

RESOLUTION NO. 9590

A RESOLUTION BY THE CITY COMMISSION OF
THE CITY OF GREAT FALLS, MONTANA,
TO VACATE 10TH ALLEY SOUTH IN BLOCK 806, ELEVENTH
ADDITION TO GREAT FALLS,
IN ACCORDANCE
WITH THE PROVISIONS OF SECTION 7-14-4114,
MONTANA CODE ANNOTATED

* * * * *

WHEREAS, 10th Alley South in Block 806, between the east right-of-way of 23rd Street South and the centerline of the vacated 24th Street South was dedicated as public right-of-way within Eleventh Addition to Great Falls; and

WHEREAS, the owner abutting said portion of 10th Alley South has petitioned to have it vacated to accommodate construction of a new Walgreens Pharmacy; and

WHEREAS, attached as Exhibit "A" and by this reference made a part hereof, is an Amended Plat of Block 806 illustrating the existing alley alignment, realigned utility and public access easement, disposition of the right-of-way requested to be vacated, consolidation of lots and relocated common boundaries; and

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 11th day of July, 2006, Resolution No. 9588 entitled:

A RESOLUTION OF INTENTION BY THE CITY
COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,
TO VACATE 10TH ALLEY SOUTH IN BLOCK 806, ELEVENTH
ADDITION TO GREAT FALLS,
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. 9590 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 1st day of August, 2006, 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 10th Alley South in Block 806.

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

The right-of-way, comprising of the segment of 10th Alley South in Block 806 between the east right-of-way of 23rd Street South and the centerline of the vacated 24th Street South, 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 1st day of August, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

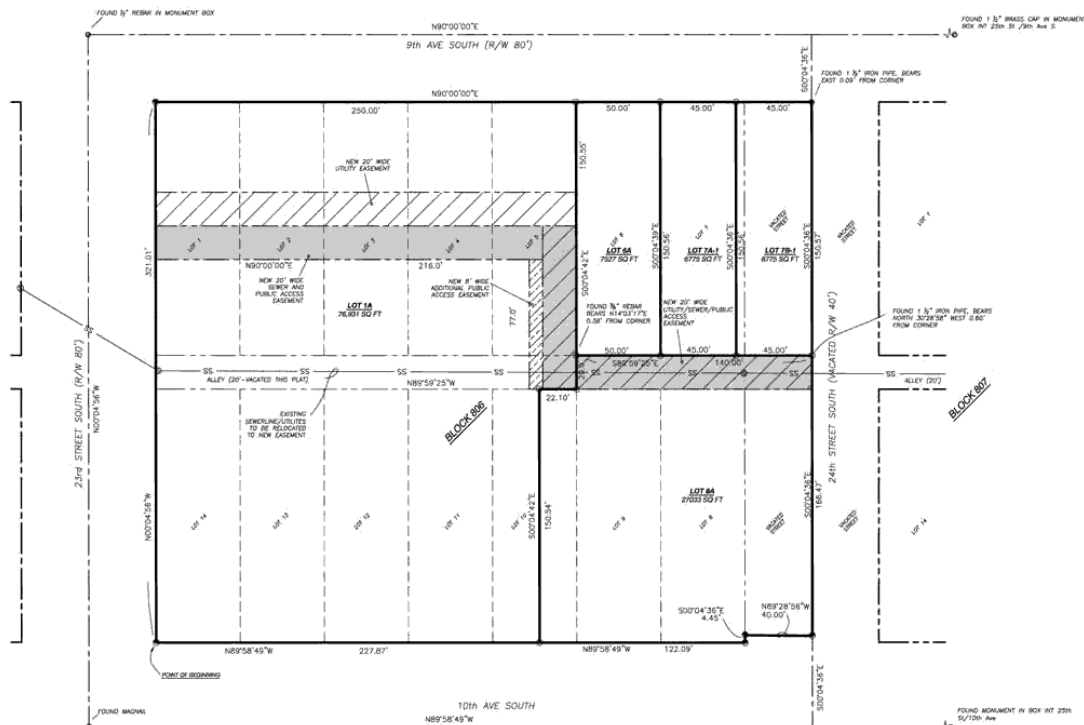
I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9590 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 1st day of August, 2006, wherein it was approved by said City Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 1st day of August, 2006.

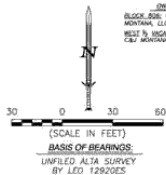
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

**AMENDED PLAT OF
BLOCK 806, AND VACATED 24TH STREET,
OF THE ELEVENTH ADDITION TO GREAT FALLS TOWNSITE
SE 1/4 SECTION 7, NE 1/4 SECTION 18 T20N R4E, P.M.M.
CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA**



- LEGEND**
- FOUND AS NOTED
 - FOUND 1 1/2" IPC "LED 129202S"
 - SET 3/4" X 24" REBAR WITH 2" ALUMINUM CAP MARKED "STAR# 12249LS"
 - OLD LOT LINES
 - ▨ NEW UTILITY EASEMENT
 - ▨ NEW PUBLIC ACCESS EASEMENT
 - ▨ NEW SEWER AND PUBLIC ACCESS EASEMENT
 - SS SANITARY SEWER LINE



GENERAL INFORMATION
BLOCK 806, ONE GLENWOOD, LLC AND ONE MONTANA, LLC. (2004 801215)
WEST 1/4 VACATED 24th STREET, BLOCK 806, ONE GLENWOOD, LLC AND ONE MONTANA, LLC. (2004 801215)

AREA BREAKDOWN
LOT 8A: 270x50 SQ FT
LOT 7A-1: 675x50 SQ FT
LOT 7B-1: 675x50 SQ FT
LOT 6A: 750x50 SQ FT
TOTAL: 126,001 SQ FT

CERTIFICATE OF PROFESSIONAL LAND SURVEYOR:
I, THOMAS E. STARK, A REGISTERED LAND SURVEYOR IN THE STATE OF MONTANA, DO HEREBY CERTIFY THAT I HAVE PERFORMED THE SURVEY AS SHOWN ON THE ATTACHED CERTIFICATE OF SURVEY, DURING THE SUMMER OF 2006, AND THAT THE MONUMENTS, EITHER FOUND OR SET, ARE AS SHOWN.
THOMAS E. STARK DATE
MONTANA REG. NO. 12249LS

DEFINITIONS OF COUNTY TERRITORY:
I CERTIFY THAT, PURSUANT TO 81A-3-811(1)(3) OF MCA, THAT ALL REAL PROPERTY THAT IS DESCRIBED IN THIS PLAT IS LOCATED WITHIN THE COUNTY OF CASCADE COUNTY, MONTANA.
DATE: 08/01/2006 CASCADE COUNTY TREASURER

CERTIFICATE OF ASSURANCE:
I, THE UNDERSIGNED PROPERTY OWNER, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS, CORNERS, AND OTHER DIVISIONS AND RESERVATIONS, AS SHOWN BY THE PLAN HEREBY AMENDED, THE FOLLOWING DESCRIBED LANDS IN CASCADE COUNTY, TO WIT:
LEGAL DESCRIPTION:
A TRACT OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 7 AND THE NORTHEAST 1/4 OF SECTION 18, T20N R4E, P.M.M., CASCADE COUNTY, MONTANA, BEING PART OF THE ELEVENTH ADDITION TO THE CITY OF GREAT FALLS, MONTANA, AND THE UNDIVIDED PORTION OF 24th ST. SOUTH, COMBINED TO ONE GLENWOOD, LLC AND ONE MONTANA, LLC. (2004 801215) BEING RECORDS OF CASCADE COUNTY, MONTANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 14, BLOCK 806 OF THE ABOVE ADDITION TO GREAT FALLS, MONTANA, THENCE NORTH 07°04'37" WEST ALONG THE WEST LINE OF SAID BLOCK 806 221.01 FEET;
THENCE SOUTH 87°04'37" EAST ALONG THE NORTH LINE OF SAID BLOCK 806 230.00 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF THE VACATED 24th STREET;
THENCE SOUTH 02°04'37" EAST ALONG SAID CENTERLINE 377.04 FEET;
THENCE SOUTH 87°04'37" WEST ALONG THE SOUTH LINE OF THE PORTION OF THE VACATED 24th STREET DEDICATED TO ONE GLENWOOD, LLC AND ONE MONTANA, LLC 4.00 FEET;
THENCE SOUTH 02°04'37" EAST 4.00 FEET TO THE SOUTH LINE OF SAID BLOCK 806;
THENCE NORTH 87°04'37" WEST ALONG SAID SOUTH LINE 248.84 FEET TO THE POINT OF BEGINNING, CONTAINING 125041 SQUARE FEET (2.82) ACRES OF LAND, MORE OR LESS, ALL AS SHOWN ON THE ATTACHED DRAWING WHICH IS HEREBY INCORPORATED IN AND MADE A PART OF THIS LEGAL DESCRIPTION AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY PERTAINING TO THIS TRACT.

CERTIFICATE OF EASEMENTS:
EXEMPTION (1): THE UNDERSIGNED HEREBY CERTIFY THAT THE DIVISION OF LAND SHOWN ON THIS AMENDED PLAT IS EXEMPT FROM REVIEW BY A SUBDIVISION IN ACCORDANCE WITH THE PROVISIONS OF 81A-3-201(2)(A) MCA... (PART OF LOTS THAT REQUIRE NO MEASUREMENTS SIX OR MORE LOTS MUST BE REVIEWED AND APPROVED BY THE GOVERNING BODY AND AN AMENDED PLAT MUST BE FILED.)
EXEMPTION (2): THE UNDERSIGNED HEREBY CERTIFY THAT THE LOTS SHOWN ON THIS PLAT ARE EXEMPT FROM OLD REVIEW IN ACCORDANCE WITH 81A-3-201(2)(B) MCA BECAUSE IT IS LOCATED WITHIN THE AMENDMENT AREA OF THE CITY OF GREAT FALLS, MONTANA, WHICH HAS ADOPTED A GROWTH POLICY PURSUANT TO TITLE 10, CHAPTER 1, MCA, AND WHICH IS A FIRST CLASS MUNICIPALITY. THE CITY COMMISSION HAS DECEASED TO DEEL PROVISION TO 81A-3-201(2)(B) MCA THAT ADEQUATE STORM WATER DRAINAGE AND ADEQUATE MUNICIPAL FACILITIES WILL BE PROVIDED.

