

## **RESOLUTION 22-11032**

### **A RESOLUTION PURSUANT TO BILLINGS, MONTANA CITY CODE, ARTICLE 22-900; SALE, EXCHANGE OR DONATION OF CITY REAL PROPERTY, DESCRIBING THE PROPERTY TO BE DISPOSED, DECLARING THE INTENT OF THE CITY TO DISPOSE OF THE PROPERTY AND AUTHORIZING CITY OFFICIALS TO PROCEED.**

WHEREAS, the City of Billings finds it necessary or desirable to dispose of twelve properties it currently owns, located within the de-annexed Terrace Estates Subdivision, 3<sup>rd</sup> Filing, Billings, Montana, and herein described as Parcels P-Y1, P-Y2, P-Y3, P-B1, P-B2, P-B3, P-B4, P-B5, P-B6, P-B7, P-B8 and P-B9.

WHEREAS, Parcels P-Y1, P-Y2 and P-Y3 are to be donated to Yellowstone County, Montana for the purpose of widening Alkali Creek Road; and,

WHEREAS, Council authorize staff to proceed with the sale, exchange or donation of parcels P-B1, P-B2, P-B3, P-B4, P-B5, P-B6, P-B7, P-B8 and P-B9 as described below in accordance with Billings, Montana City Code, Article 22-900 – Sale, Exchange or Donation of City Real Property; and,

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

WHEREAS, the public hearing required by Section 22-902 of the Billings Montana City Code was duly held on the 11th day of April 2022;

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

That the City staff is authorized to proceed with disposal of the twelve properties described as follows under the requirements of Section 22-902 of the Billings Montana City Code:

The property to be considered for sale, exchange or donation is described as the following nine parcels of parkland:

**Parcel P-B1**, .184 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the north most corner of Lot 25, Block 2 of said subdivision; THENCE South 77°23'54" West, along the northwesterly line of said Lot 25, a distance of 138.00 feet to the north right of way line of an unnamed cul-de-

sac and the beginning of a curve concave to the southwest having a radius point which bears South 62°42'22" West, 55.00 feet distant;

THENCE northwesterly 35.76 feet along said curve through a central angle of 37°15'13" to the east mostcorner of Lot 24, Block 2 of said subdivision;

THENCE North 06°16'51" West, along the easterly line of said Lot 24, a distance of 75.82 feet to the northeast corner of said Lot 24;

THENCE South 67°29'36" East, 182.08 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.184 acres, more or less.

**Parcel P-B2**, .807 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

COMMENCING at the northwest corner of Lot 1, Block 2 of said subdivision;

THENCE North 81°34'48" West, along the south right of way line of Jack and Jill Avenue, 151.74 feet to the TRUE POINT OF BEGINNING;

THENCE South 26°59'31" West, 133.35 feet;

THENCE North 63°55'29" West, 40.04 feet;

THENCE South 51°33'25" West, 115.33 feet;

THENCE North 24°10'17" West, 203.55 feet;

THENCE North 51°11'47" West, 19.67 feet to the east right of way line of Valley Heights Road being a point on a curve concave to the east having a radius point which bears South 61°05'39" East, 415.36feet distant;

THENCE northerly 66.54 feet along said curve through a central angle of 09°10'45" to the south right of way line of Jack and Jill Avenue being a point on a curve concave to the north having a radius point which bears North 36°47'23" East, 360.00 feet distant;

THENCE easterly 178.27 feet along said curve through a central angle of 28°22'23";

THENCE South 81°34'48" East, continuing along said south right of way line, 86.84 feet to the TRUE POINT OF BEGINNING;

ENCOMPASSING an area of 0.807 acres, more or less.

**Parcel P-B3**, .154 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the northeast corner of Lot 17, Block 2 of said subdivision;

THENCE North 56°35'01" West, along the north line of said Lot 17, a distance of 141.08 feet to the east right of way line of Valley Heights Road;

THENCE North 23°54'35" East, along said east right of way line, 96.45 feet;

THENCE South 25°22'25" East, 183.58 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.154 acres, more or less.

**Parcel P-B4**, .033 acres. Legal Description: A tract of land in Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the intersection of the west right of way line of Valley Heights Road and the south right of way line of Jack and Jill Avenue being a point on a curve concave to the east having a radius point which bears South 51°28'26" East, 475.36 feet distant;

THENCE southerly 69.37 feet along said curve through a central angle of 08°21'39"; THENCE leaving said right of way line, North 51°11'47" West, 14.77 feet;

THENCE North 24°48'34" East, 76.16 feet to the south right of way line of Jack and Jill Avenue being a point on a curve having a radius point which bears North 50°51'27" East, 360.00 feet distant;

THENCE southeasterly 28.22 feet along said curve through a central angle of 04°29'31" to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.033 acres, more or less.

**Parcel P-B5**, .351 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the east most corner of Lot 25, Block 1 of said subdivision;

THENCE North 65°56'11" West, along the northeasterly line of said Lot 25, a distance of 44.92 feet;

THENCE continuing along the northeasterly line of said Lot 25, North 23°08'42" West, 88.29 feet to the north most corner of said Lot 25;

THENCE North 01°15'47" East, along the northeasterly line of Lot 21, Block 1 of said subdivision, 52.78feet to the southeast corner of Lot 20, Block 1 of said subdivision;

THENCE North 01°25'36" East, along the east line of said Lot 20, a distance of 39.83 feet;

THENCE North 14°07'03" East, continuing along the east line of said Lot 20, a distance of 99.87 feet to the northeast corner of said Lot 20;

THENCE South 06°59'51" East, 123.40 feet;

THENCE South 48°08'11" East, 103.86 feet to the west right of way line of Valley Heights Road being a point on a curve concave to the southeast having a radius point which bears South 64°56'32" East, 475.36 feet distant;

THENCE southwesterly 9.53 feet along said curve through a central angle of 01°08'53";

THENCE continuing along said westerly right of way line, South 23°54'35" West, 96.79 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.351acres, more or less.

**Parcel P-B6**, .084 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the east most corner of Lot 18, Block 1 of said subdivision;

THENCE North 65°31'15" West, along the northerly line of said Lot 18, 38.63 feet to the north most corner of said Lot 18;

THENCE North 14°23'23" East, 91.58 feet to the west most corner of Lot 19, Block 1 of said subdivision;

THENCE South 35°20'22" East, along the southwesterly line of said Lot 19, a distance of 77.32 feet to the south most corner of said Lot 19 being a point on the curved westerly right of way line of Woodland Trail having a radius point which bears South 47°35'31" East, 330.00 feet distant;

THENCE southwesterly 52.77 feet along said curve through a central angle of 09°09'43" to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.084 acres, more or less.

**Parcel P-B7**, .953 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the east most corner of Lot 9, Block 1 of said subdivision; THENCE South 65°53'04" East, 236.26 feet;

THENCE South 22°09'59" East, 270.87 feet to a point on the north line of Lot 16, Block 1 of said subdivision;

THENCE South 86°08'29" West, along said north line, 50.14 feet to the east most corner of Lot 15, Block 1 of said subdivision;

THENCE North 36°28'31" West, along the northeasterly boundary of said Lot 15, a distance of 62.19 feet to the north most corner of said Lot 15;

THENCE South 77°37'51" West, along the northwesterly line of said Lot 15, a distance of 101.58 feet to the west most corner of said lot 15;

THENCE South 78°08'19" West, along the northerly boundary of Lot 14, Block 1 of said subdivision,

18.53 feet to an angle point in said northly lot line;

THENCE North 22°33'31" West, along said northerly lot line, 44.95 feet to the southeast corner of Lot 12, Block 1 of said subdivision;

THENCE North 36°52'04" East, along the east line of Lots 12 and 11, a distance of 94.88 feet to an angle point on the east line of lot 11, Block 1 of said subdivision;

THENCE North 06°53'22" West, along the east line of said Lot 11, a distance of 53.93 feet to an angle point on said east line of Lot 11;

