

RESOLUTION NO. 9539

A RESOLUTION BY THE CITY COMMISSION OF  
THE CITY OF GREAT FALLS, MONTANA,  
TO VACATE SEGMENTS OF 25<sup>TH</sup> STREET SOUTH AND 17<sup>TH</sup> AVENUE SOUTH,  
IN ACCORDANCE  
WITH THE PROVISIONS OF SECTION 7-14-4114,  
MONTANA CODE ANNOTATED

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WHEREAS, the subdivision plat of Knight Addition to the City of Great Falls, dedicated the segment of 25th Street South between 15<sup>th</sup> and 17<sup>th</sup> Avenues South and the segment of 17<sup>th</sup> Avenue South between 25<sup>th</sup> and 26<sup>th</sup> Streets South; and

WHEREAS, the involved segments of 25<sup>th</sup> Street South and 17<sup>th</sup> Avenue South presently contain no roadway improvements; and

WHEREAS, it has been determined retention and eventual improvement of subject rights-of-way serve no practical or functional purpose and abutting properties are served with other adequate vehicular access; and

WHEREAS, Cascade County, a political body of the State of Montana, and Forest Glen, L.L.C., who have executed a petition to vacate subject rights-of-way, together with the City of Great Falls, are the sole owners of all property abutting subject rights-of-way requested to be vacated; and

WHEREAS, an Amended Plat of Lot 1, Block 1, Forest Glen South Minor Subdivision, and the Amended Plat of Lot 2, Block 1, Sand Hills Park Addition, have been prepared which reflect the proposed disposition of the rights-of-way requested to be vacated; and

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 6th day of December, 2005, Resolution No. 9535 entitled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF  
THE CITY OF GREAT FALLS, MONTANA,  
TO VACATE SEGMENTS OF 25<sup>TH</sup> STREET SOUTH AND 17<sup>TH</sup> 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. 9535 to be:

- 1) published in the Great Falls Tribune, the newspaper published nearest the rights-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 20<sup>th</sup> day of December, 2005, 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 segments of 25<sup>th</sup> Street South and 17<sup>th</sup> Avenue South.

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

The rights-of-way comprising 25th Street South between 15<sup>th</sup> and 17<sup>th</sup> Avenues South and 17<sup>th</sup> Avenue South between 25<sup>th</sup> and 26<sup>th</sup> Streets South are 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 20th day of December, 2005.

\_\_\_\_\_  
Randall H. Gray, Mayor

ATTEST:

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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David V. Gliko, City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9539 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 20th day of December, 2005, wherein it was approved by said City Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 20<sup>th</sup> day of December, 2005.

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Peggy J. Bourne, City Clerk

(SEAL OF CITY)