

RESOLUTION 10386

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE THE ALLEY EASEMENT LEGALLY DESCRIBED AS THE WEST 20 FEET OF LOTS 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, AND 1FE OF SUN RIVER PARK ADDITION, SECTION 9, T20N, R3E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA., IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448

* * * * *

WHEREAS, an easement recorded on May 7, 1952 granted and conveyed the full and free right of way for a Highway upon and through the land described above to be used as an alley; and

WHEREAS, the City of Great Falls has never improved or maintained the alley easement for Highway or other purposes; and

WHEREAS, Gary and Nancy Martin own property adjacent of said alley easement and have submitted a petition to vacate the alley easement legally described as the west 20 feet of Lots 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, and 1FE as an alley; and

WHEREAS, it is determined that retention of the alley legally described as the west 20 feet of Lots 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, and 1FE of Sun River Park Addition, is no longer necessary and serves no practical or functional traffic related purpose or for access by the public; and

WHEREAS, according to the original easement, the described alley easement shall immediately revert to first party if abandoned for highway purposes; and

WHEREAS, this vacation and abandonment of easement is not intended to affect any other existing easements or encumbrances, apparent or of record, including any which remain to accommodate public utilities; and

WHEREAS, the requested vacation will not preclude the primary access of any owner affected by such vacation and abandonment; and

WHEREAS, Exhibit A depicts the proposed portions of the abandoned alley easement.

WHEREAS, at its regular meeting held on February 16, 2021, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution of Intention 10385, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE THE ALLEY EASEMENT LEGALLY DESCRIBED AS THE WEST 20 FEET OF LOTS 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, AND 1FE OF SUN RIVER PARK ADDITION, SECTION 9, T20N, R3E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA., IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

WHEREAS, notice to all affected property owners 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 16th day of March, 2021, 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 and abandonment of said alley easement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that the alley easement legally described as the west 20 feet of Lots 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, and 1FE of Sun River Park Addition, is hereby vacated and abandoned.

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 16th day of March, 2021.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

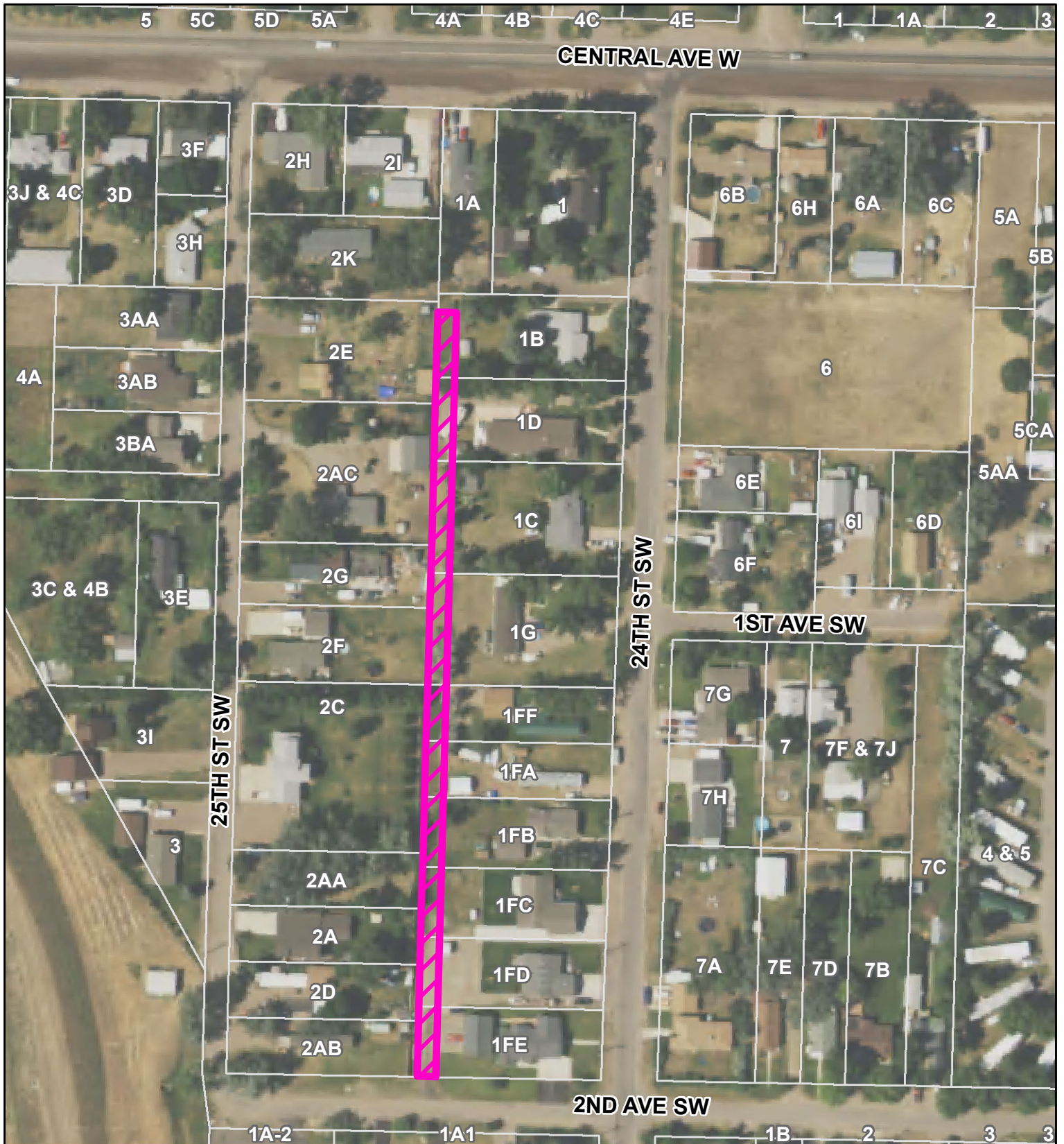
(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

