

**A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,  
DISCONTINUING AND VACATING A PORTION OF THE DEDICATED  
PUBLIC RIGHT-OF-WAY LYING BETWEEN BLOCK 1, NORMAL  
SUBDIVISION ON THE EASTERLY SIDE OF THE STREET AND BLOCK  
2, NORMAL SUBDIVISION ON THE WESTERLY SIDE OF THE STREET.**

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 A PORTION OF THE DEDICATED PUBLIC RIGHT-OF-WAY LYING BETWEEN BLOCK 1, NORMAL SUBDIVISION ON THE EASTERLY SIDE OF THE STREET AND BLOCK 2, NORMAL SUBDIVISION ON THE WESTERLY SIDE OF THE STREET as described hereinafter; and

WHEREAS, a public hearing was properly noticed and held as required by law.

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., the following portion(s) of a portion of the dedicated public right-of-way lying between Block 1, Normal Subdivision on the easterly side of the street and Block 2, Normal Subdivision on the westerly side of the street. is/are hereby discontinued, abandoned and vacated.

A portion of the dedicated public right-of-way on North 28<sup>th</sup> Street and the 80 foot dedicated right-of-way therefor, lying between the north right-of-way line of 12<sup>th</sup> Avenue North and the seventh right-of-way line of Poly Drive, being that portion of North 28<sup>th</sup> Street, lying between Block 1, Normal Subdivision on the easterly side of the street, and Block 2, Normal Subdivision on the westerly side of the street, containing 43,498 square feet.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portion of the dedicated public right-of-way lying between Block 1, Normal Subdivision on the easterly side of the street and Block 2, Normal Subdivision on the westerly side of the street is in the best interest of the public and can be done without any public detriment.

3. CONDITIONS. The vacation is approved subject to the City receiving an executed Development Agreement addressing the impacts of said right-of-way closure. Said Development Agreement must also be approved by the City Council.

PASSED by the City Council and APPROVED this 12<sup>th</sup> Day of July, 1999.



THE CITY OF BILLINGS:

BY: Charles F. Tooley  
Charles F. Tooley MAYOR

ATTEST:

BY: Marita Herold  
Marita Herold, CMC/AE CITY CLERK

