ORDINANCE NO. 2916

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO DEDICATE AS PUBLIC RIGHT-OF-WAY A SIXTY FOOT WIDE STRIP OF LAND MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT “A” AND BY THIS REFERENCE MADE A PART HEREOF.

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WHEREAS, there exists an unplatted, non-dedicated 60 foot wide strip of land between the East boundary of 6th Street Northwest and the Southwest boundary of the Montana Expo Park “Fairgrounds”, more particularly described as follows:

A tract of land in the Southwest ¼ of Section 2, T20N, R3E, P.M.M., located between Lots 2 and 3 of Block 7, Fair Acreage Tracts and Deeded parcels 33-2675, 256-1391 and 254-912; and designated and identified in various documents of record as “a City Road”, said Tract being more particularly described as follows:

Beginning at the centerline intersection of First Avenue Northwest and Fifth Street Northwest of the City of Great Falls; thence North 00º 03’ 01” West, a distance of 35.00 feet to the North right-of-way of First Avenue Northwest; thence South 89º 56’ 59” West along said North right-of-way, a distance of 378.78 feet to the TRUE POINT OF BEGINNING; thence South 89º 56’ 59” West along said North right-of-way, a distance of 11.13 feet to the East right-of-way of Sixth Street Northwest; thence North 00º 01’ 03” East, along said East right-of-way, a distance of 113.14 feet, thence North 26º 15’ 25” East, a distance of 628.92 feet to a point on the Westerly line of C.O.S. # 3176; thence South 32º 08’ 05” East along said Westerly line, a distance of 70.45 feet; thence South 26º 15’ 25” West, a distance of 688.54 feet to the TRUE POINT OF BEGINNING and containing 0.92 acres.

all as shown on the map attached hereto marked Exhibit ”A” and by this reference made a part hereof; and,

WHEREAS, for several years, said 60 foot strip of land was used as public access to the “Fairgrounds” and contains numerous utility lines; and,

WHEREAS, due to modifications to access to Montana Expo Park, “Fairgrounds”, and the reconstruction of 6th Street Northwest, retaining said 60 foot strip of land for public access is no longer necessary and actually presents a safety hazard; and,
WHEREAS, ownership of said 60 foot strip of land was unknown until recent title review determined vested interest lies with the City of Great Falls; and,

WHEREAS, in order for the City of Great Falls to dispose of and abandon the 60 foot strip of land formerly used as public access, it is necessary to first dedicate said 60 foot strip of land as public right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That the hereinabove described 60 foot strip of land is hereby granted and donated to the use of the public forever.

BE IT FURTHER ORDAINED BY SAID CITY COMMISSION that this Resolution shall become effective immediately after its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this _____ day of ____________, 2005.

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Randall H. Gray, Mayor

ATTEST:

______________________________
Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

Approved for legal content: City Attorney
I, Carolyn M. Horst, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance No. 2916 placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the ___ day of ___________, 2005, and approved by the Mayor of said City on the ____ day of__________, 2005

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this ____ day of ____________, 2005.

____________________________________
Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)