

RESOLUTION 10291

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, VACATING 15TH ALLEY SOUTH WITHIN BLOCK 30, REPLAT OF LINCOLN HEIGHTS, AS SHOWN IN EXHIBIT "A", AND IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448

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WHEREAS, the Replat of Lincoln Heights dedicated a sixteen (16) foot wide right-of-way for 15th Alley South within Block 30; and

WHEREAS, K & V Family Properties LLC, owns the properties on both sides of said right-of-way and has submitted a petition to have said 15<sup>th</sup> Alley South vacated; and

WHEREAS, it is determined retention of 15<sup>th</sup> Alley South within Block 30 serves no practical or functional traffic related purpose, is not needed for access by the public, and it is determined that a twenty (20) foot wide utility easement will be created to accommodate public utilities; and

WHEREAS, the right-of-way and easement therein of any owner is not impaired by the requested vacation; and

WHEREAS, Mont. Code Ann. § 7-3-4448 sets forth, in pertinent part: (1)...Before vacating any street or part thereof or narrowing any street, the commission shall first pass a resolution declaring its intention to do so; and

WHEREAS, at its regular meeting held on April 16, 2019, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution 10290, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 15TH ALLEY SOUTH WITHIN BLOCK 30, REPLAT OF LINCOLN HEIGHTS, AS SHOWN IN EXHIBIT A, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448, MONTANA CODE ANNOTATED AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW; and

WHEREAS, notice was provided pursuant to Mont. Code Ann. § 7-3-4448(2); and

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls, Montana, on the 7th day of May, 2019, at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center, 2 Park Drive South, Great Falls, Montana, where said Commission heard all

persons relative to the proposed vacation of 15<sup>th</sup> Alley South within Block 30, Replat of Lincoln Heights.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that 15<sup>th</sup> Alley South, within Block 30, Replat of Lincoln Heights, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that an Amended Plat of Lots 8-21, Block 30, of the Replat of Lincoln Heights, including those portions of vacated right-of-way, has been prepared which reflects the aggregation of said parcels and the requested vacated right-of-way into one parcel.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 7th day of May, 2019.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)



APPROVED FOR LEGAL CONTENT:

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Sara Sexe, City Attorney

Resolution 10291 - Exhibit A



-  Tracts of Land
-  Resolution 10291

320 160 0 320 Feet

