

RESOLUTION NO. 03-18048

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,
DISCONTINUING AND VACATING a portion of 38th Street
right-of-way in Circle Fifty 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 38th Street right-of-way in Circle Fifty 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 38th Street right-of-way in Circle Fifty Subdivision more particularly described as follows:

Beginning at a point on the west right-of-way line of 38th Street West, said point being situated S 00°42'01" E a distance of 38.44 feet from the northeast corner of Lot 18-A, Block 14, Circle Fifty Subdivision, Amended;
thence, from said point of beginning, S 56°17'45" E a distance of 5.46 feet;
thence along a curve to the right with a central angle of 55°35'44" and a radius of 26.00 feet a distance of 25.23 feet;
thence S 00°42'01" E a distance of 39.72 feet;
thence along a curve to the right with a central angle of 90°48'32" and a radius of 20.00 feet a distance of 31.70 feet;
thence N 89°53'29" W a distance of 5.68 feet;
thence along a non-tangent curve to the left with a central angle of 90°48'32" and a radius of 10.00 feet a distance of 15.85 feet (chord bearing N 44°42'15" E, chord length 14.24 feet);
thence N 00°42'01" W a distance of 74.18 feet to the point of beginning;
containing an area of 1,155 square feet.

Is hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described a portion of 38th Street right-of-way in Circle Fifty Subdivision 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 current owner of Lot 18 A, Block 14, Circle Fifty Subdivision.

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

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AAE CITY CLERK