

RESOLUTION NO. 12-19148

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,  
DISCONTINUING AND VACATING alley between 3<sup>rd</sup> Street  
West and 4<sup>th</sup> Street West and Howard Avenue and Cook  
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 alley between 3<sup>rd</sup> Street West and 4<sup>th</sup> Street West and Howard Avenue and Cook Avenue 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., alley between 3<sup>rd</sup> Street West and 4<sup>th</sup> Street West and Howard Avenue and Cook Avenue more particularly described as follows:

DESCRIPTION OF ALLEY TO BE VACATED:

A tract of land situated in the SE1/4 of Section 4, T. 1 S., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at a point on the northwesterly right-of-way line of Montana Avenue being the northeast corner of Lot 1, Block 14 of Suburban Subdivision, according to the official plat on file in the Office of the Clerk & Recorder of said County; thence, from said Point of Beginning, S 89°31'45" W along the north line of said Lot 1 and Lots 2-17 of said Block 14, a distance of 567.49 feet to the northwest corner of said Lot 17; said corner also being on the east right-of-way line of 4th Street West; thence N 00°32'17" W along said east right-of-way line, a distance of 20.00 feet to the southwest corner of Lot 18 of said Block 14; thence N 89°31'45" E along the south line of said Lot 18 and Lots 19-40 of said Block 14, a distance of 575.12 feet to the southeast corner of said Lot 40; said corner also being on the west right-of-way line of 3rd Street West; thence S 00°32'17" E along said west right-of-way line, a distance of 14.82 feet to a point on said northwesterly right-of-way line of Montana Avenue; thence S 55°19'13" W along said northwesterly right-of-way line, a distance of 9.22 feet to said Point of Beginning; said described tract containing an area of 11,483 square feet.

Is hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described **alley between 3<sup>rd</sup> Street West and 4<sup>th</sup> Street West and Howard Avenue and Cook 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 26<sup>th</sup> day of March 2012.

THE CITY OF BILLINGS:



BY: Thomas W. Hanel  
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk

