

**RESOLUTION 05-18337**

A RESOLUTION PURSUANT TO BILLINGS, MONTANA CITY CODE, ARTICLE 22-900: SALE, DISPOSAL OR LEASE OF CITY PROPERTY, DESCRIBING THE PROPERTY TO BE SOLD, DECLARING THE INTENT OF THE CITY TO DISPOSE OF THE PROPERTY AND AUTHORIZING CITY OFFICIALS TO PROCEED.

WHEREAS, the City of Billings finds it necessary or desirable to dispose of property it currently owns, located on **Lake Hills Drive** and described as Lot 8A, Block 13, Lake Hills Subdivision 18<sup>th</sup> Filing, in the City of Billings, Yellowstone County, Montana, and,

WHEREAS, Article 22-900 BMCC requires the city to declare its intention to dispose of such lands, giving the public the opportunity to be heard regarding such action, and setting a public hearing date, and

WHEREAS, Article 22-900 BMCC also requires that all property owners within three hundred (300) feet of the exterior boundaries of said property, be notified by mail, fifteen (15) days in advance of the time, date, place of public hearing and the existing and proposed use.

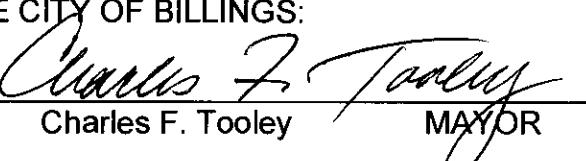
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLING, MONTANA, AS FOLLOWS:

**PUBLIC HEARING.** The public hearing date has been set for **October 24, 2005**, at 6:30 o'clock p.m. in the Council Chambers, located on the Second Floor of the Police Facility, 220 North 27<sup>th</sup> Street, Billings, Montana. The City Clerk is hereby directed to publish notice of the public hearing in **The Billings Times** in its regular issue on **October 6<sup>th</sup> and 13<sup>th</sup>, 2005**, and to mail a copy of such notice to all property owners within the three hundred (300) foot notification area.

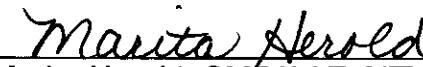
APPROVED AND PASSED by the City Council of the City of Billings this 26<sup>th</sup> day of September, 2005.



