

RESOLUTION NO. 09-18849

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND  
VACATING A PORTION OF CLARK AVENUE

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 Clark Avenue 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., portion of Clark Avenue more particularly described as follows:

A tract of land situated in Amended Plat of Arnold Subdivision 2<sup>nd</sup> Filing in Billings, Yellowstone County, Montana, more particularly described as:

A portion of Clark Avenue adjacent to Lot 7, Block 5, Arnold Subdivision 2<sup>nd</sup> Filing, beginning at the northeast corner of Lot 7, Block 5 of Arnold Subdivision 2<sup>nd</sup> Filing said point being the southeast corner of the area of road to be vacated; thence S 89°57' W for a distance of 80 feet to the northwest corner of Lot 7, Block 5 said point being the southwest corner of the area of road to be vacated and a point on the west line of said subdivision; thence along the west line of said subdivision N 00°16' W a distance of 60 feet to the north right of way of Clark Avenue; thence along the right of way of Clark Avenue said line being the south line of Block 8 of Arnold Subdivision 2<sup>nd</sup> Filing N 89°57' E a distance of 80 feet; thence S 00°16' E a distance of 60 feet to the Point of Beginning.

Containing 4,800 square feet.


Is hereby discontinued, abandoned and vacated and shall revert to adjacent property owners of Lots 2 and 7, Amended Plat of Arnold Subdivision 2<sup>nd</sup> Filing. The water main located underground within the vacated portion of Clark Avenue will remain in an easement pursuant to Section 7-14-4115, M.C.A.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portion of Clark Avenue is in the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 27<sup>th</sup> day of July 2009.



THE CITY OF BILLINGS

BY:   
Ron Tussing, MAYOR

ATTEST:

BY:   
Cari Martin, CITY CLERK