

RESOLUTION 10339

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 5TH AVENUE NORTH BETWEEN 12TH STREET NORTH AND 13TH STREET NORTH, BLOCK 179 AND BLOCK 199, GREAT FALLS WATER POWER AND TOWNSITE COMPANY'S FIRST ADDITION, IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

* * * * *

WHEREAS, the Plat of Great Falls Water Power and Townsite Company's First Addition dedicated an eighty (80) foot wide right-of-way for 5th Avenue North between 12th Street North and 13th Street North; and

WHEREAS, Trigg CM Russell Foundation, Inc, owns the properties on both sides of said right-of-way and has submitted a petition to have said 5th Avenue North vacated; 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, it is determined retention of 5th Avenue North between 12th Street North and 13th Street North serves no practical or functional traffic related purpose or for access by the public; and

WHEREAS, 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, an Amended Plat of Great Falls Water Power and Townsite Company's First Addition, Block 179, Lots 8-14 and Block 199, Lot 1A 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.

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

That Tuesday, the 7th day of April, 2020, at 7:00 P.M. in the Commission Chambers of the Civic Center, Great Falls, Montana, is hereby set as the time and place at which the City

Commission shall hear all persons relative to the proposed vacation of 5th Avenue North between 12th Street North and 13th Street North; and

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of the City shall forthwith cause notice of this Resolution to be: (1) published in the Great Falls Tribune, the newspaper published nearest such land, and (2) posted to the Great Falls Civic Center posting board and the Great Falls City website.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 17th day of March, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

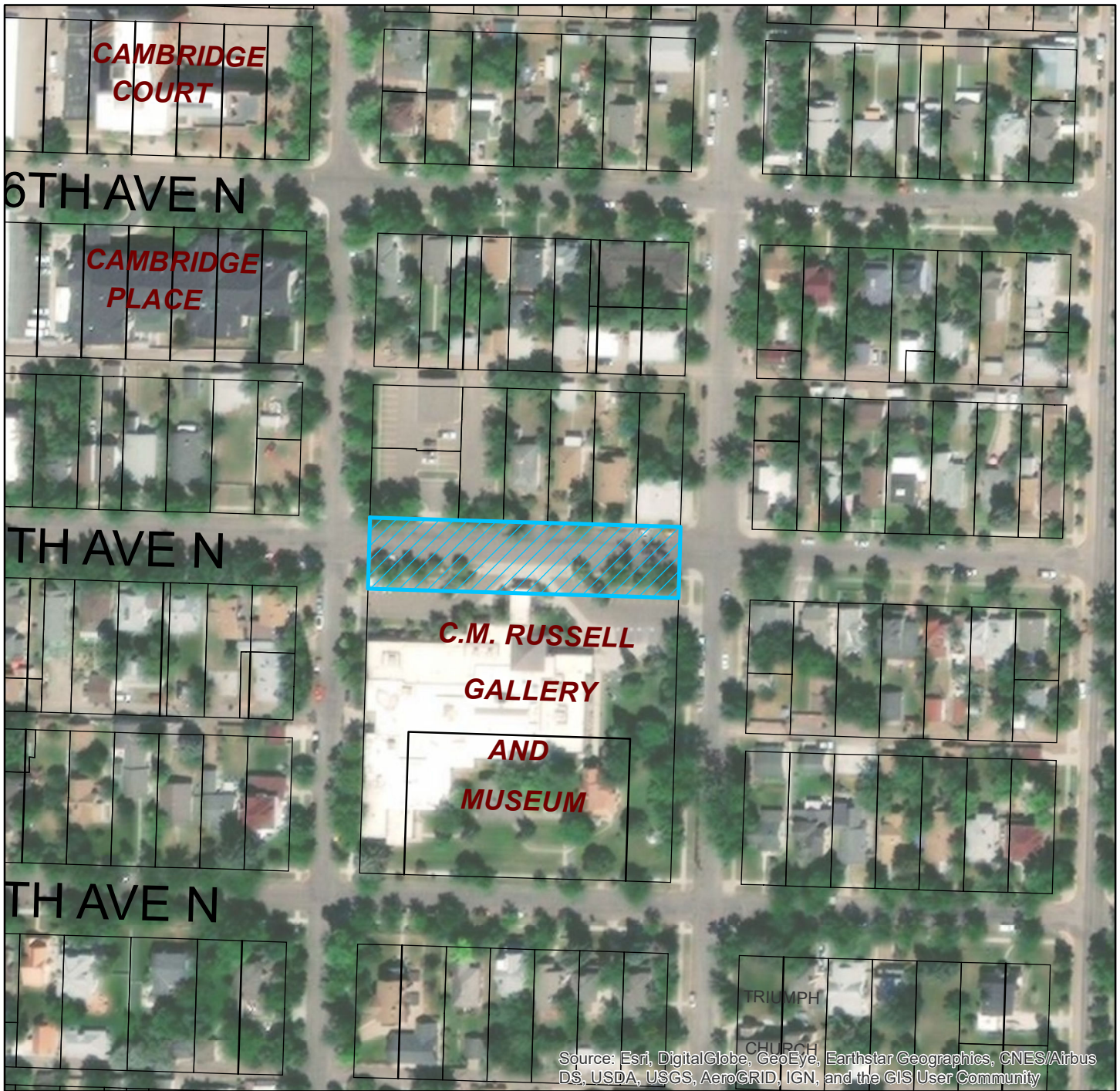
State of Montana)
County of Cascade : ss
City of Great Falls)




I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Resolution 10339 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Resolution of Intent 10339 Exhibit A



-  Proposed Vacation of 5th Ave N
-  Tracts of Land
-  LotLines

