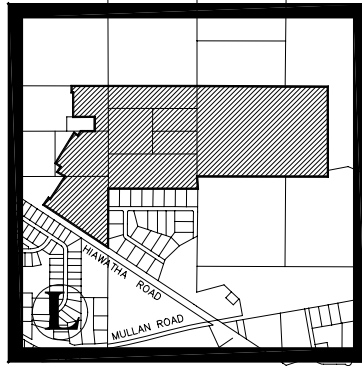


AN ORDINANCE TO REZONE THE PROPERTY LEGALLY DESCRIBED IN THE ATTACHED EXHIBIT A-1 AND EXHIBIT A-2 FROM "C-RR1" (RESIDENTIAL) TO "44 RANCH SPECIAL ZONING DISTRICT" (MAP L)



BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOULA:

THAT THE ABOVE DESCRIBED PROPERTY IS HEREBY WITHDRAWN FROM THE ZONE CLASSIFICATION OF CRR-I (RESIDENTIAL) AND REPLACED WITH "44 RANCH SPECIAL ZONING DISTRICT" (ATTACHMENT 1)

Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

PASSED by a 12 ayes, 0 nays, 0 abstentions, 0 absent vote, and

APPROVED by the Mayor this 23rd of May, 2005.

ATTEST:

APPROVED:

/s/ Martha L. Rehbein
Martha Rehbein
City Clerk

/s/ Mike Kadas
Mike Kadas
Mayor

(SEAL)

44 RANCH
SPECIAL ZONING DISTRICT

A. INTENT

The intent of this district is to allow for residential uses with a variety of lot sizes in a traditional neighborhood design. This special zoning district seeks to interconnect to the planned street grid system and utilize municipal services. This district provides performance standards for traditional neighborhood design within the Primary Urban Growth Area. The development of the site shall be consistent with the development plan approved by the governing body.

B. GENERAL STANDARDS

1. Additional standards
 - a. Except as provided in this chapter, all applicable portions of the City of Missoula Zoning Ordinance shall apply.
 - b. Every residential structure that adjoins a street shall have the main entry facing a street frontage. For corner lots the main entry shall face one of the streets. The entry must be visible from this street. The main entry shall be determined by the presence of a front door and entry area, including a walkway to the entry, and the presence of windows on the front building wall façade.
 - c. All vehicular access shall be from an alley where lots are less than 60' in width and adjacent to an alley.

