

RESOLUTION NO. 03-18045

A RESOLUTION OF THE CITY OF BILLINGS,
MONTANA, DISCONTINUING AND VACATING portions
of cul-de-sac rights-of-way within Rehberg Ranch
Estates Subdivision, First Filing.

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 portions of cul-de-sac rights-of-way
within Rehberg Ranch Estates Subdivision, First 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 Sections 7-14-4114 and 7-14-4115, M.C.A., portions of cul-de-sac rights-of-way along Smohawk Trail, Cabin Creek Trail, and Shotgun Trail all within Rehberg Ranch Estates Subdivision, First Filing

generally described as follows, are hereby discontinued, abandoned and vacated:

A. Portions of Smohawk Trail more particularly described as follows:

- i. Beginning at the southeasterly corner of Lot 12, Block 6, Rehberg Ranch Estates Subdivision, First Filing recorded on July 10, 2002 under Document #3183382, records of Yellowstone County, State of Montana; thence S 32° 46' 52" W for a distance of 60.27 feet to the True Point of Beginning; thence S 32° 46' 52" W for a distance of 20.75 feet to the beginning of a curve; thence along a curve to the right with a radius of 19.00 feet a length of 24.27 feet (chord bearing S 69° 22' 04" W a distance of 22.65 feet) to a point; thence N 74° 02' 44" W for a distance of 10.11 feet to a point on the southeasterly line of Lot 10, Block 6 of said Subdivision, also being the beginning of a non-tangent curve; thence along said non-tangent curve to the right with a radius of 45.00 feet a length of 31.34 feet (chord bearing N 63° 43' 24" E a distance of 30.71 feet) to the beginning of a reverse curve; thence along said reverse curve to the left with a radius of 20.00 feet a length of 17.77 feet (chord bearing N 58° 13' 39" E a distance of 17.19 feet) to the True Point of Beginning; Containing 374 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #1 on Exhibit "A" attached.

- ii. Beginning at the westerly corner of Lot 14, Block 6, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana; thence S 32° 46' 52" W a distance of 27.85 feet to the True Point of Beginning, also being the beginning of a curve; thence along said curve to the left with a radius of 20.00 feet a length of 17.77 feet (chord bearing S 07° 20' 04" W a distance of 17.19 feet) to a point on the westerly line of Lot 13, Block 6 of said Subdivision, also being the beginning of a reverse curve; thence along said reverse curve to the right with a radius of 45.00 feet a length of 88.81 feet (chord bearing S 38°25'31" W a distance of 75.08 feet) to a point on the northerly line of Lot 8, Block 6 of said Subdivision; thence N 32° 46' 52" E a distance of 90.24 feet to the True Point of Beginning; Containing 1,377 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #2 on Exhibit "A" attached.
- iii. Beginning at the southwesterly corner of Lot 20, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana; thence S 50° 57' 16" W a distance of 46.85 feet to the True Point of Beginning; thence S 50° 57' 16" W a distance of 34.50 feet to the beginning of a curve; thence along said curve to the left with a radius of 321.00 feet a length of 34.08 feet (chord bearing S 47° 54' 47" W a distance of 34.06 feet) to a point; thence S 44° 52' 18" W a distance of 23.86 feet to a point on the easterly line of Lot 18, Block 5 of said Subdivision, also being the beginning of a non-tangent curve; thence along said non-tangent curve to the right with a radius of 45.00 feet a length of 93.59 feet (chord bearing N 42° 16' 07" E a distance of 77.61 feet) to the beginning of a reverse curve; thence along said reverse curve to the left with a radius of 20.00 feet a length of 17.77 feet (chord bearing N 76° 24' 04" E a distance of 17.19 feet to the True Point of Beginning; Containing 1,467 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #1 on Exhibit "B" attached.
- iv. Beginning at the northwesterly corner of Lot 15, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana, also being the beginning of a curve; thence along said curve to the left with a radius of 129.00 feet a length of 20.63 feet (chord bearing S 71° 11' 01" W a distance of 20.60 feet) to a point on the northwesterly line of Lot 16, Block 5 of said Subdivision; thence S 50° 57' 16" W a distance of 46.85 feet to a point on the northwesterly line of said Lot 16, also being the beginning of a curve and the True Point of Beginning; thence along said curve to the left with a radius of 20.00 feet a length of 17.77 feet

