

RESOLUTION NO. 99-17487

A RESOLUTION DIRECTING REVERSION OF TITLE TO A PORTION OF 2ND AVENUE NORTH IN INDUSTRIAL SUBDIVISION, SECOND FILING, ADJACENT TO LOT 5, BLOCK 5 PURSUANT TO PREVIOUS APPROVAL OF PETITION TO VACATE.

BE IT RESOLVED, by the City Council of the City of Billings, Montana, as follows:

WHEREAS, the City Council of the City of Billings has previously approved a petition to vacate public right-of-way consisting of approximately 1700 square feet in Industrial Subdivision, 2nd Filing, adjacent to Lot 5, Block 5, such area being a portion of 2nd Avenue North; and

WHEREAS, MCA Section MCA Section 76-3-305(1)(1997) and Billings Montana City Code Section 22-605 both authorize and require the City Council to determine to which properties title to vacated streets and alleys must revert; and

WHEREAS, previous opposition to the petition to vacate was withdrawn prior to final City Council approval of this vacation; and

WHEREAS, the vacated portion of 2nd Avenue North originated from subdivision land which is located immediately adjacent to land owned by the petitioners, Paul and Dorothea Rice; and

WHEREAS, the City Council of the City of Billings has determined that based upon this past title history of the vacated land, that such land should revert to petitioners.

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

1. That the portion of 2nd Avenue North previously vacated by City Council approval at its regular meeting of June 28, 1999, should revert to and fee simple title should be vested in the petitioners, Paul and Dorothea Rice as authorized by MCA Section 76-3-305(1) and Billings Montana City Code Section 22-605.

2. Effective Date. This Resolution shall be effective immediately upon adoption.

APPROVED AND PASSED by the City Council of the City of Billings, Montana on this 9th day of August, 1999.



THE CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley MAYOR

ATTEST:

Marita Herold
Marita Herold, CMC/AAE CITY CLERK