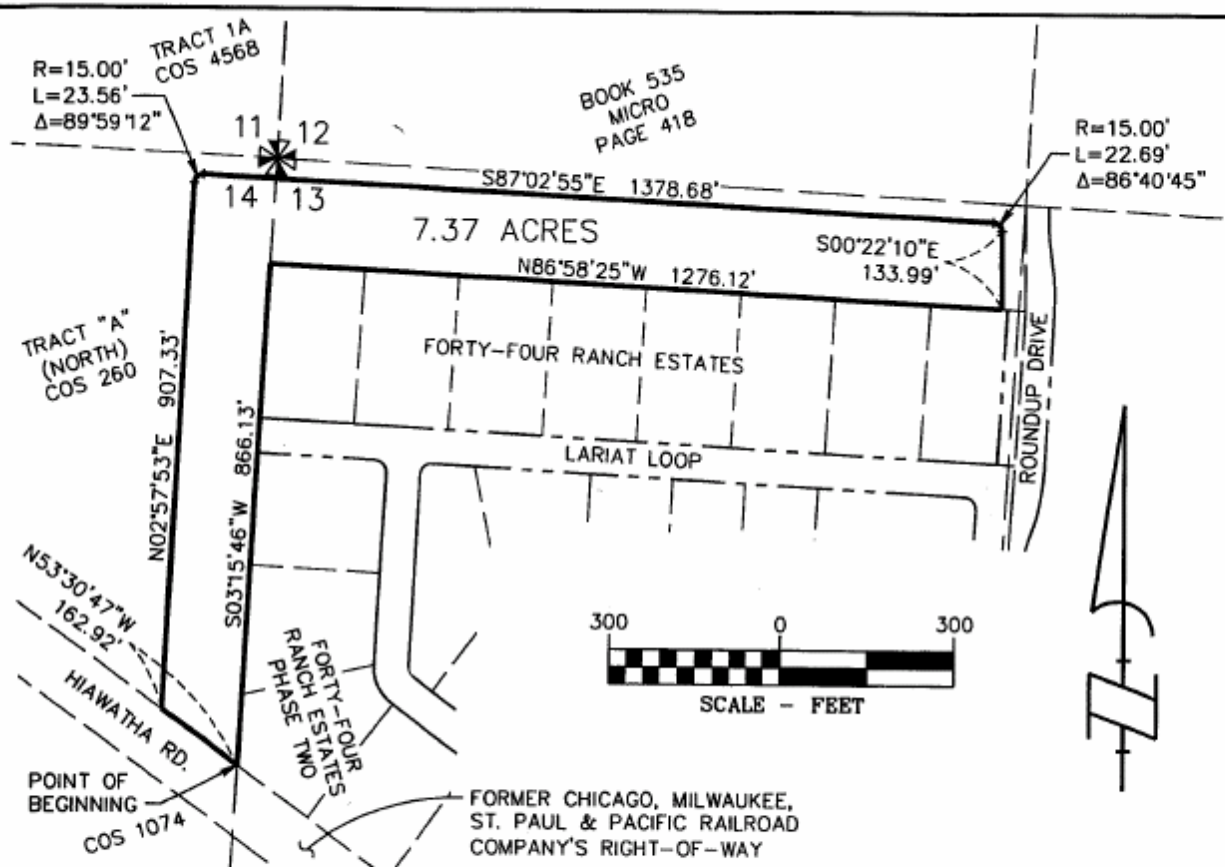
C. COMMON AREAS

1. Common areas shall be maintained by a homeowner's association.
2. Accessory buildings are permitted in the common areas.

D. SUBDISTRICT A-I, RESIDENTIAL

1. Space and bulk requirements:

Minimum lot area.....	Twenty thousand (20,000) square feet.
Minimum lot width.....	One hundred and fifteen (115') feet.
Minimum required yardfront	There shall be a front yard measured from the wall of the building closest to the front property line having a depth of not less than twenty (20') feet.
.....side	Not less than seven and one-half (7 1/2') feet or one-third (1/3) of the building height, whichever is greater for primary and accessory structures.
.....rear	There shall be a rear yard having a depth of not less than forty (40') feet for primary and accessory structures.
Maximum building height	Twenty-seven (27') feet



LEGAL DESCRIPTION*****

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 13 AND THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 13 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF TRACT "A" (NORTH) OF CERTIFICATE OF SURVEY NO. 260, ON FILE IN MISSOULA COUNTY, MONTANA; THENCE N 53°30'47" W ALONG THE SOUTHWESTERLY LINE OF SAID TRACT "A" (NORTH), 162.92 FEET; THENCE N 02°57'53" E, 907.33 FEET TO A POINT ON A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 15.00 FEET; THENCE NORTHEASTERLY ALONG SAID TANGENT CURVE THROUGH A CENTRAL ANGLE OF 89°59'12", AN ARC LENGTH OF 23.56 FEET; THENCE S 87°02'55" E, 1378.68 FEET TO A POINT ON A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 15.00 FEET; THENCE SOUTHEASTERLY ALONG LAST SAID TANGENT CURVE THROUGH A CENTRAL ANGLE OF 86°40'45", AN ARC LENGTH OF 22.69 FEET; THENCE S 00°22'10" E, 133.99 FEET TO A POINT ON THE NORTHERLY LINE OF FORTY-FOUR RANCH ESTATES, A RECORDED SUBDIVISION OF MISSOULA COUNTY, MONTANA; THENCE N 86°58'25" W ALONG SAID NORTHERLY LINE, 1276.12 FEET TO THE NORTHWEST CORNER OF SAID FORTY-FOUR RANCH ESTATES; THENCE S 03°15'46" W ALONG THE WESTERLY LINES OF SAID FORTY-FOUR RANCH ESTATES AND FORTY-FOUR RANCH ESTATES PHASE TWO, A RECORDED SUBDIVISION OF MISSOULA COUNTY, MONTANA, 866.13 FEET TO THE POINT OF BEGINNING; CONTAINING 7.37 ACRES, MORE OR LESS.

SURVEYOR'S STATEMENT*****

THIS EXHIBIT WAS PREPARED UNDER MY DIRECT SUPERVISION

Leonides J. Sandoval
LEONIDES J. SANDOVAL, P.L.S.
MONTANA REGISTRATION NO. 14519LS
FOR WGM GROUP, INC.

2-21-2005
DATE



UNLESS SIGNED, SEALED, AND DATED, THIS IS A PRELIMINARY OR UNOFFICIAL DOCUMENT AND CANNOT BE RELIED UPON IN WHOLE OR PART.

