

RESOLUTION NO. 08-18684

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING PORTIONS OF S. 24TH STREET, 4TH AVE. S., 5TH AVE. S., 6TH AVE. S., ALLEYS WITHIN BLOCKS 173 AND 179 OF BILLINGS OLD TOWN.

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 portions of S. 24th Street, 4th Ave. S., 5th Ave. S., 6th Ave. S., alleys within Blocks 173 and 179 of Billings Old Town 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., portions of S. 24th Street, 4th Ave. S., 5th Ave. S., 6th Ave. S., alleys within Blocks 173 and 179 of Billings Old Town more particularly described as follows:

PORTION OF SOUTH 24th STREET RIGHT-OF-WAY

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being a portion of the right-of-way of South 24th Street more particularly described as follows, to-wit:

Beginning at a point which is the northeasterly corner of Lot 12, Block 186 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, crossing the right-of-way of S. 24th Street, N 55°23'30" E a distance of 80.00 feet; thence along the easterly right-of-way line of S. 24th Street, S 34°36'30" E a distance of 168.99 feet; thence, along the east line of Section 3, T. 1 S., R. 26 E., P.M.M., S 00°18'30" E a distance of 141.96 feet; thence, along the westerly right-of-way line of S. 24th Street, N 34°36'30" W a distance of 286.27 feet to the point of beginning; said described tract having an area of 18,210 square feet.

PORTION OF 6th AVENUE SOUTH RIGHT-OF-WAY

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being a portion of the right-of-way of 5th Avenue South more particularly described as follows, to-wit:

Beginning at a point which is the southwesterly corner of Lot 5A, Block 186 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, along the northerly right-of-way line of 6th Avenue South, N 55°23'30" E a distance of 130.59 feet; thence, along the east line of Section 3, T. 1 S., R. 26 E., P.M.M., S 00°18'30" E a distance of 96.84 feet; thence, along the southerly right-of-way line of 6th Avenue South, S 55°23'30" W a distance of 76.02 feet; thence, crossing the right-of-way of 6th Avenue South, N 34°36'30" W a distance of 80.00 feet to the point of beginning; said described tract having an area of 8,264 square feet.

ALLEY IN BLOCK 173

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being the Alley in Block 173 of the Original Town (now City) of Billings, Montana, more particularly described as follows, to-wit:

Beginning at a point which is the northeasterly corner of Lot 13, Block 173 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, along the southerly right-of-way line of 3rd Avenue South, N 55°23'30" E a distance of 20.0 feet; thence, along the southwesterly line of Lots 1 through 12 in said Block 173, S 34°36'30" E a distance of 300.0 feet; thence, along the northerly right-of-way line of 4th Avenue South, S 55°23'30" W a distance of 20.0 feet; thence, along the northeasterly line of Lots 13 through 24 in said Block 173, N 34°36'30" W a distance of 300.0 feet to the point of beginning; said described tract having an area of 6,000 square feet.

PORTION OF 4th AVENUE SOUTH RIGHT-OF-WAY

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being a portion of the right-of-way of 4th Avenue South more particularly described as follows, to-wit:

Beginning at a point which is the southwesterly corner of Lot 24, Block 174 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, along the northerly right-of-way line of 4th Avenue South, N 55°23'30" E a distance of 50.04 feet; thence, along the east line of Section 3, T. 1 S., R. 26 E., P.M.M., S 00°03'00" E a distance of 88.22 feet; thence, leaving said section line, N 34°36'30" W a distance of 72.65 feet to the point of beginning; said described tract having an area of 1,818 square feet.

ALLEY IN BLOCK 179

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being the Alley in Block 179 of the Original Town (now City) of Billings, Montana, more particularly described as follows, to-wit:

Beginning at a point which is the northeasterly corner of Lot 13, Block 179 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, along the southerly right-of-way line of 4th Avenue South, N 55°23'30" E a distance of 20.0 feet; thence, along the southwesterly line of Lots 1 through 12A in said Block 179, S 34°36'30"E a distance of 300.0 feet; thence, along the northerly right-of-way line of 5th Avenue South, S 55°23'30" W a distance of 20.0 feet; thence, along the northeasterly line of Lots 13 through 24 in said Block 179, N 34°36'30" W a distance of 300.0 feet to the point of beginning; said described tract having an area of 6,000 square feet.

PORTION OF 5th AVENUE SOUTH RIGHT-OF-WAY

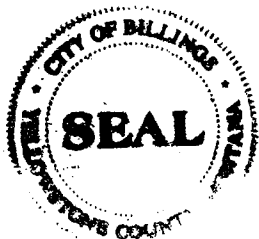
A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being a portion of the right-of-way of 5th Avenue South more particularly described as follows, to-wit:

Beginning at a point which is the southwesterly corner of Lot 24, Block 179 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, along the northerly right-of-way line of 5th Avenue South, N 55°23'30" E a distance of 168.31 feet; thence, along the east line of Section 3, T. 1 S., R. 26 E., P.M.M., S 00°03'00" E a distance of 97.14 feet; thence, along the southerly right-of-way line of 5th Avenue South; S 55°23'30" W a distance of 113.20 feet; thence N 34°36'30" W a distance of 80.0 feet to the point of beginning; said described tract having an area of 11,260 square feet.

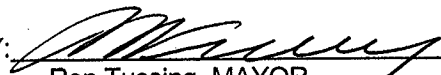
Is hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portions of S. 24th Street, 4th Ave. S., 5th Ave. S., 6th Ave. S., alleys within Blocks 173 and 179 of Billings Old Town is in the best interest of the public and can be done without any public detriment.

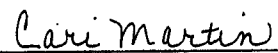
PASSED by the City Council and APPROVED this 25th day of February 2008.

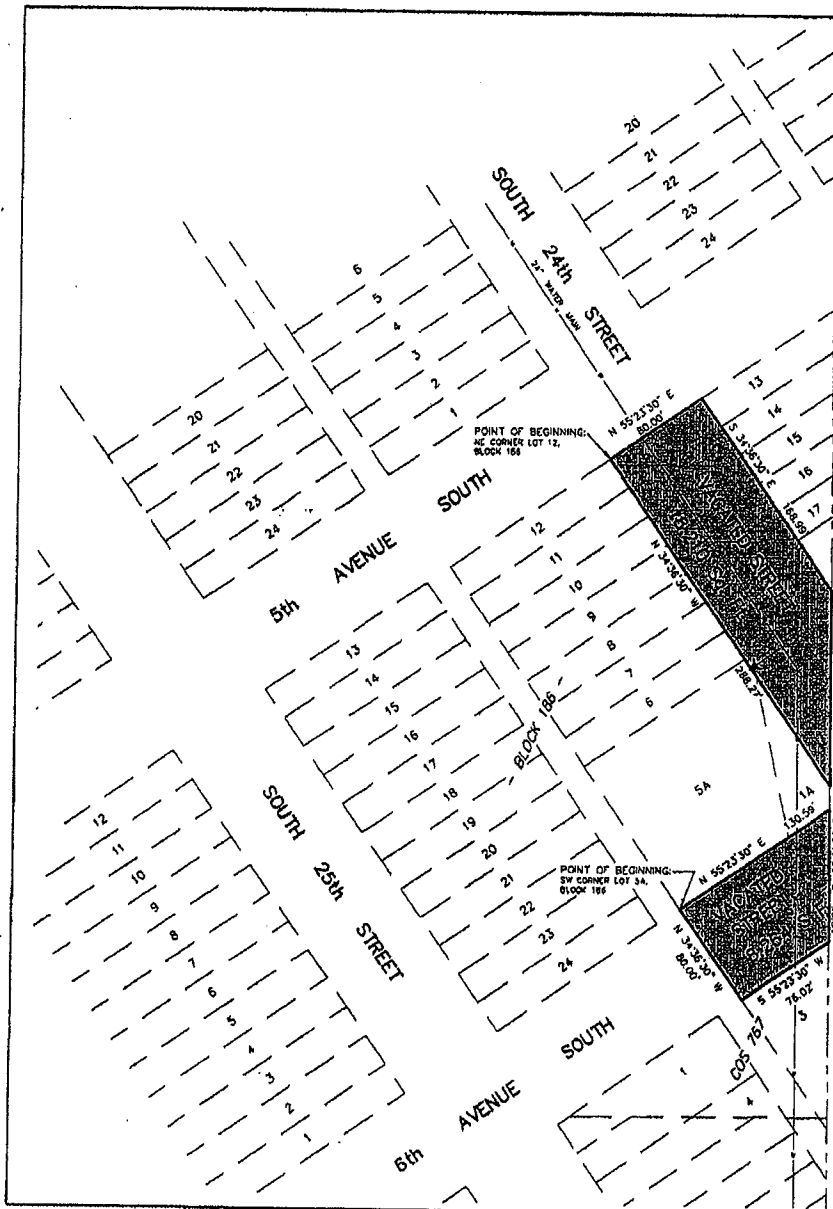


THE CITY OF BILLINGS

BY: 
Ron Tussing, MAYOR

ATTEST:

BY: 
Cari Martin, CITY CLERK



PORTION OF SOUTH 24th STREET RIGHT-OF-WAY

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being a portion of the right-of-way of South 24th Street more particularly described as follows, to-wit:

Beginning at a point which is the northeasterly corner of Lot 12, Block 186 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, crossing the right-of-way of S. 24th Street, N 55°23'30" E a distance of 80.00 feet; thence along the easterly right-of-way line of S. 24th Street, S 34°36'30" E a distance of 168.89 feet; thence, along the east line of Section 3, T. 1 S., R. 26 E., P.M.M., S 00°18'30" E a distance of 141.86 feet; thence, along the westerly right-of-way line of S. 24th Street, N 34°36'30" W a distance of 286.27 feet to the point of beginning; said described tract having an area of 18,210 square feet.

PORTION OF 6th AVENUE SOUTH RIGHT-OF-WAY

A tract of land located in the NE 1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana, being a portion of the right-of-way of 6th Avenue South more particularly described as follows, to-wit:

Beginning at a point which is the southwesterly corner of Lot 5A, Block 186 of the Original Town (now City) of Billings, Montana; thence, from said point of beginning, along the northerly right-of-way line of 6th Avenue South, N 55°23'30" E a distance of 130.59 feet; thence, along the east line of Section 3, T. 1 S., R. 26 E., P.M.M., S 00°18'30" E a distance of 86.84 feet; thence, along the southerly right-of-way line of 6th Avenue South, S 55°23'30" W a distance of 78.02 feet; thence, crossing the right-of-way of 6th Avenue South, N 34°36'30" W a distance of 80.00 feet to the point of beginning; said described tract having an area of 8,264 square feet.

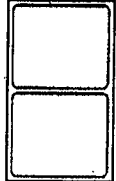


BASIS OF BEARINGS = AMENDED PLAT OF LOTS 1 THRU 5, BLOCK 186, ORIGINAL TOWN OF BILLINGS.



SCALE: 1" = 50'

ENGINEERING, INC.
Consulting Engineers and Land Surveyors
BILLINGS • MONTANA



CONOCO STREET VACATION
RIGHT-OF-WAY VACATION FOR PORTIONS OF SOUTH 24th ST. & 6th AVE. S.
BILLINGS, YELLOWSTONE COUNTY, MONTANA
EXHIBIT "A"

DATE	11/14/2007
BY	RS/SGR
APPROVED BY	
CALY ASSURE	
SCALE	1" = 50'
TITLE	CONOCO ST. VAC.
PROJECT	CONOCO ST. VAC.
SHEET	1 OF 1