

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION OF INTENTION NO. 20377

RESOLUTION OF INTENTION TO ENTER INTO A LAND EXCHANGE AGREEMENT WITH LEWIS AND CLARK COUNTY TO EXCHANGE PROPERTY LOCATED IN SECTION 17, TOWNSHIP 10 NORTH, RANGE 3 WEST, P.M.M.

WHEREAS, City of Helena owns 33.8 acres in the southeast corner of the SW1/4NE1/4 of Section 17, Township 10 North, Range 3 West, P.M.M., in the City of Helena, Lewis and Clark County, Montana, generally located east of the Frontage Road and north of Custer Avenue; and

WHEREAS, Lewis and Clark County owns 41.7 acres in the SE1/4 NE1/4 of Section 17, Township 10 North, Range 3 West, P.M.M., in Lewis and Clark County, Montana, generally located east of the Frontage Road and north of Custer Avenue; and

WHEREAS, the City and County desire to exchange ownership of portions of their respective parcels described above; and

WHEREAS, Sections 1-4-15 and 1-4-17 of the Helena City Code (HCC) govern the process for the purchase and disposition of real property owned by the City; and

WHEREAS, Section 1-4-17(B), HCC, requires that prior to the purchase of real property the city obtain two (2) independent appraisals when the proposed purchase price is more than \$500,000; and

WHEREAS, Section 1-4-17(C), HCC, provides the Commission with authority to waive that requirement upon a finding that the

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procedure is not in the best interests of the City; and

WHEREAS, Lewis and Clark County obtained an appraisal of its property in 2015 that serves as the basis for determination of the purchase price; and

WHEREAS, the exchange of the properties more particularly described above appears to be in the best interests of the present owners of the properties and the inhabitants of the City of Helena, Montana.

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

Section 1. It is the intention of the Helena City Commission to exchange ownership of the southern 15 acres of its 33/8-acre parcel in the SW1/4NE1/4 of Section 17, Township 10 North, Range 3 West, P.M.M., in the City of Helena, Lewis and Clark County, Montana, with Lewis and Clark County for its 41.7-acre parcel in the SE1/4NE1/4 of Section 17, Township 10 North, Range 3 West, P.M.M., in Lewis and Clark County, Montana, generally located east of Frontage Drive and north of Custer Avenue.

Section 2. This property exchange is conditioned upon final Commission approval after compliance with the public notice procedures in Sections 1-4-15 and 1-4-17, HCC, the holding of any

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required public hearings, and approval by the Lewis and Clark Board of County Commissioners.

Section 3. A public hearing on this proposed land exchange will be held before the Helena City Commission in its chambers at 316 North Park Avenue in Helena, Montana, on **the 11th day of September, 2017 at 6:00 p.m.**

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, 21st DAY OF AUGUST, 2017.

/S/ JAMES E. SMITH _____
MAYOR

ATTEST:

/S/ DEBBIE HAVENS _____
CLERK OF THE COMMISSION

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"EXHIBIT A"

