

RESOLUTION 10441

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 17TH STREET SOUTH BETWEEN 3<sup>RD</sup> AVENUE SOUTH AND 4<sup>TH</sup> AVENUE SOUTH, BLOCK 735 AND BLOCK 736, AND THE PORTION OF 4<sup>TH</sup> ALLEY SOUTH ADJACENT TO LOTS 5-10, BLOCK 736, TENTH ADDITION TO GREAT FALLS TOWNSITE, 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 the Tenth Addition to Great Falls Townsite dedicated an eighty (80) foot wide right-of-way for 17<sup>th</sup> Street South between 3<sup>rd</sup> Avenue South and 4<sup>th</sup> Avenue South and a twenty (20) foot wide right-of-way for 4<sup>th</sup> Alley South between 16<sup>th</sup> Street South and 17<sup>th</sup> Street South; and

WHEREAS, Great Falls Public Schools, owns the properties on both sides of said right-of-way and has submitted a petition to have said 17<sup>th</sup> Street South and 4<sup>th</sup> Alley South 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 17<sup>th</sup> Street South between 3<sup>rd</sup> Avenue South and 4<sup>th</sup> Avenue South, and the portion of 4<sup>th</sup> Alley South 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 Lot 1A, Block 400, of the Amended Plat of Lots 1-14, Block 399, Lots 1-14, Block 400, Third Addition to Great Falls Townsite, and Lots 1-11, Block 733, Lots 1-14, Block 734, Lots 8-14, Block 735, Lots 1-14, Block 745, Lots 1-10, Block 746, Tenth Addition to Great Falls Townsite, and Lots A, 8-9, Block 1, Lots 6-9, Block 8, Resurvey of Huy's Addition and Lots 1-7, Block 735, Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite of 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 1st day of March, 2022, 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 17th Street South between 3rd Avenue South and 4th Avenue South, and a portion of 4<sup>th</sup> Alley South; 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 1st day of February, 2022.

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

ATTEST:

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

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeff Hindoien, 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 10441 on the Great Falls Civic Center posting board and the Great Falls City website.

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

(CITY SEAL)





15TH ST S

16TH ST S


17TH ST S

3RD AVE S

4TH AVE S

GREAT FALLS  
GREAT FALLS

ST S

**Resolution 10441 Exhibit A:**  
 **Proposed rights-of-way to be vacated**