

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO.20625

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A BUY-SELL AGREEMENT TO SELL 2,259 SQUARE FEET OF UNUSED CITY PROPERTY IN THE BELT VIEW PLANNED UNIT DEVELOPMENT ALONG COMSTOCK ROAD IN THE CITY OF HELENA, MONTANA**

**WHEREAS**, Section 1-4-17 of the Helena City Code governs the sale, disposal, or lease of real property owned by the City;

**WHEREAS**, the City of Helena wishes to dispose of 2,259 square feet of property as described in Quit Claim Deed, Book M55, Page 3272, Document No. 3334930 ("Property"), and more specifically shown on Exhibit "A", attached hereto, by direct sale to Thomas and Jolene Frances Jennings ("Buyers");

**WHEREAS**, Buyers own Lot 10 in Block 6 of the Belt View Planned Unit Development as shown on Certificate of Survey No. 236558 adjacent to the Property;

**WHEREAS**, the City of Helena previously granted Buyers' predecessors in interest a private driveway easement for ingress and egress across a portion of the Property and it currently has a paved driveway installed on it, as shown on Document No. 3304223 on file with the Lewis and Clark County Clerk and Recorder;

**WHEREAS**, the Property was originally obtained by the City via quit claim deed from Lewis and Clark County after the Belt View

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Homeowner's Association failed to pay property taxes on the "common area" which now constitutes a large undeveloped and undefined area in the Belt View Planned Unit Development. More specifically, the instant Property is undeveloped and the City of Helena has no present or foreseeable future use for the Property; and

**WHEREAS**, it appears to be in the best interests of the City of Helena and the inhabitants thereof that an agreement be entered into to sell the Property to Buyers.

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

**Section 1.** The City Manager is authorized to enter into a Buy/Sell Agreement with Thomas and Jolene Frances Jennings, for the sale of 2,259 square feet of property as described in Quit Claim Deed, Book M55, Page 3272, Document No. 3334930 and more specifically shown on Exhibit "A" attached hereto for the amount of Sixteen Thousand Seven Hundred Sixteen Dollars and Sixty Cents (\$16,716.60).

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 28<sup>th</sup> DAY OF SEPTEMBER, 2020.**

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/S/ WILMOT COLLINS  
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN  
CLERK OF THE COMMISSION