

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING A PORTION OF AN ALLEY IN BLOCK 146, O.T. AND A PORTION OF 2ND AVENUE SOUTH, EAST OF SOUTH 22ND STREET, MORE PARTICULARLY DESCRIBED BELOW.

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, requesting discontinuance and vacation of a portion of an alley in Block 146, O.T. and a portion of 2nd Avenue South, east of South 22nd 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 of an alley in Block 146, O.T. and a portion of 2nd Avenue South, east of South 22nd Street are hereby discontinued, abandoned and vacated subject to conditions, if any, hereinafter imposed:

A portion of 2nd Avenue South and alley described as follows:

2nd Avenue South, east of South 22nd Street (between South 22nd Street and the Conoco Refinery) and the alley in Block 146 O.T. (east of South 22nd Street). (Right-of-Way reversion: one-half, i.e. to the center of the right-of-way, should revert to the lots in Blocks 146 and 158 O.T. that are adjacent to the vacated area.)

Montana Power Company has existing overhead electric facilities in both 2nd Avenue South and the alley. As provided in Section 76-305(2), M.C.A., an easement will be reserved for the benefit of Montana Power Company.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portion of an alley in Block 146 O.T. and a portion of 2nd Avenue South, east of South 22nd Street is in the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 12th day of August, 1996.



THE CITY OF BILLINGS:

BY: Charles F. Tooley MAYOR

ATTEST:

BY: Marita Herold Marita Herold, CMC CITY CLERK

EXHIBIT A

