

031621.14



September 24, 2014

Bernice Graf
28 24th St. S.W. -16
Great Falls, MT 59404

Dear Bernice Graf:

RE: Fencing Easement

This letter is regarding your inquiry on fencing the 20' easement between 24th St. S.W. and 25th St. S.W. on your property located at 28 24th St. S.W. Approval to fence this easement area as needed is being granted to you as the property owner. Please keep in mind that access to the utilities within this easement must be easily attainable at any time. You had mentioned a gated stock fence. This would provide the fencing you need as well as allowing easy access to the easement area.

This fencing approval would have no bearing on any other issues between the property owners on 24th St. S.W. and 25th St. S.W. These issues would have to be dealt with privately.

If you have any questions, I can be reached at 727-8390, Monday through Friday, 8:00 AM to 5:00 PM.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Rearden".

Jim Rearden, Public Works Director
City of Great Falls Public Works
1005 25th Ave. N.E.
Great Falls, MT 59404
Phone 406-727-8390
Fax 406-454-3439
jrearden@greatfallsmt.net

cc: Mike Judge, Utility Supervisor
Debbie Kimball, Program Specialist 455-3158
Sara Sexe, City Attorney
Jim Turnbow, Street Supervisor

Enc. map of area

Resolution of Intention 10386**Petitioners: Gary and Nancy Martin****124 24th St. SW Great Falls 59404**

Gary and I would like to reiterate a few facts that we addressed at the February meeting.

This strip of land we are asking to be vacated has never been maintained nor used as an alley by the city.

We also want to clarify that our property is not adjacent to the alley easement- the easement is our property as we own the entire lot and are taxed accordingly. The square footage of our lot is 14,788 ft. and taxes are collected on .34 acres which is equivalent to 14,810 sq. ft.

Also, the lots in our neighborhood are not unique to the city of Great Falls. For example, just as the homeowners in Riverview and Fox Farm access their backyards from the street, the property owners on both 24th and 25th St. SW also have access from the street side into their backyards.

We submitted photos of our property for you, the Commissioners, to see the layout of our lot and to hopefully give an idea of what we are dealing with.

Photo #1: In addition to what is written on this photo I would like to add, that in order for the flat bed trailers and enclosed trailers that are repeatedly backed into the property behind us, the driver will go forward and backward multiple times up the slope to our shop doors to maneuver the truck and trailers into that yard.

Photos 8, 9, 10: These were taken last week on Thursday March 11, 2021 (these tracks were not there the day before) and are a prime example of how vehicles travel well beyond the 20ft easement boundaries. The tracks are clearly seen to cross over onto Vicky's (Lurass) property as well as right up to our trailer.

So for the specific reasons for vacation:

1. Over the years the City has given permission for other homeowners on 24th St. SW to construct fencing or gates-with this alley being vacated we would finally be afforded the same right.
2. No longer would we have the burden of making costly repairs due to damages caused by others.
3. Finally! There will be an end to the parked or abandoned vehicles that have lined our property and a stop to the frequent traffic....which a good portion occurs after dark and into the early morning hours.
4. If in the future, if we so choose, we will have a marketable piece of property to sell.