

RESOLUTION NO. 11-19055

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BILLINGS, MONTANA, APPROVING THE EXCHANGE OF CITY
STREETS FOR BILLINGS CLINIC LAND TO PROVIDE SPACE
FOR THE PARMLY BILLINGS LIBRARY**

WHEREAS, the Billings City Council has accepted an anonymous donation for the design of a new Parmly Billings Library which, subject to public approval at a November 2011 election, would be located on land adjacent to the current Library at 510 N. Broadway; and

WHEREAS, a 29,060 square foot building and 31,080 square feet of land comprising 8.8 lots of the proposed construction site are owned by Billings Clinic, and the City wishes to acquire those properties for Library use; and

WHEREAS, Billings Clinic is desirous of acquiring 112,800 square feet of City-owned streets consisting of a 24,000-square-foot section of 9th Avenue North between North 28th and North 29th Street; a 28,000-square-foot section of the south half of North 28th Street between 10th Avenue North and 11th Avenue North; and a 60,800-square-foot section of North 28th Street between 7th Avenue North and 9th Avenue North, the legal description for all the right-of-way being more specifically outlined in Exhibit A; and

WHEREAS, even if the Parmly Billings Library were to remain in its current location, the land would be need for parking space for the facility because of other land exchanges that have occurred previously on North 28th Street, near Fourth Avenue North; and

WHEREAS, the value of the City-owned rights-of-way and the Clinic-owned building and land each are estimated to be \$1,353,600 each, so no additional money would be required for the exchange to take place; and

WHEREAS, the Billings Clinic Board of Directors has approved the land exchange, and neighboring property owners have supported the proposed transfer; and

WHEREAS, the Billings City Council has duly advertised and held a public hearing on the proposed land exchange between the City and Billings Clinic.

**NOW, THEREFORE, THE CITY COUNCIL OF BILLINGS, MONTANA,
DOES HEREBY RESOLVE** on this 9th day of May, 2011, to approve the transfer of the City owned streets as outlined above to the Billings Clinic in exchange for a Clinic-owned building at 523 North 29th Street and 8.8 lots containing 31,080 square feet.



CITY OF BILLINGS

BY Thomas W. Hanel
Thomas W. Hanel, Mayor

ATTEST:

Cari Martin
Cari Martin, City Clerk

Exhibit A

Street Vacations for Library/Billings Clinic Exchange
Legal Description of Property

Tracts of land situated within Section 32, T.1N., R.26E., Billings, Yellowstone County, Montana, more particularly described as:

A portion of 9th Avenue North beginning at the northwest corner of Block 1, Billings Clinic Subdivision; thence in a northeasterly direction along the southerly right-of-way line of 9th Avenue North for an approximate distance of 380 feet to the northwest corner of Block 25, Foster's Addition to The Town of Billings; thence in a northwesterly direction crossing said 9th Avenue North right-of-way for an approximate distance of 80 feet to the southeast corner of Lot 3, Block 1, Deaconess Medical Center Subdivision; thence in a southwesterly direction along the northerly right-of-way line of said 9th Avenue North for an approximate distance of 380 feet to the southwest corner of Lot 1, Block 1, Billings Deaconess Hospital Addition to the City of Billings; thence in a southeasterly direction crossing said 9th Avenue North right-of-way for an approximate distance of 80 feet to the Point of Beginning, said tract containing an area of 30,400 square feet, more or less.

A portion of North 28th Street beginning at the northeast corner of Block 1, Billings Clinic Subdivision; thence in a southeasterly direction along the westerly right-of-way line of said North 28th Street for an approximate distance of 680 feet to the southeast corner of said Block 1, Billings Clinic Subdivision; thence in a northeasterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the southwest corner of Block 37, Foster's Addition to The Town of Billings; thence in a northwesterly direction along the easterly right-of-way line of said North 28th Street for an approximate distance of 680 feet to the northwest corner of Block 25, Foster's Addition to The Town of Billings; thence in a southwesterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the Point of Beginning, said tract containing an area of 54,400 square feet, more or less.

A portion of North 28th Street beginning at the southeast corner of Block 5, North Side Addition, Third Filing; thence in a northeasterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the southwest corner of Block 4, North Side Addition, Third Filing; thence in a northwesterly direction along the

easterly right-of-way line of said North 28th Street for an approximate distance of 350 feet to the northwest corner of Lot 35, Block 4, North Side Addition, Third Filing; thence in a southwesterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the northeast corner of Lot 14, Block 5, North Side Addition, Third Filing; thence in a southeasterly direction along the westerly right-of-way line of said North 28th Street for an approximate distance of 350 feet to the Point of Beginning, said tract containing an area of 28,000 square feet, more or less.