

RESOLUTION 10455

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE THE PORTION OF 10<sup>TH</sup> ALLEY SOUTH ABUTTING LOTS 1-2,9-10, BLOCK 1, FAIRVIEW 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, the Plat of the Fairview Addition to Great Falls dedicated a twenty (20) foot wide right-of-way for 10<sup>th</sup> Alley South between 19<sup>th</sup> Street South and 20<sup>th</sup> Street South; and

WHEREAS, Mountain West Bank, represented by Talcott Properties, LLC, owns the properties on both sides of said right-of-way and has submitted a petition to have said portion of 10<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 the portion of 10<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 utility easements 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

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

That Tuesday, the 17<sup>th</sup> day of May, 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 a portion of 10<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 19<sup>th</sup> day of April, 2022.

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

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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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 10455 on the Great Falls Civic Center posting board and the Great Falls City website.

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Lisa Kunz, City Clerk

(CITY SEAL)