THENCE North 40°33'05" West, along the northeasterly boundary of Lots 11 and 10, Block 1 of said subdivision, 155.93 feet to the north most corner of said Lot 10;

THENCE South 49°21'48" West, along the northwesterly line of said lot 10, a distance of 81.11 feet to an angle point on said northwesterly line;

THENCE South 73°03'24" West, along said northwesterly line, 29.93 feet to a point on the curved easterly right of way line of Sage Drive having a radius point which bears South 77°58'49" West, 200 feet distant;

THENCE northerly 49.51 feet along said curve through a central angle of 14°10'57" to the southeast

corner of Lot 9, Block 1 of said subdivision;

THENCE North 49°41'22" East, along the southeasterly line of said Lot 9, a distance of 80.02 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.953 acres, more or less.

**Parcel P-B8**, 1.173 acres. Legal Description: Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the south most corner of Lot 2, Block 1 of said subdivision;

THENCE North 21°49'47" East, along the southeasterly boundary of said Lot 2, a distance of 107.97 feet to the south most corner of Lot 3, Block 1 of said subdivision;

THENCE North 21°47'44" East, along the southeasterly boundary of said Lot 3, a distance of 80.11 feet to an angle point on said southeasterly boundary;

THENCE North 82°32'22" East, along said southeasterly boundary, 121.99 feet to an angle point on said southeasterly boundary;

THENCE North 21°45'11" East, along said southeasterly boundary, 39.00 feet to the northeast corner of said Lot 3, being a point on the curved south right of way line of Jack and Jill Avenue having a radius point which bears South 04°40'10" West, 300.00 feet distant;

THENCE easterly 73.76 feet along said curve through a central angle of 14°05'11";

THENCE South 71°22'36" East, continuing along said south right of way line, 272.24 feet to the north most corner of Lot 4, Block 1 of said subdivision;

THENCE South 18°34'50" West, along the westerly boundary of said Lot 4, a distance of 30.02 feet to an angle point on said westerly boundary;

THENCE North 74°18'20" West, 269.13 feet;

THENCE South 62°05'07" West, 169.90 feet;

THENCE South 23°08'14" East, 142.80 feet;

THENCE South 60°42'31" West, 107.91 feet;

THENCE South 47°04'57" West, 59.55 feet;

THENCE North 50°57'52" West, 36.45 feet;

THENCE North 21°48'05" East, 49.44 feet;

THENCE North 20°40'16" West, 70.74 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 1.173 acres, more or less.

**Parcel P-B9**, .186 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the southwest corner of Lot 9, Block 1 of said subdivision, said point being a point on the curved cul-de-sac of Sage Drive having a radius point which bears South 42°42'58" East, 55.00 distant;

THENCE southerly 46.34 feet along said curve through a central angle of 48°16'28" to the north mostcorner of Lot 8, Block 1 of said subdivision;

THENCE South 89°07'38" West, along the northwesterly boundary of said Lot 8, a distance of 23.12 feet to an angle point on said northwesterly boundary;

THENCE South 42°25'57" West, along said northwesterly boundary, 111.91 feet to an angle point on the northerly boundary of Lot 7, Block 1 of said subdivision;

THENCE South 89°57'43" West, along said northerly boundary, 71.84 feet to a point on a curve being offset 10.00 feet northerly from the southerly boundary of said Lot 7, having a radius point which bears North 39°50'11" East, 990.00 feet distant;

THENCE northwesterly 9.47 feet along said curve through a central angle of 00°32'54";

THENCE North 53°26'28" East, 224.99 feet to an angle point in the westerly boundary of said Lot 9; THENCE South 42°56'24" East, along said westerly boundary of Lot 9, a distance of 21.53 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.186 acres, more or less.

The property to be considered to donate to Yellowstone County for the purpose of widening Alkali Creek Road is described as three parcels of parkland below:

**Parcel P-Y1**, .014 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the southeast corner of Lot 27, Block 2 of said subdivision;

THENCE North 00°09'49" East, along the westerly boundary of said Lot 27, a distance of 10.93 feet to a point on a line offset 10.00 feet northeasterly from the existing northerly right of way line of Alkali Creek Road;

THENCE South 66°05'25" East, along said offset line, 65.68 feet to the

westerly right of way line of Sun Valley Road being a point on a curve having a radius point which bears North 66°05'25" West, 10.00 feet distant;

THENCE southwesterly 15.71 feet along said curve through a central angle of 90°00'00";

THENCE North 66°05'25" West, along said northerly right of way line of Alkali Creek Road, 51.28 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.014 acres, more or less.

**Parcel P-Y2**, .026 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the west most corner of Lot 26, Block 2 of said subdivision;

THENCE North 66°05'25" West, along the northerly line of Alkali Creek Road, 99.98 feet to the east most corner of Lot 25, Block 2 of said subdivision;

THENCE North 38°49'13" West, along the northeasterly boundary of said Lot 25, a distance of 21.83 feet to a point on a line offset 10.00 feet northeasterly from the existing northerly right of way line of Alkali Creek Road;

THENCE South 66°05'25" East, along said offset line, 129.27 feet to the northwesterly boundary of said Lot 26;

THENCE South 68°36'10" West, along said northwesterly boundary, 14.07 feet to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.026 acres, more or less.

**Parcel P-Y3**, .154 acres. Legal Description: A tract of land in the existing park as depicted on Terrace Estates Subdivision 3<sup>rd</sup> Filing, Yellowstone County, Montana, being more particularly described as follows:

BEGINNING at the west most corner of lot 7, Block 1 of said subdivision, said point being a point on the curved northerly right of way line of Alkali Creek Road having a radius point which bears North 40°31'09" East, 1000.00 feet distant;

THENCE northwesterly along said northerly right of way line, 281.96 feet along said curve through a central angle of 16°09'19";

THENCE North 33°19'18" West, continuing on said northerly right of way line, 130.88 feet to the southwest corner of Lot 1, Block 1 of said subdivision;

THENCE North 83°20'45" East, along the southerly boundary of said lot 1, a distance of 27.56 feet;

THENCE South 31°09'33" East, 238.61 feet to a point on a line offset

10.00 feet northeasterly from the existing northerly right of way line of Alkali Creek Road said point being a point on a curve having a radius point which bears North 49°39'43" East, 990.00 feet distant;

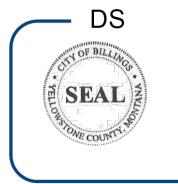
THENCE southeasterly 169.77 feet along said curve through a central angle of 09°49'32" to a point on the northerly boundary of said Lot 7;

THENCE South 89°57'43" West, along said northerly boundary, 15.49 feet to the POINT OF BEGINNING; ENCOMPASSING an area of 0.154 acres, more or less.

See map attached as Exhibit A.

Staff is further directed to apply the proceeds of this sale, if any, to expenses incurred to develop or maintain Parkland along the Alkali Creek corridor now owned by the City of Billings.

APPROVED AND PASSED by the City Council of the City of Billings this 11th day of April, 2022.



CITY OF BILLINGS

By: William A. Cole  
2CA11D6423234EE...  
William A. Cole, Mayor

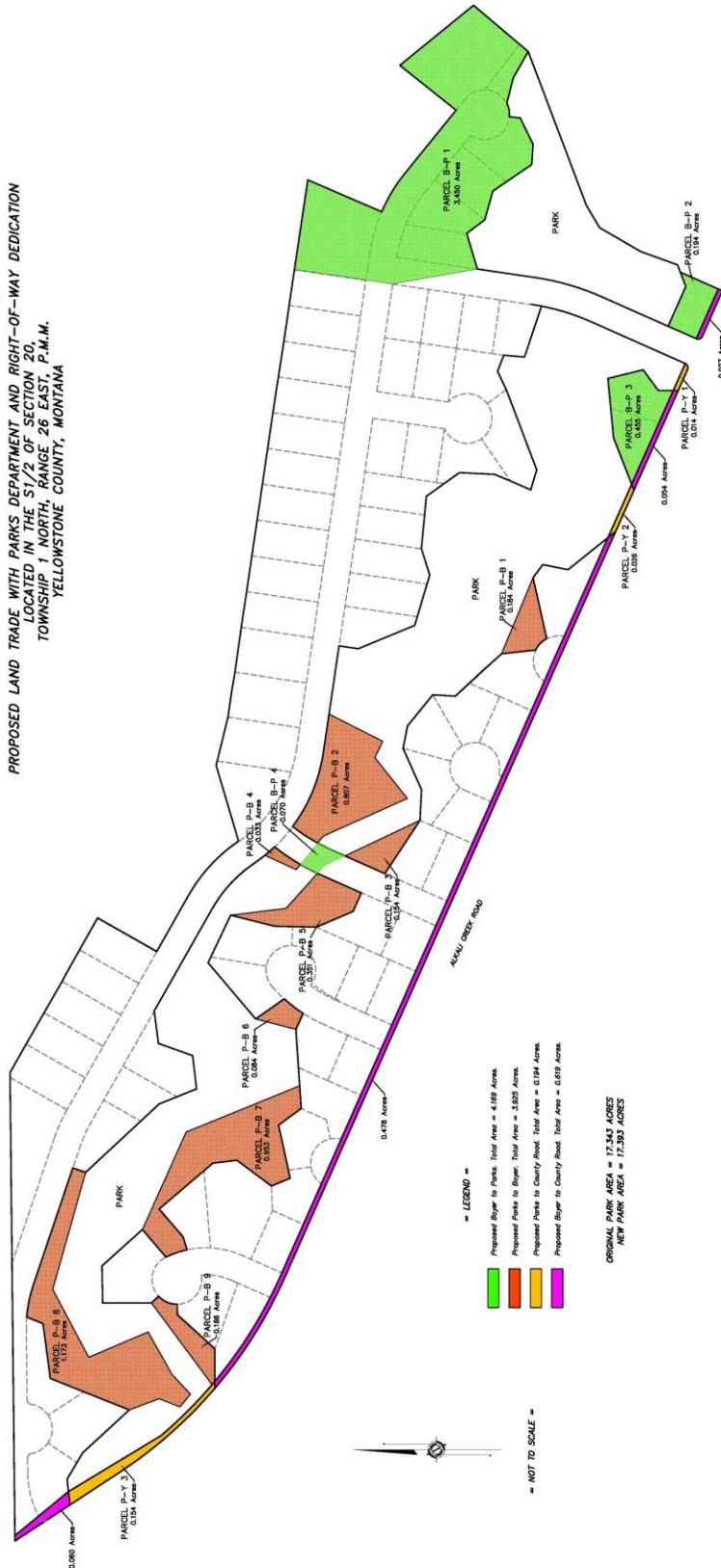
ATTEST:

By: Denise R. Bohlman, City Clerk  
D503C2218DC34F0...

## Exhibit A

## **= PROPOSED LAND EXCHANGE WITH PARK =**

= **PORTION OF TERRACE ESTATES SUBDIVISION, 3RD FILING =**  
PROPOSED LAND TRADE WITH PARKS DEPARTMENT AND RIGHT-OF-WAY DEDICATION  
LOCATED IN THE S1/2 OF SECTION 20,  
TOWNSHIP 1 NORTH, RANGE 26 EAST, P.M.M.  
YELLOWSTONE COUNTY, MONTANA



1/4 SEC.	SECTION	TOWNSHIP	RANGE	SHEET NO.
20	20	20	20	1 of 1
DRAWING MADE ON 1-15-2007 BY GUY VANCE FOR BURGESS & BURGESS				
RECORDED: 11-19-2007, G270272				
<b>PINPOINT LAND SURVEYS, PLLC</b>				
<b>HUNTLEY, MONTANA 59037</b>				
<b>(406) 323-8855</b>				