

RESOLUTION NO. 03-18017

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,
DISCONTINUING AND VACATING a portion of South 31st
Street West between Myrtle Drive and Rosebud Drive in
Lampman Subdivision.

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, as per Section 22-601 BMCC, requesting discontinuance and vacation of a portion of South 31st Street West between Myrtle Drive and Rosebud Drive in Lampman 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 Sections 7-14-4114 and 7-14-4115, M.C.A., a portion of South 31st Street West between Myrtle Drive and Rosebud Drive in Lampman Subdivision as further described below is/are hereby discontinued, abandoned and vacated.

One parcel of land situated between Blocks 14 and 19, Lampman Subdivision, Yellowstone County, Montana, more particularly described as follows:

Beginning at a point which is the southeast corner of Lot 12, Block 19, Lampman Subdivision; thence, from said point of beginning N00°35'E a distance of 125 feet to a point which is the northeast corner of said Lot 12; thence, S89°30'E a distance of 60 feet to a point which is the northwest corner of Lot 7, Block 14, Lampman Subdivision; thence, S00°35'W a distance of 125 feet to a point which is the southwest corner of said Lot 7; thence, N89°30'W a distance of 60 feet to said

point of beginning; said parcel containing an area of 7,500 square feet.

SEE EXHIBIT "A" ATTACHED.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described **a portion of South 31st Street West between Myrtle Drive and Rosebud Drive in Lampman Subdivision** is in the best interest of the public and can be done without any public detriment.
3. CONDITIONS OF APPROVAL. The vacation of the above described land is subject to the following conditions:
 - That the alley right-of-way will be continuous through the vacated street.
 - The vacated right-of-way will be considered an existing lot aggregation, and no additional services will be provided to the vacated right-of-way.
 - The City of Billings will be reimbursed for the vacation at an agreed upon unit price/square foot, based on comparable prices provided to the Engineering Dept.

PASSED by the City Council and APPROVED this 8th day of September, 2003.

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AEE CITY CLERK