

RESOLUTION 10402

A RESOLUTION 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

* * * * *

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

WHEREAS, at its regular meeting held on April 20, 2021, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution 10401, titled:

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; 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 18th day of May, 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 of 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that 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, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the Amended Plat of Lots 1-14, Block 47, Lots 1-10, Block 48, Lots 1-5, 9-10, Block 49, Black Eagle Falls Addition, Lot 8A, Block 49 of the Amended Plat of Lots 7 and 8, Block 49, Black Eagle Falls Addition, Lot 1, Block 2, and the Park Dedicated Lot, Second Supplement to Pappin Heights Addition including those portions of vacated rights-of-way, has been prepared which reflects the aggregation of the existing parcels in the park and the requested vacated rights-of-way into two parcels.

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 18th day of May, 2021.

Bob Kelly, Mayor

ATTEST:

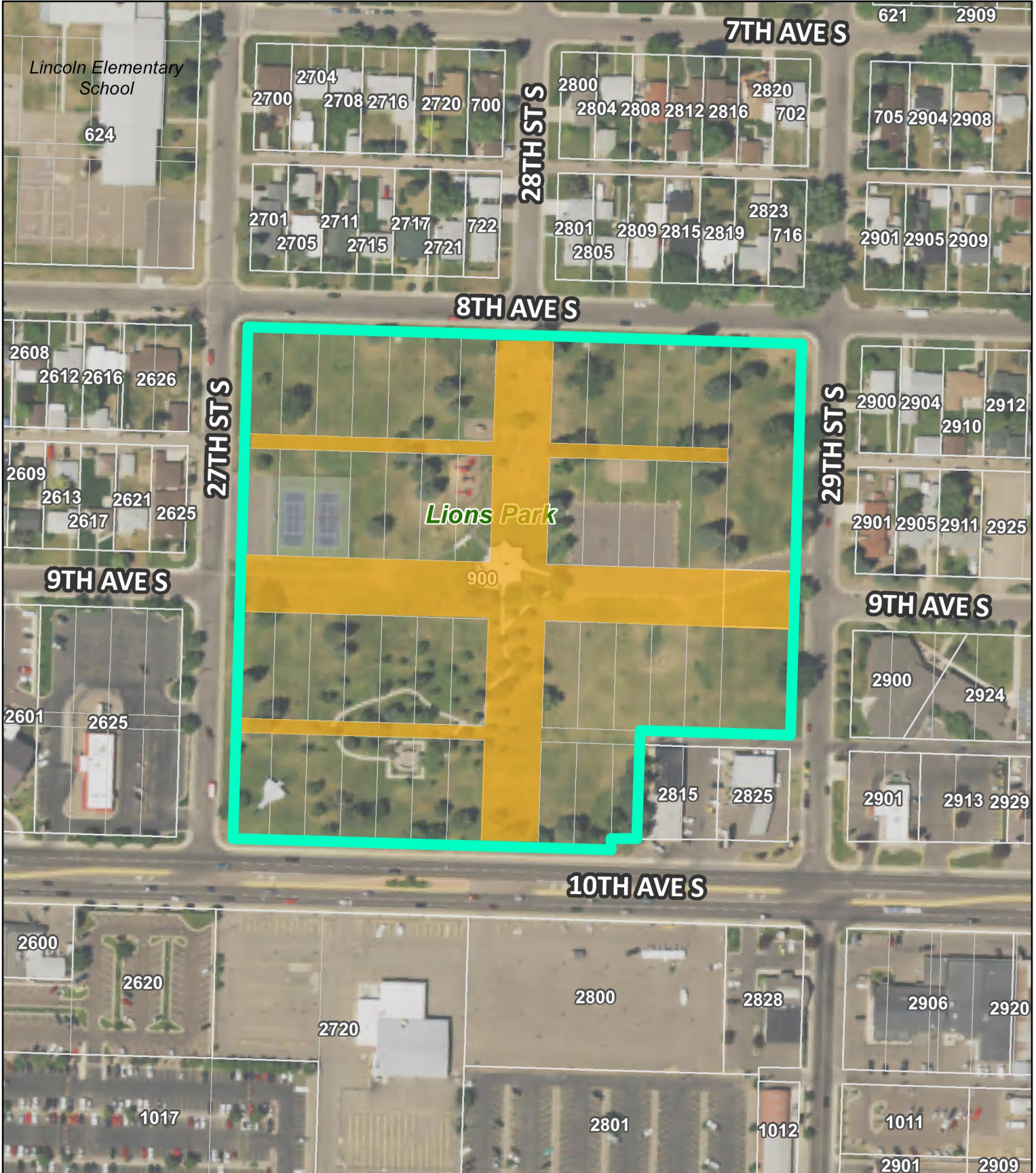
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

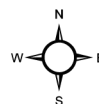
Resolution 10402 - Exhibit



Subject Property - Lions Park



Rights-of-way to be vacated



Drawn By: Planning

