

RESOLUTION 9414

A RESOLUTION 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

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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

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 15th day of June, 2004, Resolution No. 9401 entitled:

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 City Clerk of said City, forthwith caused notice of said Resolution No. 9401 to be:

- 1) published in the Great Falls Tribune, the newspaper published nearest the right-of-way proposed for vacation; and
- 2) posted in three public places, stating therein the time and place the City Commission shall hear all persons relative to said proposed vacation.

WHEREAS, a hearing was held by the City Commission of the City of Great Falls on the 6th day of July, 2004, at 7:00 P.M. in the Commission Chambers of the Great Falls Civic Center, where said Commission heard 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 South.

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

The triangular segment of right-of-way immediately west of the intersection of 2nd Street South and 7th Avenue South, as described on the attached Exhibit "A" is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective thirty (30) days after its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 6th day of July, 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. 9414 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 6th day of July, 2004, and approved by the Mayor of said City on the 6th day of July, 2004.

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

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.