NOTICE (1):
THE UNDERSIGNED HEREBY GRANTS UNTO ALL PUBLIC UTILITY COMPANIES, AS SUCH ARE DEFINED AND ESTABLISHED BY MONTANA LAW, AN UNDERGROUND UTILITY EASEMENT FOR THE CONSTRUCTION, REPAIR AND REMOVAL OF THEIR LINES WITHIN THE DESCRIBED RIGHT OF WAY.
CERTIFICATE OF EASEMENTS:
EXEMPTION (1): THE UNDERSIGNED HEREBY CERTIFY THAT THE DIVISION OF LAND SHOWN ON THIS AMENDED PLAT IS EXEMPT FROM REVIEW BY A SUBDIVISION IN ACCORDANCE WITH THE PROVISIONS OF 81A-3-201(2)(A) MCA... (PART OF LOTS THAT REQUIRE NO MEASUREMENTS SIX OR MORE LOTS MUST BE REVIEWED AND APPROVED BY THE GOVERNING BODY AND AN AMENDED PLAT MUST BE FILED.)
EXEMPTION (2): THE UNDERSIGNED HEREBY CERTIFY THAT THE LOTS SHOWN ON THIS PLAT ARE EXEMPT FROM OLD REVIEW IN ACCORDANCE WITH 81A-3-201(2)(B) MCA BECAUSE IT IS LOCATED WITHIN THE AMENDMENT AREA OF THE CITY OF GREAT FALLS, MONTANA, WHICH HAS ADOPTED A GROWTH POLICY PURSUANT TO TITLE 10, CHAPTER 1, MCA, AND WHICH IS A FIRST CLASS MUNICIPALITY. THE CITY COMMISSION HAS DECEASED TO DEEL PROVISION TO 81A-3-201(2)(B) MCA THAT ADEQUATE STORM WATER DRAINAGE AND ADEQUATE MUNICIPAL FACILITIES WILL BE PROVIDED.

OWNER REPRESENTATIVE FOR ONE GLENWOOD, LLC _____ DATE _____
OWNER REPRESENTATIVE FOR ONE MONTANA, LLC _____ DATE _____
STATE OF MONTANA
COUNTY OF CASCADE) SS:
ON THIS _____ DAY OF _____ 2006, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED _____, BEING OF LEGAL AGE AND SOUND MIND, WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME. WHEREAS HEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED MY NOTARY SEAL, THE DAY AND YEAR FIRST ABOVE WRITTEN.
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT _____
MY COMMISSION EXPIRES _____

CERTIFICATE OF GREAT FALLS PLANNING BOARD:
We, the undersigned, William O. Brown, President, Great Falls Planning Board, and Benjamin M. Rangel, Secretary of said Great Falls Planning Board, do hereby certify that the accompanying _____ Plat of _____
in the City of Great Falls, Cascade County, Montana has been submitted to the Great Falls Planning Board of Great Falls, Cascade County, Montana, in accordance with Section 7-4-102, MCA, and approved as a zoning plat on the _____ day of _____, 2006.
John W. Leavins,
City Manager, City of Great Falls, Montana

CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES:
I, John W. Leavins, City Manager of City of Great Falls, Montana, do hereby certify that the City Commission of the City of Great Falls, Montana, at its regular meeting held on the _____ day of _____, 2006, found that adequate municipal facilities for the receipt, use and disposal of sewage and solid waste are available in the above described property, namely the site facilities of the City of Great Falls, Montana, and that said plat is valid pursuant to section 7-4-102, MCA, permitting the Clerk and Recorder of Cascade County, Montana to record the accompanying plat.
City Manager,
City of Great Falls, Montana

CERTIFICATE OF CITY COMMISSION:
I, John W. Leavins, City Manager of City of Great Falls, Montana, do hereby certify that the accompanying plat was duly examined and approved by the City Commission of Great Falls in its regular meeting held on the _____ day of _____, 2006.
City Manager,
City of Great Falls, Montana

CERTIFICATE OF PUBLIC SERVICE DIRECTOR:
I, Lisa Brantley, Public Service Director for the City of Great Falls, Montana, do hereby certify that I have examined the accompanying _____ Plat of _____
in the City of Great Falls, and that the same conforms to regulations governing the platting of lots, and is to be placed in the public records, and that the same conforms to regulations governing the platting of lots, and is to be placed in the public records, and that the same conforms to regulations governing the platting of lots, and is to be placed in the public records.
Public Service Director,
City of Great Falls, Montana

CERTIFICATE OF SURVEY NO. _____
PREPARED BY: _____
DATE: _____
CASCADIA COUNTY, MONTANA