

RESOLUTION NO. 18-10705

A RESOLUTION PURSUANT TO BILLINGS, MONTANA CITY CODE, ARTICLE 22-900 FOR THE SALE OF CITY REAL PROPERTY AND SECTION 70-17-104, MCA, FOR THE GRANT OF CERTAIN EASEMENTS.

WHEREAS, the City of Billings owns and desires to sell certain real property to the Montana Department of Transportation (MDT) to be used as right-of-way for MDT highway project NH 53-1(38)0;

WHEREAS, the **city real property to be sold** is more particularly described as follows:

Parcel No. 25, described as a tract of land in the westerly one-half of Lot 13 and in Lot 24, Block 184, of the Original Town (Now City) of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 16312, containing a total area of **198 sq. ft., more or less**.

Parcel No. 47, described as a tract of land in Lot 1, Block 109, Original Town, now City of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, containing an area of **16 sq. ft., more or less**.

Parcel No. 50, described as a tract of land in Lot 24, Block 91, of Town of Billings, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document #16312, containing an area of **72 sq. ft., more or less**.

And,

WHEREAS, the City of Billings desires to grant a **perpetual easement** to MDT for this same project for the placement and replacement, construction, improvement, operation, repair, and maintenance of pedestrian facilities compliant with the American with Disabilities Act (ADA) on city real property more particularly described as follows:

Parcel 81, A tract of land in Lot 1, Block 1 of Athletic Field Park, situated in the NESE of Section 32, Township 1 North, Range 26 East, P.M.M., Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of said County, under Document No. 423363, containing an area of **84 sq. ft., more or less**.

WHEREAS, the City of Billings desires to grant **temporary construction easements** to MDT for this same project on the city real property more particularly described as follows:

Parcel No. 25, described as a tract of land in the westerly one-half of Lot 13 and in Lot 24, Block 184, of the Original Town (Now City) of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 16312, containing a total area of **298 sq. ft.**, more or less.

Parcel No. 47, described as a tract of land in Lot 1, Block 109, Original Town, now City of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, containing an area of **88 sq. ft.**, more or less.

Parcel No. 50, described as a tract of land in Lot 24, Block 91, of Town of Billings, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document #16312, containing an area of **167 sq. ft.**, more or less.

Parcel 81, A tract of land in Lot 1, Block 1 of Athletic Field Park, situated in the NESE of Section 32, Township 1 North, Range 26 East, P.M.,M., Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of said County, under Document No. 423363, containing an area of **7,243 sq. ft.**, more or less.

And,

WHEREAS, the notice required by Section 22-902 of the Billings, Montana City Code has been duly published and mailed for the properties to be sold; and

WHEREAS, the public hearing required by Section 22-902 of the Billings, Montana City Code was duly held on February 26, 2018.

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

City staff is authorized to proceed with selling of city real property described above to MDT, granting the permanent easement and granting the temporary construction easements as summarized below:

Parcel	Disposal	Permanent Easement	Temporary Construction Easement	Rounding	Total with Rounding
25	\$1,386	NA	\$417	\$47	\$ 1,850
47	\$ 640	NA	\$704	\$ 6	\$ 1,350
50	\$2,880	NA	\$1,336	\$34	\$ 4,250
81	NA	\$1,118	\$20,281	\$ 1	\$21,400

APPROVED by the City Council of the City of Billings, Montana this 26th day of February, 2018.



CITY OF BILLINGS

ATTEST:

BY: William A. Cole
William A. Cole, Mayor

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk