

RESOLUTION 10442

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, VACATING 17TH STREET SOUTH BETWEEN 3RD AVENUE SOUTH AND 4TH AVENUE SOUTH, BLOCK 735 AND BLOCK 736, AND THE PORTION OF 4TH ALLEY SOUTH ADJACENT TO LOTS 5-10, BLOCK 736, TENTH ADDITION TO GREAT FALLS TOWNSITE, AS SHOWN IN EXHIBIT "A", AND IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448

* * * * *

WHEREAS, the Plat of the Tenth Addition to Great Falls Townsite dedicated an eighty (80) foot wide right-of-way for 17th Street South between 3rd Avenue South and 4th Avenue South and a twenty (20) foot wide right-of-way for 4th Alley South between 16th Street South and 17th 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 portions of 17th Street South and 4th Alley South vacated; and

WHEREAS, it is determined retention of 17th Street South between 3rd Avenue South and 4th Avenue South, and the subject portion of 4th Alley South serves no practical or functional traffic related purpose or for access by the public; and

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

WHEREAS, it is determined that a twenty (20) foot wide utility easement will be created to accommodate public utilities; 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, at its regular meeting held on February 1, 2022, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution 10441, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 17TH STREET SOUTH BETWEEN 3RD AVENUE SOUTH AND 4TH AVNEUE SOUTH, BLOCK 735 AND BLOCK 736, AND THE PORTION OF 4TH 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

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 1st day of March, 2022, 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 17th Street South between 3rd Avenue South and 4th Avenue South Block 735 and 736, and the portion of 4th Alley South adjacent to Lots 5-10, Block 736, Tenth Addition to Great Falls Townsite.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that 17th Street South between 3rd Avenue South and 4th Avenue South, Block 735 and 736, and the portion of 4th Alley South adjacent to Lots 5-10, Block 736, Tenth Addition to Great Falls Townsite, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that 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, 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.

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 1st day of March, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoien, City Attorney



15TH ST S

16TH ST S

17TH ST S

3RD AVE S

4TH AVE S

GREAT FALLS
GREAT FALLS

STS

Resolution 10442 Exhibit A:
 **Proposed rights-of-way to be vacated**