

RESOLUTION 9719

A RESOLUTION BY THE CITY COMMISSION
OF THE CITY OF GREAT FALLS, MONTANA,
TO VACATE 16TH ALLEY SOUTH BETWEEN
23RD STREET SOUTH AND THE PROJECTED SOUTHERLY
EXTENSION OF THE EAST RIGHT-OF-WAY OF 24TH STREET SOUTH,
IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 7-14-4114, MONTANA CODE ANNOTATED

* * * * *

WHEREAS, the Replat of Lincoln Heights dedicated what is presently commonly referred to as 16th Alley South between 23rd and 24th Streets South as public right-of-way; and

WHEREAS, subject alley right-of-way has never been improved or utilized for vehicular access and presently is a dead end at its eastern terminus; and

WHEREAS, subject segment of 16th Alley South is deemed not to be needed for public roadway purposes; and

WHEREAS, the two lot owners abutting subject segment of 16th Alley South have petitioned to have it vacated; and

WHEREAS, a condition of approval of vacation of subject right-of-way shall be the preparation of an appropriate amended plat which shows the distribution of the right-of-way requested to be vacated, reconfiguration of abutting lot(s), and reservation of required utility easement(s).

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 6th day of November, 2007, Resolution 9707 entitled:

A RESOLUTION OF INTENTION BY THE CITY
COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,
TO VACATE 16TH ALLEY SOUTH BETWEEN
23RD STREET SOUTH AND THE PROJECTED SOUTHERLY

EXTENSION OF THE EAST RIGHT-OF-WAY OF 24TH STREET 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 9707 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 4th day of December, 2007, 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 the segment of 16th Alley South between 23rd Street South and the southerly projection of the east right-of-way of 24th Street South.

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

The segment of 16th Alley South between 23rd Street South and the southerly projection of the east right-of-way of 24th Street South is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective either thirty (30) days after its passage and approval or upon filing in the office of the Cascade County Clerk and Recorder, the hereinabove mentioned amended plat, which ever event shall occur later.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 4th day of December, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9719 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 4th day of December, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 4th day of December, 2007.

Lisa Kunz, City Clerk

(CITY SEAL)