

RESOLUTION 9957

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO CLOSE A PORTION OF 6<sup>th</sup> STREET NORTHEAST, IN THE VICINITY OF 17<sup>TH</sup> AVENUE NORTHEAST AND BURLINGTON NORTHERN SANTA FE (BNSF) RIGHT-OF-WAY, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-14-4114, MONTANA CODE ANNOTATED AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW AS SHOWN IN EXHIBIT "A"

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WHEREAS, the subdivision plat of 4<sup>th</sup> Supplement to Riverview Tracts, dedicated right-of-way of 6<sup>th</sup> Street Northeast, in the vicinity of 17<sup>th</sup> Avenue Northeast and BNSF right-of-way; and,

WHEREAS, Montana Refining Company, owns the property adjoining 6<sup>th</sup> Street Northeast to the east and northwest and has petitioned the City of Great Falls to have said right-of-way be closed; and,

WHEREAS, the City of Great Falls owns the property adjoining 6<sup>th</sup> Street Northeast to the southwest and does not object to the closure of said right-of-way; and,

WHEREAS, the purpose of the requested closure is to provide unimpeded access to Montana Refining Company Properties on either side of said right-of-way; and,

WHEREAS, the City Commission of the City of Great Falls, Montana, passed and adopted on the 7<sup>th</sup> day of February, 2012, Resolution 9956, titled "A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO CLOSE A PORTION OF 6<sup>th</sup> STREET NORTHEAST;" and,

WHEREAS, the City Manager of said City pursuant to said Resolution 9956 and in accordance with the provisions of section 7-14-4114, Montana Code Annotated, forthwith caused noticed of said Resolution 9956 to be published in the Great Falls Tribune; and,

WHEREAS, the publication of said notice was published in the Great Falls Tribune on the 19<sup>th</sup> and 26<sup>th</sup> days of February, 2012; and

WHEREAS, in a written determination, it has been concluded that closure of said portion of 6<sup>th</sup> Street Northeast will not be detrimental to public interest; and,

WHEREAS, it is determined retention and eventual improvement of 6<sup>th</sup> Street Northeast serves no practical or functional traffic related purpose; and,

WHEREAS, it is determined that 6<sup>th</sup> Street Northeast will be retained for use for utility purposes for existing public utilities; and,

WHEREAS, the conditions for said closure, including the date effective, shall be specified in an agreement by and between the City of Great Falls and Montana Refining Company.

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

That Tuesday, the 6<sup>th</sup> day of March, 2012, at 7:00 P.M. in the Commission Chambers of the Civic Center, Great Falls, Montana, be and the same is hereby set as the time and place at which the City Commission shall hear all persons relative to the proposed closure of right-of-way; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of the City shall forthwith cause notice of the Resolution to close be: (1) published twice in the Great Falls Tribune, the newspaper published nearest such land; and (2) posted in three public places.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,  
on this 6<sup>th</sup> day of March, 2012.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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City Attorney

State of Montana     )  
County of Cascade   : ss  
City of Great Falls   )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that I did  
post, as required by law and as prescribed and directed by the City Commission, Resolution 9957  
in three places within the limits of said City to-wit:

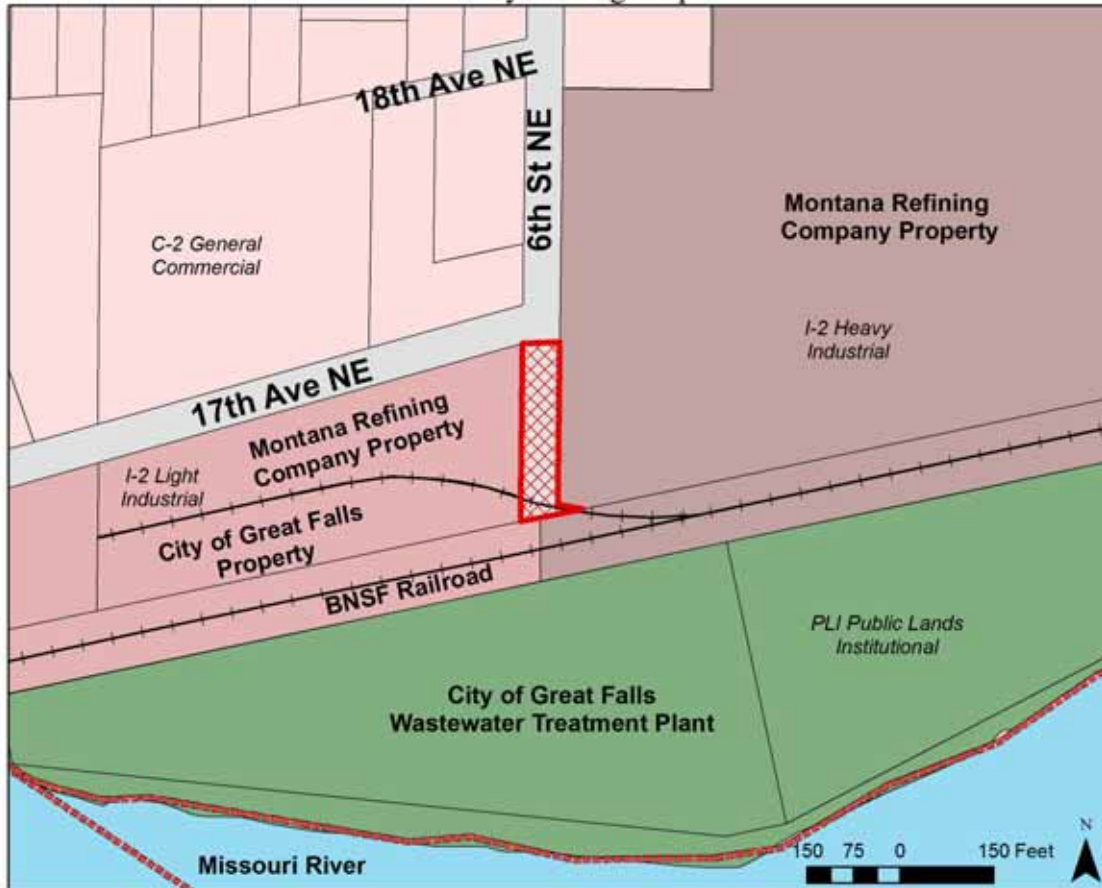
On the Bulletin Board, first floor, Civic Center Building  
On the Bulletin Board, first floor, Cascade County Court House  
On the Bulletin Board, Great Falls Public Library

(Seal of the City)

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Lisa Kunz, City Clerk

Exhibit A  
Vicinity/Zoning Map



City Limits	C-4 Central business core	R-1 Single-family suburban
6th St NE	C-5 Central business periphery	R-2 Single-family medium density
Tracts of Land	I-1 Light industrial	R-3 Single-family high density
Railroad Lines	I-2 Heavy industrial	R-5 Multi-family medium density
<b>ZONING</b>	M-1 Mixed-use district	R-6 Multi-family high density
AI Airport Industrial	M-2 Mixed-use transitional	R-9 Mixed residential
C-1 Neighborhood commercial	PLI Public lands institutional	R-10 Mobile home park
C-2 General commercial	POS Park Open Space	Unincorporated Enclave
C-3 Highway commercial	PUD Planned unit development	

MRC 6th St NE Closure - Zoning Map