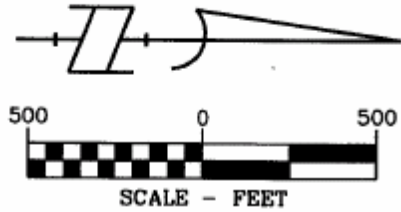
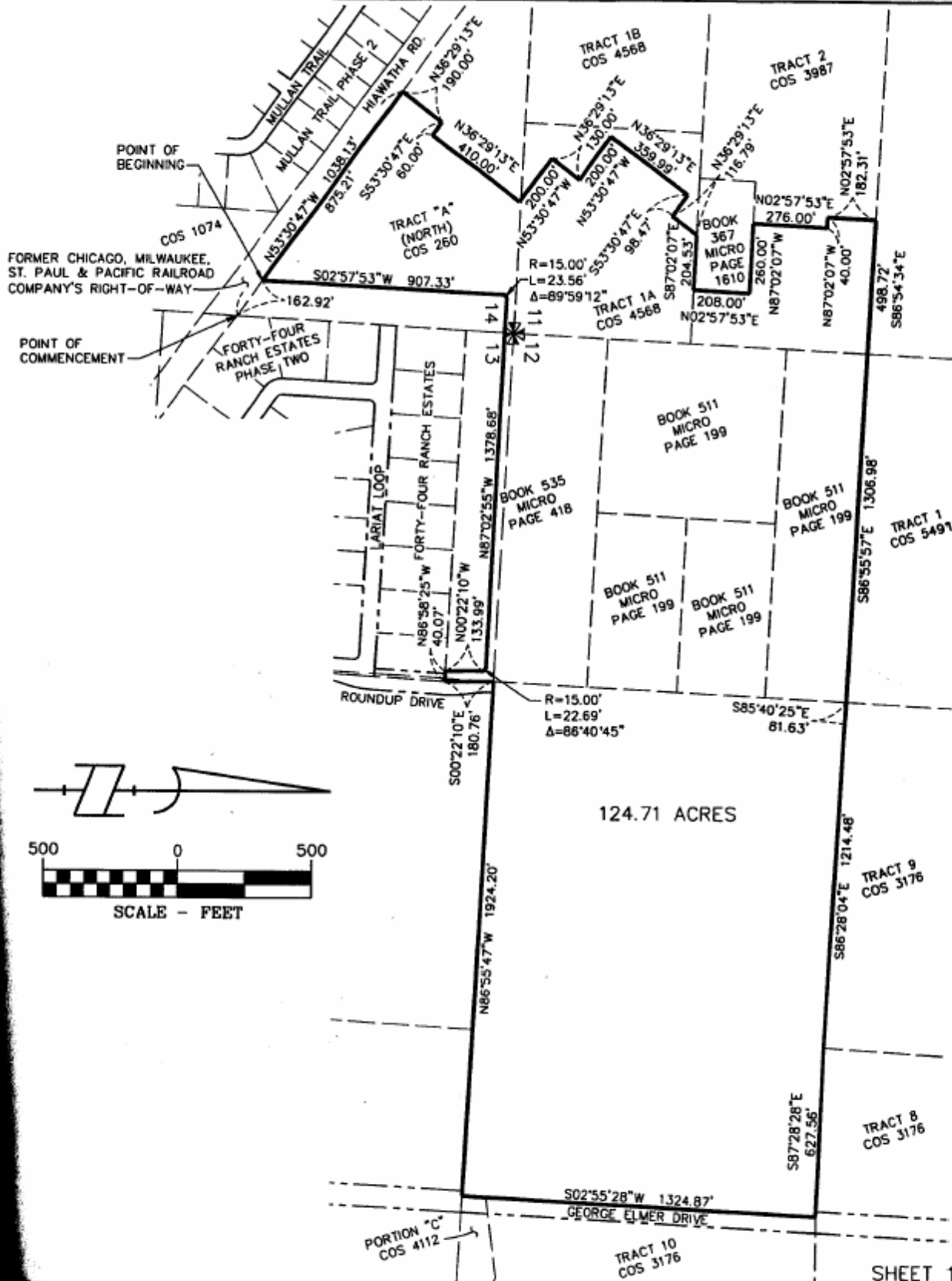
SHEET 1 OF 1

A-1 RESIDENTIAL
LOCATED IN THE NW 1/4 OF SECTION 13 AND THE
SE 1/4 OF SECTION 14, T. 13 N., R. 20 W., P.M., M.
MISSOULA COUNTY, MONTANA

DRAFT: CEG



DATE: 12/20/04
PROJECT: 03-02-06



124.71 ACRES

SHEET 1 OF 2

A-II RESIDENTIAL
 LOCATED IN THE SE 1/4 OF SECTION 11, THE SW 1/4
 SECTION 12, THE NW 1/4 OF SECTION 13, AND THE
 1/4 OF SECTION 14, T. 13 N., R. 20 W., P.M., M.
 MISSOULA COUNTY, MONTANA

WGM GROUP, INC.
 ENGINEERING • SURVEYING • PLANNING
 3021 Palmer • (406) 728-4811
 P.O. Box 16027 • Missoula, MT 59806

