

Return to: City Clerk  
City of Missoula  
435 Ryman Street  
Missoula MT 59802-4297

PETITION NO. 10209  
BEFORE THE CITY COUNCIL  
CITY OF MISSOULA

---

---

PETITION FOR ANNEXATION TO CITY

---

---

**SUID#**  
1363907  
840104  
177959  
2394059  
1643708

**GeoCode#:**  
04-2093-05-3-02-01-0000  
04-2093-05-3-02-02-0000  
04-2093-05-3-02-03-0000  
04-2093-05-3-02-04-0000  
04-2093-05-3-02-05-0000

Dated this 16<sup>th</sup> day of January, 2024.

COME NOW the undersigned and respectfully petitions the City Council of the City of Missoula requesting city annexation of the following real property into the City of Missoula.

The petitioner(s) requesting City of Missoula annexation of the property described herein hereby mutually agree with the City of Missoula that immediately upon annexation of the land all City of Missoula municipal services will be provided to the property described herein on substantially the same basis and in the same manner as such services are provided or made available within the rest of the municipality prior to annexation.

Petitioner(s) hereby agrees and submits the real property described herein to municipal taxation and assessments upon annexation, including but not limited to sanitary sewer utility assessments, in the same manner as other private property within the city is taxed and assessed for municipal tax, assessment and utility service purposes.

Petitioner(s) hereby states that there is no need to prepare a Municipal Annexation Service Plan for this annexation pursuant to Section 7-2-4610, MCA since the parties are in agreement as to the provision of municipal services to the property requested to be annexed.

**LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED:**

PARCEL 1: W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1424

PARCEL 2: E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1425

PARCEL 3: A TRACT OF LAND LOCATED IN THE W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS TRACT A OF CERTIFICATE OF SURVEY NO. 1328. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1426

PARCEL 4: A TRACT OF LAND LOCATED IN THE W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS TRACT B OF CERTIFICATE OF SURVEY NO. 1328. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1427

PARCEL 5: E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1428

**PROPERTY ADDRESS:**

Hillview Road LLC  
1600 Rimel Road  
Missoula, MT 59803

**OWNERS**

		Managing Member	_____
NAME, TITLE		NAME, TITLE	
Lance Gutsch			





## MEMORANDUM

Date: December 5, 2023

To: Alex Bramlette, City of Missoula

From: Nicole Olmstead, Cushing Terrell

RE: Petition for Annexation to City

---

### Subject Property Information

Geocode:

04-2093-05-3-02-01-0000

04-2093-05-3-02-02-0000

04-2093-05-3-02-03-0000

04-2093-05-3-02-04-0000

04-2093-05-3-02-05-0000

### Legal Description:

PARCEL 1:  $W\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1424

PARCEL 2:  $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1425

PARCEL 3: A TRACT OF LAND LOCATED IN THE  $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS TRACT A OF CERTIFICATE OF SURVEY NO. 1328. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1426

PARCEL 4: A TRACT OF LAND LOCATED IN THE  $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS TRACT B OF CERTIFICATE OF SURVEY NO. 1328. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1427

PARCEL 5:  $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1428



## EXHIBIT B

Date: December 5, 2023

To: Alex Bramlette, City of Missoula

From: Nicole Olmstead, Cushing Terrell

RE: Petition for Annexation to City

---

### Project Description

Located within the Moose Can Gully Neighborhood off Hillview Way, the Wildroot Subdivision (Wildroot) will create a new residential community inside the City of Missoula. By including a variety of housing product types, thoughtful park spaces, and emphasizing pedestrian connectivity throughout the entire project, this project intends to appeal to a diverse market and ultimately create a neighborhood that aligns with Missoula community priorities. Additional information for the subdivision can be found in the Project Summary document. Included in the application will be a request for a Major Subdivision, a rezoning request, and annexation of the five (5) parcels outlined in this application. It is the preference of the design team for all applications to be reviewed and considered concurrently.

