

RESOLUTION 10042

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE AN UNIMPROVED PORTION OF 18TH STREET SOUTHWEST, LOCATED IN THE VICINITY OF 3RD AVENUE SOUTHWEST AND SUNSET ROAD, AS SHOWN IN EXHIBIT A, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448 AND 7-14-4114, MONTANA CODE ANNOTATED

* * * * *

WHEREAS, the subdivision plat of Poncelet Addition dedicated the right-of-way of 18th Street Southwest, located south of 3rd Avenue Southwest and Sunset Road; and,

WHEREAS, Temple Baptist Church owns all of the property adjoining 18th Street Southwest to the east, south, and west, and has petitioned the City of Great Falls to have said right-of-way be vacated; and,

WHEREAS, the City of Great Falls owns all of the adjoining right-of-way to the north and south of 18th Street Southwest, and does not object to the vacation of said right-of-way; and,

WHEREAS, it is determined that vacation of 18th Street Southwest will not be detrimental to public interest; and,

WHEREAS, it is determined retention and eventual improvement of the subject portion of 18th Street Southwest serves no practical or functional traffic related purpose; and,

WHEREAS, it is determined that the alignment of 18th Street Southwest will be retained as a utility easement for future public utilities.

WHEREAS, the City Commission of the City of Great Falls, Montana, passed and adopted on the 19th day of November, 2013, Resolution 10038, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE AN UNIMPROVED PORTION OF 18TH STREET SOUTHWEST, IN THE VICINITY OF 3RD AVENUE SOUTHWEST AND SUNSET ROAD, AS SHOWN IN EXHIBIT A, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448 and 7-14-4114, MONTANA CODE ANNOTATED, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

WHEREAS, the City Clerk of said City, caused noticed to be published in the *Great Falls Tribune*; on November 24, 2013 and December 1, 2013; and

WHEREAS, a hearing was held by the City Commission of the City of Great Falls on the 17th day of December, 2013, at 7:00 p.m. in the Commission Chambers of the Civic Center, Great Falls, Montana, where said Commission heard all persons relative to the proposed vacation of the unimproved portion of 18th Street Southwest, in the vicinity of 3rd Avenue Southwest and Sunset Road.

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

That the unimproved portion of 18th Street Southwest, located in the vicinity of 3rd Avenue Southwest and Sunset Road, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective thirty (30) days after its passage and adoption or upon filing in the office of the Cascade County Clerk and Recorder, the Amended Plat consolidating the vacated rights-of-way with the adjacent parcels, Poncelet Addition.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 17th day December, 2013.

Michael J. Winters, Mayor

ATTEST:

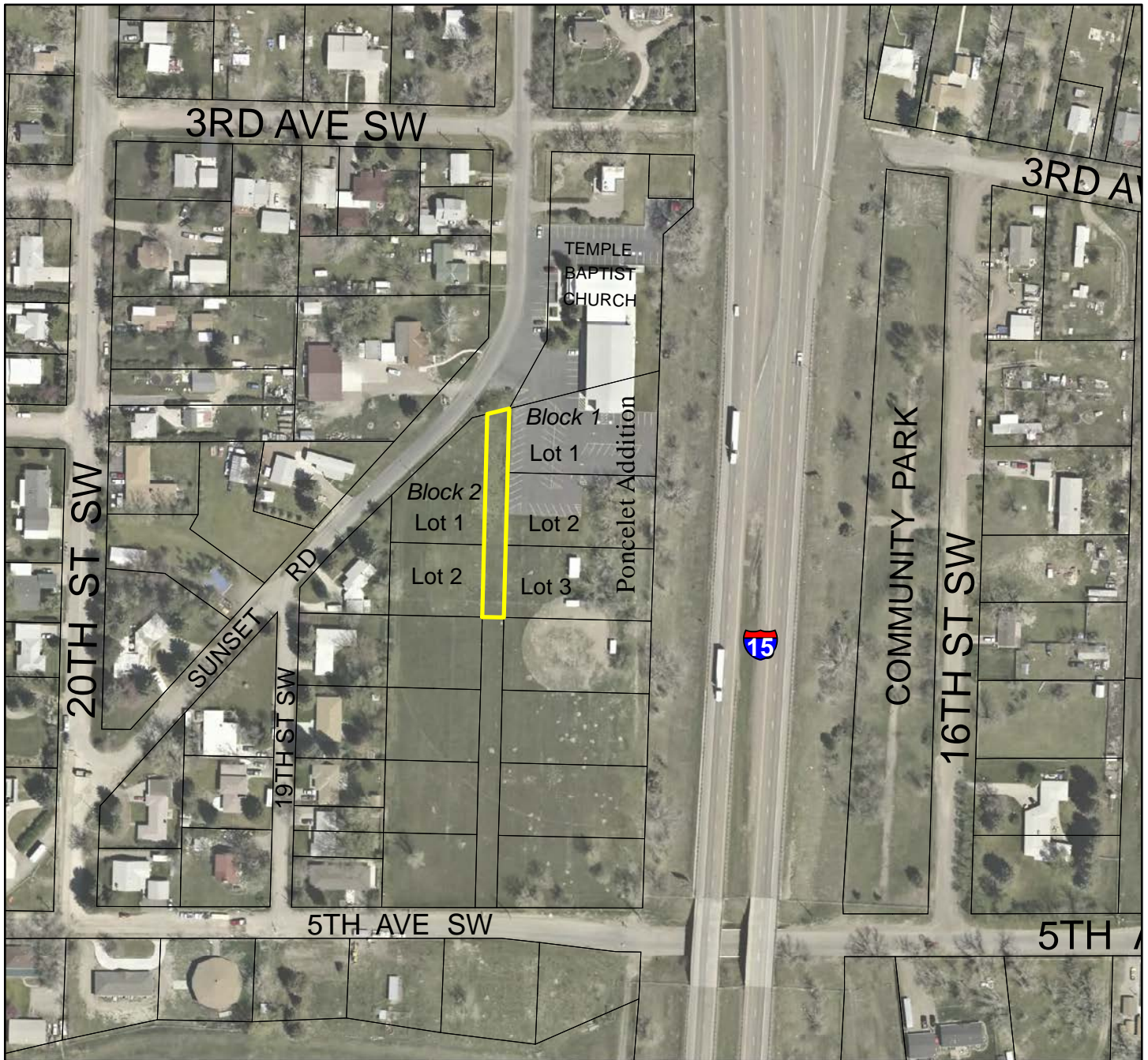
Lisa Kunz, City Clerk



(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

Exhibit A - Vicinity/Aerial Map



-  Portion of 18th St SW to be vacated
-  Tracts of Land

250 125 0 250 Feet

