

**RESOLUTION 25-11269**

**A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,  
DISCONTINUING AND VACATING  
an alley ("carriage lane") within Block 31 of  
Annafeld Subdivision, Fifth Filing**

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 a carriage lane within Block 31 of Annafeld Subdivision, Fifth Filing 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, a carriage lane within Block 31 of Annafeld Subdivision, Fifth Filing, described as follows and shown on and incorporated herein as attached exhibit "A", are discontinued and vacated:

Carriage Lane between Lot 5 and Lot 6, Block 31 of Annafeld Subdivision, Fifth Filing recorded July 2, 2024, under document number 4077693, on file and of record in the office of the Yellowstone County Clerk & Recorder.

2. PUBLIC INTEREST. The discontinuance and vacation of this carriage lane within Block 31 of Annafeld Subdivision, Fifth Filing is in the best interest of the public and can be done without any public detriment.

3. NOTICE OF PUBLIC HEARING. On Monday May 27th, 2025, 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, with at least six (6) days separating each publication, as required by §7-1-4127, MCA, 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 27<sup>th</sup> day of May, 2025.



CITY OF BILLINGS:

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

ATTEST:

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

**EXHIBIT A**  
**VACATED PORTION OF PUBLIC RIGHT-OF-WAY**  
**FOR CARRIAGE LANE WITHIN ANNAFELD**  
**SUBDIVISION**

PREPARED FOR : McCALL DEVELOPMENT, INC.

JANUARY, 2025

PREPARED BY : SOLOMON

BILLINGS, MONTANA



SCALE: 1" = 100'



