

ADMINISTRATIVE ORDER NO. 5

Repealed by

3/19/84
ord. 82-4483

Pursuant to Administrative Order and in accordance with Billings Municipal Ordinance No. 82-4483, I hereby establish the following policies and procedures for use in those instances where the conveyance of additional street right-of-way to the City is necessary in conjunction with granting a building permit:

A. The necessity for additional right-of-way, as well as the dimensions and location of said right-of-way, shall be determined by the City Engineer pursuant to guidelines contained in the Subdivision Regulations for the City of Billings;

B. Actual conveyance of the right-of-way may be accomplished either by Warranty Deed to the City or by granting of a perpetual easement to the City. The form to be used for conveyance of easements shall be as drafted by the City Attorney.

C. In lieu of actual conveyance of the right-of-way at the time of issuance of the building permit, the City will accept:

1. An agreement, executed by the owner, to convey the right-of-way, by deed or easement, at a future date to be determined solely at the discretion of the City.

2. Payment to the City of the current cash value of property comprising the necessary additional right-of-way. Said cash value will be established by agreement of the parties.

D. Except in cases where the owner agrees to pay the cash value of the right-of-way, the owner shall provide at owner's expense, to the City, a current title report indicating the status of the title to the property to be conveyed and all encumbrances thereon.

Dated this 25 day of August, 19 83.

Al Thelen
Al Thelen, City Administrator

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