DRAFT: CEG

DATE: 12/20/04
 PROJECT: 03-02-06

EXHIBIT A-2

L E G A L D E S C R I P T I O N * * * * *

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 11, THE SOUTHWEST QUARTER OF SECTION 12, THE NORTHWEST QUARTER OF SECTION 13, AND THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 13 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF TRACT "A" (NORTH) OF CERTIFICATE OF SURVEY NO. 260, ON FILE IN MISSOULA COUNTY, MONTANA; THENCE N 53°30'47" W ALONG THE SOUTHWESTERLY LINE OF SAID TRACT "A" (NORTH), 162.92 FEET; THENCE N 53°30'47" W CONTINUING ALONG SAID SOUTHWESTERLY LINE, 875.21 FEET; THENCE N 36°29'13" E, 190.00 FEET; THENCE S 53°30'47" E, 60.00 FEET; THENCE N 36°29'13" E, 410.00 FEET; THENCE N 53°30'47" W, 200.00 FEET; THENCE N 36°29'13" E, 130.00 FEET; THENCE N 53°30'47" W, 200.00 FEET; THENCE N 36°29'13" E, 359.99 FEET; THENCE S 53°30'47" E, 98.47 FEET; THENCE N 36°29'13" E, 116.79 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT 1A OF CERTIFICATE OF SURVEY NO. 4568, ON FILE IN MISSOULA COUNTY, MONTANA; THENCE ALONG THE SOUTHERLY, EASTERLY, AND NORTHERLY LINES OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 367 MICRO, PAGE 1610, ON FILE IN MISSOULA COUNTY, MONTANA, THE FOLLOWING THREE (3) COURSES: 1) S 87°02'07" E, 204.53 FEET; 2) N 02°57'53" E, 208.00 FEET; 3) N 87°02'07" W, 260.00 FEET; THENCE N 02°57'53" E, 276.00 FEET; THENCE N 87°02'07" W, 40.00 FEET; THENCE N 02°57'53" E, 182.31 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT 2 OF CERTIFICATE OF SURVEY NO. 3987, ON FILE IN MISSOULA COUNTY, MONTANA; THENCE ALONG SAID NORTHERLY LINE AND THE SOUTHERLY LINES OF TRACT 1 OF CERTIFICATE OF SURVEY NO. 5491 AND TRACTS 8 AND 9 OF CERTIFICATE OF SURVEY NO. 3176, BOTH ON FILE IN MISSOULA COUNTY, MONTANA, THE FOLLOWING FIVE (5) COURSES: 1) S 86°54'34" E, 498.72 FEET; 2) S 86°55'57" E, 1306.98 FEET; 3) S 85°40'25" E, 81.63 FEET; 4) S 86°28'04" E, 1214.48 FEET; 5) S 87°28'28" E, 627.56 FEET TO THE NORTHWEST CORNER OF TRACT 10 OF SAID CERTIFICATE OF SURVEY NO. 3176; THENCE S 02°55'28" W ALONG THE WEST LINES OF SAID TRACT 10 AND PORTION "C" OF CERTIFICATE OF SURVEY NO. 4112, ON FILE IN MISSOULA COUNTY, MONTANA, 1324.87 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 12; THENCE N 86°55'47" W ALONG LAST SAID SOUTHERLY LINE, 1924.20 FEET; THENCE S 00°22'10" E, 180.76 FEET TO THE NORTHEAST CORNER OF FORTY-FOUR RANCH ESTATES, A RECORDED SUBDIVISION OF MISSOULA COUNTY, MONTANA; THENCE N 86°58'25" W ALONG THE NORTHERLY LINE OF SAID FORTY-FOUR RANCH ESTATES, 40.07 FEET; THENCE N 00°22'10" W, 133.99 FEET TO A POINT ON A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY ALONG SAID TANGENT CURVE THROUGH A CENTRAL ANGLE OF 86°40'45", AN ARC LENGTH OF 22.69 FEET; THENCE N 87°02'55" W, 1378.68 FEET TO A POINT ON A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 15.00 FEET; THENCE SOUTHWESTERLY ALONG LAST SAID TANGENT CURVE THROUGH A CENTRAL ANGLE OF 89°59'12", AN ARC LENGTH OF 23.56 FEET; THENCE S 02°57'53" W, 907.33 FEET TO THE POINT OF BEGINNING; CONTAINING 124.71 ACRES, MORE OR LESS.

S U R V E Y O R ' S S T A T E M E N T * * * * *

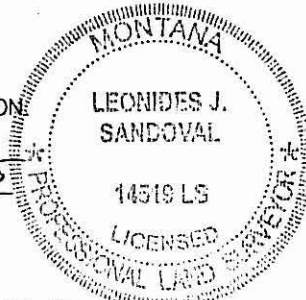
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Leonides J. Sandoval

 LEONIDES J. SANDOVAL, P.L.S.
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 DATE



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 LOCATED IN THE SE 1/4 OF SECTION 11, THE SW 1/4
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