(chord bearing S 25° 30' 28" W a distance of 17.19 feet) to a point on the northwesterly line of said Lot 16, also being the beginning of a reverse curve; thence along said reverse curve to the right with a radius of 45.00 feet a length of 14.58 feet (chord bearing S 09° 20' 26" W a distance of 14.51 feet) to a point on the northwesterly line of said Lot 16; thence N 24° 12' 50" W a distance of 2.99 feet to the beginning of a curve; thence along said curve to the right with a radius of 19.00 feet a length of 24.93 feet (chord bearing N 13° 22' 13" E a distance of 23.18 feet) to a point; thence N 50° 57' 16" E a distance of 7.24 feet to the True Point of Beginning; Containing 94 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #2 on Exhibit "B" attached.

v. Beginning at the northwesterly corner of Lot 15, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana, also being the beginning of a curve; thence along said curve to the left with a radius of 129.00 feet a length of 20.63 feet (chord bearing S 71° 11' 01" W a distance of 20.60 feet) to a point on the northwesterly line of Lot 16, Block 5 of said Subdivision; thence S 50° 57' 16" W a distance of 46.85 feet to a point on the northwesterly line of said Lot 16, also being the beginning of a curve; thence along said curve to the left with a radius of 20.00 feet a length of 17.77 feet (chord bearing S 25° 30' 28" W a distance of 17.19 feet) to a point on the northwesterly line of said Lot 16, also being the beginning of a reverse curve; thence along said reverse curve to the right with a radius of 45.00 feet a length of 51.62 feet (chord bearing S 32° 55' 26" W a distance of 48.84 feet) to the northwest lot corner of said Lot 16, said corner also common to Lot 17, Block 5 of said Subdivision; thence continuing on a curve to the right with a radius of 45.00 feet a length of 12.06 feet (chord bearing S 73° 27' 49" W a distance of 12.02 feet) to the True Point of Beginning on the northerly line of said Lot 17, also being the beginning of a curve; thence along said curve to the right with a radius of 45.00 feet a length of 18.14 feet (chord bearing N 86° 35' 51" W a distance of 18.02 feet) to a point on the northerly line of said Lot 17, also being the beginning of a non-tangent curve; thence along said non-tangent curve to the right with a radius of 19.00 feet a length of 18.78 feet (chord bearing S 86° 35' 51" E a distance of 18.02 feet to the True Point of Beginning; Containing 39 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #3 on Exhibit "B" attached.

B. Portions of Cabin Creek Trail more particularly described as follows:

- i. Beginning at the northerly corner of Lot 24, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana, said corner also common to Lot 25, Block 5 of said Subdivision and being the beginning of a curve; thence along said curve to the right with a radius of 45.00 feet a length of 21.85 feet (chord bearing N 25° 08' 11" W a distance of 21.63 feet) to the True Point of Beginning; thence continuing along a curve to the right with a radius of 45.00 feet a length of 66.23 feet (chord bearing N 30° 56' 12" E a distance of 60.41 feet) to a point on the southeasterly line of Lot 25, Block 5 of said Subdivision; thence S 34° 16' 00" E a distance of 3.27 feet to the beginning of a curve; thence along said curve to the right with a radius of 19.00 feet a length of 28.26 feet (chord bearing S 08° 20' 38" W a distance of 25.73 feet) to a point; thence S 50° 57' 16" W a distance of 37.56 feet to the True Point of Beginning; Containing 988 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #1 on Exhibit "C" attached.
- ii. Beginning at the northwesterly corner of Lot 22, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana, also being the beginning of a curve; thence along said curve to the left with a radius of 129.00 feet a length of 25.69 feet (chord bearing S 56° 39' 37" W a distance of 25.65 feet); thence S 50° 57' 16" W a distance of 46.68 feet to a point on the northwesterly line of Lot 23, Block 5 of said Subdivision, also being the beginning of a curve and the True Point of Beginning; thence along said curve to the left with a radius of 20.00 feet a length of 17.77 feet (chord bearing S 25° 30' 29" W a distance of 17.19 feet) to a point on the northwesterly line of said Lot 23, also being the beginning of a reverse curve; thence along said reverse curve to the right with a radius of 45.00 feet a length of 88.81 feet (chord bearing S 56° 35' 56" W a distance of 75.08 feet) to a point on the northerly line of Lot 24, Block 5 of said Subdivision; thence N 50° 57' 16" E a distance of 90.24 feet to the True Point of Beginning; Containing 1,377 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #2 on Exhibit "C" attached.

C. Portions of Shotgun Trail more particularly described as follows:

- i. Beginning at the northerly corner of Lot 31, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana, said corner also common to Lot 32, Block 5 of said Subdivision and being the beginning of a curve; thence

along said curve to the right with a radius of 45.00 feet a length of 21.85 feet (chord bearing N 14° 25' 02" W a distance of 21.63 feet) to a point on the southeasterly line of said Lot 32, also being the True Point of Beginning; thence continuing along a curve to the right with a radius of 45.00 feet a length of 43.51 feet (chord bearing N 27° 11' 34" E a distance of 41.84 feet) to a point on the southeasterly line of Lot 32, Block 5 of said Subdivision; thence S 20° 57' 26" E a distance of 7.18 feet to the beginning of a curve; thence along said curve to the right with a radius of 19.00 feet a length of 27.40 feet (chord bearing S 20° 21' 29" W a distance of 25.09 feet); thence S 61° 40' 25" W a distance of 14.72 feet to the True Point of Beginning; Containing 461 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #1 on Exhibit "D" attached.

- ii. Beginning at the northwesterly corner of Lot 29, Block 5, Rehberg Ranch Estates Subdivision, First Filing recorded July 10, 2002 under Document #3183382 records of Yellowstone County, State of Montana, also being the beginning of a curve; thence along said curve to the left with a radius of 129.00 feet a length of 22.92 feet (chord bearing S 56° 03' 41" W a distance of 22.90 feet) to a point on the northwesterly line of Lot 30, Block 5 of said Subdivision; thence S 50° 57' 16" W a distance of 48.45 feet to a point on the northwesterly line of said Lot 30, also being the beginning of a curve and the True Point of Beginning; thence along said curve to the left with a radius of 20.00 feet a length of 17.77 feet (chord bearing S 25° 30' 28" W a distance of 17.19 feet) to a point on the northwesterly line of said Lot 30 to the beginning of a reverse curve; thence along said reverse curve to the right with a radius of 45.00 feet a length of 97.23 feet (chord bearing S 61° 57' 30" W a distance of 79.39 feet) to a point on the northerly line of Lot 31, Block 5 of said Subdivision; thence N 61° 40' 25" E a distance of 11.65 to a point, also being the beginning of a curve; Thence along said curve to the left with a radius of 321.00 feet a length 60.05 feet (chord bearing N 56° 18' 51" E a distance of 59.97 feet) to a point; thence N 50° 57' 16" E a distance of 22.29 feet to the True Point of Beginning; Containing 1,554 square feet more or less as shown as PUBLIC RIGHT-OF-WAY VACATION #2 on Exhibit "D" attached.

2. **PUBLIC INTEREST.** The discontinuance, vacation and abandonment of the above-described **portions of cul-de-sac rights-of-way within Rehberg Ranch Estates Subdivision, First Filing** is in the best interest of the public and can be done without any public detriment. Ownership of the vacated area will revert to the adjacent properties.

PASSED by the City Council and APPROVED this 24th day of November 2003.

THE CITY OF BILLINGS:

BY: _____ MAYOR
Charles F. Tooley

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK

EXHIBIT "A"

REHBERG RANCH ESTATES SUBDIVISION, FIRST FILING

SITUATED IN THE SE 1/4 OF SECTION 22, T. 1 N., R. 25 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

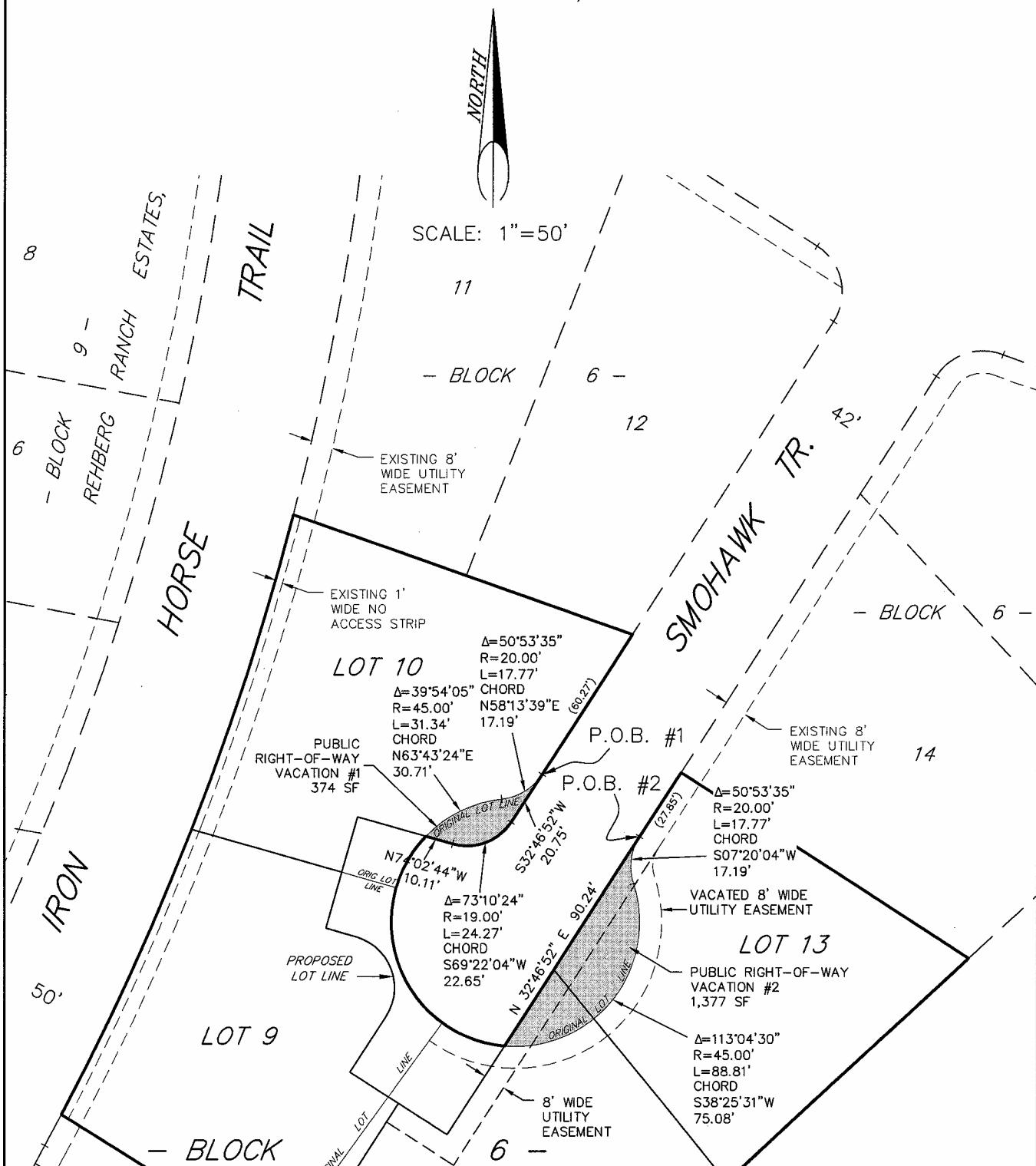


EXHIBIT "B"

REHBERG RANCH ESTATES SUBDIVISION, FIRST FILING

SITUATED IN THE NE1/4 AND SE1/4 OF SECTION 22, T. 1 N., R. 25 E., P.M.M.

YELLOWSTONE COUNTY, MONTANA

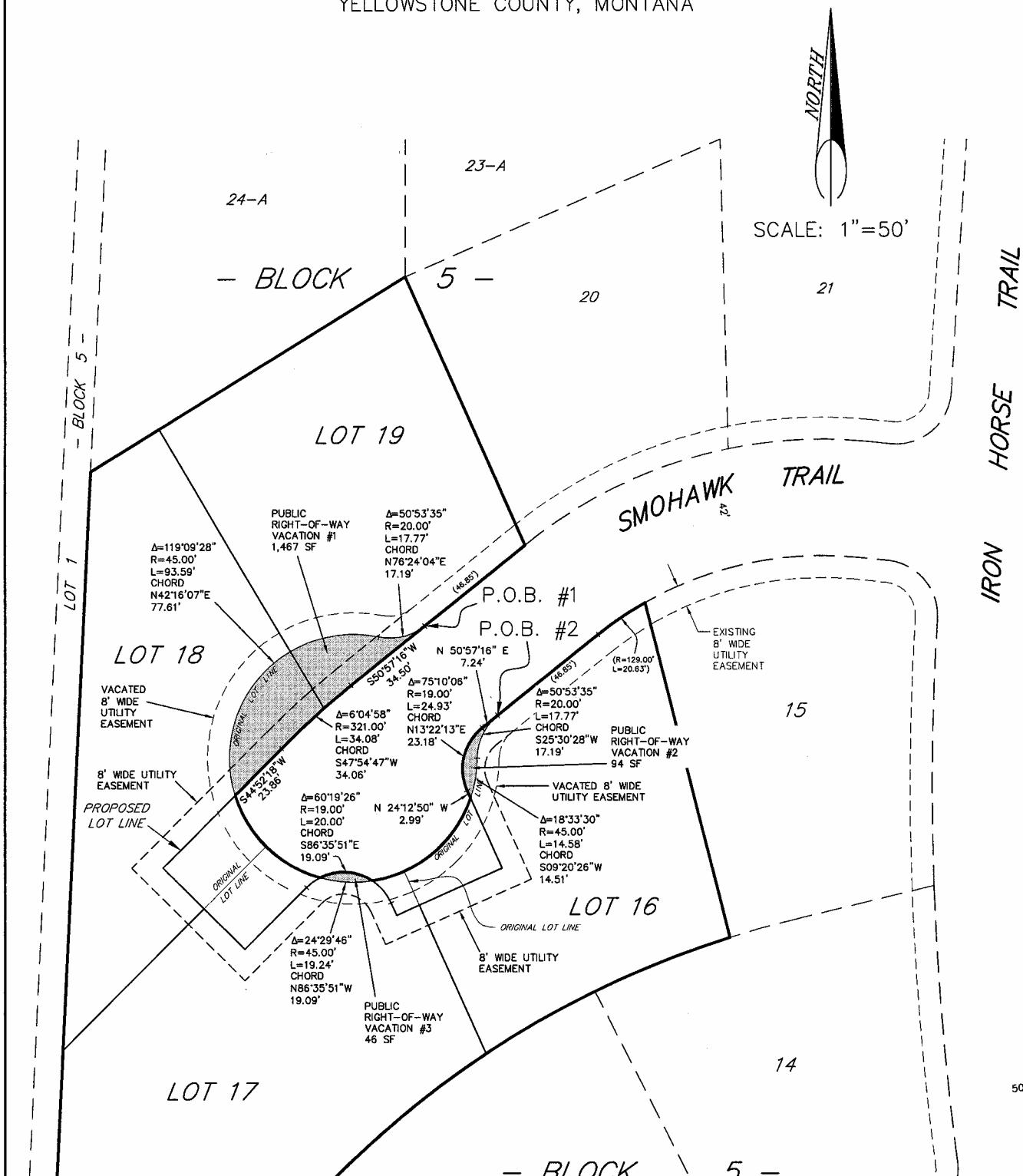


EXHIBIT "C"

REHBERG RANCH ESTATES SUBDIVISION, FIRST FILING

SITUATED IN THE NE1/4 AND SE1/4 OF SECTION 22, T. 1 N., R. 25 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