In accordance with the land use designations provided in the Our Missoula 2035 City Growth Policy, the design team is proposing the use of relatable zoning for both Residential High Density and Residential Medium Density land use designations with RM1.35, RM0.5, and R5.4 zoning districts for the project. More specifically, the five parcels, totaling 41.34 acres, presented in this application for annexation are currently zoned by Missoula County as R Residential. The project proposes, upon annexation, that these 5 parcels be zoned R5.4 for Residential Medium Density land uses by the Missoula 2035 City Growth Policy.

# EXHIBIT C

## ANNEXATION LEGAL DESCRIPTION

PARCEL 1:  $W\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1424

PARCEL 2:  $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1425

PARCEL 3: A TRACT OF LAND LOCATED IN THE  $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS TRACT A OF CERTIFICATE OF SURVEY NO. 1328. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1426

PARCEL 4: A TRACT OF LAND LOCATED IN THE  $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS TRACT B OF CERTIFICATE OF SURVEY NO. 1328. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1427

PARCEL 5:  $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$  OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 19 WEST, P.M.M., MISSOULA COUNTY, MONTANA. - RECORDING REFERENCE: BOOK 810 OF MICRO RECORDS AT PAGE 1428

MISSOULA, MT  
p 406.728.9522

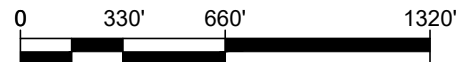
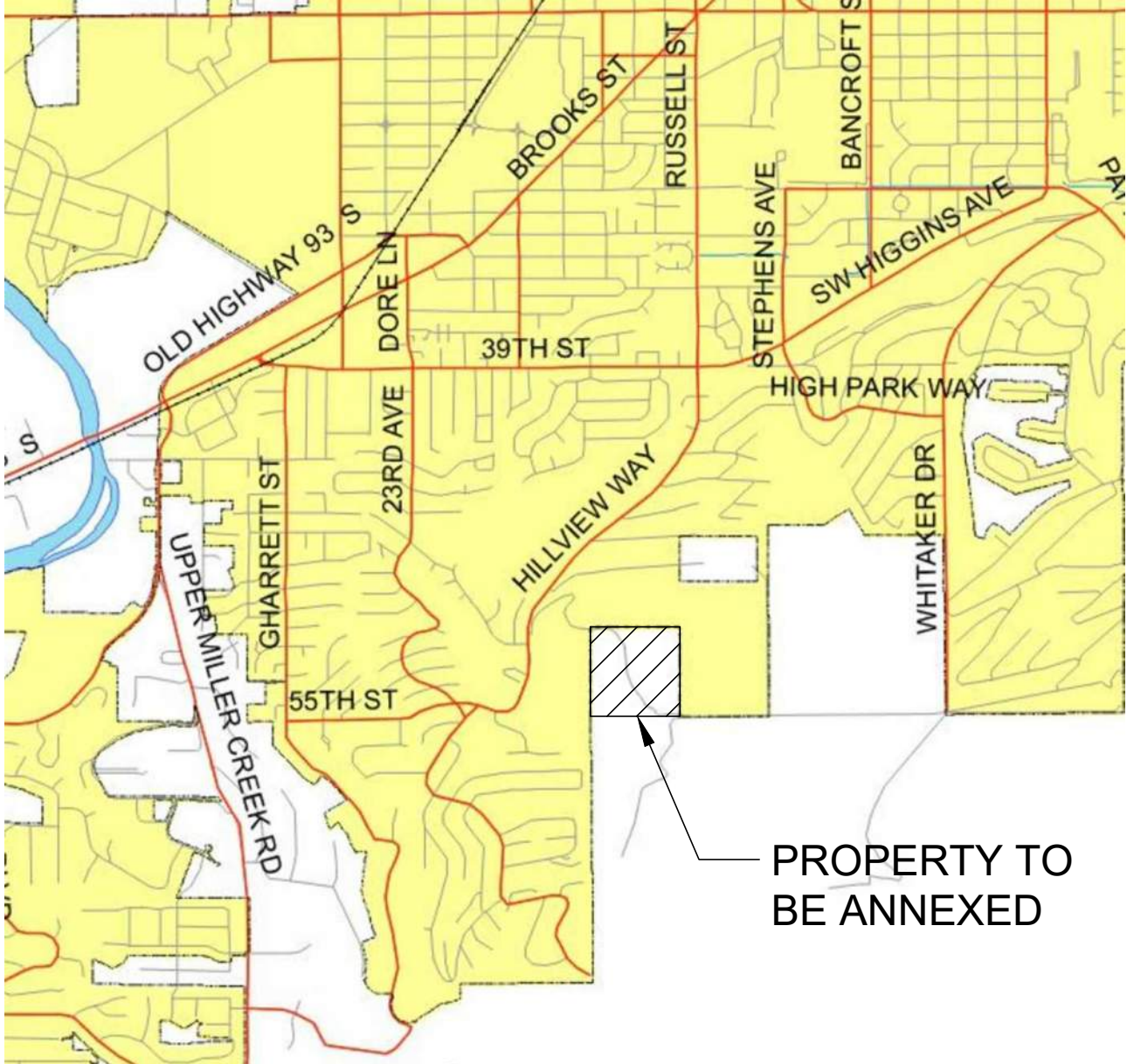
**Cushing  
Terrell**

