

RESOLUTION 10405

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 8TH ALLEY SOUTH WITHIN BLOCK 479, GREAT FALLS ORIGINAL TOWNSITE, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448, MONTANA CODE ANNOTATED AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

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WHEREAS, the subdivision plat of the Great Falls Original Townsite dedicated a twenty (20) foot wide right-of-way for 8th Alley South within Block 479; and,

WHEREAS, on the 8th day of September, 1958, the Council of the City of Great Falls, Montana vacated a portion of 8th Alley South legally described as “That part of 8th Alley South lying East of Second Street South and West of the West Boundary Line of Lot 8 and the West Boundary line of the East Half of Lot 6 in Block 479, Original Townsite to the city of Great Falls, Montana,” by Ordinance 1280; and

WHEREAS, Sheffels Farms, Inc., owns the properties on both sides of the remaining portion of said right-of-way and has submitted a petition to have the remaining portion of said 8th Alley South vacated; and,

WHEREAS, it is determined retention of the remaining portion of 8th Alley South within Block 479 for access by the public is not needed and an easement will suffice to accommodate public and private utilities, both buried and overhead, existing in the Alley; and,

WHEREAS, an Amended Plat of Lots 6-8, Block 479, Great Falls Original Townsite as well as the vacated right-of-way, shall be prepared which reflects the requested vacated right-of-way; and,

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

WHEREAS, at its regular meeting held on May 18, 2021, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution 10404, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 8TH ALLEY SOUTH WITHIN BLOCK 479, GREAT FALLS ORIGINAL TOWNSITE, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448, MONTANA CODE ANNOTATED AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

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 15th day of June, 2021, at 7:00 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 a portion of 8th Alley South between 7th Avenue South and 8th Avenue South in Block 479 of the Great Falls Original Townsite Addition.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that a portion of 8th Alley South between 7th Avenue South and 8th Avenue South in Block 479 of the Great Falls Original Townsite Addition, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the Amended Plat of Lots 6-8, Block 479, Great Falls Original Townsite 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 15th day of June, 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 15th day of June, 2021.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