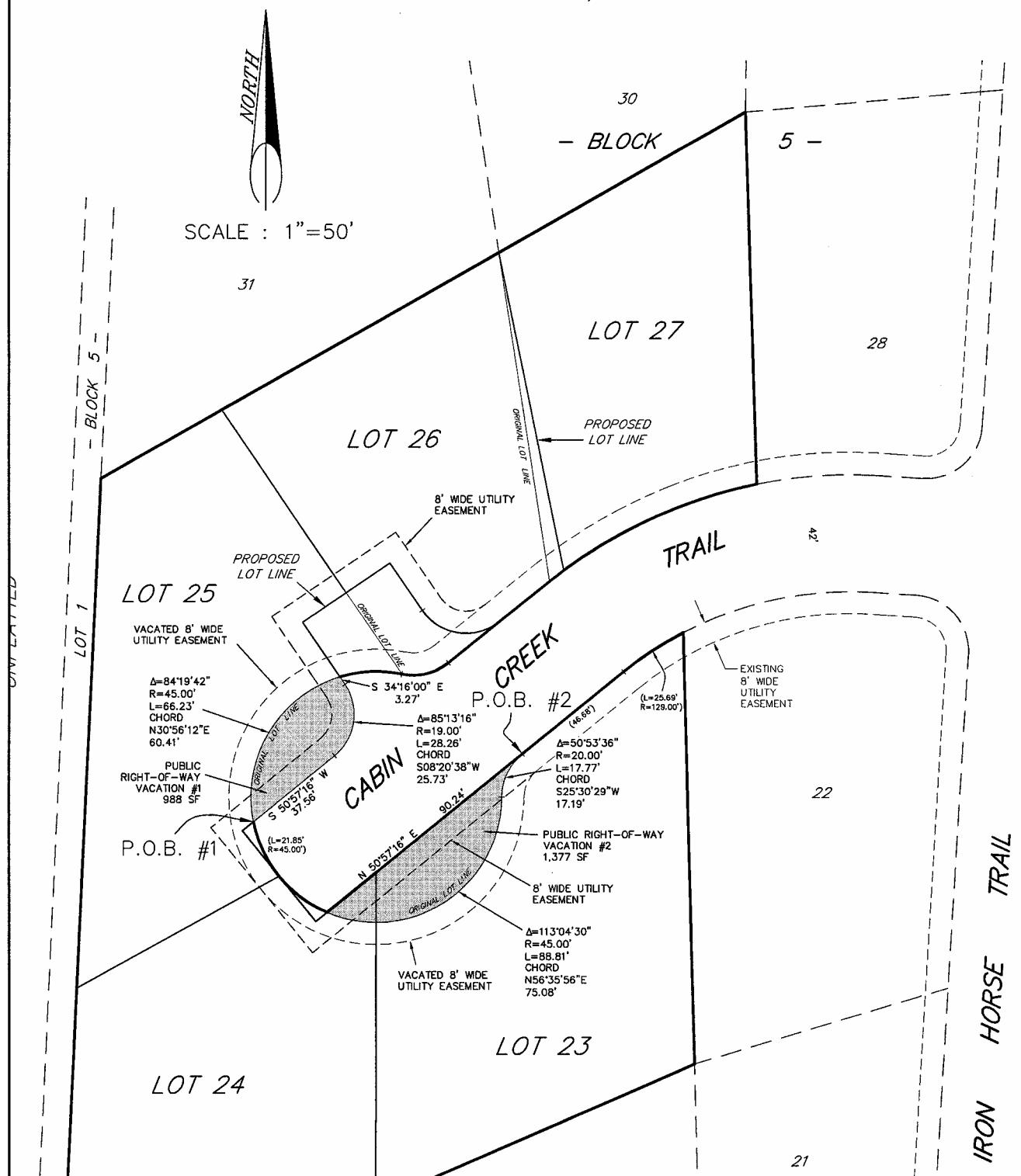


EXHIBIT "D"

REHBERG RANCH ESTATES SUBDIVISION, FIRST FILING
SITUATED IN THE NE1/4 OF SECTION 22, T. 1 N., R. 25 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

