

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 19740**

### **A RESOLUTION AUTHORIZING THE CONVEYANCE OF SURPLUS REAL PROPERTY OWNED BY THE CITY OF HELENA**

**WHEREAS**, Section 1-4-17 of the Helena City Code provides that the City Commission may sell, dispose or lease property owned by the City; and

**WHEREAS**, the City of Helena owns the parcel of real property described below:

**Lot 50 of the First Subdivision of the Last Chance Revision of the Original Helena Townsite, as shown on the Amended Plat attached hereto.**

**WHEREAS**, the City has no need for this property; and

**WHEREAS**, it appears to be in the best interests of the City of Helena and the inhabitants thereof that this property be declared surplus and conveyed to Aspen Court, LLC, owner of the Aspen Court Building, and to Bob Kiesling and Larry and Terri Middagh, owners of the Boston Block, to correct an erroneous legal description problem and convey unusable portions of Lot 50 to the adjacent property owners; and

**WHEREAS**, a public hearing was held on this matter on the **21<sup>st</sup> day of June, 2010, at 6:00 p.m.** in the Commission Chambers at 316 North Park, Helena, Montana.

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**Res. No. 19740**

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

**Section 1.** That notice of the disposal of the above-described property was properly given pursuant to §1-4-17 of the Helena City Code, and the City Manager or the Manager's designee is hereby authorized to Convey the property to Aspen Court, LLC and Bob Kiesling and Larry and Terri Middagh, subject to the following condition:

Aspen Court, LLC, and Bob Kiesling and Larry and Terri Middagh will pay for the cost of the survey, the public hearing advertising costs, title insurance (if they desire it), closing costs, and filing and recording fees.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 21<sup>st</sup> DAY OF JUNE, 2010.**

/S/ James E. Smith  
MAYOR

**ATTEST:**

/S/ Debbie Havens  
CLERK OF THE COMMISSION