

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING A PORTION OF THE DEDICATED PUBLIC RIGHT-OF-WAY 20 FEET X 150 FEET ON THE NORTHEAST CORNER, ADJOINING NORTH 31<sup>ST</sup> STREET BETWEEN 2<sup>ND</sup> AVENUE NORTH AND 3<sup>RD</sup> AVENUE NORTH, BEING THE WEST 20 FEET NORTH TO SOUTH ADJOINING LOTS 13-18, BLOCK 55 O.T.

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 20 FEET X 150 FEET ON THE NORTHEAST CORNER, ADJOINING NORTH 31<sup>ST</sup> STREET BETWEEN 2<sup>ND</sup> AVENUE NORTH AND 3<sup>RD</sup> AVENUE NORTH, BEING THE WEST 20 FEET NORTH TO SOUTH ADJOINING LOTS 13-18, BLOCK 55 O.T. 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 of Lots 13-18, Block 55 O.T. and more particularly described below is/are hereby discontinued, abandoned and vacated.

A portion of the dedicated public right-of-way 20 feet x 150 feet on the northeast corner, adjoining North 31<sup>st</sup> Street between 2<sup>nd</sup> Avenue North and 3<sup>rd</sup> Avenue North, being the west 20 feet north to south adjoining Lots 13-18, Block 55 O.T., containing 3000 square feet.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portion of the dedicated public right-of-way of Lots 13-18, Block 55 O.T. 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 for development of the vacated area. Said Development Agreement must also be approved by the City Council.

RESOLUTION NO. 99- 17477

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

THE CITY OF BILLINGS:

BY:

Charles F. Tooley

MAYOR



ATTEST:

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

