



**OFFICE OF THE CITY CLERK  
COUNCIL ACTION FORM**

**SUBJECT:** RES. 22-11056

**Council Meeting Date:** 7/11/22

**Vote:** Approved unanimously

**Shaw, Gulick, Neese, Owen, Joy, Choriki, Tidswell,  
Purinton, Boyett, Rupsis, Mayor Cole**

## RESOLUTION 22-11056

### **A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING portions of Rich Lane, Will Way, and Camp Lane within Legacy Subdivision.**

WHEREAS, §7-14-4114, MCA, generally authorizes that a city council may discontinue a street or alley or any part of a street or alley in a city if it can be done without detriment to the public interest by 1) closure to through traffic, which action does not revoke a city's legal right-of-way interest in the street or alley or part thereof; or 2) by vacating a street or alley or any part thereof which action revokes a city's legal right-of-way interest in the street or alley or part thereof;

WHEREAS, §7-14-4115, MCA, provides that vacation authorized in §7-14-4114, MCA, shall not affect the right of any public utility to continue to maintain its plant or equipment in any such streets or alleys; and

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, pursuant to §22-601 BMCC, requesting discontinuance and vacation of **portions of Rich Lane, Will Way, and Camp Lane within Legacy Subdivision** 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 §§7-14-4114 and 7-14-4115, MCA, **portions of Rich Lane, Will Way, and Camp Lane within Legacy Subdivision**, described as follows and shown on and incorporated herein as attached exhibit "A", are discontinued and vacated:

Tracts of land situated in the NW 1/4 of Section 4, T1S, R 25E, P.M.M., City of Billings, Yellowstone County, Montana, said tracts being more particularly described as follows, to wit:

Being the Rich Lane street right of way adjacent with Lots 2 through 8, Block 5, Lots 4 through 7, Block 3 and Lot 4, Block 4 of Legacy Subdivision, recorded March 23, 2006 under document number 3371148, on file and of record in the office of the Yellowstone County Clerk & Recorder.

Being the Will Way street right of way adjacent with Lots 2 through 4, Block 4 and Lots 1, 2, and 4, Block 3 of Legacy Subdivision, recorded March 23, 2006 under document number 3371148, on file and of record in the office of the Yellowstone County Clerk & Recorder.

Being the Camp Lane street right of way adjacent with Lots 6 through 9, Block 2, Lot 2, Block 4, and Lots 1 through 3, and Lots 9 through 10, Block 3 of Legacy Subdivision, recorded March 23, 2006 under document number 3371148, on file and of record in the office of the Yellowstone County Clerk & Recorder.

2. PUBLIC INTEREST. The discontinuance and vacation of these **portions of Rich Lane, Will Way, and Camp Lane within Legacy Subdivision** is in the best interest of the public and can be done without any public detriment.

3. NOTICE OF PUBLIC HEARING. On Monday July 11<sup>th</sup>, 2022, at 5:30 p.m., or as soon thereafter as the matter could be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice twice, at least five (5) days prior to the hearing, in the Yellowstone County News.

4. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 11<sup>th</sup> day of July, 2022.



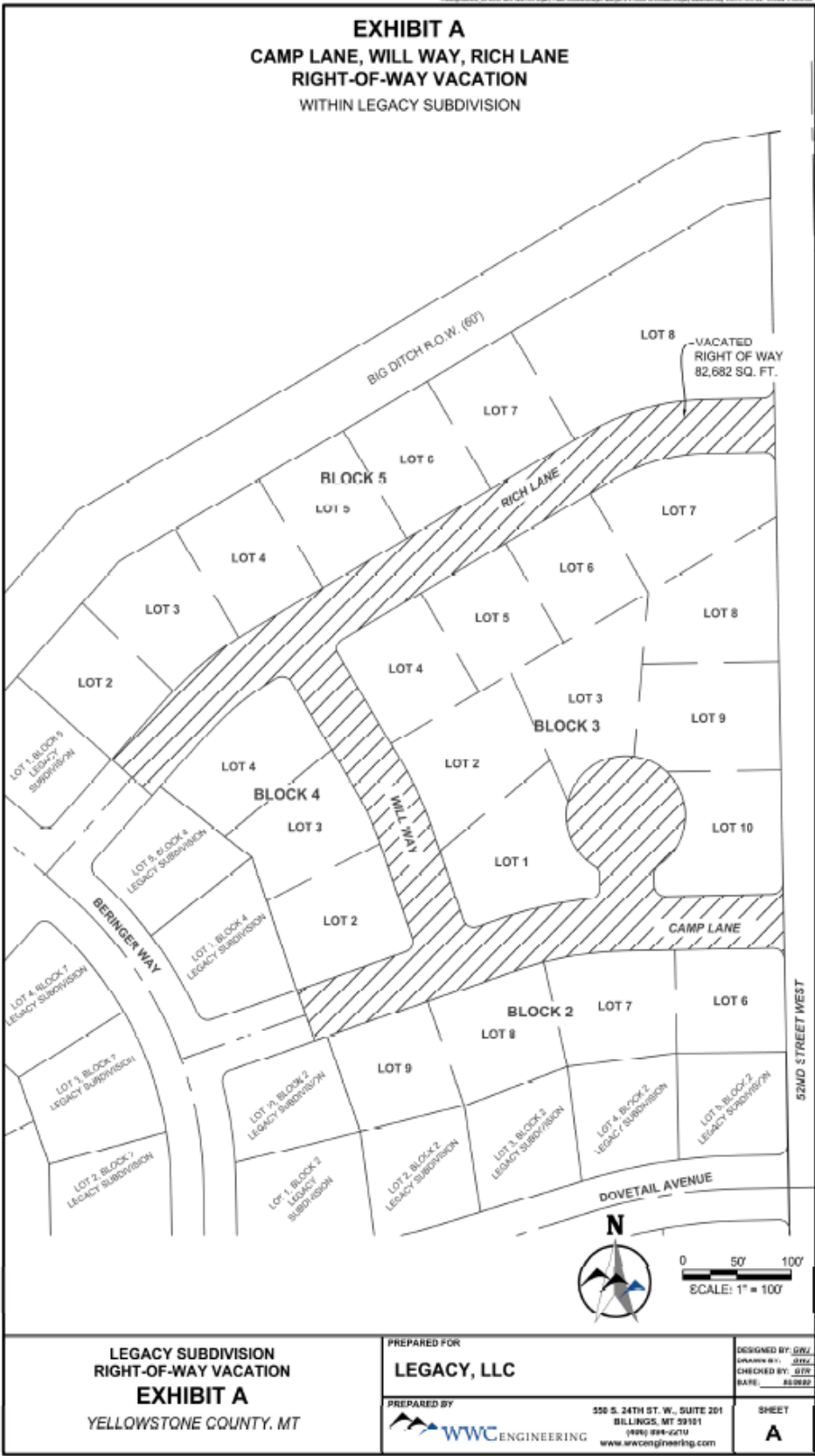
THE CITY OF BILLINGS:

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

ATTEST:

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





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