

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19941

A RESOLUTION OF INTENTION TO VACATE THE FULL WIDTH OF A PORTION OF THE CABOOSE WAY RIGHT-OF-WAY BETWEEN LOT 1 IN BLOCK D AND COMMON AREA #6 ADJACENT TO LOT 2 IN BLOCK A, AND AN ADDITIONAL PORTION ADJACENT TO THE EASTERN PROPERTY BOUNDARY OF LOT 1 IN BLOCK D, ALL AS SHOWN ON THE GREAT NORTHERN TOWN CENTER P.U.D. PLAT, LOCATED IN THE CITY OF HELENA, MONTANA

WHEREAS, Great Northern Town Center Owners' Association and Artisan LLC, the owners of the property adjacent to the following-described property in the City of Helena, Montana, have petitioned for the vacation of a portion of the Caboose Way right-of-way between Lot 1 in Block D and Common Area #6; and a portion of the Caboose Way right-of-way adjacent to the eastern property boundary of Lot 1 in Block D, all as shown on the Great Northern Town Center P.U.D. plat, located in the City of Helena, County of Lewis and Clark, State of Montana, more particularly described as follows:

The 20-foot wide Caboose Way right-of-way between Lot 1 in Block D and Common Area #6 in the Great Northern Town Center P.U.D. in the City of Helena, County of Lewis and Clark, State of Montana, containing 614 square feet, more or less; and

A triangular portion of the 20-foot wide Caboose Way right-of-way adjacent to the eastern property boundary of Lot 1 in Block D of the Great Northern Town Center P.U.D. in the City of Helena, County of Lewis and Clark, State of Montana, containing 154 square feet more or less.

The attached map shows the proposed vacation.

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof that said portions of

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Caboose Way right-of-way in the Great Northern Town Center P.U.D. be vacated.

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

Section 1. It is the intention of the Helena City Commission that a portion of the Caboose Way right-of-way between Lot 1 in Block D and Common Area #6, and a portion of the Caboose Way right-of-way adjacent to the eastern property boundary of Lot 1 in Block D, both as shown on the Great Northern Town Center P.U.D. plat, located in the City of Helena, County of Lewis and Clark, State of Montana, more particularly described above, be vacated. The Commission hereby directs the City Manager or his designee to serve notice of this resolution of intention upon affected owners of property abutting the portion of right-of-way affected by these proposed vacations and directs the Clerk of the Commission to cause a notice to be published once in The Independent Record, a daily newspaper published in Helena, Montana, as provided by §7-3-4448, MCA. The notice shall state the time and place for hearing objections, and that expressions of approval or disapproval will be received in writing in the office of the Clerk of the Commission prior to the hearing thereon.

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Section 2. A public hearing on the vacation of said right-of-way portions shall be held before the Helena City Commission in its chambers at 316 North Park Avenue in Helena, Montana, on **the 6th day of August, 2012 at 6:00 p.m.**

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 23rd DAY OF JULY, 2012.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION