

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,  
DISCONTINUING AND VACATING portions of Marbara Lane, Silver  
Lane, Yucca Street, and North Rim Road.

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, as per Section 22-601 BMCC, requesting discontinuance and vacation of portions of Marbara Lane, Silver Lane, Yucca Street, and North Rim Road as described hereinafter; and

**WHEREAS**, a public hearing was properly noticed and held as required by MCA section 7-14-4114(3);

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. DISCONTINUANCE AND VACATION. Pursuant to Sections 7-14-4114 and 7-14-4115, M.C.A., portions of Marbara Lane, Silver Lane, Yucca Street, and North Rim Road more particularly described as follows:

### **Description #1: Portion of Yucca Street and North Rim Road**

A tract of land being situated in the SW1/4 of Section 29 and the NW1/4 of Section 32, T. 1 N., R. 26 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the northeast corner of Lot 5, Block 2 of Heffner Subdivision; thence N 77°19'26" E a distance of 20.50 feet; thence SOUTH a distance of 133.87 feet; thence N 89°54'14" W a distance of 375.00 feet; thence SOUTH a distance of 198.65 feet; thence S 81°16'41" W a distance of 5.06 feet; thence NORTH a distance of 239.42 feet; thence S 89°54'14" E a distance of 360.00 feet; thence NORTH a distance of 89.34 feet to the point of beginning; said tract having an area of 18,027 SF and being as shown on attached EXHIBIT A.

**Description #2: Marbara Lane**

A tract of land being situated in the NW1/4 of Section 32, T. 1 N., R. 26 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the northeast corner of Lot 3 of Normand Estates Subdivision; thence WEST a distance of 315.00 feet; thence SOUTH a distance of 20.00 feet; thence WEST a distance of 15.00 feet; thence NORTH a distance of 70.00 feet; thence EAST a distance of 15.00 feet; thence SOUTH a distance of 20.00 feet; thence EAST a distance of 315.00 feet; thence SOUTH a distance of 30.00 feet to the point of beginning; said tract having an area of 10,500 SF and being as shown on attached EXHIBIT B.

### Description #3: Silver Lane

A tract of land being situated in the NW1/4 of Section 32, T. 1 N., R. 26 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the northwest corner of Lot 13 of Babcock Subdivision, Second Filing; thence NORTH a distance of 31.40 feet; thence EAST a distance of 478.00 feet; thence SOUTH a distance of 431.02 feet; thence S 82°32'00" W a distance of 16.14 feet; thence NORTH a distance of 417.12 feet; thence WEST a distance of 240.00 feet; thence SOUTH a distance of 15.40 feet; thence WEST a distance of 222.00 feet to the point of beginning; said tract having an area of 17,724 SF and being as shown on attached EXHIBIT C.

Is hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portions of Marbara Lane, Silver Lane, Yucca Street, and North Rim Road is in the best interest of the public and can be done without any public detriment. Pursuant to MCA 76-3-305, Yucca Street right of way will revert to Lot 12, Block 1, Heffner Subdivision. North Rim Road right of way will revert half to each property fronting right of way in Heffner Subdivision, Wilkins

Subdivision, and Certificate of Survey 1061, Tract 2. Marbara Lane right of way will revert half to each property fronting right of way in Normand Estates Subdivision and Stuber Subdivision. Silver Lane right of way will revert half to each property fronting right of way in Babcock Subdivision.

PASSED by the City Council and APPROVED this 12<sup>th</sup> day of February 2007.

THE CITY OF BILLINGS:

BY:

Ron Tussing

MAYOR



ATTEST:

BY:

Marita Herold

Marita Herold, MMC

CITY CLERK