Exhibit A: Location Map with Lot Numbers

Intent to Vacate the alley easement legally described as the west 20 feet of Lots 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, and 1FE of Block 17 of Sun River Park Addition, Section 9, T20N, R3E, P.M.M., Cascade County, Montana



Resolution 10386 - Alley Easement Proposed for Vacation

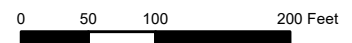
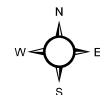
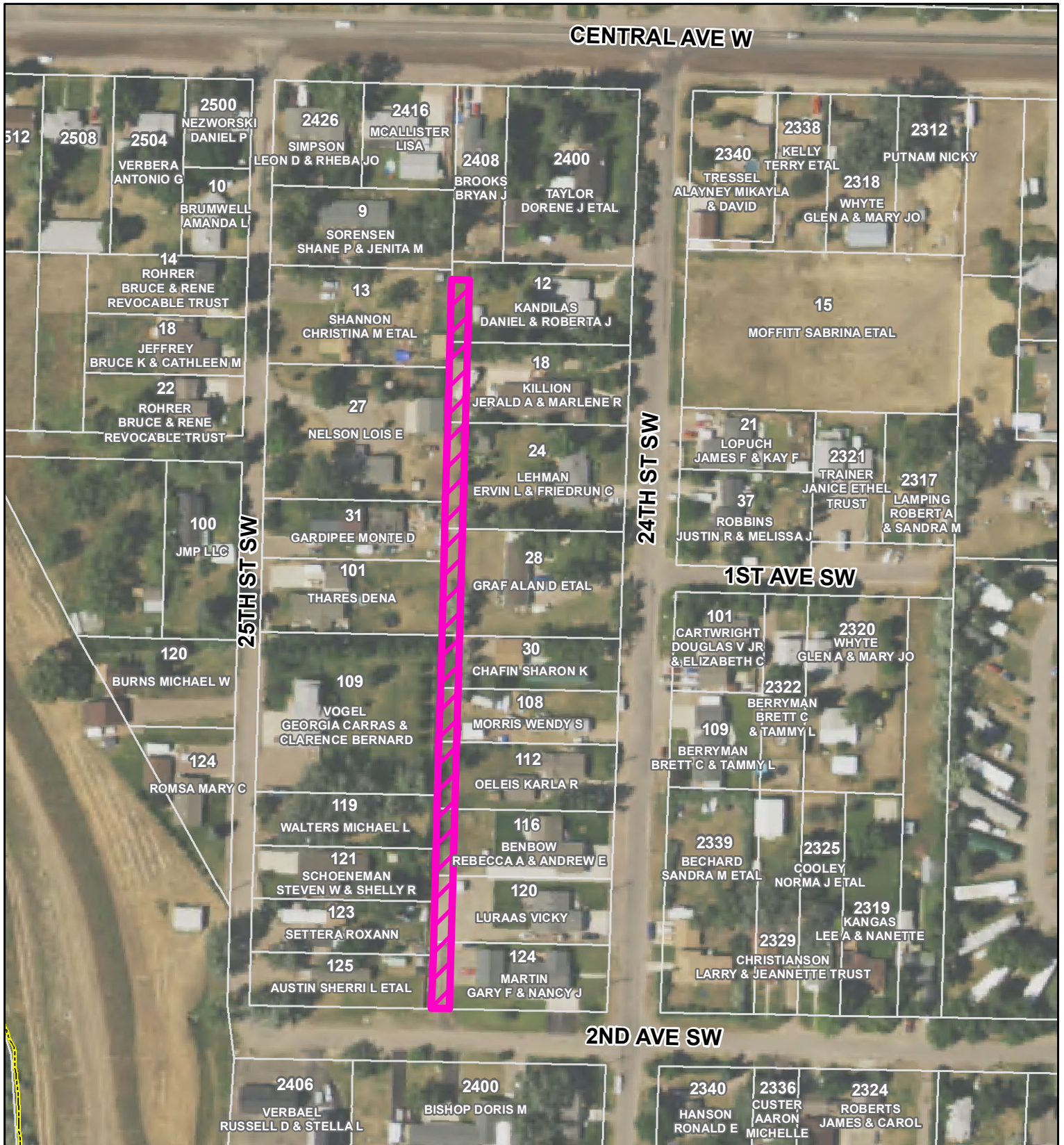


Exhibit B: Location Map with Street Addresses with Owner Names

Intent to Vacate the alley easement legally described as the west 20 feet of Lots 1B, 1D, 1C, 1G, 1FF, 1FA, 1FB, 1FC, 1FD, and 1FE of Block 17 of Sun River Park Addition, Section 9, T20N, R3E, P.M.M., Cascade County, Montana



Resolution 10386 - Alley Easement Proposed for Vacation

