

RESOLUTION NO. 15-10511

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, REPEALING PREVIOUSLY APPROVED RESOLUTION NO. 14-10391 WHICH DISCONTINUED AND VACATED A PORTION OF MOUNTAIN VIEW BOULEVARD PURSUANT TO SECTION 22-601, BMCC (BILLINGS, MONTANA, CITY CODE)

WHEREAS, pursuant to Sections 7-14-4114 and 7-14-4115, M.C.A., 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 Mountain View Boulevard as described more fully on Exhibit A, herein attached, as follows:

A tract of land situated in Panoramic Heights Subdivision, Recorded May 10, 1947, under Document Number 426171, Certificate of Survey Number 575, Recorded March 16, 1953, under Document Number 504035 and Amended Plat of Lots 31, 32, 33a and 51 of Panoramic Heights Subdivision, Recorded May 31, 2001, under Document Number 3131273 of record and on file in the office the Yellowstone County, Clerk and Recorder's in Billings, Yellowstone County, Montana, more particularly described as:

A portion of Mountain View Boulevard adjacent to Lots 33, 34, 34a – 49a, Lots 35b-50b, 50a and Lots 31-A, and 33a-1 of said Recorded Documents, respectively.

WHEREAS, on September 8, 2014, a public hearing was properly noticed and held concerning the petition as required by law;

WHEREAS, after the hearing conducted on September 8, 2014, the City Council approved Resolution No. 14-10391 with conditions, discontinuing and vacating portions of Mountain View Boulevard to allow residents to accomplish certain desired improvements to the street;

WHEREAS, after the approval of Resolution No. 14-10391, residents of Mountain View Boulevard met with Public Works staff and determined that the desired improvements to Mountain View Boulevard could be better accomplished through a Special Improvement District (SID) rather than through a street vacation;

WHEREAS, on June 22, 2015, the City Council approved SID 1398 to fund construction of improvements on Mountain View Boulevard, eliminating the need for the previously approved discontinuance and vacation;

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

1. Resolution No. 14-10391 approved on September 8, 2014, is hereby repealed in its entirety.
2. The property described in Resolution No. 14-10391, described as follows, shall remain open to the public and shall be subject to the improvements approved in the creation of SID 1398 on June 22, 2015:

A tract of land situated in Panoramic Heights Subdivision, Recorded May 10, 1947, under Document Number 426171, Certificate of Survey Number 575, Recorded March 16, 1953, under Document Number 504035 and Amended Plat of Lots 31, 32, 33a and 51 of Panoramic Heights Subdivision, Recorded May 31, 2001, under Document Number 3131273 of record and on file in the office the Yellowstone County, Clerk and Recorder's in Billings, Yellowstone County, Montana, more particularly described as:

A portion of Mountain View Boulevard adjacent to Lots 33, 34, 34a – 49a, Lots 35b-50b, 50a and Lots 31-A, and 33a-1 of said Recorded Documents, respectively.

PASSED by the City Council and APPROVED this 9th day of November, 2015.



CITY OF BILLINGS

BY: Thomas W. Hanel
Thomas W. Hanel, MAYOR

ATTEST:

BY: Billie Guenther
Billie Guenther, City Clerk

EXHIBIT "A"