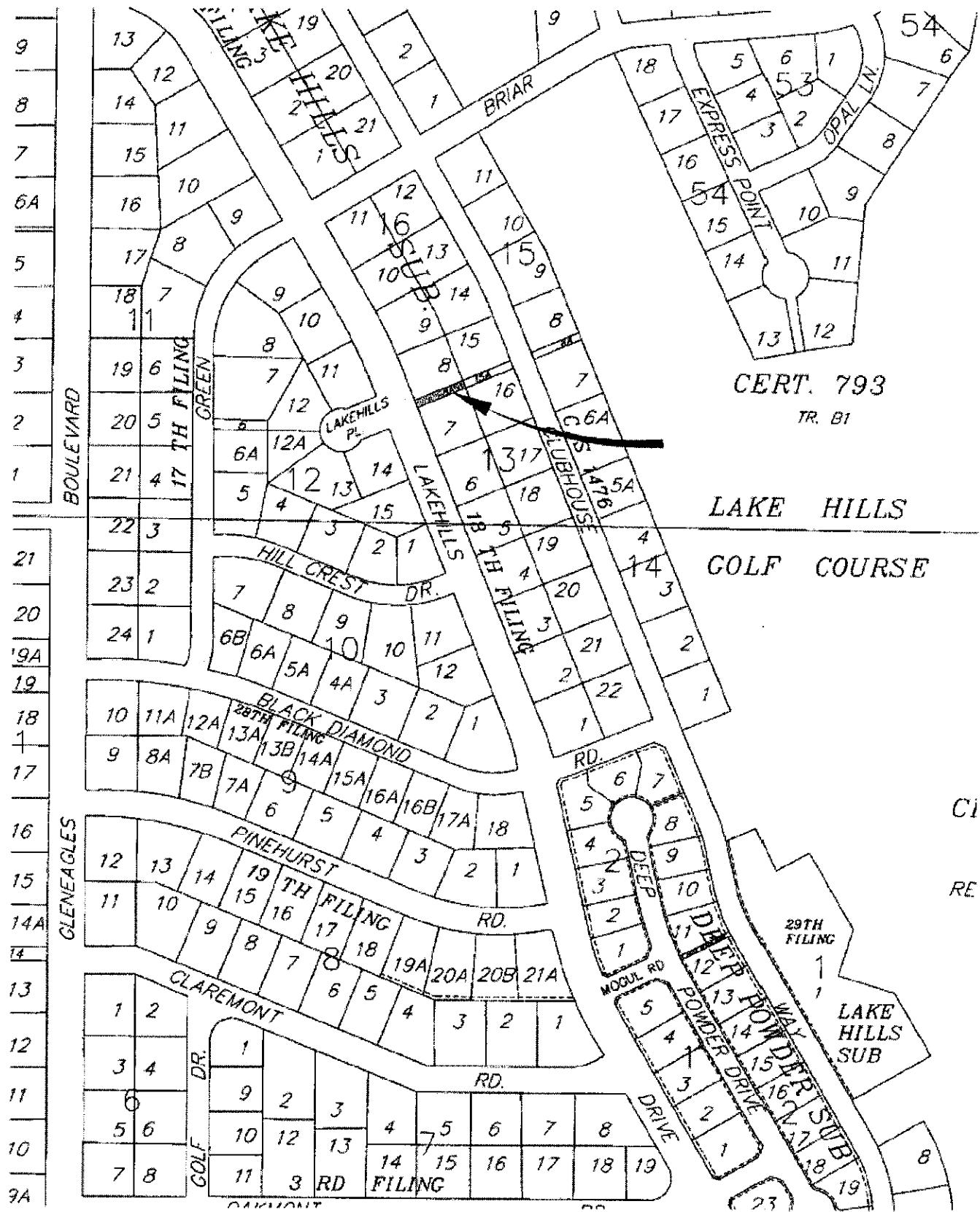
THE CITY OF BILLINGS:

BY:   
Charles F. Tooley  
MAYOR

ATTEST:

BY:   
Marita Herold, CMC/AAE CITY CLERK

*EXHIBIT A*



## PROPOSAL TO PURCHASE CITY-OWNED PROPERTY

by adjacent property owners  
David & Raina Cunningham  
PO Box 50599  
Billings, MT 59105  
406-245-6465 or 406-671-7499

### LEGAL DESCRIPTION: Lot 8A Block 13 Lake Hills Subdivision 18<sup>th</sup> Filing

**PROPERTY DESCRIPTION:** a small non-buildable lot situated directly between two buildable city lots owned by David & Raina Cunningham. City acquired the lot from the county in 1984. Deed attached.

### PROPERTY DIMENSIONS:

- Lot 8A is 1724 SF according to CAMA Yellowstone County tax database
- Dimensions are 14.3' x 120' according to plat map

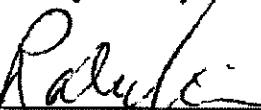
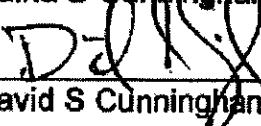
### SALES PRICE OF NEARBY PROPERTY

- Nearby property (approx 103' from City of Billings' Lot 8A) was sold to David and Raina Cunningham in April 2005.
- Lot 9, Block 16, Lake Hills Sub 17<sup>th</sup> cost \$25,000 and is 14757 square feet. Settlement statement and CAMA attached for verification.
- Cost per square foot was \$1.694

### PURPOSE

David and Raina Cunningham wish to combine the area of lot 8A with their adjacent Lot 8, which is narrower than the others near it. This would allow for similar size building and yard area and be contiguous with the other lots they own: Lots 6, 7 (Block 13, 18<sup>th</sup> Filing), 8, 9, 10 (Block 16, 17<sup>th</sup> Filing).

Thank you for your consideration.

  
\_\_\_\_\_  
Raina D Cunningham  
  
\_\_\_\_\_  
David S Cunningham

8-29-2005  
Date:  
8-29-05  
Date: