

RESOLUTION 9735

A RESOLUTION BY THE CITY COMMISSION
OF THE CITY OF GREAT FALLS, MONTANA,
TO VACATE THE WESTERLY 250 FEET OF 10TH ALLEY SOUTH
IN BLOCK 26, HUY'S ADDITION TO GREAT FALLS,
BETWEEN 20TH STREET SOUTH AND 21ST STREET SOUTH,
IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 7-14-4114, MONTANA CODE ANNOTATED

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WHEREAS, 10th Alley South in Block 26, between the east right-of-way of 20th Street South and the west right-of-way of 21st Street South was dedicated as public right-of-way as part of Huy's Addition to Great Falls; and

WHEREAS, a representative of the owners of the property abutting the westerly 250 feet of said segment of 10th Alley South has petitioned to have it vacated to accommodate construction of a CVS Pharmacy; 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 public access and utility easement(s); and

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 18th day of March, 2008, Resolution 9730 entitled:

A RESOLUTION OF INTENTION BY THE CITY
COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,
TO VACATE THE WESTERLY 250 FEET OF 10TH ALLEY SOUTH
IN BLOCK 26, HUY'S ADDITION TO GREAT FALLS,
BETWEEN 20TH STREET SOUTH AND 21ST 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 9730 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 15th day of April, 2008, 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 westerly 250 feet of 10th Alley South in Block 26, Huy's Addition, between 20th and 21st Streets South.

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

The westerly 250 feet of 10th Alley South in Block 26, Huy's Addition, between 20th and 21st Streets 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 15th day of April, 2008.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, 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, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9735 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 15th day of April, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 15th day of April, 2008.

Lisa Kunz, City Clerk

(SEAL OF CITY)