

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20226

**A RESOLUTION VACATING THE FULL WIDTH OF
THE DODGE AVENUE RIGHT-OF-WAY BETWEEN LOT 5 IN BLOCK 7 AND LOTS 7
AND 8 IN BLOCK 8, ALL IN THE GRAND AVENUE ADDITION
IN THE CITY OF HELENA, MONTANA**

WHEREAS, Expedition Properties, LLC, the owner of the property adjacent to the following-described property in the City of Helena, Montana, has petitioned for the vacation of the Dodge Avenue right-of-way between Lot 5 in Block 7 and Lots 7 and 8 in Block 8 in the Grand Avenue Addition in the City of Helena, County of Lewis and Clark, State of Montana. 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 right-of-way in the Grand Avenue Addition be vacated.

WHEREAS, a public hearing was held on this matter on the **7th day of December, 2015,** in the City Commission Chambers in the City-County Building at 316 North Park Avenue in Helena, Montana.

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

Section 1. The Helena City Commission hereby conditionally approves the vacation of the Dodge Avenue right-of-way between Lot 5 in Block 7 and Lots 7 and 8 in Block 8 in the Grand Avenue

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Addition, all in the City of Helena, County of Lewis and Clark, Montana, be vacated.

Section 2. This approval is conditioned upon satisfactory completion of the requirements set forth below. If these requirements are not completed within one (1) year from the date of this resolution, or as extended by the City Commission, this approval becomes void and the application for vacation is deemed denied. The requirements for completion of vacation are:

A. Applicant shall cause an amended plat to be prepared showing the proposed new boundary lines of the adjoining property to which title will revert upon vacation of the right-of-way.

The amended plat shall be presented to the Commission for review and approval.

B. All pending taxes and special assessments levied against the property affected by the proposed vacation shall be paid in full. The Applicant shall furnish proof of payment of these taxes and special assessments.

C. Current access to the north side of the building is provided. A 12 foot wide gravel access is provided from North Montana Avenue to the location of the proposed new structure that is to connect the existing buildings. A gravel turnaround is

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provided near the end of this access. Both the roadway and the turnaround are maintained and kept clear of snow in the wintertime.

D. The existing Agri Feeds building and the proposed building have fire sprinklers.

E. Existing Lewis & Clark Brewing, old Agri Feeds building and the proposed building have early warning devices installed throughout. These devices include smoke detection, or other devices that provide early warning and approved by the Fire Marshal.

F. The amended plat must be filed and the Quit Claim Deed recorded with the Clerk & Recorder for Lewis & Clark County, Montana. The vacation is effective only upon the filing of the amended plat and recording of the Quit Claim Deed.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 7TH DAY OF DECEMBER, 2015.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION