

RESOLUTION 9401

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE A TRIANGULAR SEGMENT OF RIGHT-OF-WAY IMMEDIATELY WEST OF THE INTERSECTION OF 2ND STREET SOUTH AND 7TH AVENUE SOUTH, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-14-4114, MONTANA CODE ANNOTATED, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

● * * * * *

WHEREAS, the subdivision plat of the Original Townsite to Great Falls dedicated public right-of-way to the west of the intersection of 2nd Street South and 7th Avenue South; and

WHEREAS, there remains a triangular segment of subject right-of-way deemed not to be needed for public roadway purposes and was not recognized when the paving, curb and gutter improvements were installed in the involved portion of 2nd Street South; and

WHEREAS, the two lot owners abutting subject unimproved triangular segment of right-of-way have petitioned to have it vacated; and

WHEREAS, subject triangular segment of right-of-way is further described by the survey drawing attached as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, an Amended Plat of Lot 2, Block 8, Broadwater Bay Business Park, (including therein Lot 1, Block 478, Original Townsite) has been prepared which shows the distribution of the right-of-way requested to be vacated and reconfiguration of abutting lots; and

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

That Tuesday, the 6th day of July, 2004, at 7:00 P.M. in the Commission Chambers of the Great Falls Civic Center, Great Falls, Montana, be and the same is hereby set as the time and place at which the Great Falls City Commission shall hear all persons relative to the proposed vacation of a triangular segment of right-of-way immediately west of the intersection of 2nd Street South and 7th Avenue North; and

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of said City shall forthwith cause notice of this Resolution to be: (1) published once 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 15th day of June, 2004.

Randall H. Gray, Mayor

ATTEST:

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

Approved for legal content: City Attorney

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

I, Carolyn M. Horst, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9401 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 15th day of June, 2004, and approved by the Mayor of said City on the 15th day of June, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 6th day of April, 2004.

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

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

Carolyn M. Horst, being first duly sworn, deposes and says: that on the 15th day of June, 2004, and prior thereto, she was the Deputy City Clerk of the City of Great Falls, Montana; that as said Deputy City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Resolution No. 9401 of the City of Great Falls, in three conspicuous 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

Carolyn M. Horst, Deputy City Clerk

(SEAL OF CITY)

EXHIBIT "A"
Street Right-of-Way To Be Vacated
Great Falls Original Townsite
 SW1/4 Section 12, T20N, R3E, P.M.,M.