MISSOULA, MONTANA  
**ANNEXATION SUBMITTAL**

© 2023 | ALL RIGHTS RESERVED

12.04.2023	TAG	REVISION
HILLVIEW_SUBDIV	<b>NA</b>	
CHECKED BY VERNON		SHEET NAME <b>EX C</b>

# PROPERTY LOCATION AND EXISTING CITY LIMITS



MISSOULA, MT  
p 406.728.9522

**Cushing  
Terrell**

ANNEXATION AREA AND CITY LIMITS  
MISSOULA, MONTANA

**ANNEXATION SUBMITTAL**

© 2023 | ALL RIGHTS RESERVED

05.25.2023  
HILLVIEW\_SUBDIV

TAG  
**NA**

REVISION

CHECKED BY  
BORNEMANN

SHEET NAME  
**EX D**



MISSOULA, MT  
p 406.728.9522

**Cushing  
Terrell**

ENLARGED ANNEXATION AREA  
MISSOULA, MONTANA

**ANNEXATION SUBMITTAL**

© 2023 | ALL RIGHTS RESERVED

05.25.2023  
HILLVIEW\_SUBDIV

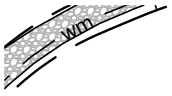
TAG  
**NA**

REVISION

CHECKED BY  
BORNEMANN

SHEET NAME

**EX E**



MISSOULA, MT  
p 406.728.9522

**Cushing  
Terrell**

ENLARGED ANNEXATION AREA  
MISSOULA, MONTANA

**ANNEXATION SUBMITTAL**

© 2023 | ALL RIGHTS RESERVED

05.25.2023 TAG REVISION  
HILLVIEW\_SUBDIV NA

CHECKED BY BORNEMANN

SHEET NAME  
**EX F**

MISSOULA, MT  
p 406.728.9522

PARCEL C-G-2  
COS 2412

PARCEL C-G-1  
COS 2412

W1/2W1/2SW1/4SW1/4 (Parcel 1)  
E1/2W1/2SW1/4SW1/4 (Parcel 2)  
E1/2E1/2SW1/4SW1/4 (Parcel 5)

TRACT A<sup>®</sup>  
COS 1328  
(Parcel 3)

TRACT B<sup>®</sup>  
COS 1328  
(Parcel 4)

TRACT A  
COS 5525  
Owner: John A Rimel Family Trust

TRACT B  
COS 5525  
Owner: Rimel Whitney Trustee

W1/2SE1/4  
Missoula County School  
District #1

PARCEL 1B  
COS 5770  
Owner: Mark Ward

Owner: Bender Reality LLC

S6 S5 S7 S8

S0°08'39"W 1349.01'

20.00'

20.00'

20.00'

20.00'

20.00'

20.00'

20.00'

S89°41'22"W 1333.89'

15.00'

45.00'

30.00'

15.00'

15.00'

15.00'

15.00'

15.00'

N89°36'13"E 1337.78'

N0°01'14"W 1346.98'

0

300'

600'

0

300'

600'

0