

RESOLUTION 10401

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 28TH STREET SOUTH BETWEEN 8TH AVENUE SOUTH AND 10TH AVENUE SOUTH, 9TH AVENUE SOUTH AND 9TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 29TH STREET SOUTH, AND 10TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 28TH STREET SOUTH, LOCATED IN THE BLACK EAGLE FALLS ADDITION AND SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

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WHEREAS, the Plat of Black Eagle Falls Addition and Second Supplement to Pappin Heights Addition dedicated an eighty (80) foot wide right-of-way for 28th Street South between 8th Avenue South and 10th Avenue South, an eighty (80) foot wide right-of-way for 9th Avenue South between 27th Street South and 29th Street South and twenty (20) foot wide right-of-way for 9th Alley South and 10th Alley South between 27th Street South and 29th Street South; and

WHEREAS, The City of Great Falls, owns the properties on both sides of said rights-of-ways and has submitted a petition to have said rights-of-way as stated above to be 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 said right-of-way serves no practical or functional traffic related purpose or for access by the public due to dedicated park land; and

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

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

That Tuesday, the 18th day of May, 2021, 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 as described; 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 20th day of April, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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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 10401 on the Great Falls Civic Center posting board and the Great Falls City website.

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Lisa Kunz, City Clerk

(CITY SEAL)