

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20573

**A RESOLUTION OF INTENTION TO VACATE THE
1ST STREET RIGHT-OF-WAY BETWEEN BLOCK 567 IN THE EASTERLY
ADDITION AND BLOCK 1A IN THE COURTHOUSE ADDITION AND A PORTION
OF THE SOUTH HOBACK STREET RIGHT OF WAY ADJACENT TO LOT 1A-1 OF
BLOCK 1A OF THE COURTHOUSE ADDITION IN THE CITY OF HELENA,
MONTANA**

WHEREAS, Section 7-1-7, Helena City Code, and Section 7-3-4448, MCA, permits the City Commission to vacate public rights-of-way and governs the process to do so;

WHEREAS, **Bonnie Adee and Frank C. Crowley, David A. Nimick and Angie S. Leprohon, and Cheryl A. Lamb**, the owners of the property adjacent to 1st Street in the City of Helena, Montana, have petitioned for the vacation of the full width of the 1st Street right-of-way between Lots 11 through 20 of Block 567 of the Easterly Addition and Lots 2A and Lot 1A-1 of Block 1A of the Courthouse Addition, in the City of Helena, County of Lewis and Clark, Montana, as shown on Certificate of Survey Nos. 3255657 and 3318059;

WHEREAS, **Cheryl A. Lamb**, the owner of the property adjacent to South Hoback Street in the City of Helena, Montana, has petitioned for the vacation of the western half of the South Hoback Street right-of-way adjacent to Lot 1A-1 of the Courthouse Addition, in the City of Helena, County of Lewis and Clark, Montana

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as shown on Certificate of Survey Nos. 3255657 and 3318059; and

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof that said rights-of-way be vacated.

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

Section 1. It is the intention of the City Commission that the full width of the 1st Street right-of-way between Lots 11 through 20 of Block 567 of the Easterly Addition and Lots 2A and Lot 1A-1 of Block 1A of the Courthouse Addition as shown on Certificate of Survey Nos. 3255657 and 3318059, all in the City of Helena, County of Lewis and Clark, Montana, be vacated.

Section 2. It is the intention of the Helena City Commission that the western half of the South Hoback Street right-of-way adjacent to Lot 1A-1 of the Courthouse Addition as shown on Certificate of Survey Nos. 3255657 and 3318059, in the City of Helena, County of Lewis and Clark, Montana, be vacated.

Section 3. The Commission hereby directs the City Manager or designee to serve notice of this resolution of intention upon owners of property abutting the portion of right-of-way affected

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by this proposed vacation, 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.

Section 2. A public hearing on the vacation of said right-of-way shall be held before the Helena City Commission in its chambers at 316 North Park Avenue in Helena, Montana, on **the 21ST day of October, 2019 at 6:00 p.m.**

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 23rd DAY OF SEPTEMBER, 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CLERK OF THE COMMISSION