACT TO AMEND SECTION
5	11-403, R.C.M. 1947, BY REQUIRING THAT NUTICE DE GIVEN TO
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19	and recorder of the county in which the same are situated,
20	or any unplatted land that has been surveyed and for which a
21	certificate of survey has been filed, as provided in these
22	codes, and which platted or unplatted land shall be
23	contiguous to any incorporated city of the first class, may
24	be embraced within the corporate limits thereof, and the
25	boundaries of such city of the first class extended so as to

1 include the same in the following manner: When, in the 2 judgment of any city council of a city of the first class, expressed by a resolution duly and regularly passed and 3 4 adopted, it will be to the best interest of such city and 5 the inhabitants of any contiguous platted tracts or parcels 6 of land, or unplatted land for which a certificate of survey 7 has been filed, that the boundaries of such city shall be 8 extended, so as to include the same within the corporate 9 limits thereof, the city clerk of such city shall forthwith 10 immediately\_notify\_in\_writing ADDRESSED\_TO\_THE\_ADDRESS\_TO 11 WHICH TAX NOTICES ARE SENT all owners of property in the 12 territory to be embraced and shall cause to be published in 13 the newspaper published nearest such platted tracts or parcels of land, or unplatted land for which a certificate 14 15 of survey has been filed, at least once a week for two 16 successive weeks, a notice which shall be to the effect that 17 such resolution has been duly and regularly passed, and that 18 for a period of twenty (20) days after the first publication 19 of such notice, such city clerk will receive expressions of 20 approval or disapproval, in writing, of the proposed extensions of the boundaries of such city of the first 21 class, from resident freeholders of the territory proposed 22 23 to be embraced therein. The clerk shall, at the next 24 regular meeting of the city council of such city of the 25 first class after the expiration of said twenty (20) days,

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THIRD READING

lay before the same all communications in writing by him so 1 2 received for its consideration, and if, after considering 3 the same, such council shall duly and regularly pass and 4 adopt a resolution to that effect, the boundaries of such city of the first class shall be extended so as to emprace 5 6 and include such platted tracts or parcels of land or 7 unplatted land for which a certificate of survey has been 8 filed, the time when the same shall go into effect to be Q fixed by such resolution; provided however, that land used 10 for industrial or manufacturing purposes shall not be included in such city under the provisions of this section 11 12 without the consent in writing of the owners of such land, 13 and further provided, that such resolution shall not be 14 adopted by such council if disapproved, in writing, by a 15 majority of the resident freeholdersy--if--any, of the 16 territory proposed to be empraced and no further resolutions 17 relating to the annexation of said territory or any portion 18 thereof may be considered or acted upon by the council on 19 its own initiative and without petition, for a period of one year from the date of disapproval. 20

21 Provided also, that cities of the first class may 22 include as part of such city any platted or unplatted tract 23 or parcel of land that is wholly surrounded by such city 24 upon passing a resolution advertising and upon passing a 25 further resolution or following such advertising, all in the

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11 (2) Cities and towns of the second and third class. 12 Any tracts or parcels of land, which shall be contiguous to 13 any incorporated cities or towns of the second and third 14 class, may be embraced within the corporate limits thereof 15 and the boundaries of such cities or towns of the second and 16 third class extended so as to include the same in the 17 following manner: When, in the judgment of any such city or town council, expressed by resolution duly and regularly 18 passed and adopted, it will be to the best interest of such 19 20 city, or town and the inhabitants thereof, and of the 21 inhabitants of any contiguous tracts or parcels of land, as 22 aforesaid, that the boundaries of such city or town shall be 23 extended, so as to include the same within the corporate limits thereof, the city or town clerk of such city or town 24 shall forthwith notify in writing all property holders 25

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within the boundaries of the territory proposed to be 1 embraced, and cause to be published in the newspaper 2 published nearest such tracts or parcels of land, at least 3 once a week for two successive weeks, a notice which shall 4 5 be to the effect that such resolution has been duly and regularly passed and that for a period of twenty (20) days Ó 7 after the first publication of such notice, such city or 8 town clerk will receive expressions of approval or 9 disapproval, in writing, of the proposed extensions of the 10 boundaries of such city or town, from freeholders of the 11 territory proposed to be empraced therein. The clerk shall, 12 at the next regular meeting of the city or town council 13 after the expiration of said twenty (20) days, lay before 14 the same all communications in writing by nim so received 15 for its consideration, and if, after considering the same, 16 such council shall duly and regularly pass and adopt a resolution to that effect, the boundaries of such city or 17 18 town of the second or third class, shall be extended so as 19 to embrace and include such tracts or parcels of land, the time when the same shall do into effect to be fixed by such 20 resolution; provided, that such resolution shall not be 21 22 adopted by such council, if disapproved, in writing, by a 23 majority of the freeholders of the territory proposed to be 24 embraced.

25 (3) Whenever two or more adjacent tracts taken as a

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1 whole shall adjoin the city, they may be included in one

- 2 resolution under subdivision (2) hereof, although one or
- 3 more of said tracts taken alone may not be adjacent to the

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4 corporate limits as then existing."

-End-

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SENATE BILL NO. 199 1 2 INTRODUCED BY MURRAY. FASBENDER. THOMAS. STORY 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 4 11-403+ R.C.M. 1947, BY REQUIRING THAT NOTICE BE GIVEN TO 5 ALL FREEHOLDERS PRIOR TO ANNEXATION OF PLATTED OR UNPLATTED 6 TRACTS TO A CITY OR TOWN OF THE FIRST CLASS AND TO PROVIDE 7 8 FOR DEJECTION TO SUCH ANNEXATION BY ALL FREEHOLDERS." 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 11-403, R.C.M. 1947, is amended to 11 read as follows: 12 #11-403. Extension of boundaries to include contiguous 13 platted tracts or other parcels of land. (1) Cities or 14 towns of the first class. Any tracts or parcels of land, 15 which have been or may hereafter be platted into lots or 16 blocks, streets, and alleys, or platted for parks, and the 17 map or plat thereof filed in the office of the county clerk 18 and recorder of the county in which the same are situated. 19 or any unplatted land that has been surveyed and for which a 20 certificate of survey has been filed, as provided in these 21 codes, and which platted or unplatted land shall be 22 23 continuous to any incorporated city of the first class, may be embraced within the corporate limits thereof, and the 24 boundaries of such city of the first class extended so as to 25

REFERENCE BILL

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- 1 whole shall adjoin the city, they may be included in one
- 2 resolution under subdivision (2) hereof, although one or
- 3 more of said tracts taken alone may not be adjacent to the
- 4 corporate limits as then existing."

-End-

58 0199/02

1 SENATE BILL NO. 199 INTRODUCED BY MURRAY, FASBENDER, THOMAS, STORY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 4 11-403, R.C.M. 1947, BY REQUIRING THAT NOTICE BE GIVEN TO 5 á ALL FREEHOLDERS PRIUR TO ANNEXATION OF PLATTED OR UNPLATTED 7 TRACTS TO A CITY OR TOWN OF THE FIRST CLASS AND-TO-PREVIDE FRR-BRJEETION-TO-SUCH-ANNEXATION-BY-ALL-FREEHOLDERS." Ĵ 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 11-403, R.C.M. 1947, is amended to 12 read as follows: \*11-403. Extension of boundaries to include contiguous 13 14 platted tracts or other parcels of land. (1) Cities or towns of the first class. Any tracts or parcels of land, 15 16 which have been or may hereafter be platted into lots or 17 blocks, streets, and alleys, or platted for parks, and the 13 map or plat thereof filed in the office of the county clerk 19 and recorder of the county in which the same are situated, 20 or any unplatted land that has been surveyed and for which a certificate of survey has been filed, as provided in these 21 codes, and which platted or unplatted land shall be 22 contiguous to any incorporated city of the first class, may 23 be embraced within the corporate limits thereof, and the 24 boundaries of such city of the first class extended so as to 25

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Final Printing Gov. amendments - Dated

1 lay before the same all communications in writing by him so 2 received for its consideration, and if, after considering 3 the same, such council shall duly and regularly pass and 4 adopt a resolution to that effect, the boundaries of such 5 city of the first class shall be extended so as to embrace and include such platted tracts or parcels of land or 6 7 unplatted land for which a certificate of survey has been 8 filed, the time when the same shall go into effect to be 9 fixed by such resolution: provided however. that land used 10 for industrial or manufacturing purposes shall not be 11 included in such city under the provisions of this section 12 without the consent in writing of the owners of such land, and further provided, that such resolution shall not be 13 14 adopted by such council if disapproved, in writing, by a 15 majority of the resident <u>RESIDENT</u> freeholdersy--if--any, of 16 the territory proposed to be embraced and no further 17 resolutions relating to the annexation of said territory or 18 any portion thereof may be considered or acted upon by the 19 council on its own initiative and without petition, for a 20 period of one year from the date of disapproval.

21 Provided also, that cities of the first class may 22 include as part of such city any platted or unplatted tract 23 or parcel of land that is wholly surrounded by such city 24 upon passing a resolution advertising and upon passing a 25 further resolution or following such advertising, all in the

1 manner aforesaid, and such land shall be annexed, if so resolved, whether or not a majority of the resident RESIDENT 2 freeholdersy-if-any, of the land to be annexed object; 3 provided, however, that land used for agricultural, mining, 4 5 smelting, refining, transportation, or any industrial or manufacturing purpose or for the purpose of maintaining or 6 operating a golf or country club, an athletic field or 7 aircraft landing field, a cemetery or a place for public or 8 9 private outdoor entertainment or any purpose incident thereto, shall not be annexed under this provision. 10

11 (2) Cities and towns of the second and third class. 12 Any tracts or parcels of land, which shall be contiguous to any incorporated cities or towns of the second and third 13 class, may be embraced within the corporate limits thereof 14 15 and the boundaries of such cities or towns of the second and third class extended so as to include the same in the 16 17 following manner: When, in the judgment of any such city or town council, expressed by resolution duly and regularly 18 passed and adopted, it will be to the best interest of such 19 city, or town and the inhabitants thereof, and of the 20 inhabitants of any contiguous tracts or parcels of land, as 21 22 aforesaid, that the boundaries of such city or town shall be extended, so as to include the same within the corporate 23 limits thereof, the city or town clerk of such city or town 24 25 shall forthwith notify in writing all property holders

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1 within the boundaries of the territory proposed to be embraced, and cause to be published in the newspaper 2 published nearest such tracts or parcels of land, at least 3 once a week for two successive weeks, a notice which shall 4 5 be to the effect that such resolution has been duly and regularly passed and that for a period of twenty (20) days 6 7 after the first publication of such notice, such city or town clerk will receive expressions of approval or ы 9 disapproval, in writing, of the proposed extensions of the 10 boundaries of such city or town, from freeholders of the 11 territory proposed to be embraced therein. The clerk shall, 12 at the next regular meeting of the city or town council 13 after the expiration of said twenty (20) days, lay before the same all communications in writing by him so received 14 for its consideration, and if, after considering the same, 15 16 such council shall duly and regularly pass and adopt a 17 resolution to that effect, the boundaries of such city or 13 town of the second or third class, shall be extended so as 19 to embrace and include such tracts or parcels of land, the 20 time when the same shall go into effect to be fixed by such 21 resolution; provided, that such resolution shall not be 22 adopted by such council, if disapproved, in writing, by a majority of the freeholders of the territory proposed to be 23 24 embraced.

25 (3) Whenever two or more adjacent tracts taken as a

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- 1 whole shall adjoin the city, they may be included in one
- 2 resolution under subdivision (2) hereof, although one or
- 3 more of said tracts taken alone may not be adjacent to the
- 4 corporate limits as then existing."

-End-

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